

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 74 OF THE CODE OF ORDINANCES, ENTITLED "UTILITIES", ARTICLE II ENTITLED "SANITARY SEWER SYSTEM," BY REPEALING SECTION 74-171 - GREASE, OIL AND SAND INTERCEPTORS; ADDING ARTICLE VI ENTITLED "FATS OILS AND GREASE MANAGEMENT" SECTION 74-245 THROUGH 74-261 TO PROVIDE REGULATIONS FOR UNIFORM MAINTENANCE AND MONITORING REQUIREMENTS FOR CONTROLLING THE DISCHARGE OF GREASE FROM FOOD SERVICE FACILITIES, AND GREASE HAULING; ADDING SECTIONS 74-250 - TITLE; SECTION 74-251 - PURPOSE; SECTION 74-252 - APPLICABILITY; SECTION 74-253 - DEFINITIONS; SECTION 74-254 - AUTHORITY; SECTION 74-255 - FACILITY INSPECTIONS; 74-256 - GREASE TRAPS & INTERCEPTORS; SECTION 74-257 - GREASE INTERCEPTOR AND TRAP ENFORCEMENT; SECTION 74-258 - GREASE HAULERS; SECTION 74-259 - FEES; SECTION 74-260 - ENFORCEMENT, APPEALS; AND SECTION 74-261 ADDITIONAL CRIMINAL OFFENSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West Sanitary Sewer System operates pursuant to a consent order (OGC File No 21-0851), which requires the City to fully implement a documented Capacity, Management, Operation and Maintenance Program, which includes enacting a Fats, Oil and Grease (F.O.G.) Ordinance; and

WHEREAS, adding regulations for fats, oil and grease management to the Code of Ordinances will protect and improve operation of the city's sanitary sewer and stormwater systems; and

WHEREAS, enactment of a Fats, Oil and Grease ("FOG") Management ordinance will promote the health, safety and welfare of the citizens and visitors of the City of Key West.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That Section 74-171 is hereby repealed from the Code of Ordinances in its entirety, as follows:

~~Sec. 74-171. - Grease, oil and sand interceptors.~~

~~Grease, oil, and sand interceptors shall be provided when, in the opinion of the director, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be located as to be readily and easily accessible for cleaning and inspection.~~

(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. **Added language is double underlined and ~~double struck through~~ at second reading.*

Section 2: That Chapter 74 of the Code of Ordinances is hereby amended, by adding Article II, Division VI as follows*:

CHAPTER 74 "UTILITIES",

ARTICLE II "SANITARY SEWER SYSTEM,"

DIVISION VI. "FATS OILS AND GREASE MANAGEMENT"

Sec. 74-250. Title.

This article shall be known and may be cited as the " Fats, Oil, and Grease (F.O.G.) Ordinance."

Sec. 74-251. Purpose.

This article establishes uniform maintenance and monitoring requirements for controlling the discharge of grease from food service facilities discharging into the city's treatment works and for regulation of grease haulers operating within the city limits. The objectives of this article are:

(1) To prevent the introduction of excessive amounts of grease into Key West's collection system.

(2) To prevent clogging or blocking of the city's sewer lines due to grease build-up causing sanitary sewer overflows onto streets, into stormwater systems or waterways and into residences and commercial buildings, resulting in potential liability to the city.

(3) To prevent maintenance and odor problems at wastewater pumping stations due to grease build-up.

(4) To implement a process to recover costs for any liability incurred by the city for damage caused by grease blockages resulting in sanitary sewer overflows.

(5) To establish fees for the recovery of costs resulting from the program established herein.

(6) To register grease haulers operating within the City of Key West.

(7) To establish enforcement procedures for violations of this article.

Sec. 74-252. Applicability.

(a) The provisions of this article shall apply to all food service facilities discharging into the city's treatment works and to all grease haulers doing business within the City of Key West.

(b) Where there is a conflict between this article and the Florida Building Code-Plumbing, as amended (current edition), the Florida Building Code-Plumbing, as amended (current edition) shall be applicable.

Sec. 74-253. Definitions.

For the purposes of this article, certain abbreviations, terms, phrases, words and their derivatives shall have the following meanings:

Director means the director of the Utilities department or his or her designee.

