

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 152.20 "GENERAL," TO SPECIFY THE SECTIONS SPECIFIC TO FLOODPLAIN REGULATIONS; BY AMENDING SECTION 152.21, "DEFINITIONS," TO MODIFY AND DELETE DEFINITIONS; BY AMENDING SECTION 152.22, "APPLICABILITY," TO ADD THE JULY 31, 2024 EFFECTIVE DATE OF THE FLOOD INSURANCE STUDY; BY AMENDING SECTION 152.23, "DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR," TO REMOVE REFERENCES TO WATERCOURSE; BY AMENDING SECTION 152.25, "SITE PLAN AND CONSTRUCTION DOCUMENTS," TO REMOVE REFERENCES TO FLOODWAYS AND WATERCOURSE AND ADD STORMWATER MANAGEMENT PLAN REQUIREMENTS FOR SINGLE-FAMILY AND DUPLEX LOTS; BY AMENDING SECTION 152.27, "VARIANCES AND APPEALS," TO SPECIFY THE APPLICABILITY TO FLOODPLAIN REGULATIONS; BY AMENDING SECTION 152.31, "SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS," TO CREATE PERFORMANCE STANDARDS FOR STORMWATER RETENTION FOR SINGLE FAMILY AND DUPLEX LOTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pompano Beach participates in the National Flood Insurance Program, which requires specific language in the adopted Floodplain Regulations that has been slightly revised and those changes are incorporated in these revisions; and

WHEREAS, the Federal Emergency Management Agency has revised and reissued the Flood Insurance Study for Broward County, Florida and Incorporated Areas, with an effective date of July 31, 2024; and

WHEREAS, the City of Pompano Beach has determined that it is in the public interest to amend Chapter 152 to identify the effective date of the revised Flood Insurance Study; and

WHEREAS, the revised Flood Insurance Rate Maps effective July 31, 2024, require higher finished floor elevations for new construction and substantial improvement in the parts of the City affected by storm surge; and

WHEREAS, stormwater retention performance standards are being adopted for single-family and duplex lots constructed to meet these higher finished floor elevations to mitigate potential flooding of properties at lower finished floor elevations; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the Commission Chambers of the City of Pompano Beach, Florida; and

WHEREAS, a public hearing before the City Commission was held pursuant to the public notice described above at which hearing the parties in interest and all other citizens so desiring had an opportunity to be, and were in fact heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 152.20, Floodplain Management Regulations, of Chapter 152, "Buildings," of the Pompano Beach Code of Ordinances is hereby amended as follows:

FLOODPLAIN MANAGEMENT REGULATIONS

§ 152.20 GENERAL.

(A) Title. ~~The following portions~~ Sections 152.20 through 152.36 of this chapter shall be known as the Floodplain Regulations of The City of Pompano Beach, hereinafter referred to as the "Floodplain Regulations."

...

SECTION 2. That Section 152.21, "Definitions," of Chapter 152, "Buildings," of the

Pompano Beach Code of Ordinances is hereby amended as follows:

§ 152.21 DEFINITIONS.

...

(D) Definitions. For purposes of ~~this section~~ the Floodplain Regulations contained in this Chapter, the following definitions shall apply:

(1) **ACCESSORY STRUCTURE.** A structure on the same parcel of property as a principal structure and the use of which is limited to parking and storage incidental to the use of the principal structure.

~~(2) **ALTERATION OF A WATERCOURSE.** A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.~~

~~(32) **APPEAL.** A request for a review of the Floodplain Administrator's interpretation of any provision of the Floodplain Regulations or a request for a variance.~~

(43) **ASCE 24.** A standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

~~(54)~~ **BASE FLOOD.** A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B,]. The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

~~(65)~~ **BASE FLOOD ELEVATION.** The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B,].

~~(76)~~ **BASEMENT.** The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B,].

~~(87)~~ **COASTAL CONSTRUCTION CONTROL LINE.** The line established by the State of Florida pursuant to section 161.053, F.S., and recorded in the official records of the community, which defines that portion of the beach-

dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

(98) **COASTAL HIGH HAZARD AREA.** A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V. [Note: The FBC, B defines and uses the term "flood hazard areas subject to high velocity wave action" and the FBC, R uses the term "coastal high hazard areas."].

(409) **CRITICAL FACILITY.** Hospitals, nursing homes, medical services facilities, convalescent and assisted living facilities; police stations, fire stations, storage of critical records; government buildings and law enforcement offices; evacuation shelters and emergency operation centers that are needed for flood response activities before, during, or after a flood; and public and private utility (water and wastewater) facilities that are vital to maintaining or restoring normal services to flooded areas before, during, and after a flood; radio/cellular/TV towers; schools and universities; landfills; and structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic and/or water-reactive materials. The term includes facilities that are assigned Flood Design Class III 3 and Flood Design Class IV 4 pursuant to the *Florida Building Code, Building and ASCE 24 14*.

(410) **CROWN OF ROAD.** The elevation of the highest surface of existing street pavement within the right-of-way abutting the property relative to the National Geodetic Vertical Datum (NGVD) or North America Vertical Datum (NAVD) or otherwise approved by the City Engineer.

