

ORDINANCE No. 673

FLOOD HAZARD MANAGEMENT

WHEREAS, THE CITY OF FORKS HAS PORTIONS OF THE CITY ASSOCIATED WITH DESIGNATED FLOOD HAZARD ZONES AS DETERMINED BY THE FEDERAL FLOOD EMERGENCY MANAGEMENT AGENCY;

WHEREAS, THE STATE HAS DETERMINED THAT THE PREVIOUS FLOOD HAZARD MANAGEMENT CODE PROVISIONS NEED TO BE REVISED AND REPLACED AS THE ORIGINAL ORDINANCE WAS ADOPTED IN 1979;

WHEREAS, THE CITY COUNCIL OF THE CITY OF FORKS WANTS TO ENSURE THAT ITS RESIDENTS HAVE THE ABILITY TO ACCESS THE FEDERAL FLOOD INSURANCE PROGRAM AND COMPLIANT LOCAL REGULATIONS IS REQUIRED FOR THAT PROGRAM;

WHEREAS, THE REPLACEMENT OF THE PREVIOUS ORDINANCE, No. 211, WOULD BE EASIER THAN ATTEMPTING TO AMEND IT WITH THE CURRENT FEDERALLY REQUIRED LANGUAGE;

NOW. THEREFORE, THE CITY COUNCIL OF THE CITY OF FORKS DO ORDAIN AS FOLLOWS:

SECTION 1 REPLACEMENT OF ORDINANCE 211, FMC CHAPTER 14.05

Ordinance 211 found within FMC Chapter 14.05 is hereby replaced in its entirety with the provisions found within Section 2 of this Ordinance.

SECTION 2 ADOPTING A NEW FLOOD HAZARD MANAGEMENT ORDINANCE TO REPLACE THE CURRENT CHAPTER 14.05 OF THE FORKS MUNICIPAL CODE.

The following is adopted as the replacement language for Chapter 14.05 of the Forks Municipal Code.

Article I Statutory Authorization, Findings of Fact, Purpose, and Objectives

14.05.110 Statutory Authorization

The Legislature of the State of Washington has delegated the responsibility to local communities to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City Council of the City of Forks, does ordain as follows:

14.05.120 Findings of Fact

The flood hazard areas of the City of Forks are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

- 4) Controlling filling, grading, dredging, and other development, which may increase flood damage; and
- 5) Preventing or regulating the construction of flood barriers that unnaturally divert floodwaters or may increase flood hazards in other areas.

Article II – Definitions

14.05.200 Definitions. Unless specifically defined below, words or phrases used in this chapter will be interpreted so as to give them the meaning they have in common usage and give this chapter its most reasonable application.

- 1) Alteration of watercourse: Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.
- 2) Appeal: A request for a review of the interpretation of any provision of this ordinance or a request for a variance.
- 3) Area of shallow flooding: A designated zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Also referred to as the sheet flow area.
- 4) Area of special flood hazard: The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".
- 5) ASCE 24: The most recently published version of ASCE 24, Flood Resistant Design and Construction, published by the American Society of Civil Engineers.
- 6) Base flood: The flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the "100-year flood").
- 7) Base Flood Elevation (BFE): The elevation to which floodwater is anticipated to rise during the base flood.
- 8) Basement: Any area of the building having its floor sub-grade (below ground level) on all sides.
- 9) Building: See "Structure."

- i. The overflow of inland or tidal waters.
 - ii. The unusual and rapid accumulation or runoff of surface waters from any source.
 - iii. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- B) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.
- 20) Flood elevation study: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).
- 21) Flood Insurance Rate Map (FIRM): The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).
- 22) Floodplain or flood-prone area: Any land area susceptible to being inundated by water from any source. See "Flood or flooding."
- 23) Floodplain administrator: The community official designated by title to administer and enforce the floodplain management regulations.
- 24) Floodplain management regulations: Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other application of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- 25) Flood proofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

- 33) **Mean Sea Level:** For purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.
- 34) **New construction:** For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
- 35) **New Manufactured Home Park or Subdivision:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations adopted by the community.
- 36) **One hundred year flood or 100 year flood:** See "Base flood."
- 37) **Reasonably Safe from Flooding:** Development that is designed and built to be safe from flooding based on consideration of current flood elevation studies, historical data, high water marks and other reliable data known to the community. In unnumbered A zones where flood elevation information is not available and cannot be obtained by practicable means, reasonably safe from flooding means that the lowest floor is at least two feet above the Highest Adjacent Grade.
- 38) **Recreational Vehicle:** A vehicle,
- A) Built on a single chassis;
 - B) 400 square feet or less when measured at the largest horizontal projection;
 - C) Designed to be self-propelled or permanently towable by a light duty truck; and
 - D) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- 39) **Start of construction:** Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling;

The special flood hazard areas identified by the Federal Insurance Administrator in a scientific and engineering report entitled "The Flood Insurance Study (FIS) for Town of Forks, Washington" dated December 16, 1988 and any revisions thereto, with accompanying Flood Insurance Rate Maps (FIRMs) dated December 16, 1988, and any revisions thereto, are hereby adopted by reference and declared to be a part of this ordinance. The FIS and the FIRM are on file at Forks City Hall, Clerk/Treasurer's Office, 500 East Division Street.

