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AN ORDINANCE TO AMEND CHAPTERS 400 AND 500 OF THE BRENTWOOD CITY CODE RELATING TO STORM WATER REGULATIONS AND STANDARDS

WHEREAS, the City of Brentwood desires to reduce how land development permanently alters the way in which stormwater flows across a site due to grading, compaction and the installation of impervious cover, and supports the development of stormwater management measures to be used henceforth to limit the impact of stormwater in the City limits; and

WHEREAS, Gonzales Companies provided recommended changes to the City’s Stormwater Infill Development Section and permitting process as part of the City’s Stormwater Master Plan to investigate water concern areas associated with standing water, discharges onto roads, run-off onto adjacent properties, storm sewer back-ups, and the like; and

WHEREAS, the consultants, staff and the Planning and Zoning Commission and Public Works Committee recommend an update to the City ordinances for stormwater drainage control, and the Board of Aldermen of the City of Brentwood, Missouri desire to amend Chapter 400 and Chapter 500 of the Brentwood Municipal Code, to revise the regulations regarding stormwater management issues resulting from infill development; and

WHEREAS, a public hearing on these proposed amendments was held after due notice as required by law and all persons interested in the matter were afforded an opportunity to be heard;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRENTWOOD, MISSOURI, AS FOLLOWS:

Section 1. Sections 400.2650, Subsection (A) of 400.2660, Subsection (E) of 400.2680 and 400.2690 of Division 7 of Article V of Chapter 400 of the Code of Ordinances of the City of Brentwood, Missouri, are hereby repealed and new Sections 400.2650, Subsection (A) of 400.2660, Subsection (E)and

(F) of 400.2680 and 400.2690 are hereby enacted in lieu thereof to read as follows:

Chapter 400. Zoning

ARTICLE V. Supplemental Regulations

Division 7. Storm Water Management, Grading and Erosion Control

Section 400.2650. Permits.

- A. Any Person who intends to conduct any land disturbance activity must obtain a grading permit prior to beginning the activity. The type of permit shall be as required by Section 400.2650(A.1) or Section 400.2650(A.2)
 - 1. Major Land Disturbance Permit. Any Person who intends to conduct any land disturbance activity that will disturb forty-three thousand five hundred sixty (43,560) square feet or more must obtain a site disturbance permit from the State, St. Louis Metropolitan Sewer District (MSD), and the City.
 - 2. Ordinary Grading Permit. Any Person who intends to conduct any land disturbance activity that will change the elevation of the ground surface or disturb between ten thousand (10,000) and forty-three thousand five hundred sixty (43,560) square feet must obtain a grading permit from the City.

- B. Any person who buys a lot for construction from a person who has been issued a permit under Subsection (A) above (unless purchased for the purpose of building their own private residence) must obtain a separate site disturbance permit from Brentwood unless the original permittee retains responsibility for the land disturbance activities on the sold lot.

- C. Site disturbance permits are not required for the following activities:
 - 1. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.

2. Existing nursery and agricultural operations conducted as a permitted main or accessory use.
 3. Grading for the foundation or basement of any building, structure or swimming pool for which a building permit has been duly issued, provided however, that the deposit required herein has been paid and that the owners and contractors shall be subject to the requirements imposed by this Article.
 4. Grading of less than one (1) cubic yard for sites over ten thousand (10,000) square feet.
 5. Grading by any public utility for the installation, inspection, repair or replacement of any of its facilities.
 6. Grading of property for or by any governmental agency in connection with a public improvement or public work on such property.
 7. Grading of land for residential gardening, landscaping or similar horticultural use, provided that there is substantial compliance with the recommendations or standards of the local soil conservation authority.
 8. Grading activities in public right-of-way covered by an excavation permit.
 9. Trench excavation covered by a construction permit.
- D. Each permit application shall bear the name(s) and address(es) of the owner or developer of the site and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm and shall be accompanied by a filing fee.
- E. Each permit application shall be accompanied by a storm water pollution prevention plan prepared for the specific site by or under the direction of a qualified professional and a statement that any land clearing, construction or development involving the movement of earth shall be in accordance with the storm water pollution prevention plan.
- F. The permit applicant will be required to file with Brentwood a faithful performance bond, letter of credit or, other improvement

security in an amount deemed sufficient by Brentwood to cover all costs of improvements, landscaping, maintenance of improvements for such period as specified by Brentwood and engineering and inspection costs to cover the cost of failure or repair of improvements installed on the site.

