

**CITY OF BUCKLEY**

**ORDINANCE NO. 10-24**

**AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON, AMENDING THE BUCKLEY MUNICIPAL CODE  
TO ESTABLISH REGULATIONS FOR THE SITING AND OPERATION OF ESSENTIAL PUBLIC FACILITIES;  
PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

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**WHEREAS** the City of Buckley recognizes the need for a formal process for the siting and regulation of essential public facilities (EPFs) to ensure orderly growth and the efficient delivery of public services while mitigating adverse community impacts;

**WHEREAS** the proposed code amendment is designed to comply with the Washington State Growth Management Act (GMA) and align with the Buckley Comprehensive Plan;

**WHEREAS** the Planning Commission held a public hearing on September 9th, 2024, to gather input from the community regarding the proposed amendment and subsequently recommended its approval;

**WHEREAS** the proposed amendment was presented to the City Council on June 4th, 2024, for consideration and further discussion;

**WHEREAS** the amendment applies to all existing and new EPFs, with specific exemptions for additions, secure community transition facilities, and facilities preempted by state or federal law;

**WHEREAS** the City of Buckley acknowledges the importance of including a master planning process for state-owned properties within its limits, allowing for active participation in the planning and development of such properties to ensure alignment with community goals;

**WHEREAS** the proposed code amendment establishes criteria for the siting of local EPFs, including public notification requirements, community impact assessments, and operational evaluations to address and mitigate any identified adverse impacts;

**WHEREAS** the City has engaged with relevant stakeholders, including the Rainier School Team and the White River School District, and has completed the State Environmental Policy Act (SEPA) process for the proposed amendment;

**NOW, THEREFORE**, be it ordained that the City of Buckley adopts the proposed code amendments regarding essential public facilities as outlined above.

**Section 1. Buckley Municipal Code Chapter 19.37, "Essential Public Facilities" is hereby amended as follows:**

Chapter 19.37 ESSENTIAL PUBLIC FACILITIES

Sections:

19.37.010 Purpose.

19.37.020 Applicability.

19.37.030 General provisions.

19.37.040 Siting of local essential public facilities.

19.37.050 Siting of state and regional essential public facilities.

19.37.060 Preclusion of siting of essential public facilities.

19.37.070 Independent consultant review.

19.37.010 Purpose.

The Washington State Growth Management Act (Chapter RCW) requires the city to establish a process for siting essential public facilities. Essential public facilities are those public facilities that are inherently difficult to site. The purpose of this chapter is to implement the Growth Management Act and the Buckley comprehensive plan by establishing a formal process for identifying, siting, and regulating essential public facilities in the city of Buckley and minimizing their adverse impacts as necessary to support orderly growth and delivery of public services. The city's goal in promulgating the regulations under this chapter is to ensure the timely, efficient, and appropriate siting of essential public facilities while simultaneously acknowledging and mitigating the significant community impacts often created by such facilities.

Comprehensive plans and development regulations cannot preclude the siting of essential public facilities within jurisdictional boundaries. Nothing in this chapter should be construed as an attempt by the city of Buckley to preclude the siting of such facilities within the city when the essential public facility is consistent with the Washington State Growth Management Act and other state statutes and regulations.

19.37.020 Applicability.

The regulations, requirements, and standards contained in this chapter apply to all existing and new essential public facilities, which shall comply with all applicable provisions within this title and the Buckley Municipal Code.

A. Exemptions. The following are exempted from the requirements of this chapter:

1. Additions. Additions to existing essential public facilities within the existing property boundaries, which are exempt from review under the Washington State Environmental Policy Act, Chapter , and Chapter RCW.2. Preempted Facilities. Any essential public facilities for which the city's regulatory authority is preempted by or is inconsistent with state or federal law are exempt from the requirements of this chapter.

19.37.030 General provisions.

Essential public facilities shall comply with all applicable provisions of the following:

A. Development Standards.

1. Terminology. Unless the context otherwise requires, the definitions provided in Chapter BMC, Definitions, shall apply to this title.
2. Other Applicable Regulations. All essential public facilities shall comply with all applicable provisions of this title, including the following:
  - a. Design Standards. Development shall comply with all applicable design standards in Chapter , Design Standards.
  - b. Landscaping. Development shall comply with all applicable landscaping standards in Chapter , Landscaping Standards.

