

ORDINANCE NO. 24-035

ENTITLED AN ORDINANCE AMENDING CHAPTER 28, SECTION 28.04.008(b)(19)(D) OF THE CODE OF ORDINANCES OF BEAUMONT, TEXAS, TO MAKE CHANGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING A PENALTY.

BE IT ORDAINED BY THE CITY OF BEAUMONT:

Section 1.

THAT Chapter 28, Section 28.04.008(b)(19)(D) of the Code of Ordinances be and the same is hereby amended by amending the requirement of 24-hour on-site supervision to residential care uses as follows:

Sec. 28.04.008(b)(19)

(D) A facility may be required by the Community Development Director to provide twenty-four (24) hour on-site supervision of its residents or clients on the basis of its necessity or history of criminal activity associated with the proposed location.

Section 2.

That if any section, subsection, sentence, clause or phrase of this ordinance, or the application of same to a particular set of persons or circumstances, should for any reason be held to be invalid, such invalidity shall not affect the remaining portions of this ordinance, and to such end, the various portions and provisions of this ordinance are declared to be severable.

Section 3.

That all ordinances or parts of ordinances in conflict herewith are repealed to the extent of the conflict only.

Section 4.

That any person who violates any provision of this ordinance shall, upon conviction, be punished, as provided in Section 1.01.009 of the Code of Ordinances of Beaumont, Texas.

The meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of July, 2024.



A handwritten signature in cursive script, appearing to read "Roy West", is written over a horizontal line.

- Mayor Roy West -

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 28.04.008 Special conditions.

- (a) General. The following sections describe the special conditions under which certain uses are permitted in a zoning district when reference is made to one or more of said sections in the chapter. A building permit or certificate of occupancy shall not be issued for any permitted use with "special conditions" until all of the required conditions have been met.
- (b) Special conditions by use.
 - (1) Cluster housing developments. Cluster housing developments shall meet each of the following conditions:
 - (A) Area. The site shall contain two (2) or more acres of land.
 - (B) Density. The minimum average net land area per dwelling unit shall be governed by section 28.03.024(b), but shall not include public and private streets in the development.
 - (C) Yards. A minimum ten (10) foot yard or open space area shall be required from all public street rights-of-way and from the boundary of the development. A minimum yard of ten (10) feet shall be established between all unattached dwellings.
 - (D) Lot area and yards. Individual lots are exempt from the minimum lot area and yard regulations otherwise imposed in this chapter.
 - (E) Common open space. There shall be a minimum of one thousand (1,000) square feet of usable common open space per dwelling unit in the development. Common open space must be usable for recreational activities and must be assembled in contiguous areas of not less than ten thousand (10,000) square feet.
 - (F) Final plat. A recorded final plat covering all the area of a cluster housing development shall be required before a building permit shall be issued.
 - (G) Development phases. A description of planned development phases shall be included in the application for, and made a part of the approval of, the final plat for cluster housing development. Each scheduled phase of development shall include a reasonable proportion of required common open space.
 - (H) Co-owners' association and assessments. A co-owner association or other legal entity shall be created to provide for the retention and perpetual maintenance of all common open space, private utilities, and private streets and approved by the city attorney. There shall be a declaration creating an association of co-owners, whether called by that name or any other, the membership of which shall be composed of all owners of lots or other units within the perimeter of the development. Voting within the association may be weighted in any manner, except that provision shall be made that upon the conveyance of all lots or other units by the applicant of the permit, each owner of each lot or other unit shall have an equal vote. The word "owner" shall mean the record owner, whether one or more persons or other unit which is a part of the development, including sellers under contract for deed, but excluding those having such interest as a security for the performance of an obligation. There shall be a declaration that each owner of a lot or other unit shall, by acceptance of a deed therefor, whether expressly stated in such deed or not, be deemed to covenant and agree to pay to the association the following minimum assessments and maintenance fees.
 - (i) Private street maintenance. An assessment for ordinary maintenance and also a special assessment for capital improvements and extraordinary maintenance and repair of all private streets within the development. The word "street" as used in this subsection shall mean all paved or unpaved roads open

to all owners of the development, so designated on the plat of the development, as distinguished from private driveways leading into one or more lots or other units.