G. The permit applicant will be required to obtain a land disturbance permit issued by the Missouri Department of Natural Resources for any site where one (1) acre or more of land will be disturbed, before beginning any site work authorized by a City permit. This requirement applies to sites of less than one (1) acre that are part of a larger common plan that will ultimately disturb one (1) acre or more.

Section 400.2660 Storm Water Pollution Prevention Plan (SWPPP)

A. The design requirements in Sections 400.2670 and 400.2680 shall be taken into consideration when developing the storm water pollution prevention plan and the plan shall include the following:

1. Name, address and telephone number of the site owner and the name, address and telephone number of the individual who will be in overall responsible charge of construction/development activities at the site.
2. Site address or location description.
3. A site map showing the outlines of the total project area, the areas to be disturbed, existing land uses, locations and names of surface water bodies, locations of temporary and permanent BMPs and such other information as the City Building Department may require.
4. Existing contours of the site and adjoining strips of off-site property and proposed contours after completion of the proposed grading and development, based on United States Geological Survey datum (NAD83), with established elevations at buildings, walks, drives, street and roads and information on necessary clearing and grubbing, removal of existing structures, excavating, filling, spreading, and compacting. Reference to datum and available

benchmarks are required to be noted on the submitted drawings for future reference.

5. An estimate of the runoff coefficient of the site prior to disturbance and the runoff coefficient after the construction addressed in the permit application is completed.
6. Estimated grading quantity.
7. Details of the site drainage pattern both before and after major grading activities.
8. Construction access to site and BMP used to keep from tracking sediment onto City streets.
9. Description of BMPs to be utilized to control erosion and sedimentation during the period of land disturbance.
10. Description of BMPs to be utilized to prevent other potential pollutants such as construction wastes, toxic or hazardous substances, petroleum products, pesticides, herbicides, site litter, sanitary wastes and other pollutants from entering the natural drainage ways during the period of construction and land disturbance.
11. Description of BMPs that will be installed during land disturbance to control pollutants in storm water discharges that will occur after land disturbance activity has been completed.
12. Location of temporary off-street parking and wash-down area for related vehicles.
13. Sources of off-site borrow material or spoil sites and all information relative to haul routes, trucks and equipment.
14. The anticipated sequence of construction and land disturbance activities, including installation of BMPs, removal of temporary BMPs, stripping and clearing, rough grading, construction of utilities, infrastructure and buildings, and final grading and landscaping. Sequencing shall identify the expected dates on which clearing will

begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures and establishment of permanent vegetation.

15. All erosion and sediment control measures necessary to meet the objectives of this Division throughout all phases of construction and after completion of site development. Depending upon the complexity of the project, the drafting of intermediate plans may be required at the close of each season.
16. Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application and kind and quantity of mulching for both temporary and permanent vegetative control measures.
17. Provisions for maintenance of control facilities, including easements and estimates of the cost of maintenance.
18. Plans for responding to any loss of contained sediment to include the immediate actions the permittee will take in case of a containment failure. This plan must include documentation of actions and mandatory reporting to the Building Department.
19. Schedules and procedures for routine inspections of any structures provided to prevent pollution of storm water or to remove pollutants from storm water and of the site in general to ensure all BMPs are continually implemented and are effective.

[NOTE: Subsections (B) and (C) not set forth herein are not altered, amended or affected in any way by this amendment and remain in full force and effect. For that reason, those subsections are not set forth here in full.]

Section 400.2680 Discharge Systems of Storm Water Design

[NOTE: Subsections (A), (B), (C) and (D) not set forth herein are not altered, amended or affected in any way by this amendment and remain in full force and effect. For that reason, those subsections are not set forth here in full.]

E. Discharge Systems

1. The design discharge (Q) for the low-flow orifice shall not exceed the limits in the following Table B (based five percent (5%) imperviousness and twenty (20) minute inlet time).
2. Low-flow pipes shall not be smaller than four (4) inches in diameter to minimize maintenance and operating problems, except in parking lot and roof retention where minimum size of opening shall be designed specifically for each condition.
3. The overflow opening or spillway shall be designed to accept the total peak runoff of the improved tributary area, with discharge velocity not to exceed five (5) feet per second unless special provisions are made.