The best available information for flood hazard area identification as outlined in FMC 14.05.432 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under FMC 14.05.432.

14.05.330 Compliance

All development within special flood hazard areas is subject to the terms of this ordinance and other applicable regulations.

14.05.340 Penalties for Noncompliance – Civil Violation

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon a finding of having committed a civil violation will be fined not more than one thousand dollars (\$1000) for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Forks from taking such other lawful action as is necessary to prevent or remedy any violation.

14.05.350 Abrogation and Greater Restrictions

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

14.05.360 Interpretation

In the interpretation and application of this ordinance, all provisions shall be:

- 1) Considered as minimum requirements;
- 2) Liberally construed in favor of the governing body; and,
- 3) Deemed neither to limit nor repeal any other powers granted under state statutes.

engineer or architect that the floodproofing methods for any nonresidential structure meet floodproofing criteria in FMC 14.05.522;

- 4) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development;
- 5) Where development is proposed in a floodway, an engineering analysis indicating no rise of the Base Flood Elevation, and
- 6) Any other such information that may be reasonably required by the Floodplain Administrator in order to review the application.

14.05.420 Designation of the Floodplain Administrator (44 CFR 59.22(b)(1))

The Building Inspector is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

14.05.430 Duties & Responsibilities of the Floodplain Administrator

Duties of the (*Floodplain Administrator*) shall include, but not be limited to:

14.05.431 Permit Review - Review all development permits to determine that:

- 1) The permit requirements of this ordinance have been satisfied;
- 2) All other required state and federal permits have been obtained;
- 3) The site is reasonably safe from flooding;
- 4) The proposed development is not located in the floodway. If located in the floodway, assure the encroachment provisions of FMC 14.05.541 are met;
- 5) Notify FEMA when annexations occur in the Special Flood Hazard Area.

14.05.432 Use of Other Base Flood Data (In A Zones) (44 CFR 60.3(b)(4))

When base flood elevation data has not been provided (in A zones) in accordance with FMC 14.05.320, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, in order to administer FMC 14.05.520, SPECIFIC STANDARDS, and FMC 14.05.540 FLOODWAYS.

be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the NFIP (44 CFR 59-76).

14.05.436 Review of Building Permits (44 CFR 60.3(a)(3))

Where elevation data is not available either through the FIS, FIRM, or from another authoritative source (FMC 14.05.432), applications for floodplain development shall be reviewed to assure that proposed construction will be *reasonably safe from flooding*. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.

Article V – Provisions for Flood Hazard Reduction

14.05.510 General Standards

In all areas of special flood hazards, the following standards are required:

14.05.511 Anchoring (44 CFR 60.3(a) and (b))

- 1) All new construction and substantial improvements, including those related to manufactured homes, shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy. (44 CFR 60.3(a)(3)(i))
- 2) All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors. (44 CFR 60.3(b)(8)). For more detailed information, refer to guidebook, FEMA-85, "Manufactured Home Installation in Flood Hazard Areas."

14.05.512 Construction Materials and Methods (44 CFR 60.3(a)(3)(ii-iv))

- 1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- 2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- 3) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

14.05.521 Residential Construction (44 CFR 60.3(c)(2)(5))

- 1) In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained, new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the BFE. Mechanical equipment and utilities shall be waterproof or elevated at least one foot above the BFE.**
- 2) New construction and substantial improvement of any residential structure in an AO zone shall meet the requirements in FMC 14.05.580.**
- 3) New construction and substantial improvement of any residential structure in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.**
- 4) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs must meet or exceed the following minimum criteria:**
 - a) Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.**
 - b) The bottom of all openings shall be no higher than one foot above grade.**
 - c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.**
 - d) A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of flood waters.**

Alternatively, a registered engineer or architect may design and certify engineered openings.

14.05.522 Nonresidential Construction (44 CFR 60.3(c)(3) and (4))

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of subsection 1 or 2, below.

- 1) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:**
 - a) In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained:**

for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in FMC 14.05.432;

- d) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in FMC 14.05.521(5);

Note: Applicants who are floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one foot below). Floodproofing the building an additional foot will reduce insurance premiums significantly.

14.05.523 Manufactured Homes (44 CFR 60.3(c)(6)(12))

All manufactured homes to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

14.05.524 Recreational Vehicles (44 CFR 60.3(c)(14))

- 1) Recreational vehicles placed on sites are required to either:
 - 2) Be on the site for fewer than 180 consecutive days, or
 - 1) Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
 - 2) Meet the requirements of FMC 14.05.523 above.