- c. Off-Street Parking. Off-street parking shall meet the applicable requirements in Chapter , Parking Standards and Design.
- d. Essential Public Facilities. Land uses that are designated as essential public facilities shall meet the applicable requirements in this chapter.
- f. Signage. Signage shall meet the applicable requirements in Chapter , Signs.
- g. Critical Areas Regulations. Development shall comply with all applicable critical areas regulations in Chapter , Critical Areas.

B. Types of Essential Public Facilities. Essential Public Facilities Defined. Essential public facilities are those public facilities specifically and expressly identified as such facilities in RCW 36.70A.200 and WAC 365-196-550 as now or hereafter amended. They do not include facilities under generic "catch all" provisions defining such facilities as "difficult to site". Essential public facilities also include those state facilities identified as essential public facilities in the capital facilities plan maintained by the Office of Financial Management as identified in RCW 36.70.200(4), and include the following:

1. Airports;
2. State education facilities;
3. State or regional transportation facilities;
4. Transportation facilities of statewide significance as defined in RCW ;
5. Regional transit authority facilities as defined under RCW ;
6. State and local correctional facilities;
7. Solid waste handling facilities;
8. In-patient facilities, including substance abuse facilities;
9. Mental health facilities; and
10. Any facility on the state ten-year capital plan maintained by the Office of Financial Management.

C. Essential Public Facility Classifications.

1. Local Essential Public Facility. A local essential public facility is owned, operated, or sponsored by the city of Buckley, a special purpose district, or another unit of local government, and which serves the city-wide population.
2. State Essential Public Facility. A state essential public facility is owned, operated, or sponsored by the state of Washington.
3. Regional Essential Public Facility. A regional essential public facility is owned, operated, or sponsored by a regional or federal agency whose boundaries encompass the city, and which serves the countywide population or an area that is greater than the city limits.

19.37.040 Siting of local essential public facilities.

The purpose of the local essential public facility siting process is to allow the city to impose reasonable conditions on an essential public facility necessary to mitigate the impacts of the project while ensuring that its development regulations do not preclude the siting of an essential public facility. This section shall only apply to all local essential public facilities. The provisions in this section do not apply to state and regional essential public facilities, which are regulated by BMC 19.37.050.

A. Land Use Matrix. Local essential public facilities shall be limited to the zoning districts identified in Table : Permitted uses for all zones. An essential public facility not explicitly permitted by Table in a specific zoning district is prohibited. Facilities sited by a state or regional decision-making body shall not be subject to Table .

B. Compliance with Development Regulations. Unless otherwise specified in this title, local essential public facilities shall conform to all applicable provisions of this code for development within the zoning district in which they are proposed to be located.

C. Application and Review Process.

1. Conditional Use Permit Required. A conditional use permit shall be required before any local essential public facility may be located or modified/expanded within the city of Buckley, regardless of the zoning district in which such facility is or is proposed to be located, unless exempted by BMC 19.37.020. A local essential public facility must satisfy the conditions of this chapter and Chapter , Conditional Use Permits.

2. Permit Processing. A conditional use permit and other associated land use permits for a local essential public facility shall be processed according to the requirements in , Land Use and Development.

3. Determination of Essential Public Facilities. During the preapplication meeting, the planning director shall determine if an application is an essential public facility. The proposal shall be considered an essential public facility if one or more of the following criteria is met:

a. The public facility needs a specific type of site such as size, location, available public services, of which there are few choices.

b. The public facility needs to be located near another public facility or is an expansion of an essential public facility at an existing location.

c. The public facility has, or is generally perceived by the public to have, significant adverse impacts that make it difficult to site.

d. Use of the normal development review process would effectively preclude the siting of an essential public facility.

e. Development regulations require the proposed facility to use an essential public facility siting process.

4. Application Submittal Requirements. A complete application for a conditional use permit for an essential public facility shall include all of the following items

a. Application Materials. The application shall be made according to the submittal requirements in , Processes for all project permit applications, on forms prescribed by the city, and shall include the fee as established by the current fee resolution.