TABLE B
Max. Discharge Rate
in Cubic Feet Per second (CFS) Per

Storm Frequency Years	Acre
0.5	0.7
1	0.92
2	1.15
5	1.41
10	1.59
20	1.78
25	2

The maximum discharge shall be designated to take place under total anticipated design-head conditions.

4. Sizing of the systems below the control structure shall be for the total improved peak runoff tributary to the

structure with no allowance for retention, with discharge velocity not to exceed five (5) feet per second unless special provisions are made.

5. Table B shall be used in determining the proper size of discharge facilities.
6. All storm water discharge pipes shall be computed on a 25-year rainfall frequency at a minimum.

F. Overflow Systems

1. Overland Flow Routes or Overflow Systems are required for all newly designed components of the drainage system including the inlets, pipe, storm sewers, detention facilities and improved and unimproved channels that function during typical rainfall events. The overflow systems may comprise the major overflow routes such as swales, streets, floodplains, detention basins, and natural overflow and ponding areas.

The purpose of the overflow system is to provide a drainage path to safely pass flows, which cannot be accommodated by the design system without causing flooding of adjacent structures, which may result in economic losses or downstream damage.

2. The overflow system shall be designed for the 100-year, 20-minute event, assuming the designed components of the drainage system are completely blocked. The capacity of the overflow system shall be verified with hydraulic calculations at critical cross-sections.
3. The low sill of all structures adjacent to the overflow system swales shall be above the 100-year highwater elevation.
4. Where the topography will not allow for an overland flow path:
 - a. The storm sewer and inlet capacity shall be designed for the 100-year, 20-minute storm, and

- b. If the storm pipe is smaller than thirty-six (36) inches in diameter, a designated ponding area shall be identified, assuming the pipe is blocked, and
 - c. The ponding area shall be based on the TR-55 100-year, 24-hour storm, and
 - d. The low sill of all structures adjacent to the ponding area shall be above the 100-year highwater elevation.
5. The overflow system and ponding areas shall be designated on the drainage area map and on the grading plan. Where overflow systems extend beyond the building setback areas, that is the overflow systems are closer to the house, sufficient separation shall be provided from locations where patios, swimming pools, decks, retaining walls, and other improvements are proposed or may be constructed by future end users.

Section 400.2690 Construction and Maintenance of Storm Water and Erosion Control Facilities

- A. Detention facilities, when mandatory, are to be built in conjunction with the storm sewer installation and/or grading. Since these facilities are intended to control increased runoff, they must be partially or fully operational soon after the clearing of the vegetation.
- B. Silt and debris connected both with early construction and with general erosion from the site and elsewhere in the watershed after construction shall be removed periodically from the detention area and control structure in order to maintain close to full storage capacity.
- C. The responsibility of maintenance of the detention facilities in subdivision projects shall remain with the developer until such times as applicable escrows are released. Upon release of escrows the maintenance responsibility shall be vested in the trustees of the subdivision by virtue of the trust indenture. The indenture of the trust shall clearly indicate resident responsibility for maintenance in cases of projects without common ground.

- D. The responsibility of maintenance of the detention facilities in single owner development projects shall remain with the general contractor until final inspection of the development is performed and approved and a legal certificate of occupancy is issued. After legal occupancy of the project, the maintenance of detention facilities shall be vested with the owner of the project.
- E. Prior to the issuance of any building permit for any development, the owner(s) of the site must execute a maintenance agreement that shall run with the land and be binding on all subsequent owners of land served by the stormwater detention facilities. The agreement shall provide for access to the detention facilities and the land it serves at reasonable times for periodic inspection by the City or the City's designee to ensure that the detention facilities are maintained in proper working condition to meet the City's stormwater requirements. The maintenance agreement shall be recorded with the St. Louis County Recorder of Deeds, and a recorded copy of the agreement shall be provided to the City by the owner prior to issuance of any building permit. A copy of the required maintenance agreement is on file at the office of the Director of Planning and Development.
- F. The owner(s) of any development site shall be responsible for maintaining stormwater detention facilities in an effective state as determined in the sole judgment of the City after completion of construction.
- G. Occupancy permits shall not be granted until all stormwater detention facilities have been inspected and approved by the City.