Food service facility or facility means any business or food service facility which prepares and/or packages food or beverages for sale or consumption. This does not apply to private residences. Food service facilities may include, but are not limited to, food courts, food manufacturers, food packagers, restaurants, grocery stores, bakeries, lounges, meat markets, hospitals, hotels, nursing homes, churches, schools, cafeterias, delicatessens, coffee shops, concession stands, and all other food service facilities not specifically listed above.

Food service facility owner or owner means in the case of individual food service facilities, the owner or proprietor of the food service facility. Where the facility is a franchise operation, the owner of the franchise is the responsible person or entity. Where the facility is owned by a partnership, corporation, or other type of business entity, the individual who is authorized to legally act on behalf of the business entity under Florida State law shall be the responsible person. Where two (2) or more food service facilities share a common grease interceptor, the owner shall be the individual who owns or assumes control of the grease interceptor or the property on which the grease interceptor is located. Owner shall also mean his or her duly authorized representatives, employees or agents.

FOG or F.O.G. inspector means a member of the staff of the City's Utilities or Code Enforcement Department, designated to assist in the management of the City of Key West F.O.G. Ordinance.

Gray water means all liquid contained in a grease interceptor that lies below the floating grease layer and above the food solids layer.

Grease means a material either liquid or solid, composed primarily of fats, oils or grease from animal or vegetable sources.

Grease hauler means a person who collects the contents of a grease interceptor or trap and transports it to an approved recycling or disposal facility.

Grease interceptor means an interceptor whose rated flow exceeds fifty (50) gpm or has a minimum storage capacity of seven hundred fifty (750) gallons or more and is a device located underground and outside of a facility. It is designed to collect, contain or remove food waste and grease from the wastewater while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity.

Grease trap means an interceptor whose rated flow is fifty (50) gpm or less and is a device located inside a facility and/or under a sink designed to collect, contain, or remove food wastes and grease from the wastewater while allowing the balance

of the liquid waste to discharge to the wastewater collection system by gravity.

Hydromechanical interceptor means a device that is installed at a food service facility, to prevent fats, oil and grease from entering the wastewater system, that may incorporate, in combination or separately, air entrapment, interior baffling and internal barriers.

Notice of code violation (NOCV) means a written notice informing a food service facility owner or grease hauler that a violation of the City of Key West F.O.G Ordinance has occurred, following an attempt at voluntary compliance.

Registered hauler means a grease hauler registered with the City of Key West in accordance with this article who is authorized to perform inspection, cleaning, and grease disposal for food service facilities.

Sanitary facilities mean bathrooms, bathroom fixtures, bathroom groups, hand sinks or other similar fixtures or facilities.

Sewage treatment plant means any arrangement of devices and structures used for treating sewage as defined in section 74-26 of the City of Key West Code.

Sec. 74-254. Authority.

(a) Pursuant to sections 74-29 of the City of Key West Code, the director, or his or her designee(s) shall have the

power, duty and responsibility to administer and enforce the provisions of this article.

(b) Pursuant to Chapter 2 Article VI of the City of Key West Code and F.S. Ch. 162, the F.O.G. inspector shall have full authority being designated and employed as a code enforcement officer.

Sec. 74-255. Facility inspections.

(a) Entry. Pursuant to section 74-29 of the City of Key West Code, each facility shall allow the director or his or her designee the right of entry upon real property for the purpose of inspection, observation, records examination, measurement, and sampling in accordance with the provisions of this article.

(b) Inspections. The F.O.G. inspector may inspect food service facilities periodically on either an unannounced or scheduled basis to verify continued compliance with the requirements of this article. The F.O.G. inspector shall inspect all grease traps or interceptors, the logbook and file, other pertinent data or take samples as necessary. The F.O.G. inspector shall record all observations in a written report. Any deficiencies shall be noted, including but not limited to:

(1) Failure to properly maintain the grease interceptor or trap in accordance with the provisions of this article.

(2) Failure to report changes in operations, or wastewater constituents and characteristics.

(3) Failure to maintain logs, files, records or access for inspection or monitoring activities.

(4) Inability of existing grease interceptor or trap to prevent discharge of grease into the city's treatment works.

(5) Any other inconsistency with or violation of this article.