- (ii) Utility, water and sewer assessments. A monthly assessment for each owner's pro rata shares of the monthly utilities which may be metered or sold to the development as a unit; provided, however, that in the event one or more utilities are not provided to all owners within the development, the declaration may provide for a pro rata assessment as between those owners actually serviced by the utility, only. In addition to the monthly assessment herein above provided, there shall be declared provisions for special assessments for ordinary maintenance and repair, as well as a special assessment for extraordinary maintenance and repair, as well as capital improvements for, all sewage collection systems and water lines shared in common by, and servicing in common, all owners within the development, as distinguished from lines which serve only one or more units. Declarant may choose to dedicate water and sewer easements for water and sewer collection systems shared in common by all owners of the development that are within the perimeter of the development to the public, and, providing such dedication is accepted by the City, no assessment for the maintenance of water and sewer collection systems shared in common by the owners of said development shall be required.
 - (iii) Maintenance of common open space. The applicant shall also submit a scheme, subject to the approval of the city council, for assuring continued retention and perpetual maintenance of common green areas for as long a time as the development exists. The approved documents embodying restrictive covenants, deed restrictions or other methods of giving such assurance shall be filed for record in the county clerk's office at such times as the planning commission or the city council directs.
- (2) Adult entertainment uses. The following special conditions and regulations shall apply for adult entertainment uses without regard to whether the adult entertainment use is a primary or accessory use. Adult entertainment uses are those which exclude minors by virtue of age under the state penal code unless such minor is accompanied by a consenting parent, guardian, or spouse and shall include but not be limited to, adult motion picture theaters, massage parlors, nude modeling studios, nude photography studios, adult bookstores, or eating and drinking establishments which have sexually oriented entertainment such as go-go dancers, exotic dancers, strippers, or other similar entertainers.
 - (A) An adult entertainment use shall not be established or expanded within one thousand five hundred (1,500) feet of any dwelling.
 - (B) An adult entertainment use shall not be established or expanded within three hundred (300) feet of any other adult entertainment use, bar, pool hall, or liquor store.
 - (C) An adult entertainment use shall not be established or expanded within one thousand five hundred (1,500) feet of a church, child care facility, school, hospital, public building, or public park.
 - (D) The method of measuring the distance between an adult entertainment use and another adult entertainment use or any other use shall be from nearest property line to nearest property line of said uses.
 - (E) Eating places (SIC 5812) and drinking places (SIC 5813) that have adult entertainment and videotape rental (SIC 7841) that rents adult videotapes shall not be allowed in the RCR, NC, NSC, GC-MD and GC-MD-2 Districts.
 - (3) Swimming pool. Exception for private recreation facilities under subsection (8) below.
 - (A) If located in any residential zoning district, the pool shall be intended and used solely for the enjoyment of the occupants of the principal use of the property on which it is located and their guests.
 - (B) A pool may be located anywhere on a premises except in the required front yard, provided that the pool

shall not be located closer than five (5) feet to any property line of the property on which located.

- (C) The swimming pool shall be enclosed by a wall or fence six (6) feet in height with locking gates.
- (4) Mobile home. A mobile home shall be permitted only in a mobile home park or a mobile home subdivision or as a single-family use for security caretaker housing on property and facilities used as a governmental or public school district use through a specific use permit.
- (5) Garage apartments. Garage apartments that are occupied by members of the family of the occupant of the principal dwelling and that meet all yard, open space, and off-street parking requirements that are permitted.
- (6) Servant's or caretaker's quarters. Accessory dwellings are permitted only if located in the rear of a principal building on the same lot and only if conforming with all the yard, open space, and off-street parking requirements.
- (7) Accessory buildings. An accessory building may be erected as an integral part of the principal building or erected detached from the principal building and it may be connected by a breezeway or similar structure. An accessory building attached to the main building shall be made structurally a part and have a common wall with the principle building and shall comply in all respects with the requirements of this chapter applicable to the main building. When a property owner owns two adjacent lots and wishes to erect an accessory building on the lot that does not contain a main building, the accessory building must straddle the adjoining lot line. Any utility service to an accessory building shall not be serviced from the main building. No separate utility meter will be allowed on an accessory building.
- (8) Private recreation facility. Private recreation facilities in residential districts shall for multifamily developments, subdivisions, or homeowners' associations be restricted to use by the occupants of the residence and their guests, or by members of a club or homeowners' association and their guests, and shall be limited to such uses as swimming pools, open game fields, basketball, shuffleboard, racquet ball, croquet, and tennis courts, and meeting or locker rooms. Private recreation facilities shall not be located within twenty-five (25) feet of any street right-of-way or within ten (10) feet of any abutting property line. Activity areas shall be fenced and screened from abutting properties. Dispensing of food and beverages shall be permitted on the premises only for the benefit of users of the recreation facility and not for the general public. Off-street parking shall be required on the basis of each four thousand (4,000) square feet of area devoted to recreational use with a minimum of four (4) spaces and a maximum of twenty (20) spaces.
- (9) Auto repair garage. Automobile repairing, painting, upholstering, and body and fender work shall be performed only under the following conditions:
 - (A) All body and fender repairing shall be done within a completely enclosed building or room with stationary windows that may be opened only at intervals necessary for ingress and egress;
 - (B) No spray painting may be done except in a building or room specially designed for that purpose;
 - (C) All other auto repairing, etc., shall be conducted within a building enclosed on at least three (3) sides.
- (10) Temporary batching facility. Before a specific use permit may be granted for a temporary batching facility, the city council shall find that such batching plant, yard, or building is both incidental to and necessary for construction within two (2) miles of the plant. A specific use permit may be granted for a period of not more than one hundred and eighty (180) days, and approval shall not be granted for the same location for more than four (4) specific use permits during any thirty (30) month period. Within thirty (30) days following the termination of any batching plant, the permittee shall cause the site to be returned to its original condition.