14.05.525 Enclosed Area Below the Lowest Floor

If buildings or manufactured homes are constructed or substantially improved with fully enclosed areas below the lowest floor, the areas shall be used solely for parking of vehicles, building access, or storage.

14.05.526 Appurtenant Structures (Detached Garages & Small Storage Structures)

- 1) Appurtenant structures used solely for parking of vehicles or limited storage may be constructed such that the floor is below the BFE, provided the structure is designed and constructed in accordance with the following requirements:
 - a) Use of the appurtenant structure must be limited to parking of vehicles or limited storage;

14.05.541 No Rise Standard

Prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. (44 CFR 60.3(d)(3))

14.05.542 Residential Construction in Floodways

Construction or reconstruction of residential structures is prohibited within designated floodways, except for (i) repairs, reconstruction, or improvements to a structure that do not increase the ground floor area; and (ii) repairs, reconstruction, or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.

1) Replacement of Farmhouses in Floodway

Repairs, reconstruction, replacement, or improvements to existing farmhouse structures located in designated floodways and that are located on lands designated as agricultural lands of long-term commercial significance under RCW 36.70A.170 may be permitted subject to the following:

- a) The new farmhouse is a replacement for an existing farmhouse on the same farm site;
- b) There is no potential building site for a replacement farmhouse on the same farm outside the designated floodway;
- c) Repairs, reconstruction, or improvements to a farmhouse shall not increase the total square footage of encroachment of the existing farmhouse;
- d) A replacement farmhouse shall not exceed the total square footage of encroachment of the farmhouse it is replacing;
- e) A farmhouse being replaced shall be removed, in its entirety, including foundation, from the floodway within ninety days after occupancy of a new farmhouse;
- f) For substantial improvements and replacement farmhouses, the elevation of the lowest floor of the improvement and farmhouse respectively, including basement, is a minimum of one foot higher than the BFE;
- g) New and replacement water supply systems are designed to eliminate or minimize infiltration of flood waters into the system;

14.05.543 All Other Building Standards Apply in the Floodway

If FMC 14.05.541 is satisfied or construction is allowed pursuant to FMC 14.05.542, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article V, Provisions For Flood Hazard Reduction.

14.05.550 General Requirements for Other Development

All development, including manmade changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the state building codes with adopted amendments and any the City of Forks amendments, shall:

- 1) Be located and constructed to minimize flood damage;
- 2) Meet the encroachment limitations of this ordinance if located in a regulatory floodway;
- 3) Be anchored to prevent flotation, collapse, or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
- 4) Be constructed of flood damage-resistant materials;
- 5) Meet the flood opening requirements of FMC 14.05.520-1(5), and
- 6) Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

14.05.560 Critical Facility

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the BFE shall be provided to all critical facilities to the extent possible.

14.05.570 Livestock Sanctuaries

Elevated areas for the for the purpose of creating a flood sanctuary for livestock are allowed on farm units where livestock is allowed. Livestock flood sanctuaries shall be sized

manufactured homes (FMC 14.05.511(2)).

Article VI - Variances

14.05.600 – Variance Overview and duty of the City

The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the City of Forks to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below the Base Flood Elevation are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

14.05.610 Requirements for Variances

- 1) Variances shall only be issued:
 - a) Upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;
 - b) For the repair, rehabilitation, or restoration of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure;
 - c) Upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
 - d) Upon a showing of good and sufficient cause;
 - e) Upon a determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - f) Upon a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to water. This includes only facilities defined in Article II of this ordinance in the definition of "Functionally Dependent Use."

- a) The issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
 - b) Such construction below the BFE increases risks to life and property.
- 2) The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance.
 - 3) The Floodplain Administrator shall condition the variance as needed to ensure that the requirements and criteria of this chapter are met.
 - 4) Variances as interpreted in the NFIP are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.

Section 7. Errors Allowed to be corrected.

The City Attorney or the City Clerk may make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or municipal code chapters, their sections and subsections.


Section 8. Severability.

If any section, sentence, subdivision or clause of this chapter shall for any reason be held invalid or unconstitutional such decision shall not affect the validity of the remaining portions of this chapter.

Section 9. Effective Date.

This ordinance shall take effect five days after it has been published within the City's journal of record as provided for by law, or the 15 May 2024 whichever occurs later.

Passed this 8 day April 2024.



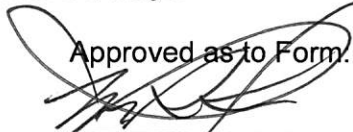
 Tim Fletcher, Mayor

Attested to:



 Caryn Depew, Clerk/Treasurer

Approved as to Form.



 William R. Fleck, Attorney/Planner