(c) Re-inspections. The F.O.G. inspector shall inspect any repairs, replacements or other deficiencies and shall provide written notice of compliance or noncompliance. In the event of continuing noncompliance, re-inspections will be performed.

Sec. 74-256. Grease traps and interceptors.

(a) Permit required. Any food service facility that intends to erect, install, enlarge, alter, repair, remove, convert or replace any grease trap or interceptor is required by section 14-37 of the City of Key West Code of ordinances to make application to the building official and obtain the required permit. The facility shall submit with its permit application the appropriate design criteria in accordance with the Florida Building Code - Plumbing, as amended (current edition).

(b) Requirements. All food service facilities are required to have a grease interceptor or trap properly installed in

accordance with any and all applicable requirements of the Florida Building Code-Plumbing, as amended (current edition).

(1) New facilities. On or after the effective date of the City of Key West F.O.G. Ordinance, food service facilities which are newly proposed or constructed, or existing food service facilities which will be expanded or renovated to include a food service facility, where such a food service facility did not previously exist, shall be required to install a grease interceptor or trap according to the requirements of the Florida Building Code-Plumbing, as amended (current edition) and to operate and maintain the grease interceptor or trap according to the requirements contained in this article.

(2) Existing facilities. Food service facilities existing prior to the date of the City of Key West F.O.G. Ordinance shall be permitted to operate and maintain existing grease interceptors or traps provided their grease interceptors or traps are in good operating condition.

The city may require an existing facility to install a new grease interceptor or trap that complies with the requirements of the Florida Building Code-Plumbing, as amended (current edition) or to modify or repair any noncompliant plumbing or existing grease interceptor or trap when any, one (1) or more of the following conditions exist:

a. The facility is found to be contributing grease in quantities sufficient to cause line stoppages or necessitate increased maintenance on the wastewater collection system.

b. Grease concentrations exceed four hundred (400) mg/l on wastewater effluent as determined by sampling performed by the F.O.G inspector.

c. The facility does not have a grease interceptor or trap.

d. The facility has an irreparable or defective grease interceptor or trap.

e. Remodeling of the food preparation or kitchen waste plumbing system is performed which requires a plumbing permit to be issued by the City of Key West.

f. The facility is sold or undergoes a change of ownership.

g. The facility does not have plumbing connections to a grease interceptor or trap in compliance with the requirements of this article.

(c) Plumbing connections. Grease interceptors or traps shall be installed in accordance with Florida Building Code—Plumbing, as amended (current edition). Wastewater from sanitary facilities shall not be introduced into the grease interceptor or trap under any circumstances.

(d) Records maintenance. Each food service facility shall maintain a logbook in which a record of all interceptor maintenance is entered. Maintenance information shall include, but not be limited to, date and time of the maintenance, estimated gallonage removed from interceptor or trap, any defects in the grease interceptor or trap, details of any repairs required and dates of repair completion, changes in operations, or wastewater constituents and characteristics, receipts from grease haulers, plumbers, parts suppliers, plumbing layout, sizing or flow rate calculations for grease trap or interceptor, etc., and any other records pertaining to the interceptor. Each food service facility shall report to the City Utilities Department following each cleaning of its grease trap, interceptor, or similar device. Facilities with limited operations that do not require frequent cleanings shall report no less than twice per year. Each report shall include the date the trap was serviced, the size of the trap or receptacle, the name of the licensed hauler or an invoice from the hauler, and the manifest of the disposal site. A logbook containing this information shall be maintained by the facility and made available for inspection upon request by the City. Records shall be maintained for a period of one (1) year. Each facility shall provide, upon request of the F.O.G. inspector within ten (10) days, drawings of sufficient detail to depict the plumbing

layout of the facility.

(e) Grease interceptors. Grease interceptors shall be designed and installed in accordance with the Florida Building Code-Plumbing, as amended (current edition) and shall be operated and maintained as follows:

(1) Pumping and maintenance. Each food service facility shall be responsible for the costs of pumping, cleaning, and maintaining its grease interceptor. All food service facilities that have grease interceptors shall utilize a registered grease hauler. Pumping services shall include the complete removal of all contents, including floating materials, gray water, bottom sludge, and solids from the interceptor. Grease interceptor cleaning shall include scraping excessive solids from the walls, floors, baffles, and all piping.