- (11) Restaurant. The sale of alcoholic beverages shall be permissible only as an adjunct, minor, and incidental use to the primary use which is the sale and service of food unless the restaurant is located in a district which permits drinking places as a use of right.
- (12) Offices. Office development in the OP, office park district, shall be subject to the following additional supplemental conditions:
- (A) A minimum ten (10) foot landscaped open space buffer strip shall be provided along any property line which abuts a residential zoning district.
 - (B) A minimum twenty-five (25) foot landscaped open space area shall be provided in the required front yard and also in the side yard if the property is a corner lot.
 - (C) No parking spaces shall be located in the minimum front yard or side yard if the property is a corner lot, and driveways shall provide direct access to any parking areas.
 - (D) All lighting shall be so situated as not to reflect light on any residential property.
 - (E) Building site coverage consisting of all buildings and structures and all paved surfaces shall not exceed ninety (90) percent of the total lot area.
 - (F) Storefront, show window, or display window effects shall not be permitted and there shall be no display from windows or doors and no storage of merchandise in the building or on the premises except in quantities customarily found in a professional or business office.
- (13) Renting equipment. Special use permits are not required for the rental of equipment in a zoning district that permits the sale of the equipment as a right.
- (14) Accessory parking. Accessory parking of vehicles with more than two (2) axles or that have a rated carrying capacity in excess of two (2) tons, other than recreational vehicles, shall not be allowed in residential zoning districts.
- (15) Storage limitations. In a GC-MD district a towing service shall only be permitted to store no more than ten (10) vehicles on the lot or premises on which it is located as a use of right. Storage of more than ten (10) vehicles shall be permitted only with a specific use permit.
- (16) Heliports and helistops. Heliports and helistops, as defined in section 28.01.004(b), are subject to the requirements of article 14.02, division 2 of the City Code of Ordinances.
- (17) Veterinary services. Veterinary services and clinics in RCR, NC, NSC, GC-MD, GCMD-2, and CBD districts shall be limited to the care of household pets and shall not provide overnight kennel services, except on a medical emergency basis. Overnight kennels and veterinary services not limited to household pets may be allowed in GCMD, GC-MD-2 and CBD districts with a specific use permit. Veterinary services for animal specialties (SIC 0742) may be permitted as an accessory use to existing kennels (SIC 0752) with a specific use permit.
- (18) Permitted land uses. The land uses listed under SIC Group Number 20 through 26, 30 through 32, 34, 35, 37 and 44 shall be permitted within the GC-MD, CBD and C-M Zoning Districts if: (i) granted a specific use permit and (ii) it complies with the following conditions:
- (A) All business-related activities, including storage of materials and equipment, shall be conducted within a completely enclosed structure.
 - (B) All lighting shall be situated so as not to cast or reflect light on any residential property.