(421) **DECLARATION OF LAND RESTRICTION (NONCONVERSION AGREEMENT).** A form provided by the Floodplain Administrator to be signed by the owner and recorded with the property deed in the Official Public Records of Broward County, for the owner to agree not to convert or modify in any manner that is inconsistent with the terms of the building permit and regulations relating to enclosures below elevated buildings.

(431) **DESIGN FLOOD.** The flood associated with the greater of the following two areas: [Also defined in FBC, B].

...

(441) **DESIGN FLOOD ELEVATION.** The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. [Also defined in FBC].

~~(1514)~~ **DEVELOPMENT**. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

~~(1615)~~ **ENCROACHMENT**. The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

~~(1716)~~ **EXISTING BUILDING AND EXISTING STRUCTURE**. Any buildings and structures for which the "start of construction" commenced before September 5, 1979. [Also defined in FBC, B].

~~(1817)~~ **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)**. The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

~~(1918)~~ **FLOOD OR FLOODING**. A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B].

...

~~(2019)~~ **FLOOD DAMAGE-RESISTANT MATERIALS**. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B].

~~(2120)~~ **FLOOD HAZARD AREA**. The greater of the following two areas: [Also defined in FBC, B].

...

~~(2221)~~ **FLOOD INSURANCE RATE MAP (FIRM)**. The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B].

~~(2322)~~ **FLOOD INSURANCE STUDY (FIS)**. The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B].

(2423) **FLOODPLAIN ADMINISTRATOR.** The office or position designated and charged with the administration and enforcement of the Floodplain Regulations (may be referred to as the Floodplain Manager).

(2524) **FLOODPLAIN DEVELOPMENT PERMIT OR APPROVAL.** An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with the Floodplain Regulations.

(2625) **FLORIDA BUILDING CODE.** The family of codes adopted by the Florida Building Commission, including: *Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.*

(2726) **FUNCTIONALLY DEPENDENT USE.** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

(2827) **HIGHEST ADJACENT GRADE.** The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

(2928) **HISTORIC STRUCTURE.** Any structure that is determined eligible for the exception to the flood hazard area requirements of the *Florida Building Code, Existing Building*, Chapter 12 Historic Buildings.

(3029) **LETTER OF MAP CHANGE (LOMC).** An official determination issued by Federal Emergency Management Agency that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

...

(3430) **LIGHT-DUTY TRUCK.** As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

...

(~~3231~~) **LOWEST FLOOR.** The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B].

(~~3332~~) **MANUFACTURED HOME.** A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

(~~3433~~) **MANUFACTURED HOME PARK OR SUBDIVISION.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

(~~3534~~) **MARKET VALUE.** As used in the Floodplain Regulations, the term refers to the value of buildings and structures, excluding the land and other improvements on the parcel. Market value is the Actual Cash Value (in-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction) determined by a qualified independent appraiser, or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

(~~3635~~) **NEW CONSTRUCTION.** For the purposes of administration of the Floodplain Regulations and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after September 5, 1979 and includes any subsequent improvements to such structures.

(~~3736~~) **PARK TRAILER.** A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in 320.01, F.S.]

(~~3837~~) **RECREATIONAL VEHICLE.** A vehicle, including a park trailer, which is: [See section 320.01, F.S.]

...

(~~3938~~) **DUNES.** Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

(4039) **SPECIAL FLOOD HAZARD AREA.** An area in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B].

(4140) **START OF CONSTRUCTION.** The date of issuance of permits for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

...

(4241) **SUBSTANTIAL DAMAGE.** Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 49 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B].

(4342) **SUBSTANTIAL IMPROVEMENT.** Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 49 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B].

...

(4443) **VARIANCE.** A grant of relief from the requirements of the Floodplain Regulations, or the flood resistant construction requirements of the *Florida Building Code*, which permits construction in a manner that would not otherwise be permitted by the Floodplain Regulations or the *Florida Building Code*.

~~(45) **WATERCOURSE.** A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.~~

SECTION 3. That Section 152.22, "Applicability," of Chapter 152, "Buildings," of the Pompano Beach Code of Ordinances is hereby amended as follows:

§ 152.22 APPLICABILITY.

...

(C) *Basis for establishing flood hazard areas.* The Flood Insurance Study for Broward County, Florida and Incorporated Areas dated ~~August 18, 2014~~ July 31, 2024, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of these Regulations and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Building Inspections Division office, 100 West Atlantic Boulevard.

(D) *Submission of additional data to establish flood hazard areas.* To establish flood hazard areas and base flood elevations, pursuant to § 152.25 of these Regulations the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

(1) Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of ~~this ordinance~~ the Floodplain Regulations contained in this Chapter and, as applicable, the requirements of the *Florida Building Code*.

...

SECTION 4. That Section 152.23, “Duties and Powers of the Floodplain Administrator,” of Chapter 152, "Buildings," of the Pompano Beach Code of Ordinances is hereby amended as follows:

§ 152.23 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR.

...