It shall be the responsibility of the grease hauler to inspect an interceptor during, or immediately after the pumping procedure to ensure that the interceptor is clean and that all fittings and fixtures inside the interceptor are in working condition and functioning properly. If the interceptor is not functioning properly, the grease hauler shall notify the owner in writing. The notice shall include a sufficient description of the malfunction.

(2) Interceptor pumping frequency. Each food service facility shall have its grease interceptor pumped prior to

attaining any of the following criteria:

- a. When the settled solids layer exceeds the invert of the outlet pipe (typically eight (8) inches in depth);
- b. When the total volume of captured grease and solid material displaces more than twenty-five (25) percent of the capacity of the interceptor;
- c. When the interceptor is not retaining or capturing oils and greases;
- d. When a blockage or back up has occurred; or
- e. When sanitary sewer contents have been introduced or diverted into the grease retention system.

(3) Inspection. Grease interceptors shall be inspected periodically by a F.O.G inspector as necessary to ensure compliance with this article.

(4) Disposal. Waste removed from each grease interceptor shall be disposed of at a facility permitted to receive such waste. Grease, solid materials, or gray water removed from interceptors shall not be returned to any grease interceptor, private sewer line or to any portion of the city's treatment works.

(f) Grease traps. Grease traps shall be installed in accordance with the Florida Building Code-Plumbing, as amended, (current edition) and shall meet the following criteria:

(1) Flow control device. Grease traps shall be equipped with a device to control the rate of flow through the unit. The rate of flow shall not exceed the manufacturers rated capacity recommended in gallons per minute for the unit. Each food service facility is responsible for maintaining appropriate flow control devices.

(2) Venting. The flow-control device and the grease trap shall be vented in accordance with the Florida Building Code-Plumbing, as amended (current edition). The vent shall terminate not less than six (6) inches above the flood-rim level or in accordance with the manufacturer's instructions. Each food service facility is responsible for maintaining appropriate venting of the grease trap.

(3) Cleaning and maintenance. Each food service facility shall be solely responsible for the cost of grease trap cleaning and maintenance. Each facility may contract with a registered grease hauler or it may develop a written protocol and perform its own grease trap cleaning and maintenance procedures. Cleaning and maintenance must be performed before the total volume of captured grease and solid material displaces more than twenty-five (25) percent of the total volume of the grease trap. Each facility shall determine the frequency at which their grease trap shall be cleaned, but all grease traps shall be opened, inspected, cleaned, and maintained at a minimum

of once per week.

(4) Inspection. Grease traps shall be periodically inspected by a F.O.G inspector, as necessary, to ensure compliance with this article and to assure proper cleaning and maintenance is being performed.

(5) Disposal. Grease and solid materials removed from a grease trap shall be removed by a registered grease hauler unless the grease is in a solid, dry form, mixed with an oil absorbent in an enclosed bag or container, and does not exceed five (5) pounds.

(g) Additives. Any chemicals, enzymes, emulsifiers, live bacteria or other grease cutters or additives, used for the purpose of grease reduction shall be approved by the F.O.G. inspector prior to their addition to grease interceptors or traps. Applicable information concerning the composition, frequency of use and mode of action of the proposed additive shall be sent to the city together with a written statement outlining the proposed use of the additive(s). The city may request a sampling port installed by the food service facility at the facility's expense to demonstrate the additive will work. The city, upon evaluation of all of the information received, shall permit or deny the use of the additive in writing. Permission to use additives may be withdrawn by the city at any time.

(h) Alternative grease removal devices or technologies.
Alternative devices and technologies such as automatic grease
removal systems shall be subject to written permission by the
director prior to installation. Permission to use the device
shall be based on demonstrated and proven removal efficiencies
and reliability of operation. The city may permit these types of
devices depending on manufacturer's specifications on a case-by-
case basis. The food service facility may be required to furnish
analytical data demonstrating grease removal effectiveness, or
perform effluent monitoring. Permission to use alternative
devices and technologies may be withdrawn by the city at any
time.

Sec. 74-257. Grease interceptor and trap enforcement.