- (C) A traffic circulation plan showing all parking, drives, loading/unloading areas, and curb cuts, and truck routes shall be submitted to the city engineer for approval. The city engineer may, as a condition of approval of the traffic circulation plan, restrict the size of trucks parked on the site or involved in deliveries and pickup. The city engineer may also designate or restrict truck routes.
- (D) The maximum gross floor area for any lot or premises shall be five thousand (5,000) square feet.
- (E) Signs shall comply with the sign requirements for the NC, neighborhood commercial district.
- (F) Industrial performance standards, as specified in section 28.04.007, will be applicable.
- (G) Subsection (18) shall not apply to temporary batching plants (SIC 295 and SIC 3273) and permanent batching plants (SIC 353).

(19) Residential care uses. Compliance with the following conditions is required:

- (A) At least fifteen (15) days prior to the issuance of a building permit and/or a certificate of occupancy, written documentation must be submitted to the building official outlining the type, size, location, characteristics, and proposed activities of the facility. The names, addresses, and phone numbers of the operators, general operation information, a site plan, and a list of the licenses and grants the facility will operate under must also be submitted.
- (B) The owners of property within two hundred (200) feet of the proposed facility's property lines must receive a written notice of compliance with this chapter no less than ten (10) days prior to the issuance of the building permit and/or the certificate of occupancy. The notice will contain a copy of the written documentation submitted to the building official as required in subsection (19)(A). A processing fee of one hundred twenty-five dollars (\$125.00) shall be paid to the city.
- (C) A facility must be licensed, certified, or accredited by an agency of the county, state or federal government prior to providing services and the issuance of a certificate of occupancy. Approval of a specific use permit by city council may be used in lieu of a license.
- (D) A facility may be required by the Community Development Director to provide twenty-four (24) hour on-site supervision of its residents or clients on the basis of necessity or history of criminal activity associated with the proposed location.
- (E) A facility must comply with the following densities:

Zoning District	Minimum Square Feet of Lot Area Per Resident
RMM	800
RMH	500
RCR	500
GC-MD	500
GC-MD-2	500
CBD	No minimum as determined by specific use permit
PUD	

- (F) A sign measuring not less than ledger (eleven (11) inches by seventeen (17) inches) in size will be posted in the public right-of-way adjacent to the proposed facility's location not less than ten (10) days prior to the issuance of a building permit. The sign will state the type of land use and the name, address, and phone number of the agent or agency responsible for the proposed facility.
- (20) Storage of plastic and rubber material. The storage of plastic and rubber material within the city limits shall meet the following conditions:
- (A) The warehouse shall be limited to a one-story structure with a height limit of forty-five (45) feet.
 - (B) The warehouse shall be located on a lot of no less than ten thousand (10,000) square feet in area.
 - (C) The building setbacks shall be a minimum of twenty (20) feet from any and all lot lines or as listed on the area and height regulations tables, section 28.03.024(b)2, and 3, whichever is greater.
 - (D) The regulations of the fire code shall be complied with.
- (21) Garage sales are a permitted use in all the residential zoning districts provided the following conditions are complied with:
- (A) A garage sale shall not be for more than three (3) continuous days;
 - (B) No more than two (2) garage sales per calendar year per premises shall be allowed;
 - (C) Hours of operation shall be limited from sunrise to sunset;
 - (D) No merchandise shall be displayed or placed on the public right-of-way; and
 - (E) Only one unlit sign, no larger than six (6) square feet, and set off of the public right-of-way shall be allowed.
 - (F) Garage sales conducted out of a dwelling unit are exempt from the parking requirements.
- (22) Bed and breakfast facility.
- (A) General purpose and description. The establishment of bed and breakfast facilities has been found to not only provide an alternative type of lodging for visitors to the city, but the income for such facility provides incentives for maintaining the city's older homes. This subsection is enacted on the basis of the public policy that supports the city as a tourist destination of persons interested in the architectural and historic significance of the city's older residential structures. This subsection focuses on the need to provide an incentive for owners of the city's older homes to continue occupancy and maintenance of historic structures.
 - (B) Definition. An owner-occupied private home built prior to 1950 and located within an historic district or awarded an HC-L designation and/or of historic significance which offers lodging for paying guests, which serves food to only those guests and which allows for limited social functions as regulated in this subsection.
 - (C) Special regulations for bed and breakfast facilities.
 - (i) Structure. The bed and breakfast facility shall be operated within the principal structure and not in any accessory structure. The owner shall live in the main structure. The structure to be used as a bed and breakfast facility shall have been constructed prior to 1950 and be located in a historical district or awarded an HC-L designation and/or of historic significance.