- b. Local Outreach. The applicant shall conduct local outreach efforts with early notification to prospective neighbors to inform them about the project and to engage residents in the development of the proposal, site planning, and mitigation design prior to submittal of a conditional use permit application.
- c. Documentation of Need. The applicant must demonstrate the need for the proposed essential public facility. Included in the analysis of need should be the projected service population, an inventory of existing and planned comparable facilities, and projected demand for this type of essential public facility.
- d. Alternative Site Selection. The applicant shall search for and investigate alternative sites. The proposal shall include a written analysis indicating whether any alternative sites have been identified that meet the minimum site requirements of the facility.
- e. Public Participation Plan. The conditional use permit application shall include a public participation plan for city review and comment that is designed to encourage early public involvement in the permitting decision and in determining possible mitigation measures.
- f. Consistency with Applicant's Plans. The applicant shall provide a written analysis demonstrating that the proposal is consistent with the applicant's own long-range plans for facilities and operations.
- g. Consistency with Comprehensive Plan. The applicant shall provide a written analysis demonstrating that the proposal is consistent with the Buckley comprehensive plan.
- h. Consistency with Zoning Code. The applicant shall provide a written analysis demonstrating that the proposal is consistent with the Buckley zoning code.
- i. Minimum Site Requirements. The applicant shall submit documentation showing the minimum siting requirements for the proposed facility. Site requirements may be determined by the following factors: minimum size of the facility, access, support facilities, topography, geology, and mitigation needs. The applicant shall also identify future expansion needs of the facility.
- j. Proposed Impact Mitigation. The proposal must include adequate, appropriate, and reasonable mitigation measures for the impacted area(s) and community. Mitigation measures may include, but are not limited to, natural features that will be preserved or created to serve as buffers, other site design elements used in the site plan, and/or operational or other programmatic measures contained in the proposal. The proposed measures shall be adequate to substantially reduce or compensate for anticipated adverse impacts created by the proposed facility.

5. Decision Criteria. This section shall apply to all local essential public facilities. These decision criteria do not apply to regional and state essential public facilities addressed in BMC 19.37.050. The hearing examiner may approve, or approve with conditions, a conditional use permit for a local essential public facility, provided the proposal meets all of the following criteria, in addition to the criteria imposed by Chapter , Conditional Use Permits:

- a. The proposal is consistent with the comprehensive plan;

- b. The project is consistent with the applicant's own long-range plans for facilities and operations;
- c. The project applicant has demonstrated the need for the proposed essential public facility, supported by an analysis of the projected service population, an inventory of existing and planned comparable facilities, and the projected demand for the type of facility proposed;
- d. The applicant has provided a meaningful opportunity for public participation in the siting decision and development of mitigation measures that is appropriate in light of the project's scope, applicable requirements of the city code, and state and federal law;
- e. The project site meets the facility's minimum physical site requirements, including projected expansion needs. Site requirements shall be determined by the minimum size of the facility, setbacks, access, support facilities, topography, geology, and on-site mitigation needs;
- f. The applicant has reasonably investigated alternative sites, as evidenced by a detailed explanation of site selection methodology, as verified by the city and reviewed by associated jurisdictions and agencies;
- g. City services, businesses, job opportunities, and public transportation are sufficient to accommodate the proposed use;
- h. The proposal incorporates specific features to ensure that it is compatible with the existing or intended character, appearance, quality of development, and physical characteristics of the site and surrounding properties;
- i. Necessary infrastructure is or will be made available to ensure safe transportation access and transportation concurrency;
- j. Necessary infrastructure is or will be made available to ensure that public safety responders have the capacity to handle increased calls and expenses that will occur as the result of the facility, including, but not limited to, insurance costs, public awareness, and public education costs. The facility will not adversely affect public safety;
- k. The applicant has the ability to and shall pay for all capital costs associated with on-site and off-site improvements;
- l. The facility will not unreasonably increase noise levels in residential and commercial areas, and school zones, especially at night;
- m. Visual screening will be provided that will mitigate the visual impacts from streets and adjoining properties. Visual screening must be of such quality and design as to complement the neighborhood in which the local essential public facility is located. Screening complements the neighborhood when it meets or exceeds the quality and design of other screening in the neighborhood;
- n. The local essential public facility meets all provisions of this code for development within the zoning district in which it is proposed to be located, including but not limited to bulk requirements;

- o. Any and all probable significant adverse environmental impacts are mitigated; and
    - p. The essential public facility shall comply with any applicable siting and permitting requirements.

6. Conditions of Permit Approval. If the hearing examiner determines that any one or more of the decision criteria set forth in subsection (C)(5) of this section is not met by the proposal, the hearing examiner shall impose such reasonable conditions on approval of the conditional use permit as may be necessary in order to enable the facility to meet the decision criteria. The decision criteria set forth in subsection (C)(5) of this section shall not be applied in such a manner as to preclude the siting of any local essential public facility in the city of Buckley. In the event that a local essential public facility cannot, by the imposition of reasonable conditions of approval, be made to meet the decision criteria set forth in subsection (C)(5) of this section on the preferred site described in the proposal, the hearing examiner shall either:

- a. Require the local essential public facility to be located on one of the alternative sites, if the proposal can be reasonably conditioned to meet the decision criteria at the alternative site; or
- b. Approve the siting or expansion of the local essential public facility at the preferred site with such reasonable conditions of approval as may be imposed to mitigate the impacts of the proposal to the maximum extent practicable, if there is no available alternative site on which the decision criteria can be met.

D. Compliance with Conditional Use Permit. Any development and building permits for a local essential public facility approved under this chapter shall comply with all conditions of permit approval

E. Denial of Permit. In the event a development and/or building permit for an essential public facility is denied, the department shall submit, in writing, the reasons for denial to the project applicant.

F. Hold Harmless. No development or building permits may be applied for prior to approval of a conditional use permit for a local essential public facility unless the applicant signs a written release acknowledging that such approval is neither guaranteed nor implied by the department's acceptance of the development and/or building permit applications. The applicant shall expressly hold the city harmless and accept all financial risk associated with preparing and submitting construction plans before the final decision is made under this chapter.

G. Minor modifications to approved Conditional Use Permits. The City Administrator or designee is authorized to allow minor modifications. Minor modification means a departure from the conditions of an approved CUP when consistent with the following criteria:

1. It does not in any way change the use permitted by the approved CUP;
2. The minor modification shall not relocate a building, alter the height of a building, parking area, street or other use or built feature in such a way that visual, light, noise, vibration or other impacts as experienced from surrounding properties and public rights-of-way are intensified, and shall not reduce any required yard, setback, buffer or open space below the area or dimensions established by code;
4. Traffic volumes shall not increase;

5. Modifications to internal circulation layout are acceptable; provided, that ingress and egress points to the subject property are not modified in such a way that external traffic patterns are affected or impacts increased;
6. The adjustment does not add new environmental impacts or increase environmental impacts disclosed in the original SEPA documents;
7. The installation of portable classrooms or temporary structures subject to a Process Type I administrative action;
8. Renovations, remodeling and general maintenance, provided there is no expansion in occupiable space that would lead to traffic or environmental impacts of the original SEPA documents.
  - a. An applicant may be required to demonstrate via a traffic impact analysis that there is no impact due to an increase in occupiable space

#### 19.37.050 Siting of state and regional essential public facilities.

This section shall apply to all state and regional essential public facilities that have been reviewed through a state or regional siting process. These requirements do not apply to either local essential public facilities or state and regional essential public facilities that have not been reviewed through a state or regional siting process, which are addressed in BMC 19.37.040.

- A. Compliance with Development Regulations. Unless otherwise specified in this title, state and regional essential public facilities shall conform to all applicable provisions of this code for development within the zoning district in which they are proposed to be located.
- B. Proposals Not Reviewed through a State or Regional Siting Process. When a proposed state or regional essential public facility has not been reviewed and evaluated through a state or regional siting process, it will be processed as a conditional use permit with the same procedure and requirements provided in BMC 19.37.040 for local essential public facilities.
- C. Proposals Reviewed through a State or Regional Siting Process.

1. Development Agreements. A development agreement, as authorized by , may be required before any state or regional essential public facility can be located within the city of Buckley for a proposal reviewed through a state or regional siting process. The development agreement shall be processed as a Type C2 application as identified in with the City Council the final decision maker. For essential public facilities involving development agreements, any required master plan applications shall be consolidated with the development agreement review process.
2. Development Agreement Criteria. When a development agreement is required, the city council shall strive to reach accord on a development agreement that satisfies the following criteria to the extent the criteria do not preclude the siting of an essential public facility:
  - a. The proposed agreement is consistent with applicable development regulations, unless modified by Chapter , Variances;
  - b. The proposed agreement provides for adequate mitigation of adverse environmental impacts; provided, that if the development is not defined at a project level, the

agreement shall provide a process for evaluating and mitigating such impacts in the future; and

c. The proposed agreement reserves authority to impose new or different regulations to the extent required by a serious threat to public health and safety.

3. Underlying Land Use Permits. Any proposal for the siting of a state or regional essential public facility shall follow the procedures established by Title , Permit Processing, for the underlying land use permit(s), such as a short subdivision, a binding site plan, or site plan review, prior to the public hearing for a development agreement, as applicable.

4. Conditions of Approval. The city council may approve, or approve with modifications, and impose reasonable conditions upon the state or regional essential public facility in order to ensure that:

a. Necessary infrastructure is or will be made available to ensure safe transportation access and transportation concurrency;

b. Necessary infrastructure is or will be made available to ensure that public safety responders have the capacity to handle increased calls and expenses that will occur as the result of the facility, including but not limited to insurance costs, public awareness and public education costs. The facility will not adversely affect public safety;

c. Any and all probable significant adverse environmental impacts are mitigated;

d. Distribution of Essential Public Facilities. The project sponsor shall provide information for the City to examine the overall distribution of essential public facilities within greater Pierce County to avoid placing an undue burden on any one community.

e. Consistency with other Plans. The proposal must demonstrate the relationship of the project to local, regional and state plans. The proposal should be consistent with the comprehensive plan and county-wide planning policies. In evaluating consistency, consideration shall be given to the urban growth area designations, critical area designations, population and employment holding capacities and targets, and the land use, capital facilities and utilities elements of the adopted plans.

f. The applicant has the ability to and shall pay for all capital costs associated with on-site and off-site improvements;

g. The facility will not unreasonably increase noise levels in residential and commercial areas, and school zones, especially at night; and

h. Visual screening will be provided that will mitigate the visual impacts from streets and adjoining properties. Visual screening must be of such quality and design as to complement the neighborhood in which the state or regional essential public facility is located. Screening complements the neighborhood when it meets or exceeds the quality and design of other screening in the neighborhood.

i. The city council shall not impose conditions in such a manner as to preclude the siting of any state or regional essential public facility in the city of Buckley. In the event that a state or regional essential public facility cannot, by the imposition of reasonable conditions of approval, be made to mitigate the impacts identified, the city council shall

approve the siting or expansion of the state or regional essential public facility with such reasonable conditions of approval as may mitigate such impacts to the maximum extent practicable.

D. Additional Criteria for SCTFs as defined by Chapter 71.09 RCW.

1. In no case shall a (SCTF) be sited to, immediately across a or parking lot from, or within the line-of-sight of :

- a. Schools (public and private, kindergarten through college) or potential school sites owned by the school district or private school;
- b. Licensed preschools, child care homes, day-care centers;
- c. Sports fields, playgrounds, parks and teen centers;
- d. Places of worship
- e. School bus stops
- f. Property used for organizations, associations, facilities and businesses which provide, as a substantial portion of their activities, function or business, the provision of services to children and/or youth;
- g. Public libraries;
- h. Trails used by the general public to access schools and parks.

2. Line-of-sight has been estimated to be six hundred (600) feet, which distance has been determined to be the maximum distance at which it is possible to reasonably visually distinguish and recognize individuals,

3. The site or shall meet all of the security requirements of:

- a. No SCTF may be located within six hundred (600) feet of any residentially property.
- b. An eight-foot-high fence, in character with the surrounding area, between the facility and all property boundaries is required.
- c. The facility shall have a backup power source.

19.37.055 Essential Public Facility Master Plans

A. A public facilities master plan is required for all State and Regional Essential public facilities as defined by RCW and WAC essential public facilities which utilize contiguous parcels of land totaling twenty (20) acres or more and which are zoned Public.

B. Exemption from a Public Facilities Master Plan. A public facilities master plan is not required for:

- 1. Local essential public facilities.
- 2. Renovations, remodeling and general maintenance, provided there is no expansion in occupiable space greater than one thousand (1,000) square feet of the structure proposed for renovation/remodeling;
- 3. Roof repairs;

4. Infrastructure improvements to existing systems (e.g., interior streets; sidewalks; lighting; security equipment; landscaping; and storm water, sewer, water, and power utilities);
5. Emergency repairs;
6. and installation of fire/life safety equipment).

C. Uses. Uses (which should be construed as including structures for this section) not included in an approved public facilities master plan, except those listed in subsection A of this section, shall not subsequently be allowed upon the site except by review and approval of an amended public facilities master plan following the same process as establishment of an initial public facilities master plan.