(a) Whenever the F.O.G. inspector determines that a grease
interceptor or trap is in need of pumping, repairs, maintenance,
or replacement, enforcement shall be as follows:

(1) Notice of code violation (NOCV). The F.O.G.
inspector conducting the inspection shall immediately notify the
Code Compliance Department and the food service facility owner
that a violation exists and may issue the owner a courtesy
notice or NOV stating the nature of the violation.

(2) Inspection and re-inspection. If a grease
interceptor or trap has to be re-inspected because of

deficiencies found during a previous inspection, and all of the deficiencies have been corrected, there shall be no charge for the re-inspection. If all of the deficiencies have not been corrected, a re-inspection fee shall be charged to the food service facility.

(3) Sampling fees. Fees for any sampling and analysis of wastewater discharges deemed necessary for the protection of the treatment works shall be charged to the food service facility owner in the amount per sampling event.

(4) Pump-out and cleaning. A violation involving the lack of proper cleaning and maintenance of a grease trap shall require the food service facility owner to clean out the trap(s) within twenty-four (24) hours of the NOV. If interceptor pumping frequency is not being met, the owner shall be required to have the interceptor pumped out within seventy-two (72) hours of the NOCV.

(5) Repairs and replacement. The food service facility owner shall be responsible for the cost and scheduling of all repairs to or replacement of its grease interceptor(s) or trap(s). Repairs and replacements required by a F.O.G. inspector shall be completed within a reasonable time as established in written guidelines prepared by the director. The time for corrective action shall commence on the date of receipt of the

notice. Written guidelines shall include provisions for time extensions if the owner responds with an acceptable plan for rectifying the situation.

(6) Noncompliance. If the food service facility owner continues to violate the provisions set forth in this article, or fails to initiate or complete corrective action in response to a NOCV, or a city approved plan to rectify a violation, the director may pursue one (1) or more of the following options at the director's sole discretion:

a. Pump the grease interceptor and seek reimbursement of the costs from the food service facility owner.

b. Assess further inspection fees as provided.

c. Refer any violation by any food service facility, or its owner, for enforcement by additional regulatory agencies for any or all applicable remedies.

Sec. 74-258. Grease haulers.

(a) Grease hauler registration. Any person, firm, or business desirous of collecting, pumping, or hauling grease interceptor or trap wastes from businesses located within the city limits shall be required to register with the city. It shall be unlawful for any grease hauler to clean or pump out grease interceptors or traps within the city limits without being

registered.

Registrations shall be effective for a period of one (1) years. The registration required by the city shall be in addition to any other permits, registrations, or occupational licenses required by federal, state, and local agencies having lawful jurisdiction. The registration is not transferable. The director shall issue stickers to all City of Key West registered grease haulers. The stickers shall be displayed in a visible location on all vehicles used to clean interceptors or traps.

(1) Application. To register with the city, a grease hauler shall submit a completed application form to the Utilities Department. The Department shall approve, deny, or approve with conditions all applications by written notice within forty-five (45) calendar days of the city's receipt of the completed application form. The grease hauler shall be registered prior to providing grease hauling services within the city limits.

The application shall require, but not be limited to, the following information:

a. List of all trucks or vehicles used to clean interceptors or traps, which include vehicle make, model, year, identification number, color, tank capacity, proof of insurance, and tag number.

b. List of all drivers or personnel used to

clean interceptors or traps, including proof of valid driver's licenses.

c. List of all disposal sites.

(2) Information update. Registered grease haulers shall update application information annually from the date of issuance of registration.

(3) Registration renewal. An application for registration renewal shall be submitted on the appropriate renewal form at least forty-five (45) calendar days prior to the expiration date of the existing registration by each applicant wishing to provide grease hauling services in the city limits.

(b) Spill reporting. Any accident, spill, or other discharge of grease, solids or gray water, which occurs within the city, shall be reported to the City of Key West Wastewater Treatment Plant by the grease hauler as soon as possible but not longer than twenty-four (24) hours after the incident. The grease hauler shall comply with all procedures and reporting requirements contained in federal, state and local regulations. The grease hauler shall be responsible for all clean-up procedures and costs.

