

Ordinance Number 2007-235.75

An ordinance amending the City Zoning Ordinance by: updating the City Zoning Ordinance by deleting and adding to the Use Districts; and dealing with related matters including \$2,000 penalties.

Whereas, this ordinance bears a substantial relationship to the public health safety, or general welfare; and all procedural requirement for the passage hereof been met;

Be it Ordained by the City of Brownsville:

PART 1. That §§ 2.A.1. thru 2.A.6 of Appendix B of the Code of Ordinances, City of Brownsville, Texas, are hereby amended to read as follows:

1. The city is hereby divided into use districts, area districts, and overlay districts, as shown on the Official Zoning Atlas, together with all explanatory matter there on, is here by adopted by reference and declared to be a part of this ordinance.

2. At each given point with the city, property shall be within one and only one use district. At each given point within the city, property shall be within one and only one area district. At each given point with the city, property may be within zero, one or more overlay districts.

3. This ordinance hereby establishes a total of 12 use districts. The exact names of such use district (and their zoning atlas symbols) are listed respectively in descending order from the most restrictive to the least restrictive as follows:

- (D) = Dwelling
- (DR) = Dwelling/retail
- (A) = Apartment
- (1C) = Professional Office
- (2C) = Light Retail
- (3C) = Medium Retail
- (4C) = General Retail
- (5C) = Light Commercial
- (6C) = Medium Commercial
- (7C) = Light Industrial
- (8C) = Medium Industrial
- (9C) = Heavy Industrial

4. This ordinance hereby establishes a total of 11 area districts. The exact names of such area districts are listed respectively in descending order from the most restrictive to the least restrictive as follows:

- "V"
- "W"
- "X"
- "Y"
- "Z"
- "A"
- "F"
- "G"
- "E"
- "H"
- "J"

5. This ordinance hereby establishes base zoning classification. The name of each such classification shall consist of the name of the one applicable use district followed by the name of the one applicable area district. Any use district may be combined with any area district. At no point within the city shall one base zoning classification overlap another base zoning classification. The restrictiveness of any given base zoning classification (compared to another base zoning classification) shall be determined primarily by § 2.A.3. and secondarily by § 2.A.4.

6. This ordinance hereby establishes a total of 9 overlay districts. The name of each overlay district shall constitute a suffix to be appended to the name of any base zoning classification underlying such overlay district. The exact names of such overlay districts are listed as follows:

- O11
- O21
- O31
- O32
- O33
- O41
- O51
- HD
- HL

PART 2. That §§ 4.6 thru 8 of Appendix B of the Code of Ordinances. City of Brownsville, Texas, are hereby amended to read as follows:

Professional Office use district (1C).

The following provisions shall apply only to property lying wholly or partly within the boundaries of a Professional Office use district:

A. Permitted uses:

1. Two-family dwelling; apartment house.
2. Church; day care center; private school limited to grades K-12.
3. Public school; public college; public library; City Park; fire station.
4. Residential vehicle sales.
5. Residential off-road parking to serve the premises.

B. Conditional uses:

1. Office; subject to the following conditions:
 - a. If the office provide services to persons visiting the premises, such services shall be of a professional nature; and
 - b. The lot and any outdoor lighting shall structures shall have a residential appearance, with at least 95 percent of all visible walls and roofs being made of brick, lumber, glass, stone , stucco over masonry, or roof tiles or shingles; and
 - c. No off-road parking shall be provided in the required front, rear, or side yards.
2. Signs, subject to the following conditions:
 - a. Temporary signs shall pertain to the sale or rental of the premises and shall not exceed eight (8) square feet in total area; and
 - b. Permanent signs shall pertain to the occupancy of the building; shall not be artificially illuminated; shall have a total area per lot of not more then 0.4 square feet for each linear foot of the front line of the lot; and shall either be mounted flat against the building or be no further then five (5) feet from the building, no higher then five (5) feet above the natural grade of the lot and parallel to the building.
3. Other accessory uses, subject to the following conditions:
 - a. The accessory uses shall not pose a hazard to the community and shall not provide any external evidence of its existence.

C. Prohibited uses:

1. Hospital; clinic operated by more then two (2) professionals; veterinary office.
2. Group quarters.
3. Financial institution.
4. Delivery service.
5. On-premises sale, rental or manufacture of goods, except as permitted by § 4.6.B.3.

§ 4.8. Light Retail use district (2C).