Section 2. Sections 500.1710, 500.1720, 500.1740, 500.1750, 500.1770, 500.1790 and 500.1800 of Article XVII of Chapter 500 of the Code of Ordinances of the City of Brentwood, Missouri, are hereby repealed and new Sections 500.1710, 500.1720, 500.1740, 500.1750, 500.1770, 500.1790 and 500.1800 are hereby enacted in lieu thereof to read as follows:

Chapter 500. Buildings and Building Regulations

ARTICLE XVII. Infill Development Stormwater Management

Section 500.1710. Definitions.

For the purpose of this Article, the following terms shall have the meaning given herein:

BEST MANAGEMENT PRACTICE (BMP) - A structural device, measure, facility, or activity that helps to achieve stormwater management control objectives at a designated site.

IMPERVIOUS AREA (IA) - The portion of a parcel of property that is covered by any structures or material that substantially reduces or prevents the infiltration of stormwater, including, but not limited to, roofs, streets, sidewalks, patios, driveways, parking lots paved with asphalt, concrete, compacted sand, compacted gravel or clay, and similar improvements. Impervious area shall not include natural undisturbed surface rock.

INFILL DEVELOPMENT STORMWATER GUIDANCE DOCUMENT - The latest edition of the manual "Best Management Practices for Stormwater Control, City of Brentwood."

LOT - A tract, plot or portion of a subdivision or parcel of land intended as a unit for the purpose, whether immediate or future, for transfer of ownership or for building development.

MAINTENANCE AGREEMENT – An agreement between the current property owner and the City where the property owner agrees to maintain any installed BMPs or stormwater detention facilities on the property.

NET ADDITIONAL IMPERVIOUS AREA - The impervious area calculated by subtracting the present impervious area in the most currently available aerial photography data or current site survey from the proposed post-development impervious area and maintaining the original property boundary as the regulated project boundary, regardless of subdivision, replat, horizontal property regime, or any other modification of property boundaries by deed or plat.

PLAN - A document approved at the site design phase that outlines the measures and practices used to control stormwater runoff at a site.

REGULATED INFILL DEVELOPMENT - The creation of net additional impervious area of two hundred (200) square feet or

greater of additional area of commercial, industrial, or residential real property through new construction, additions to existing structures, redevelopment, or rehabilitation of existing lots. Lots consisting of residential real property are regulated by this Article if there is creation of net additional impervious area of two hundred (200) square feet or greater and the change or improvement requires review by the Architectural Review Board in accordance with Section 400.920 of the City Code.

STORMWATER - Any surface flow, runoff and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

VACANT LOT - Any lot containing no current permanent structure(s).

Section 500.1720. Stormwater Infill Development Permit Required – Procedure.

- A. Except as herein provided, no improvements shall commence on any regulated infill development site without obtaining a permit through the Planning and Development Department. A separate permit shall be required for each site. An application for a Stormwater Infill Development Permit shall be through the City's online application portal. The application shall contain the information described below and as shown on the City's Stormwater Infill Development Checklist:
1. Contoured development map showing existing contours of the site and adjoining strips of non-site property and proposed contours at one (1) foot intervals after completion of the proposed grading and development, based on United State Geological Survey datum (NAD83), with established elevations at building, walks, drives and streets; and information on necessary clearing and grubbing, removal of existing structures, excavating, filling, spreading and compacting.
 2. Name and address of owner(s).

3. Site location map.
4. Existing site conditions.
5. Proposed site improvements.
6. A drainage area map and stormwater runoff calculations shall be prepared and sealed by a licensed professional engineer or land surveyor and include the following:
 - a. Existing and proposed impervious area calculations.
 - b. Existing and proposed stormwater runoff calculations for one and fourteen-hundredth (1.14) inches of rainfall.
 - c. Detailed design of proposed stormwater BMPs.
 - d. Soils conditions, as required per the City's Stormwater Best Management Practices document.
7. The requirements under section 6a.-6d. of this section will not be required if all of the following conditions can be provided by visual acceptance during the permit inspection:
 - a. The site is a residential site improvement with between two hundred (200) square feet and two thousand (2,000) square feet of net additional impervious area is being created.
 - b. No stormwater runoff from net impervious areas is permitted to flow onto neighboring properties. (i.e. A berm, vegetated filter strip or other adequate means shall be constructed to contain or allow for infiltration of the storm water runoff according to the City's Best Management Practices for Stormwater Control.).
 - c. Existing overflow drainage paths and patterns are not obstructed or otherwise altered.
 - d. Downspout and sump pump discharges are constructed in accordance with Section 500.1770.