(c) Record keeping. Grease haulers shall retain and make available for inspection and copying, all records related to grease interceptor or trap pumping and grease disposal. A City of Key West grease hauler manifest or approved form shall be

required to be signed by the grease hauler certifying the accuracy of the information on the manifest. The manifest shall include, but not be limited to, name, location, date and time of the facility serviced, estimated gallonage removed from interceptor or trap, disposal times, dates, locations, and amounts. These records shall remain available for a period of at least three (3) years. The failure to provide information to the city within ten (10) days of a written request is a violation of this article.

(d) Vehicle inspection. Grease haulers shall permit the city to inspect grease hauler's registered vehicles.

(e) Disposal. Wastes removed from each grease interceptor or trap shall be disposed of at a grease disposal facility permitted to receive such wastes. Grease, solid materials, or gray water removed from interceptors or traps shall not be returned to any grease interceptor, trap, private sewer line, or to any portion of the city's treatment works.

(f) Grease hauler enforcement. Enforcement actions against grease haulers in violation of this article shall be as follows:

(1) Notice of code violation (NOCV). A NOCV may be issued to any grease hauler who is found to be in non-compliance with this article. Response to this notice must be received by the city within ten (10) calendar days of its receipt by the grease hauler. The grease hauler will be required to describe how the

violation occurred, verification that the violation has been corrected, and shall provide assurance that steps will be taken to prevent the re-occurrence of the violation.

(2) Registration revocation. Any registration issued pursuant to the provisions of this article may be modified, suspended or revoked in whole or in part during its term for cause shown including, but not limited to any one (1) of the following:

- a. Falsification of any information;
- b. Discharging any grease, liquid, or solid waste into a non-authorized location; or
- c. Failing to comply with this article.

Sec. 74-259. F.O.G. Ordinance Fees and Charges.

The city commission has the authority to establish, and shall establish and amend fees and related charges associated with this ordinance by resolution, as needed.

Sec. 74-260. Enforcement; appeals.

(a) Referral to code enforcement special magistrate. The director may enforce the violation of any provision of this article against an owner or grease hauler, pursuant to and in the manner provided by Chapter 2, Article VI of the City of Key West Code and the provisions of F.S. Ch. 162.

(b) Injunctive and other relief. The City Manager or designee, through the city attorney, may file a petition in the name of the city in the Circuit Court of the County or such other courts as may have jurisdiction seeking the issuance of an injunction, damages, or other appropriate relief to enforce the provisions of this article or other applicable law or regulation.

(c) Recovery of damages. When the discharge from a food service facility causes an obstruction, damage, or any other impairment to the wastewater collection system, or causes any expense, fine, penalty, or damage of whatever character or nature to the city, the director shall invoice the owner for same incurred by the city. If the invoice is not paid, the director shall notify the city attorney to take such actions as shall be appropriate to seek reimbursement.

(d) Remedies nonexclusive. The remedies provided for in this article are not mutually exclusive. The director may take any, all, or any combination of these actions against a noncompliant person or business.

(e) Appeal of revocation or denial of grease hauler registration. Any revocation or denial of grease hauler registration may be appealed in accordance with Section 2.642 of the City of Key West Code of Ordinances. The appellate officer designated to hear these matters shall be the special magistrate.

The grease hauler shall have fifteen (15) days from receipt of written notice of denial or revocation of the registration to file an appeal. Failure of the grease hauler to file an appeal within the fifteen (15) day time limit shall constitute acceptance of the decision to deny or revoke the registration.

Sec. 74-261. Additional criminal offenses.

(a) Falsifying information. Any person who knowingly makes any false statements, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this article, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this article, shall, upon conviction, be subject to a penalty in an amount not to exceed five hundred dollars (\$500.00), or by imprisonment for not more than sixty (60) days, or by both. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.

Section 3: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent

jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 4: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 5: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

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Read and passed on final reading at a regular meeting held
this _____ day of _____, 2025.

Authenticated by the presiding officer and Clerk of the
Commission on _____ day of _____, 2025.

Filed with the Clerk _____, 2025.

Mayor Danise Henriquez _____

Vice Mayor Lissette Carey _____

Commissioner Aaron Castillo _____

Commissioner Monica Haskell _____

Commissioner Mary Lou Hoover _____

Commissioner Sam Kaufman _____

Commissioner Donald "Donie" Lee _____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK