



## CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		January 10, 2011		
Department:		Building Inspections		
Department Head		Selso Mata		
Agenda Coordinator (include phone #): <b>Diana Casady #5993</b>				
<b>CAPTION</b>				
<p>An Ordinance of the City of Plano, Texas; repealing in its entirety, City of Plano Ordinance 2008-4-38 codified as Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances; and adopting the 2009 Edition of the International Fuel Gas Code, with certain additions, deletions, and amendments, as the Fuel Gas Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>2010-11</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>
		<b>TOTALS</b>		
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
BALANCE	0	0	0	<b>0</b>
<b>FUND(S):</b>				
<b>COMMENTS:</b> This item has no fiscal impact.				
<b>SUMMARY OF ITEM</b>				
<p>This ordinance will adopt the most recent version of the International Fuel Gas Code, published by the International Code Council and includes the regional amendments which have been developed by the North Central Texas Council of Governments. Public review of all construction related codes was addressed at work sessions held by the Building Standards Commission in September and November of 2010. Formal action was taken by the Building Standards Commission at its September 21, 2010 meeting. At that time, the Commission voted unanimously to forward this Code and amendments to the City Council for adoption as the Fuel Gas Code for the City of Plano</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Supporting letter from Council of Governments			Building Standards Commission	
Minutes from BSC 09/21/10				



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[www.buildinginspections.org](http://www.buildinginspections.org)



## **MEMORANDUM**

December 22, 2010

To: Tom Muehlenbeck, City Manager  
From: Selso Mata, Chief Building Official  
Subject: 2009 Code adoption  
CC: Frank Turner, Deputy City Manager

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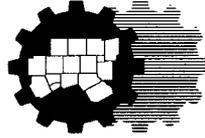
In mid 2009 and throughout 2010 the regional code committees in our North Texas area reviewed the International Code Council's 2009 construction codes and the National Fire Prevention Association's 2011 National Electrical Code (NEC). The culmination of these efforts is summarized in the attached memo from The North Central Texas Council of Governments (NCTCOG) with their recommendation for code adoption. Plano's Building Standards Commission (BSC) subsequently held four meetings this year to further review code amendments and receive stakeholder input. Meeting minutes are attached from each BSC hearing. As a result, the BSC unanimously recommends the 2009 International codes and the 2011 NEC with code amendments to the City Council for the January 10, 2011 meeting with an effective enforcement date of March 1, 2011.

The recommended codes with amendments are:

- 2009 – International Building Code
- 2009 – International Residential Code
- 2009 – International Plumbing Code
- 2009 – International Mechanical Code
- 2009 – International Fuel and Gas Code
- 2009 – International Energy Conservation Code
- 2011 – National Electrical Code

Please let me know if you have any questions or need additional information.

XC: Hugo Esparza, Fire Chief  
David Kerr, Fire Marshal



North Central Texas Council Of Governments

**TO:** Jurisdictions throughout the North Central Texas Region **DATE:** November 23, 2010

**SUBJECT:** Model Construction Code Recommendations for North Central Texas

The North Central Texas Council of Governments (NCTCOG) has actively promoted the standardization of model construction codes since 1967 in an effort to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors, and reduce training and construction costs.

In mid 2009, NCTCOG's Regional Codes Coordinating Committee (RCCC) directed its Code Advisory Boards to review the International Code Council's 2009 family of model construction codes and the National Fire Prevention Association's 2011 National Electrical Code. The Advisory Boards, comprised of 101 code professionals representing local jurisdictions and professional associations, held open meetings to consider the codes and achieve consensus on any needed regional amendments. Many national and regional subject matter experts also gave testimony and participated in the process.

As a result, the NCTCOG Executive Board, upon the recommendation of the RCCC and its Advisory Boards, encourages your jurisdiction to adopt the following model construction codes along with their respective regional amendments:

- ◆ **International Building Code – 2009 Edition**
- ◆ **International Residential Code – 2009 Edition**
- ◆ **International Fire Code – 2009 Edition**
- ◆ **International Plumbing Code – 2009 Edition**
- ◆ **International Mechanical Code – 2009 Edition**
- ◆ **International Fuel Gas Code – 2009 Edition**
- ◆ **International Energy Conservation Code - 2009 Edition**
- ◆ **National Electrical Code – 2011 Edition**

NCTCOG recommends adopting these codes with no local amendments other than the regional amendments with an effective date of **January 31, 2011** or as soon as possible thereafter. The ultimate goal is regional uniformity in the model construction codes for the North Central Texas region. NCTCOG feels strongly that municipalities, contractors, architects, builders, and manufacturers will benefit from the positive economic results coming from achievement of that goal.