- (ii) Specific use permit required.
 - a. A specific use permit granted by city council is required for the establishment of a bed and breakfast facility, the granting of which is provided for in the City Code of Ordinances, section 28.02.008.
 - b. An application for a specific use permit shall be filed with the director of planning, who shall prepare a report for review by the planning commission and city council.
 - c. Issuance of a specific use permit by the city council, after recommendation by the planning commission, is conditioned on whether the proposed bed and breakfast facility will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents and buildings or structures.
 - d. The specific use permit for a bed and breakfast facility shall expire once the applicant ceases to occupy the premises. Any subsequent occupant must apply for and be granted a new specific use permit prior to the continuation of use of the premises as a bed and breakfast facility.
- (iii) Size. A bed and breakfast facility shall not be less than two thousand five hundred (2,500) square feet in floor area.
- (iv) Number of guest rooms. A maximum number of five (5) guest rooms is allowed.
- (v) Management. The facility shall be owner occupied.
- (vi) Length of stay. Maximum length of stay is limited to fourteen (14) consecutive days in any thirty (30) day period of time. The resident owner shall keep a current guest register including names, addresses, and dates of occupancy of all guests.
- (vii) Signage. Signs shall be permitted upon approval of a building permit by the chief building inspector and in accordance with the City Code of Ordinances, section 28.04.003. In those zoning districts that prohibit signs, a nameplate, not to exceed two (2) square feet in size shall be permitted. The nameplate shall be nonilluminated and shall be attached either to the structure or to the fence surrounding the property. The nameplate shall be compatible with the style and detailing of the house.
- (viii) Parking. One (1) off-street parking space per guest room and for the owner is required. The maximum number of permitted spaces shall not exceed seven (7). The front yard shall not be used for off-street parking. All off-street parking must be screened from the street and from adjacent lots containing residential uses. Screening from the street and adjacent lots containing residential uses must comply with the standards established in the City Code of Ordinances, section 28.04.006.
- (ix) Additions and alterations. No exterior additions or alterations shall be made for the express purpose of maintaining or adding to a bed and breakfast facility, other than those required to meet health, safety, and sanitation requirements. Minimal outward modification of the structure or grounds may be made if such changes are deemed compatible with the character of the area or neighborhood. Such alterations and additions must meet all zoning standards and building code requirements and must be approved by the historic landmark commission (when such property is located in a historic district, awarded an HC-L designation and/or of historic significance).
- (x) Other uses.
 - a. The sale and/or display of merchandise or other commodities is prohibited.
 - b. Weddings, receptions, luncheons, cocktail parties, or any other such function for which the owner receives payment for the use of the facility, and which is not a function for the personal use of the owner, their friends or relatives, may be allowed if sufficient off-street or satellite parking is provided and documented. The number of functions shall not exceed twenty-four (24) events per year nor more

than two (2) events per month. The planning division is to be notified of the functions taking place. Notification shall be filed with the planning division on a quarterly basis, indicating the type of function, the date, and the number of guests. The city council may restrict the number of social events based upon neighborhood compatibility, lack of parking facilities, traffic generation, and/or traffic capacity of surrounding streets.