- e. Erosion control devices are adequately installed and maintained to prevent sediment and erosion from leaving the property during construction.
 - f. A site suitable stormwater BMP has been constructed, and the required contributing area has been directed through said BMP according to the City's Best Management Practices for Stormwater Control and Uniform BMP Sizing Document, which is located in the office of the Director of Planning and Zoning.
- B. A Stormwater Infill Development Permit shall not be issued until review and inspection fees provided for in Section 500.1740 and the deposit provided for in Section 500.1750 are paid.
- C. No Stormwater Infill Development Permit shall be issued unless all owners of the property sign the application or unless the application is accompanied by a copy of a contract signed by all owners of the property authorizing the applicant to make application on their behalf and agreeing to be bound by the provisions of this Article.

Section 500.1740 Review And Inspection Fees.

- A. In addition to any fees for plan review, permitting or inspections applicable to construction and/or land disturbance activities on a site, fees for plan review for Stormwater Infill Development Permits shall be paid to the City for each site as shown in Appendix A. Table of Permit Fees, Inspection Fees and Other Related Fees.

Section 500.1750. Deposit.

- A. To ensure compliance with the provisions hereof, each applicant for a Stormwater Infill Development Permit shall deposit with the City a sum as shown in Appendix A. Table of Permit Fees, Inspection Fees and Other Related Fees.
- B. Payment of the deposit does not include the fee as described in Section 500.1740. If the permittee fails to properly construct the proposed BMP per the approved plans the City may elect to withhold the deposit to:

1. Pay the cost of removal of refuse, dirt, paper or other waste found on other property, public or private, from the premises on which the work is being done, if not promptly removed by the permittee or contractor.
 2. Pay the cost of installing, restoring or repairing appropriate control measures, reseeding or completion or alteration of grading if abandoned or not appropriately performed by the permittee or its contractor.
- C. The City may reimburse itself for expenses incurred to ensure compliance with this Article and timely completion of approved stormwater control plans and BMPs from funds deposited pursuant to this Article.
- D. Any portion of the deposit not expended by the City shall be refunded when the construction of the improvements is completed and soil conditions stabilized to the satisfaction of the City.
- E. The deposit required herein shall in no way be construed as a limitation of the liability of an applicant for damages caused as a result of his/her activities, nor as a limitation or restriction on the right of the City to enforce ordinances violated as a result of applicant's activities through criminal prosecution, injunctive relief or other means.

Section 500.1770. Sump Pumps And Downspouts.

- A. All projects which include the installation or modifications to sump pumps, existing downspouts or stormwater BMPs with discharges causing a nuisance per Chapter 220 of this Code must comply with one (1) of the following:
1. Stormwater discharges from BMPs, including pop-up emitters and overflows, shall be located at least ten (10) feet from the property line, discharging onto a pervious surface directed away from neighboring properties, unless otherwise approved in writing by the chief building official due to existing site constraints.

2. Sump pump discharges shall be directed to a stormwater BMP, or shall be discharged into a vegetated filter strip located at least twenty (20) feet from the property line.
3. BMPs for sump pump discharges listed in this Section may contribute to the required BMPs for regulated infill development per Section 500.1760.

Section 500.1790. BMP Maintenance And Inspection.

- A. Prior to the issuance of any building permit for any stormwater BMP for a regulated infill development, the owner(s) of the site must execute a maintenance agreement that shall run with the land and be binding on all subsequent owners of land served by the stormwater BMP. The agreement shall provide for access to the BMP and the land it serves at reasonable times for periodic inspection by the City or the City's designee to ensure that the BMP is maintained in proper working condition to meet City stormwater requirements. The maintenance agreement shall be recorded with the St. Louis County Recorder of Deeds, and a recorded copy of the agreement shall be provided to the City by the owner prior to issuance of any building permit. A copy of the required maintenance agreement is on file at the office of the Chief Building Official.
- B. The owner(s) of every regulated infill development site shall be responsible for maintaining stormwater BMPs in an effective state as determined in the sole judgment of the City after completion of construction.
- C. Occupancy permits shall not be granted until all stormwater BMPs have been inspected and approved by the City.

Section 500.1800. Correction Of Violations.

