

ORDINANCE NO. 1065

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS BANOS, ADOPTING BY REFERENCE THE 2007 EDITION OF THE CALIFORNIA BUILDING CODE AND RELATED CODES, AS AMENDED BY REPEALING AND REPLACING, TITLE 8, CHAPTERS 1, 4, 5, 6, 7, 8, 11 & 12, BUILDING REGULATIONS OF THE LOS BANOS MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF LOS BANOS MAKES THE FOLLOWING FINDINGS:

WHEREAS, California Health & Safety Code Section 18938 provides that the building standards contained in the California Building Code, 2007 Edition, and incorporates, by adoption, the 2006 Edition of the International Building Code of the International Code Council with the California amendments, shall apply to all occupancies throughout the state and shall become effective 180 days after publication in the California Buildings Standards Code by the California Building Standards Commission; and

WHEREAS, the City Council of the City of Los Banos has previously adopted the "Uniform Building Code, 2000 Edition," including the appendix, which was prepared by the International Conference of Building Officials and Western Fire Chief's Association, with certain amendments as the Fire Code of the City; and

WHEREAS, after due consideration, the City Council of the City of Los Banos hereby finds that it desires to adopt the most recent version of the California Building Code as the City's Building Code, with certain amendments to provide further safety protections to the citizens of the City of Los Banos; and

WHEREAS, California Health & Safety Code Section 18941.5 provides that if a city makes an express finding that building standards that are more restrictive than those standards provided in the international codes are reasonably necessary because of local climatic, geological, or topographical conditions, a city may establish more restrictive building standards; and

WHEREAS, the City Council of the City of Los Banos hereby finds the amendments to the "California Building Code, 2007 Edition," are reasonably necessary to provide sufficient and effective protection of life, health, and property in consideration of the local climatic, geologic and topographic conditions as stated below; and

A. During winter months, the San Joaquin Valley experiences thick fog, heavy rains and extreme wind conditions that in past experience has caused structural damage within the City.

B. Merced County is located within an area with potential seismic activity. The proposed amendments will increase the ability of the structural components to sustain their functionality.

C. The City of Los Banos to a great extent lies on a level plain, as a result, heavy rains have historically threatened flooding throughout the City, which can cause delays for emergency response, or in some situations, make it impossible for responders to get to certain areas of the City. Flooding is both a climatic and topographic problem.

D. The City of Los Banos is located in an area subject to a climatic condition of high winds. This environment is conducive to rapidly spreading fires; control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, streetlights and utility poles, may greatly impact the response time to reach an incident scene; and

E. Due to the topographical conditions of sprawling development separated by two congested state highways, it is prudent to rely on measures to allow for rapid access and entry to an incident scene.

THE CITY COUNCIL OF THE CITY OF LOS BANOS DOES ORDAIN AS FOLLOWS:

Section 1. Title 8, Chapter 1, "BUILDING CODE" of is hereby repealed and amended to read as follows:

"Title 8

BUILDING REGULATIONS

Chapters:

- 1 Building Code
- 2 Building Moving
- 3 Dangerous Building
- 4 Electrical Code (Moved to Chapter 1 Section 8-1.08)
- 5 Fire Zones (Moved to Title 4 Chapter 3 Section 4-3.20)
- 6 Housing Code (Moved to Chapter 1 Section 8-1.09)
- 7 Mechanical Code (Moved to Chapter 1 Section 8-1.10)
- 8 Plumbing Code
- 9 Sign Code
- 10 Improvement Standards and Specifications
- 11 Swimming Pool Code

- 12 Permits, Fees, and Inspections
- 13 Park Acquisition and Improvement Fees”

“CHAPTER 1

BUILDING CODE

Sections:

- 8-1.01 Adoption of California Building Code 2007 Edition.
- 8-1.02 Violations: Penalties
- 8-1.03 Adoption of Uniform Solar Energy Code 2006 edition
- 8-1.04 Adoption of California Energy Code 2007 edition
- 8-1.05 Adoption of California Historical Building Code 2007 edition
- 8-1.06 Adoption of California Elevator Safety Construction Code 2007 edition
- 8-1.07 Adoption of California Referenced Standards Code 2007 edition
- 8-1.08 Adoption of the California Electrical Code 2007 Edition
- 8-1.09 Adoption of the Uniform Housing Code 1997 Edition
- 8-1.10 Adoption of the California Mechanical Code 2007 Edition

Sec. 8-1.01 Adoption of the California Building Code 2007 Edition.