- (xi) Health, fire and building considerations. All bed and breakfast facilities shall meet all applicable local and state regulations.
- (23) In GC-MD, SIC Group Number 15, 16, and 17 are permitted by right if there is no fabrication or outside storage or repair.
- (24) Cellular telephone transmission towers shall be prohibited within two hundred (200) feet of a residentially zoned property. The method of measuring the distance between the cellular telephone transmission tower and the residential zoning district shall be from the nearest lease or property line of the cellular telephone transmission tower facility to the nearest residential district boundary.
- (25) Temporary portable storage containers may be located as a temporary structure on property within the city for a period of no more than thirty (30) days. No more than two (2) temporary portable storage containers may be located on a specific piece of property within the City at any one time. Such temporary container shall not be located on a specific property more than two (2) times in any given thirty (30) calendar day period. Such temporary container shall be located no closer than five (5) feet to the property line unless placed on an existing impervious driveway. No container shall be placed on public right-of-way. Such container shall not exceed eight (8) feet in height, eight (8) feet in width or twenty (20) feet in length. No advertising other than the name of the company, its phone number, and its website shall appear on the container. It shall be the obligation of the owner or user of such temporary container to secure it in a manner that does not endanger the safety of persons or property in the vicinity of the temporary container. In the event of high winds or other inclement weather conditions in which such structure may become a physical danger to persons or property, the appropriate code enforcement officer(s) may require the immediate removal of such temporary container. In the event of fire, hurricane, or natural disaster causing substantial damage to the dwelling structure, the property owner may apply to the planning manager for permission to extend the time that a portable on demand storage container may be located as a temporary structure on the property. Extensions shall be for periods of thirty (30) days with no more than two (2) grants of extensions allowed.
- (26) On undeveloped property in a GC-MD district, the parking of commercial vehicles with more than two (2) axles or that have a rated carrying capacity in excess of two (2) tons shall require the granting of a specific use permit.
- (27) Single-family or duplex industrialized housing must have all local permits and licenses that are applicable to other single-family or duplex dwellings. Any industrial housing shall:
 - (A) Have a value equal to or greater than the median taxable value of each single-family dwelling located within five hundred (500) feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified appraisal for the county. Value shall be defined as the taxable value of the industrialized housing and lot after installation of the housing;
 - (B) Have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the majority of the single-family dwellings located within five hundred (500) feet of the lot on which the industrialized housing is proposed to be located;
 - (C) Comply with building setbacks, the subdivision ordinance, and other site requirements applicable to single-family and duplex dwellings; and

(D) Be securely fixed to a permanent foundation as defined by the city adopted building codes. Permanent foundation shall mean one of the following:

- (i) Pier and beam foundation as designed by a registered professional engineer licensed in the state.
- (ii) A combination pier and footing as designed by a registered professional engineer licensed in the state.
- (iii) A monolithic poured-in-place slab as designed by a registered professional engineer licensed in the state.

(28) Living in recreational vehicles shall not be permitted except in designated recreational vehicle parks.

(29) For the purpose of this section, bottle clubs, which shall be defined as social meeting places where patrons are served drinks from their own bottles of alcoholic beverages shall be classified under SIC Group 5813, drinking places. This definition shall not include eating places that serve individuals from the individual's own bottle or private stock.

(30) Eighteen (18) wheeler trailers shall not be used as storage units except in the LI and HI districts.

(31) Mobile food units shall not be stored in A-R, RS, RM-M, RM-H, RCR, and RCR-H districts.

(Ordinance 81-17, sec. 1, adopted 3/10/81; Ordinance 81-58, sec. 1, adopted 7/28/81; Ordinance 82-109, secs. 2, 3, adopted 9/14/82; Ordinance 86-89, sec. 3, adopted 8/2/86; Ordinance 87-33, sec. 2, adopted 4/28/87; Ordinance 87-60, sec. 2, adopted 7/28/87; Ordinance 87-74, sec. 3, adopted 9/22/87; Ordinance 87-79, sec. 1, adopted 10/13/87; Ordinance 87-84, sec. 1, adopted 10/27/87; Ordinance 89-10, sec. 1, adopted 2/28/89; Ordinance 89-14, sec. 2, adopted 3/7/89; Ordinance 89-21, sec. 2, adopted 4/25/89; Ordinance 92-63, sec. 3, adopted 8/25/92; Ordinance 93-69, sec. 3, adopted 11/23/93; Ordinance 98-7, sec. 11, adopted 2/3/98; Ordinance 02-029, sec. 2, adopted 4/23/02; Ordinance 02-058, sec. 1, adopted 8/27/02; Ordinance 05-010, sec. 1, adopted 1/11/05; Ordinance 05-034, sec. 2, adopted 3/39/05; 1978 Code, sec. 30-33; Ordinance 07-096, sec. 3, adopted 9/25/07; Ordinance 07-124, sec. 1, adopted 12/4/07; Ordinance 08-066, sec. 3, adopted 8/26/08; Ordinance 08-097, sec. 2, adopted 11/4/08; Ordinance adopting Code; Ordinance 12-031, sec. 10, adopted 6/26/12; Ordinance 12-074, secs. 10-11, adopted 9/25/12; Ordinance 13-003, secs. 4—5, adopted 1/15/13; Ordinance 13-033, sec. 2, adopted 6/4/13; Ordinance 21-026 adopted 5/4/21; Ordinance 24-014 adopted 3/19/2024)