As a follow-up measure, the RCCC intends to submit some of the regional amendments as proposed changes during the next international code change cycle. In the past, several NCTCOG regional amendments have been incorporated into the codes when those amendments were proposed as code changes to the main documents.

**PLEASE NOTE:**

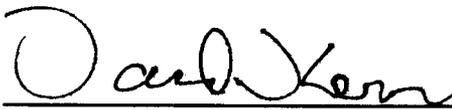
- 1) The Energy Efficiency amendments have been reviewed by the Energy Systems Laboratory (ESL) at Texas A&M to ensure equivalency with the current Energy Code adopted by the State of Texas (the 2003 International Energy Conservation Code).
- 2) The Energy Efficiency amendments have been reviewed by the Energy Systems Laboratory (ESL) at Texas A&M to ensure equivalency with the future Energy Code adopted by the State of Texas (the 2009 International Energy Conservation Code and Chapter 11 of the 2009 International Residential Code).
- 3) An International Code Compliance Calculator (ICCC) has been created by the ESL to demonstrate compliance with the State's Energy Conservation Requirements. The ICCC is "live" and can be accessed at <http://ecalc.tamu.edu>
- 4) There is a wide range in the fire fighting philosophies/capabilities of cities across the region; the consensus of the RCCC has been to include both an OPTION "A" and an OPTION "B" in the fire and building code amendments. Jurisdictions should choose one or the other based on their fire fighting philosophies/capabilities when adopting code amendments.

You may access our website at [www.dfwcodes.com](http://www.dfwcodes.com) to obtain a copy of the recommended regional amendments. For more information regarding regional codes, contact Michael King, Environment & Development Planner, by email at [mking@nctcog.org](mailto:mking@nctcog.org) or by phone at (817) 695-9277.

We appreciate your support of our continued efforts toward regional code uniformity. Please send a copy of your adopting ordinance(s) to NCTCOG including amendments. Your ordinance will help us to document the effectiveness of the codes coordinating effort in our region and may be used to provide a model to other jurisdictions.

  
Mike Eastland, Executive Director  
North Central Texas Council of Governments

  
John Promise, Director  
Department of Environment and Development

  
David Kerr, Chairman  
Regional Codes Coordinating Committee

MK/ez

Building Standards Commission  
September 21, 2010

Present

Rich Prusha, Chairman  
Art Stone  
Mo Khoshkar  
Gary Johnston  
James Craft,  
Kevan Benkowitz, Present, not seated  
Mark Greer, Present, not seated.  
Sylvia Reid, Present, not seated

Staff

Selso Mata, Building Official  
John Gilliam, Assistant City Attorney  
Cliff Bormann, Assistant Building Official  
Gary Miles, Assistant Building Official  
Tony Han, Plan Review Services Supervisor  
Diana Casady, Sr. Administrative Assistant

1. Public comments: **No Public Comment**
2. Approval of Minutes from March 16, 2010 meeting.  
**Quorum was not present to pass the minutes from the March 16<sup>th</sup> meeting.**
3. Approval of Minutes from April 20, 2010 meeting  
**Quorum was not present to pass the minutes from the April 20<sup>th</sup> meeting**
4. Approval of Minutes from August 17, 2010 meeting  
**Mr. Johnston made the motion to approve the minutes of the August 17, 2010 meeting as written, Mr. Khoshkar seconded the motion. The Commission voted 5/0 in favor of approving the minutes from August 17, 2010.**
5. Discussion and consideration of recommendation to City Council for the adoption of the 2009 International Plumbing Code, the 2009 International Mechanical Code, the 2009 International Fuel Gas Code, and the 2009 International Building Code  
**Building Official, Selso Mata, opened the presentation of the I Codes to the Commission and introduced Gary Miles, Assistant Building Official to present the International Plumbing Code, Mr. Miles presented the IPC and let the Commission know that the Amendments have not changed since the last code cycle and went over the Local Amendments with the Commission.**  
  
**Mr. Miles presented the International Mechanical Code and answered questions from the Commission.**

**Mr. Miles presented the International Fuel Gas Code and answered questions from the Commission, the Fuel Gas Code has not changed since the last code cycle.**

**Cliff Bormann, Assistant Building Official, presented the 2009 International Building Code to the Commission, and answered questions from the Commission.**

**After hearing the Presentation, Commission Member Art Stone made the motion to Recommend approval for the 2009 International Plumbing Code amendments, 2009 International Mechanical Code amendments, 2009 International Fuel Gas Code amendments and the 2009 International Building Code Amendments as reviewed at this meeting, recognizing there is subject to changes made in future discussions. Commission member Gary Johnston seconded the motion. The Commission voted 5/0 in favor of this recommendation.**

6. Items for future agendas

**Code Review for the 2009 International Residential and 2009 Energy Conservation Codes on October 19, 2010**

**2200 Treehouse Lane, tabled from the August 17, 2010 meeting.**

The Public Hearing adjourned at 5: 03 P.M.