For the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures within the City, that certain Code designated as the “California Building Code, Volumes 1 & 2” 2007 Edition, as published by the International Code Council, together with all Appendices, and subsequent additions and editions thereto, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however, to the amendments, additions, and deletions set forth in this chapter, and said Code shall be known as the Building Code of the City.

Section 8-1.02 Violations: Penalties.

Any person violating any of the provisions of this chapter or of the Building Code, or who shall fail to comply with any provision thereof, or who shall violate or fail to comply with any order made thereunder, or build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Council or by a court of competent jurisdiction within the time fixed therein shall, for each and every separate violation and noncompliance, respectively, be deemed guilty of a misdemeanor and, upon conviction, shall be punishable as set forth in Chapter 2 of Title 1 of this Code. The imposition of one penalty for any violation of the provisions of this chapter or the Building Code shall not excuse the violation or permit it to continue, and any such

person violating the provisions of this chapter or the Building Code shall be required to correct or remedy such violation or defect within a reasonable time, and, when not otherwise specified, each ten (10) days prohibitive conditions are maintained shall constitute a separate offense. The application of the penalties set forth in this section shall not be held to prevent the enforced removal of prohibitive conditions.

Section 8-1.03 Adoption of Uniform Solar Energy Code 2006 edition

For the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures within the City, that certain Code designated as the "Uniform Solar Energy Code" 2006 Edition, published by the International Association of Plumbing & Mechanical Officials (IAPMO), together with all Appendices, and subsequent additions and editions thereto, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however, to the amendments, additions, and deletions set forth in this chapter, and said Code shall be known as the Building Code of the City.

Section 8-1.04 Adoption of the California Energy Code 2007 edition

For the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures within the City, that certain Code designated as the "California Energy Code" 2007 Edition, published by the International Code Council, as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations, together with all Appendices, and subsequent additions and editions thereto, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however, to the amendments, additions, and deletions set forth in this chapter, and said Code shall be known as the Building Code of the City.

Section 8-1.05 Adoption of California Historical Building Code 2007 edition

For the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures within the City, that certain Code designated as the "California Historical Building Code" 2007 Edition, as published by the International Code Council as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations., together with all Appendices, and subsequent additions and editions thereto, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however,

to the amendments, additions, and deletions set forth in this chapter, and said Code shall be known as the Building Code of the City.

Section 8-1.06 Adoption of California Elevator Safety Construction Code 2007 Edition.

For the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures within the City, that certain Code designated as the "California Elevator Safety Construction Code" 2007 Edition, published by the International Code Council, together with all Appendices, and subsequent additions and editions thereto, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however, to the amendments, additions, and deletions set forth in this chapter, and said Code shall be known as the Building Code of the City.

Section 8-1.07 Adoption of California Referenced Standards Code 2007 Edition

For the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures within the City, that certain Code designated as the "California Referenced Standards Code" 2007 Edition, published by the International Code Council as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations, together with all Appendices, and subsequent additions and editions thereto, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however, to the amendments, additions, and deletions set forth in this chapter, and said Code shall be known as the Building Code of the City.

Section 8-1.08 Adoption of California Electrical Code 2007 Edition.

For the purpose of prescribing regulations governing the installation, erection, construction, enlargement, alteration, repair, maintenance and inspection of electrical facilities within the City, that certain code designated as the "California Electrical Code," 2007 Edition, including appendix, based on the 2005 National Electrical Code as published by the National Fire Protection Association, and as adopted by the California Building Standards Commission in the California Building Standards, Title 24 of the California Code of Regulations, together with its Appendices, and subsequent additions and editions thereto, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter, and said Code shall be known as the Electrical Code of the City.

Section 8-1.09 Adoption of Uniform Housing Code 1997 Edition

For the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures within the City, that certain code designated as the "Uniform Housing Code," 1997 Edition, published by the International Code Council, and subsequent additions and editions thereto, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made part of this chapter as though set forth in this chapter in full, subject, however, to the amendments, additions and deletions set forth in this chapter, and said Code shall be known as the Housing Code for the City.

Section 8-1.10 Adoption of California Mechanical Code 2007 Edition

For the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures within the City, that certain code designated as the "California Mechanical Code," 2007 Edition, including appendix, based on the 2006 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, and as adopted by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however, to the amendments, additions, and deletions set forth in this chapter, and said Code shall be known as the Mechanical Code of the City."

Section 2. Title 8, Chapter 4 "ELECTRICAL CODE" is hereby repealed and amended to read as follows:

"Chapter 4

ELECTRICAL CODE

This Chapter has been eliminated. The California Electrical Code 2007 Edition is now adopted in Chapter 1 Section 8-1.08"

Section 3. Title 8, Chapter 5 "FIRE ZONES" is hereby repealed and amended to read as follows:

"Chapter 5

FIRE ZONES

This Chapter has been eliminated. "FIRE ZONES" is now located in Title 4 Chapter 3 Section 4-3.20 (Fire Prevention Code)"

Section 4. Title 8, Chapter 6 “HOUSING CODE” is hereby repealed and amended to read as follows:

“Chapter 6

HOUSING CODE

This Chapter has been eliminated. The Uniform Housing Code 1997 Edition is now adopted in Chapter 1 Section 8-1.09”

Section 5. Title 8, Chapter 7 “MECHANICAL CODE” is hereby repealed and amended to read as follows:

“Chapter 7

MECHANICAL CODE

This Chapter has been eliminated. The California Mechanical Code 2007 Edition is now adopted in Chapter 1 Section 8-1.10”

Section 6. Title 8, Chapter 8 “PLUMBING CODE” is hereby repealed and amended to read as follows:

“Chapter 8

PLUMBING CODE

Sections:

- 8-8.01 Adoption of the California Plumbing Code 2007 Edition
- 8-8.02 Violations: Penalties.
- 8-8.03 Amendments: Section 505 Water Heater prohibited locations
- 8-8.04 Amendments: Section 508 Water Heater protection from damage

Section 8-8.01 Adoption of the California Plumbing Code 2007 Edition

For the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures within the City, that certain code designated as the “California Plumbing Code,” 2007 Edition, including appendix, based on the 2006 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, and as adopted by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however,

to the amendments, additions, and deletions set forth in this chapter, and said Code shall be known as the Plumbing Code of the City.

Section 8-8.02 Violations: Penalties

Any person violating any of the provisions of this chapter or of the Plumbing Code, or who shall fail to comply with any provision thereof, or who shall violate or fail to comply with any order made thereunder, or build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Council or by a court of competent jurisdiction within the time fixed therein shall, for each and every separate violation and noncompliance, respectively, be deemed guilty of a misdemeanor and, upon conviction, shall be punishable as set forth in Chapter 2 of Title 1 of this Code. The imposition of one penalty for any violation of the provisions of this chapter or the Plumbing Code shall not excuse the violation or permit it to continue, and any such person violating the provisions of this chapter or the Plumbing Code shall be required to correct or remedy such violation or defect within a reasonable time, and, when not otherwise specified, each ten (10) days prohibitive conditions are maintained shall constitute a separate offense. The application of the penalties set forth in this section shall not be held to prevent the enforced removal of prohibitive conditions.

Section 8-8.03 Amendment: Section 505 Water Heater Prohibited Locations

Section 505.1 of the California Plumbing Code is hereby amended to add Section 505.1(3) to read as follows:

(3) Prohibited Locations: No water heater which depends on the combustion of fuel for heat shall be installed in any room designed to be used for sleeping purposes, or in any garage, bathroom, or clothes closet, or in any closet or other confined space opening in any bath or bathroom.

Section 8-8.04 Amendment: Section 508 Water Heater Protection From Damage

Section 508.14 (1) of the California Plumbing Code is hereby amended to read as follows:

Section 508.14 (1) Protection from Damage:

- (a) Water heaters generating a glow, spark, or flame capable of igniting flammable vapors may be installed in a residential garage constructed on or before August 4, 1973, provided the pilots and burners, or heating elements and switches, are at least eighteen (18") inches above the floor level.
- (b) Where such water heaters installed within a garage are enclosed in a separate, approved compartment having access only from outside of the garage, such water heaters may be installed at floor level provided the required combustion air

is also taken from the exterior of the garage. Fuel burning water heaters having sealed combustion chambers need not be elevated.

- (c) All water heaters installed in areas where they may be subjected to mechanical damage shall be suitably guarded against such damage by being installed behind adequate barriers or by being elevated or located out of the normal path of a vehicle using and such garage.”

Section 7. Title 8, Chapter 11 “SWIMMING POOL CODE” is hereby repealed and amended to read as follows:

“Chapter 11

Swimming Pool Code

Sections:

- 8-11.01 Adoption of California Swimming Pool, Spa and Hot Tub Code 2006 Edition
- 8-11.02 Violations: Penalties
- 8-11.03 Amendments: Section 103.4
- 8-11.04 Location of swimming pools.
- 8-11.05 Fencing of swimming pools

Section 8-11.01 Adoption of California Swimming Pool, Spa and Hot Tub Code 2006 Edition

For the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures within the City, that certain code designated as the “California Swimming Pool, Spa and Hot Tub Code,” 2006 Edition, published by the International Association of Plumbing and Mechanical Officials, and subsequent additions and editions thereto, three (3) copies of which are on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however, to the amendments, additions, and deletions set forth in this chapter, and said Code shall be known as the Swimming Pool Code of the City.

Section 8-11.02 Violations: Penalties

Any person violating any of the provisions of this chapter or of the Swimming Pool Code, or who shall fail to comply with any provision thereof, or who shall violate or fail to comply with any order made thereunder, or build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Council or by a court of competent jurisdiction within the time fixed therein shall, for each and every separate violation and noncompliance, respectively, be deemed guilty of a misdemeanor and,

upon conviction, shall be punishable as set forth in Chapter 2 of Title 1 of this Code. The imposition of one penalty for any violation of the provisions of this chapter or the Swimming Pool Code shall not excuse the violation or permit it to continue, and any such person violating the provisions of this chapter or the Swimming Pool Code shall be required to correct or remedy such violation or defect within a reasonable time, and, when not otherwise specified, each ten (10) days prohibitive conditions are maintained shall constitute a separate offense. The application of the penalties set forth in this section shall not be held to prevent the enforced removal of prohibitive conditions.

Section 8-11.03 Amendments: Section 103.4

Section 103.4 of said Swimming Pool Code is hereby amended to read as follows:

Section 103.4. Cost of Permit

Every applicant for a permit to install, Alter, or repair a swimming pool system, or part thereof, shall state, in writing, on the application form provided for that purpose, the character of work proposed to be done and the amount and kind in connection therewith, together with such information pertinent thereto as may be required.

Such applicant shall pay for each permit, at the time of making the application, a fee in accordance with the schedule of fees shown in this code and at the rate provided for each classification shown therein. When plans are required to be submitted, a plan-checking fee shall be paid to the Building Official at the time the permit is issued. Such permit fees shall be specified in Table No. 3A; 3B; 3C & 3D of the Uniform Administrative Code. Any person who shall commence any swimming pool work for which a permit is required by this code with-out having obtained a permit therefore shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by this section for such work; provided, however, this provision shall not apply to emergency work when it shall be demonstrated to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefore before the commencement of the work. In all such cases a permit shall be obtained as soon as it is practical to do so, and if there shall be an unreasonable delay in obtaining such permit, a double fee, as herein provided, shall be charged.