(H) *Other duties of the Floodplain Administrator.* The Floodplain Administrator shall have other duties, including but not limited to:

(1) Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to ~~division~~ subsection (D) of this section;

~~(2) — Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);~~

(32) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations or flood hazard area boundaries, such submissions shall be made within 6 months of such data becoming available;

(43) Review required design certifications and documentation of elevations specified by the Floodplain Regulations and the to determine that such certifications and documentations are complete;

(54) Notify the Federal Emergency Management Agency when the corporate boundaries of The City of Pompano Beach are modified; and

(65) Advise applicants for new buildings and structures, including substantial improvements that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as "Coastal Barrier Resource System Areas" and "Otherwise Protected Areas."

(I) *Floodplain management records.* Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of the Floodplain Regulations and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the *Florida Building Code* and the Floodplain Regulations; ~~notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained;~~ documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to the Floodplain Regulations and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at Building Inspections Division office, 100 West Atlantic Boulevard, Pompano Beach, Florida.

SECTION 5. That Section 152.25, "Site Plans and Construction Documents," of Chapter 152, "Buildings," of the Pompano Beach Code of Ordinances is hereby amended as follows:

§ 152.25 SITE PLANS AND CONSTRUCTION DOCUMENTS.

(A) ~~Information for development in areas with Base Flood Elevations.~~
The site plan or construction documents for any all development ~~subject to the requirements of the Floodplain Regulations~~ shall be drawn to scale and shall include, as applicable to the proposed development:

(1) Delineation of flood hazard areas, ~~floodway boundaries and~~ flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.

...

(6) Extent of any proposed alteration of sand dunes or mangrove stands, provided such alteration is approved by the Florida Department of Environmental Protection.

~~(7) Existing and proposed alignment of any proposed alteration of a watercourse.~~

(7) Stormwater Management Plan with site drainage calculations that demonstrate sufficient on-site drainage facilities providing at least the minimum retention storage volume required by Broward County Chapter 27 and/or by City Code Section 152.31(F) for single family and duplex parcels which are not reviewed by Broward County.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by the Floodplain Regulations but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with the Floodplain Regulations.

(B) ~~Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section,~~ For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), the applicant shall have the following analyses an engineering analysis that demonstrates the proposed alteration will not increase the potential for flood damage signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents.

~~(1) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in division (D) of this section.~~

~~(2) For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.~~

(C) *Submission of additional data.* When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, ~~change floodway boundaries,~~ or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

SECTION 6. That Section 152.27, "Variances and Appeals," of Chapter 152, "Buildings," of the Pompano Beach Code of Ordinances is hereby amended as follows:

§ 152.27 VARIANCES AND APPEALS.

...

(G) *Conditions for issuance of variances.* Variances shall be issued only upon:

(1) Submission by the applicant, of a showing of competent and substantial evidence that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of ~~this ordinance~~ the Floodplain Regulations or the required elevation standards;

...

SECTION 7. That Section 152.31, "Site Improvements, Utilities and Limitations," of Chapter 152, "Buildings," of the Pompano Beach Code of Ordinances is hereby amended as follows:

§ 152.31 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS.

...

(E) *Limitations on sites in coastal high hazard areas (Zone V).* In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by § 152.25(B)(2) of the Floodplain Regulations demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with § 152.35(E)(3) of the Floodplain Regulations.

(F) Single family and duplex residential stormwater management performance standards.

(1) Applicability. The standards of this subsection shall apply to new construction or substantial improvements to single family and duplex residential projects that are utilizing fill and have a lot area under one acre in size.

(2) Stormwater management plan required. To implement the requirements herein, a stormwater management plan and site drainage calculations shall be prepared by a Professional Engineer (P.E.) licensed by the State of Florida that demonstrates that the on-site drainage facilities provide at least the minimum retention storage volume of one-inch times the total area of the parcel. The stormwater runoff water shall be diverted to a stormwater conveyance other than the city's stormwater management system per Section 53.13(A)(1). The site shall be graded in a manner to drain stormwater runoff away from foundations.

(3) For single family parcels and duplex parcels, the site must retain the volume of stormwater runoff that equates to one-inch times the total area of the parcel. Retention must be adequate to ensure the inch of retention with:

(a) No runoff from front yard area to the street or adjacent property.

(b) No runoff from side yard areas to adjacent properties.

(c) No runoff from backyard area to adjacent properties, Intracoastal Waterway, or adjacent canal.

(d) No runoff into the right-of-way or street from driveways.

(4) Maintenance of privately owned stormwater management systems.

(a) Should the privately owned stormwater management system fail to function as designed and intended, the owner or maintenance entity shall take appropriate corrective measures to restore and ensure proper operation of the system.

(b) Inspections may be performed by city officials when reasonably necessary to carry out the purposes of this section.

(c) This section may be enforced by any means legally available to the city.

...

SECTION 8. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 9. This Ordinance shall become effective immediately upon passage.

PASSED FIRST READING this _____ day of _____, 2024.

PASSED SECOND READING this _____ day of _____, 2024.

REX HARDIN, MAYOR

ATTEST:

KERVIN ALFRED, CITY CLERK

MEB:jrm
6/18/24
L:ord/ch152-2024-174