The following provisions shall apply only to property lying wholly or partly within the boundaries of a Light Retail district:

A. Permitted uses:

1. Two-family dwelling; apartment house.
 - a. Apartment should comply with conditions of City Ordinance No. 235-95.27.
2. Church; day care center; private school limited to grades K-12.
3. Public school; public college; public library; City Park; fire station.
4. Residential vehicles sales.
5. Required off-road parking to serve the premises.

B. Conditional uses:

1. The following conditional uses, subject to the following conditions:
 - a. The lot, any outdoor lighting and all structure shall have a residential appearance, with at least 95 percent of all visible walls and roofs being made of brick, lumber, glass, stone, stucco over masonry, or roof tiles or shingles; and
 - b. The use shall not be located in the required front yard; and
 - c. The maximum gross floor area on the premises occupied by nonresidential uses shall not exceed 3,000 square feet; and
 - d. No business (other than a bed & breakfast) shall be open to the public at any time from 2:00 A.M. to 7:00 A.M.
2. Other school, except karate/judo school.
3. Other "nonprofit organization".
4. "Bed & breakfast".
5. "Office"
6. "Personal service outlet"
7. Retail sale of new office: equipment, furniture, or supplies.
8. Retail sale of new "household items".
9. Retail sale of nonalcoholic beverages or food for off-premises consumption.
10. "Wet store", subject to the additional conditions set forth in § 5.1.B.6.
11. "Dry restaurant".
12. "Wet restaurant", subject to the additional conditions set forth in § 5.1.B.7.
13. Signs, subject to the additional conditions.
 - a. Permanent signs shall pertain to the occupancy of the building and shall not be artificially illuminated after business hours.

14. Other accessory uses, subject to the following additional conditions:
 - a. The accessory use shall not pose a hazard to the community and shall not provide any external evidence of its existence.

C. Prohibited uses:

1. Hospital; clinic operated by more than four (4) professionals: veterinary office.
2. Group quarters.
3. Money exchange business.
4. Fast-food, quick-print, quick photo, or similar business.
5. For-profit sale of any used or secondhand item.
6. For-profit sale, repair, painting washing, parking, or other servicing of vehicles, trailers, tires, parts, oil fuel or similar items.
7. Delivery service, drive-up window, curbs service, or heliport.
8. Sale of firewood, major appliances, or building materials.
9. Amusements arcade, appliance repair, gym, Laundromat, dry cleaner, mini-warehouse, mortuary, or sexually orientated business.
10. On-premises rental

D. Landscaping:

1. At least 20 percent of the required front yard shall be landscaped.
2. The area between the road pavement and the lot line shall not be paved, excepted for permitted driveways, sidewalks, curbs or roads.

§ 4.9. Medium Retail use district (3C).

The following provisions shall apply only to property lying wholly or partly within the boundaries of a Medium Retail use district:

A. Permitted uses:

1. Two-family dwelling; apartment house.
 - a. Apartment should comply with conditions of City Ordinance No. 235-95.27.
2. Church; day care center; private school limited to grades K-12.
3. Public school; public college; public library; City Park; fire station.
4. Residential vehicle sales.
5. Residential off-road parking to serve the premises.

B. Conditional uses:

1. The following conditional uses, subject to the following conditions:
 - a. The maximum gross floor area on the premises occupied by nonresidential uses shall not exceed 10,000 square feet.
2. Other school
3. Other "nonprofit organization"
4. Hotel; motel; tourist camp; boarding or lodging house.
5. "Office".
6. "Personal service outlet".
7. Retail sale of new office; equipment, furniture or supplies.
8. Retail sale of new "household items".
9. Retail sale of nonalcoholic beverages or food for off-premises consumption.
10. "Wet store", subject to the additional conditions set forth in § 5.1.B.6.
11. "Dry restaurant".
12. "Wet store", subject to the additional conditions set forth in § 5.1.B.7.
13. Signs, subject to the following additional conditions:
 - a. Permanent signs shall pertain to the occupancy of the building.

14. "Retail sale of any of the following items: old furniture (being at least 50 years old and constituting at least 75 percent of the total furniture) reproduction furniture (being clearly marked as a copy of the old furniture and constituting no more than 20 percent of the total furniture) clothing (being at least 50 years old and being sold for at least 20 dollars for each piece of clothing); work of art decorative object, or other collectible (being at least 15 years old and being sold for at least five dollars each); and b) is a store where every item being sold is in good condition and where the average age of all such items is at least 50 years and where all signs and advertising prominently use the word 'antique' or 'antiques' and c) does not involve junk, garage sale, paperback books, or advertising as a used furniture outlet or flea market."

15. Other accessory uses, subject to the following additional conditions:

a. The accessory uses shall not pose a hazard or nuisance to the community.

C. Prohibited uses:

1. Hospital; veterinary office.
2. Group quarters.
3. Money exchange business.
4. For-profit sale of any used or secondhand item, other than "antique store".
5. For-profit sale, repair, painting, washing or parking of vehicles, trailers, tires, or parts.
6. Heliport.
7. Sale of building materials.
8. Amusement arcade, appliance repair, mini-warehouse, mortuary, or sexually oriented business.
9. On-premises rental, lease or manufacture of goods, except as permitted by § 4.9.B.14.

§ 5.1. General Retail use district (4C).

The following provisions shall apply only to property lying wholly or partly within the boundaries of a General Retail use district:

A. Permitted uses:

1. Apartment.
 - a. Apartment should comply with conditions of City Ordinance No. 235-95.27.
2. On-premises sign.
3. Bank, hotel, office, studio; retail nursery, retail greenhouse, ice delivery station; electric substation.
4. “Dry restaurant”; theater; miniature golf course; tourist camp.
5. Mortuary; Funeral Home.
6. On-premises or off-premises parking of passenger vehicles by customers or employees of any premises.

B. Conditional uses:

1. Pressing, dry cleaning, or dyeing establishment, subject to the following conditions:
 - a. No more than 10 people shall be employed on the premises.
2. Gasoline filling station; tire repair or battery shop; public garage; all subject to the following conditions:
 - a. The use should be entirely contained within soundproofed buildings equipped with complete odor-control and sanitation facilities; and
3. Veterinary clinic, subject to the following conditions:
 - a. The use should be entirely contained within soundproofed buildings equipped with complete odor-control and sanitation facilities; and
 - b. Services shall be provided only for small animals such as dogs and cats.
4. Party Place
 - a. The place should not involve or provide a dance floor more than 100 square feet.
 - b. The maximum gross floor area shall not exceed 4,000 square feet.
5. [Reserved].
6. “Wet store”, subject to the following conditions:
 - a. The premises shall “front on” an existing “arterial” or “collector”; and
 - b. The premises shall comply with City Ordinance 2007-235.69.

7. "Wet restaurant", subject to the following conditions:
 - a. The premises shall comply 2005-0235.66.
 - b. The premises shall comply with resolution heritage site.
8. "Bar", subject to the following conditions:
 - a. The premises shall comply with City Ordinance 2005-235.66.
 - b. The premises shall front on an arterial where both sides of the arterial are zoned to General Retail "H" (or less restrictive classification).
9. "Money exchange business", subject to the following conditions:
 - a. The premises shall be inside downtown or front on any of the following thoroughfares:
 - (1) International Boulevard (from Ringgold Street to Madison Street).
10. Retail sale/rental of goods or services, except as otherwise specified, subject to the following conditions:
 - a. No such goods shall be located outdoors in public view.
11. Off-premises sign, subject to the following conditions:
 - a. If facing a freeway, such sign shall have a state outdoor advertising sign permit, or
 - b. If facing any other state-maintained arterial, such sign shall comply with the same standards as used by the state for freeways inside a city, except that a large sign (greater than 75 square feet shall not be erected closer than 1,000 feet from another off-premises large sign on the same side of the street and except that a small sign (equal to or less than 75 square feet) shall not be erected closer than 500 feet from another off-premises sign on the same side of the street; or
 - c. If facing any other street, such sign shall be no larger than 75 square feet, shall not be erected closer than 500 feet from another off-premises sign on the same side of the street, shall have no part of the sign higher than 16 feet above the centerline grade of the street and shall have no artificial illumination.
12. [Reserved].
13. Other accessory uses, subject to the following conditions:
 - a. The accessory use shall not pose a hazard or nuisance to the community.

C. Prohibited uses:

1. Bulk apparel store, flea market.
2. Sexually oriented business.
3. Sale of used clothing.

§ 5.4 Light Commercial use district (5C).

The following provisions shall apply only to property lying wholly or partly within the boundaries of a Light Commercial use district.