When a new essential public facility use is proposed which requires a public facilities master plan or amendment to an existing plan and it is located on the same property or site of an already established essential public facility use, the City shall require the project proponent to prepare a compatibility study which, at minimum, contains the following information on a form prescribed by the City:

1. The purpose of the proposed essential public facility use;
2. An operational characteristics description of the proposed essential public facility use and an operational characteristics description of the existing use or uses;
3. An evaluation of the potential effects of the proposed essential public facility use upon the existing use or uses;
4. An evaluation of the potential effects of the proposed essential public facility use upon the adjacent properties;
5. An evaluation of the potential effects of the proposed essential public facility use upon at-risk or special needs populations, including but not limited to children and the physically or mentally disabled; and
6. Identification of any applicable mitigation measures designed to address any potential effects identified through the evaluation required herein.

D. Previous Permits. A previously adopted public facilities permit issued under Pierce County predating City incorporation or annexation, or a previously adopted administrative use or other permit issued by the City, may constitute an adopted public facilities master plan for the purposes of fulfilling the requirements herein. Any subsequent amendment(s) sought to an existing essential public facility for which a master plan is otherwise required shall follow the process for a public facilities master plan.

E. Process. A public facilities master plan shall be reviewed as a Process Type C-3 permit under Chapter with the hearing examiner as the final decision maker.

F. Termination and Expiration of Approval. If a condition of approval is violated, or if any provision of this code is violated, the Planning Director may, in his sole discretion, initiate a revocation of the public facilities master plan which shall require a public hearing before and decision by the Hearing Examiner. Nothing in this section shall limit or affect the revocation of building permits, issuance of stop orders or other similar proceedings authorized by this code.

Recognizing that the nature of essential public facilities often requires approval of significant capital appropriations and that the appropriations process may be unpredictable, a public facilities master plan typically would not expire unless and until the slate of projects to be completed thereunder has been substantially completed, and new projects that are not included in the scope of the public facilities master plan are proposed. In such case, the proponent shall undertake an update which shall follow the same process as an initial public facilities master plan.

19.37.060 Preclusion of siting of essential public facilities.

A. Essential Public Facilities. According to WAC , a city shall not use its comprehensive plan or development regulations to preclude the siting of essential public facilities. This title shall not be administered or interpreted in a manner inconsistent with state law.

1. Siting Impracticability. Development regulations preclude the siting of an essential public facility if their combined effects would make the siting of an essential public facility impossible or impracticable. The siting of an essential public facility is deemed impracticable if it is incapable of being performed or accomplished by the means employed or at command.
2. Applicant Resources. An essential public facility shall not be determined to have been precluded because the applicant determines that compliance with applicable development regulations would be too costly or time consuming.
3. Permitting Requirements. Reasonable permitting requirements may be imposed and mitigation of the essential public facility's adverse effects is allowed, provided:
  - a. When the city is siting its own essential public facility, public or private, the siting process shall be non-preclusive with reasonable criteria.
  - b. The city may not include criteria in its land use approval process which would allow the essential public facility to be denied.

B. State and Regional Essential Public Facilities. If the essential public facility and its location have been evaluated through a state or regional siting process, the city shall not require the facility to go through the city's siting process.

19.37.070 Independent consultant review.

A. Review for Compliance. The Planning Director shall have the discretion to require independent consultant review of a proposal for an essential public facility to assess its compliance with the criteria contained in this chapter, as well as the conditional use permit criteria, if applicable.

B. Fees. If independent consultation is required, the applicant shall follow the provisions of , Reimbursement for consultant costs.

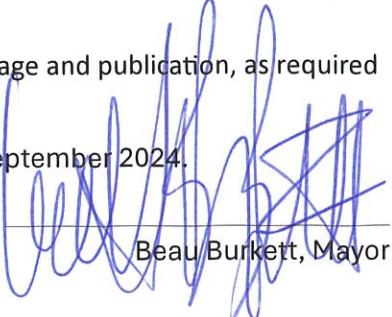
**Section 2. Severability.**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

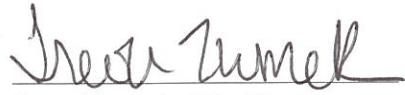
**Section 3. Effective Date.**

This ordinance shall take effect and be in force five (5) days after its passage and publication, as required by law.

Introduced, passed, and approved this 24<sup>TH</sup> day of September 2024.

  
Beau Burkett, Mayor

**ATTEST:**



Treva Zumeck, City Clerk

**APPROVED AS TO FORM:**



Phil Olbrechts, City Attorney

Published: October 2, 2024

Effective: October 7, 2024