- A. It shall be unlawful for any person to perform work or cause or allow work to be done in conflict with or in violation of any of the provisions of this Article. When the Planning and Development Department determines that a violation of this Article exists, the Director shall notify the violator. If the violations set forth in the notice are not corrected within thirty (30) days after receipt of the notice by the property owner, the permittee or the contractor, the Director of Planning and Development may cause

the same to be corrected. (The costs of correction may include, among actual costs of correction, a fee for the City's costs in administering this Article shall be assessed. The value of the fee for Correction of Violations shall be as shown in Appendix A. Table of Permit Fees, Inspection Fees and Other Related Fees. If the property owner has not reimbursed the City for the cost of correction within thirty (30) days of demand by the City the Director of Planning and Development shall certify the cost of correction to the City Administrator or other officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the collecting official's option, and shall be collected in the same manner and procedure as for collecting real estate taxes.

- B. If a condition is created by the permit holder that threatens the public health or welfare, such condition shall, by its existence, be considered a public nuisance. Such public nuisance shall require immediate abatement by the permit holder. Should the permit holder fail to abate the nuisance within the time period prescribed by the Director of Planning and Development, the Director of Planning and Development shall have the authority to abate such public nuisance. The cost of abating such public nuisance shall be borne by the permit holder and collected by the City in a manner as provided for by law.

Section 3. The *Stormwater Infill Development Permit* section of *Appendix A. Table Of Permit Fees, Inspection Fees And Other Related Fees* to Chapter 500 of the Code of Ordinances of the City of Brentwood, Missouri, is hereby amended to read as follows:

APPENDIX A. TABLE OF PERMIT FEES, INSPECTION FEES AD OTHER RELATED FEES	
<u>STORMWATER INFILL DEVELOPMENT PERMIT³</u>	
Permit	
Site Improvement less than 500 square feet	\$500.00
Site Improvement equal to or greater than 500 square feet	\$1,000.00
<u>SWIDP per Prescribed Uniform Stormwater under 2000 square feet</u>	<u>Per Building Permit Fees</u>
<u>Review and Permit Fee by Other Methods or Over 2,001 square feet of net impervious</u>	<u>\$1,000, plus Building Permit Fees</u>
	Deposit Amount

Stormwater Infill Development Permit Deposit	Equal to cost of Construction— Net Impervious (sq. ft.) x 110%
Correction of Violation	\$100 + ****

***Permit Fee Refunds-** *If no work has been done on an issued permit and a request is submitted in writing,*

a refund of the permit fee less the \$25.00 processing fee will be refunded.

If plan review for building permits has taken place, only 65% of the construction fee will be figured into the refund amount.

******The building permit fee shall be doubled when any work is found to be in progress without a permit and, in addition, a penalty of up to five hundred dollars (\$500.00) may be levied against a contractor and/or property owner who has previously begun work without a permit.

*******The initial Occupancy Inspection \$45 fee includes the first inspection and one (1) reinspection.

Any additional inspections would then also have a \$25 fee.

******** For all site improvement that require more than two (2) reviews or inspections additional fees will be required, the Permittee shall pay the City the actual costs of the additional reviews or inspections. If additional reviews or inspections are required to correct deficiencies the permittee may be charged, at the discretion of the Director of Planning and Development, the actual costs of reviews and inspections, not less than one hundred dollars (\$100). See additional charges to be leveled for correction of violations.

Section 4. It is hereby declared to the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be

determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

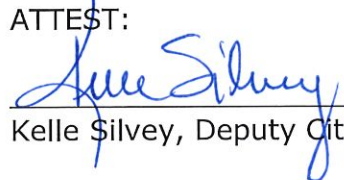
Section 5. The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered by the codification company servicing the City’s Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations, the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section 6. This Ordinance shall be in full force and effect from and after the date of its final passage and approval by the Mayor.

PASSED BY THE BOARD OF ALDERMEN THIS 5th DAY OF FEBRUARY, 2024.




David A. Dimmitt, Mayor

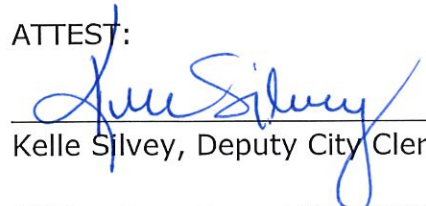
ATTEST:


Kelle Silvey, Deputy City Clerk

APPROVED BY THE MAYOR THIS 5th DAY OF FEBRUARY, 2024.



David A. Dimmitt, Mayor

ATTEST:


Kelle Silvey, Deputy City Clerk

1st Reading: August 21, 2023
2nd Reading: February 5, 2024