A. Permitted uses:

1. Apartment, Professional Office, Light Retail, Medium Retail or General Retail use district.
 - a. Apartment shall comply with City Ordinance No. 235.95.27.
2. Mini-warehouse.

B. Conditional uses:

1. Car wash, outdoor sale, lease or rental of new and/or used "passenger vehicles", all subject to the following conditions:
 - a. The premises shall have frontage on a "state-maintained arterial" or on any of the following additional thoroughfares:
 - (1) East 14th Street (north of Expressway 77/83).
2. Wholesale showroom/office, subject to the following conditions:
 - a. The use shall involve neither used/secondhand goods nor the sale/ storage of any goods in bulk; and
 - b. Any accessory warehouse shall be attached to the showroom and shall be no larger than the showroom/office; and
 - c. Areas for loading or unloading goods via commercial vehicles shall be screened from public view.
3. [Reserved].
4. [Reserved].
5. [Reserved].
6. [Reserved].
7. Other accessory uses, subject to the following conditions:
 - a. The accessory use shall not pose a hazard or nuisance to the community.

C. Prohibited uses:

1. Bulk apparel store, flea market.
2. Sexually oriented business.
3. Sale of used clothing.

§ 5.7 Medium Commercial use district (6C).

The following provisions shall apply only to property lying wholly or partly within the boundaries of a Medium Commercial use district:

A. Permitted uses:

1. Apartment, Professional Office, Light Retail, Medium Retail, General Retail or Light Commercial use district.
 - a. Apartment shall comply with City Ordinance No. 235.95.27.
2. Pressing, dry cleaning or dyeing establishment.
3. Gasoline filling station, tire repair or battery shop, public garage.
4. Commercial amusement park, skating rink, dance hall.
5. Wholesale sales office, sample room.
6. Penal or correctional institution.
7. Electroplating, galvanizing.
8. Job printing, newspaper printing.
9. Monument works.
10. Bus terminal, storage warehouse, bottling works, ice cream manufacture, laundry, creamery, bakery, freight terminal, truck stop, loading and storage tracks.

B. Conditional uses:

1. Lumber yard, bulk apparel store, flea market, all subject to the following conditions:
 - a. The use shall not be located within the fire limits established by § 9-1 of the Code.
2. Outdoor sale/rental of "commercial vehicles", subject to the following conditions:
 - a. The premises shall have at least 100 feet of frontage on any of the following thoroughfares:
 1. East 14th Street (north of Expressway 77/83).
 2. Southmost Road (from East 14th Street to Tulipan Street).
 3. Sexually oriented business, subject to the following conditions:

- a. The premises shall front on a non-thoroughfare where both sides of the non-thoroughfare are zoned to Medium Commercial (or less restrictive) use district;
- b. The premises shall nowhere be within a radius of 150 feet from any thoroughfare; and
- c. The premises shall nowhere be within a radius of 1,000 feet from “school” property, “non-profit organization” property, public park, Dwelling use district, Dwelling/retail use district or Apartment use district; and
- d. The premises shall be completely surrounded by an entirely opaque screening fence at least eight (8) feet high, except that the fence shall be set back six (6) feet from any front line of the lot and shall have no gate or other opening through which parked vehicles or any other part of the use may be publicly visible at any time; and
- e. The premises shall have no public display of any sign, banner, flag, pennant, balloon, photograph, symbol, art, statuary, sculpture, representational architecture, neon light, fluorescent color, patterned or multicolored roof/wall/fence or similar feature, with the following exceptions:
 - (1) One street address number—with such number being black and being no more than four (4) inches tall; and
 - (2) One permanent on-premise sign which shall pertain to the occupancy of the building, shall not be artificially illuminated, shall have a total area per lot of not more than 0.4 square feet for each linear foot of the front line of the lot, shall be mounted flat against the required front screening fence with the top of the sign being no higher than five (5) feet above the natural grade of the lot, shall be black and/or white, shall not directly or indirectly indicate that the nature of the use may be a sexually oriented business; and
- f. The use shall have no off-premise sign located inside this city’s territorial jurisdiction; and
- g. A Class W permit shall have been issued for such use; and
- h. The above conditions shall always be applicable, even if a specific use ordinance is approved, a zoning board application is approved, or the premises are zoned to a use district less restrictive than Medium Commercial.

4. Sale of mobile homes (or manufactured homes), subject to the following conditions:

- a. The premises shall front on a state-maintained arterial.
- b. For each such home, the minimum setback from the boundaries of the premises shall be 25 feet for the front yard and 10 feet for the side/rear yard.