  
Rich Prusha, Chairman

**An Ordinance of the City of Plano, Texas; repealing in its entirety, City of Plano Ordinance 2008-4-38 codified as Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances; and adopting the 2009 Edition of the International Fuel Gas Code, with certain additions, deletions, and amendments, as the Fuel Gas Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.**

**WHEREAS**, on April 28, 2008, by Ordinance No. 2008-4-36, the City Council of the city of Plano established a Fuel Gas Code and provided regulations thereunder, and such Ordinances were codified as Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances of the City of Plano, (“City”); and

**WHEREAS**, on September 21, 2010, the Building Standards Commission held a public hearing to discuss the adoption of the 2009 Edition of the International Fuel Gas Code, a publication of the International Code Council (I.C.C.), along with the Appendices of such Code, and to receive input from the general public and all persons who may be affected by the proposed adoption; and

**WHEREAS**, upon recommendation of the Building Standards Commission and upon full review and consideration of all matters attendant and related thereto, the City Council is of the opinion that the 2009 Edition of the International Fuel Gas Code, along with the Appendices of such Code and the local amendments thereto, should be approved and adopted as the Fuel Gas Code of the City of Plano.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:**

**Section I.** Ordinance No. 2008-4-36, duly passed and approved by the City Council of the City of Plano on April 28, 2008 is hereby repealed in its entirety.

**Section II.** A new Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances is hereby adopted and shall read in its entirety as follows:

**Sec. 6-696 Penalty.**

Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Sec. 6-697 Adopted.**

The 2009 Edition of the International Fuel Gas Code, a publication of the International Code Council (I.C.C.), along with the Appendices of such Code, is hereby adopted and designated as the Fuel Gas Code of the City of Plano to the same extent as if such Code were copied verbatim in this Article, subject to deletions, additions, and

amendments prescribed in this Article. A copy of the 2009 Edition of the International Fuel Gas Code is on file in the office of the City Secretary.

## DIVISION 2. AMENDMENTS

### **Sec. 6-698. Deletions, additions, amendments.**

#### *Chapter 1, Scope and Administration*

##### *Section 102.2; add an exception to read as follows:*

**Exception:** Existing dwelling units shall comply with Section 621.2.

##### *Section 102.8; change to read as follows:*

**102.8 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

#### *Chapter 3; General Regulations.*

##### *Section 304.10; change to read as follows:*

**304.10 Louvers and grilles.** The required size of openings for combustion, ventilation and dilution air shall be based on the net free area of each opening. Where the free area through a design of louver, grille or screen is known, it shall be used in calculating the size opening required to provide the free area specified. Where the design and free area of louvers and grilles are not known, it shall be assumed that wood louvers will have 25-percent free area and metal louvers and grilles will have 50-percent free area. Screens shall have a mesh size not smaller than ¼ inch (6.4 mm). Nonmotorized louvers and grilles shall be fixed in the open position. Motorized louvers shall be interlocked with the appliance so that they are proven to be in the full open position prior to main burner ignition and during main burner operation. Means shall be provided to prevent the main burner from igniting if the louvers fail to open during burner start-up and to shut down the main burner if the louvers close during operation.

##### *Section 304.11; change #8 to read as follows:*

#### **304.11 Combustion air ducts.**

Combustion air ducts shall comply with all of the following:

1. Ducts shall be constructed of galvanized steel complying with Chapter 6 of the International Mechanical Code or of a material having equivalent corrosion resistance, strength and rigidity.

**Exception:** Within dwellings units, unobstructed stud and joist spaces shall not be prohibited from conveying combustion air, provided that not more than one required fireblock is removed.

2. Ducts shall terminate in an unobstructed space allowing free movement of combustion air to the appliances.
3. Ducts shall serve a single enclosure.
4. Ducts shall not serve both upper and lower combustion air openings where both such openings are used. The separation between ducts serving upper and lower combustion air openings shall be maintained to the source of combustion air.
5. Ducts shall not be screened where terminating in an attic space.
6. Horizontal upper combustion air ducts shall not slope downward toward the source of combustion air.
7. The remaining space surrounding a chimney liner, gas vent, special gas vent or plastic piping installed within a masonry, metal or factory-built chimney shall not be used to supply combustion air.

**Exception:** Direct-vent gas-fired appliances designed for installation in a solid fuel-burning fireplace where installed in accordance with the manufacturer's instructions.

8. Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 12 inches (305 mm) vertically from the adjoining ground level or the manufacturer's recommendation, whichever is more restrictive.

***Section 305.5 Private garages; delete.***

***Section 306.3; change to read as follows:***

**[M] 306.3 Appliances in attics.** Attics containing appliances requiring *access* shall be provided . . . *{bulk of paragraph unchanged}* . . . side of the *appliance*. The clear *access* opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest *appliance*. As a minimum, for *access* to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair.
3. An *access* door from an upper floor level.
4. *Access Panel* may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

**Exceptions:**

1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.
2. Where the passageway is not less than . . . *{bulk of section to read the same}*.

***Section 306.5; change to read as follows:***

**[M] 306.5 Equipment and appliances on roofs or elevated structures.** Where *equipment* requiring *access* and appliances are installed on roofs or elevated structures at an aggregate height exceeding 16 feet (4877 mm), such *access* shall be provided by a permanent *approved* means of *access*. Permanent exterior ladders providing roof *access* need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the *equipment* and appliances' level service space. Such *access* shall . . . *{bulk of section to read the same}*. . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). . . *{bulk of section to read the same}*.

***Section 306.5.1; change to read as follows:***

**[M] 306.5.1 Sloped roofs.** Where appliances, *equipment*, fans or other components that require service are installed on roofs having slopes greater than 4 units vertical in 12 units horizontal and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof *access* to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which *access* is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

***Add Section 306.7 to read as follows:***

**306.7 Water heaters above ground or floor.** When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

**Exception:** A max 10 gallon water heater (or larger when approved by the *code official*) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

**306.7.1. Illumination and convenience outlet.** Whenever the mezzanine or platform is not adequately lighted or *access* to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

***Chapter 4; Gas Piping Installations***

***Section 401.5; add a second paragraph to read as follows:***

Both ends of each section of medium pressure corrugated stainless steel tubing (CSST) shall identify its operating gas pressure with an *approved* tag. The tags are to be

composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING  
1/2 to 5 psi gas pressure  
Do Not Remove"

*Section 402.3; add an exception to read as follows:*

**Exception:** Corrugated stainless steel tubing (CSST) shall be a minimum of 1/2" (18 EHD).

*Section 404.10; change to read as follows:*

**404.10 Minimum burial depth.** Underground piping systems shall be installed a minimum depth of 18 inches (458 mm) top of pipe below grade.

*Section 404.10.1; delete.*

*Section 406.1; change to read as follows:*

**406.1 General.** Prior to acceptance and initial operation, all piping installations shall be inspected and pressure tested to determine that the materials, design, fabrication, and installation practices comply with the requirements of this code. The permit holder shall make the applicable tests prescribed in Sections 406.1.1 through 406.1.5 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the piping system is ready for testing. The equipment, material, power and labor necessary for the inspections and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

*Section 406.4; change to read as follows:*

**406.4 Test pressure measurement.** Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made

*Section 406.4.1; change to read as follows:*

**406.4.1 Test pressure.** The test pressure to be used shall be no less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 1/2"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a

minimum diameter of three and one-half inches (3 ½”), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

***Section 406.4.2; change to read as follows:***

**406.4.2 Test duration.** Test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than fifteen (15) minutes. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than thirty (30) minutes. *(Delete remainder of section.)*

***Add Section 409.1.4 to read as follows:***

**409.1.4 Valves in CSST installations.** Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an *approved* termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

***Section 410.1; add a second paragraph and exception to read as follows:***

Access to regulators shall comply with the requirements for *access* to appliances as specified in Section 306.

**Exception:** A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

Chapter 6; Specific appliances

***Section 614.6; add a sentence to read as follows:***

The size of duct shall not be reduced along its developed length nor at the point of termination.

***Section 621.2; add exception as follows:***

**621.2 Prohibited use.** One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

**Exception:** Existing *approved* unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when *approved* by the Code Official unless an unsafe condition is determined to exist as described in Section 108.7.

**Section 624.1.1; change to read as follows:**

**624.1.1 Installation requirements.** The requirements for water heaters relative to *access*, sizing, relief valves, drain pans and scald protection shall be in accordance with the *International Plumbing Code*.

**Section III.** All provisions of the Code of Ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section IV.** It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

**Section V.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

**Section VI.** Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section VII.** This Ordinance shall become effective March 1, 2011, and after its passage and publication as required by law.

DULY PASSED AND APPROVED this, the 10th day of January, 2011.

\_\_\_\_\_  
Phil Dyer, MAYOR

ATTEST:

\_\_\_\_\_  
Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane C. Wetherbee, CITY ATTORNEY