- c. For each such home, the minimum setback from any other such home shall be six (6) feet.
 - d. Asphalt or concrete pavement shall be installed on all areas used for parking, maneuvering or transporting any such home.
 - e. Each such home shall be fully skirted.
 - f. If a federal tropical storm (or hurricane) watch (or warning) is issued for Cameron County, then the following preparations shall be commenced within one (1) hour after such issuance and completed within seven (7) hours after the initial issuance of the tongue of each such remaining home shall be turned into the forecasted peak wind and shall be dropped to the pavement (or the ground).
 - g. No such home shall be more than 10 years old when it enters the premises.
 - h. At least 51 percent of all mobile homes (or manufactured homes) on the premises shall be new.
5. Other accessory uses, subject to the following conditions:
- a. The accessory use shall not pose a hazard of nuisance to the community.

C. Prohibited uses:

- 1. [Reserved].

§ 6.1 Light Industrial use district (7C).

The following provisions shall apply only to property lying wholly or partly within the boundaries of a Light Industrial use district:

A. Permitted uses:

1. Apartment, Professional Office, Light Retail, General Retail, Light Commercial, or Medium Commercial use district.
 - a. Apartment shall comply with City Ordinance No. 235.95.27.

B. Conditional uses:

1. Sale of any goods located outdoors in public view, subject to the following conditions:
 - a. The use shall not involve bulk storage or bulk sale.
2. Manufacture of any kind subject to the following conditions:
 - a. The use shall not be listed in §§ 7 or 8; and
 - b. The use shall be noxious or offensive by reason of the emission of smoke, dust, odor, gas, fumes, noise or vibration.

C. Prohibited uses:

1. [Reserved].
2. "Hazardous material facility"

§ 7. Medium Industrial use district (8C).

In a Medium Industrial use district, no building or premises shall be used, and no building shall be executed or structurally altered, which is arranged or designed to be used for other than one or more of the following uses:

- (1) Any use or accessory use permitted in a General Retail, Light Commercial, Medium Commercial, or Light Industrial use district.
- (2) Ice manufacture, cold storage plant, canning or preserving plant, pickle, sauerkraut or vinegar manufacture.
- (3) Textile manufacture, flour milling, grain elevator.
- (4) Storage of or the packing of poultry and fish, or the dressing or killing of poultry.
- (5) Central power or lighting plant, coal pocket or coal tar trestle, railroad yards, coal hoists, railroad round house, paving plant.
- (6) Wharves, docks, piers.
- (7) Stable, veterinary hospital, disinfectant or insecticide manufacture.
- (8) Bulk storage in the open of any material except junk, scrap iron, scrap paper or rags, loading of storage tracks, storage in bulk of, or warehouse for such material as artificial stone, asphalt, brick, cement, contractor's equipment, coal, coke, cotton, cotton seed, films, feed, fertilizer, grain, gasoline, gravel, glass, grease, hay, hardware, ice, implements, iron, lead, lime, lumber, machinery, oil, paint, plaster, pipe, roofing materials, rope, sand, shop supplies, steel, stone, tar, tarred or creosoted products, terra-cotta, turpentine, varnish, wood or wool, provided this shall not include the storage in bulk of junk or secondhand material.
- (9) Manufacture or industrial occupation of any kind not heretofore listed and exclusive of any use listed as a Heavy Industrial use in paragraphs two (2) to nine (9) inclusive, in § 8.
- (10) Money exchange business.

§8 Heavy Industrial use district (9C).

In a Heavy Industrial use district, no building or premises shall be used, and not building shall be erected or structurally altered, which is arranged or designed for other than one or more of the following uses:

- 1). Any use or accessory use permitted in a General Retail, Light Commercial, Medium Commercial, Light Industrial, or Medium Industrial use district.
- 2). Stone cutting
- 3). Carpet cleaning, cotton ginning and baling; cotton compress. Cotton seed products manufacture.
- 4). Ammonia; bleaching powder; acid or other chemical plants emitting toxic fumes carrying beyond the limits of the premises; asphalt manufacture or refining; petroleum refining.
- 5). Boiler making; structural steel plant; iron or pipe works; power forge; tank manufacture; ship yards.
- 6). Distillation of bones; fat rendering; glue manufacture [;] slaughter of animals; stock yards.
- 7). Storage of hides or skins; curing or tanning of hides; fertilizer manufacture.
- 8). Soap manufacture; wool scouring.
- 9). Scrap iron or junk storage; scrap paper or rag storage or baling; automobile wrecking yard.
- 10). Any manufacture or industrial process not heretofore listed including any industrial process emitting dust, smoke, odor, gas fumes, noise or vibration.

PART 3. That §§ 14.A.3, 14.A.5. c, 14.A.6.a, 14.A.6.c, 17.2 (5), 17.2(7), 20.B.7, 21.5(5), and 9.F of Appendix B of the Code of Ordinances, City of Brownsville, Texas, are hereby amended respectively to read as follows:

3. Wherever an Apartment “G” (or more restrictive) classification abuts a use allowed only in Medium Commercial (or less restrictive) use district, the following provisions shall be applicable:
 - a. A class L permit shall be one of the prerequisites for any development of any such use; and
 - b. Such use shall provide a screening fence in accordance with § 26-432 of the City Code, except that the fence shall be at least eight (8) feet high and shall have not gate or other opening.
- c. Is in a Professional Office (or less restrictive) use district combined with an O21 (pyramidal) overlay district.
- a. Is in a Dwelling/retail, Apartment. Professional Office, Light Retail, Medium Retail, General Retail, Light Commercial, Medium Commercial, or light Industrial use district; or
- c. Is in a Medium or Heavy Industrial use district combined with an O21 (pyramidal) overlay district.
- (5). Permit in a Dwelling or Dwelling/retail use district a Medium Commercial use of a lot adjoining a Medium Industrial use district, or an Apartment use of a lot adjoining a Medium Retail, General Retail, Light Commercial, Medium Commercial, or Light Industrial use district, so that there will be stepping down from the more restricted to the less restricted use.
- (7). Permit in a Dwelling or Dwelling/retail use district any use permitted in an Apartment use district, provided, however, that this special exception shall apply only to areas that are within a perpendicular distance of 100 feet from the side line of a lot located in a Professional Office, Light Retail, Medium Retail, General Retail, Light Commercial, Medium Commercial, or Light Industrial use district.
7. Each zoning application shall cover a single contiguous geographic area and shall request a single zoning classification.
- (5). A cemetery, sewage disposal or treatment plant, a public utility plant, or institution existing in any use district at the time of the passage of this ordinance, or any Medium Industrial use district use so existing in a Light Industrial use district, shall be deemed a conforming use upon the lot devoted to such use at the time of passage of this ordinance.

PART 4. That each ordinance adopting or amending the Official Zoning Atlas during any year between 1931 and 2002 is hereby non-substantively amended by renaming the use district and/or specific use as follows:

- A. From "Apartment/office" to "Professional Office";
- B. From "First Commercial" to "Professional Office";
- C. From "Second Commercial" to "Light Retail";
- D. From "Third Commercial" to "Medium Retail";
- E. From "Retail" to "General Retail";
- F. From "Fourth Commercial" to "General Retail";
- G. From "Fifth Commercial" to "Light Commercial";
- H. From "Commercial" to "Medium Commercial";
- I. From "Sixth Commercial" to "Medium Commercial";
- J. From "Seventh Commercial" to "Light Industrial";
- K. From "First Manufacturing" to "Medium Industrial";
- L. From "Second Manufacturing" to "Heavy Industrial".

PART 5. That each ordinance adopting or amending the Official Zoning Atlas during any year between 1931 and 2002 is hereby non-substantively amended by renaming the are district as follows:

- A. From "B" to "G"
- B. From "C" to "H"
- C. From "D" to "J"

PART 6. That PARTS 4 thru 6 of this ordinance are NOT intended to be made a part of the Code of Ordinances, City of Brownville, Texas; and that all provisions of §§ 19 thru 22.1 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof, and that this ordinance shall become **effective on February 05, 2008** provided, however, that it shall have been signed, attested, and recorded in an Ordinance Book of the City with proof of publication, as specified by the City Charter.

INTRODUCED at a public hearing on **January 08, 2008**. Passed at First Reading on **January 22, 2008**. **Passed** at Second and Final Reading and **adopted, approved, and enacted** on **February 05, 2008**.

(SEAL)

ATTEST: *Estela Von Hatten*
Estela Von Hatten
City Secretary

BY: *Pat M. Ahumada, Jr.*
Pat M. Ahumada, Jr.
Mayor