Section 8-11.04 Location of swimming pools.

- (a) Swimming pools and spas shall be located to insure there shall be no negative structural impacts on existing structures. Documentation and calculations prepared by a registered engineer may be required to be submitted with the permit application.
- (b) Pools and spas shall also comply with all setback requirements required by Title 9, Planning and Zoning.
- (c) Section 9-3.1707 Swimming Pools

Section 8-11.05 Fencing of swimming pools.

See Health & Safety Code 18942 & 115920 thru 115927 “

Section 8. Title 8, Chapter 12 “PERMITS, FEES, AND INSPECTIONS” is hereby repealed and amended to read as follows:

“Chapter 12

PERMITS, FEES, AND INSPECTIONS

Sections:

- 8-12.01 Adoption of the California Building Standards Administrative Code
- 8-12.02 Permits: Issuance: Retention of plans: Validity: Expiration: Suspension and revocation.
- 8-12.03 Fees.
- 8-12.04 Inspections.

Section 8-12.01 Adoption of the California Building Standards Administrative Code.
2007 Edition

For the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures within the City, that certain code designated as the “California Building Standards Administrative Code,” 2007 Edition, published by the International Code Council, and subsequent additions and editions thereto, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however, to the amendments, additions, and deletions set forth in this chapter, and said Code shall be known as the Administrative Code for the City.

Section 8-12.02 Permits: Issuance: Retention of plans: Validity: Expiration: Suspension and Revocation.

Section 8-12.03 Fees.

- (a) For each permit issued by the Building Official for any work to be performed within the City, a fee shall be paid in accordance with the fee schedule of the work being performed.
- (1) Work without a permit: Investigations. Whenever any work for which a permit is required by this code has been commenced without first obtaining such permit, a special investigation shall be made before a permit may be issued for such work.

- (2) Work without a permit: Fees. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this Code. The minimum investigation fee shall be the same as the minimum fee set forth in Table No. 3-A of Chapter 3 of the Uniform Administrative Code. The payment of such investigation fee shall not exempt any person from compliance with all the other provisions of this Code nor from any penalty prescribed by law.
- (b) The fee for work governed by the California Building Code adopted by the City shall be as specified in Table No. 3-A of Chapter 3 of the Uniform Administrative Code.
- (c) The fee for work governed by the California Plumbing Code adopted by the City shall be as specified in Table No. 3-D of Chapter 3 of the Uniform Administrative Code.
- (d) The fee for work governed by the California Mechanical Code adopted by the City shall be as specified in Table No. 3-C of Chapter 3 of the Uniform Administrative Code.
- (e) The fee for work governed by the California Electrical Code adopted by the City shall be as specified in Table No. 3-B of Chapter 3 of the Uniform Administrative Code.

Section 8-12.04 Inspections. “

Section 9. The City Council finds that the changes made to the uniform codes are enacted to mitigate the threats posed to public peace, health and safety from earthquakes and fire. In this regard, the recitals set forth in this Ordinance are incorporated herein by reference a findings.

Section 10. To the extent that the terms and provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior city ordinance, motion, resolution, rule or regulation governing the same subject, the terms of this Ordinance shall prevail with the respect to the subject matter thereof and such inconsistent or conflicting provisions of prior ordinances, motions, resolutions, rules or regulations are hereby repealed.

Section 11. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

Section 12. This Ordinance shall go into effect and be in full force and operation thirty (30) days after its final passage and adoption. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in this Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, and aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

Introduced by Council Member Villalta and seconded by Council Member Faria on the 19th day of December, 2007.

Passed on the 2nd day of January 2008, by the following vote:

AYES: Council Members Brooks, Faria, Sousa, Mayor Jones
NOES: None
ABSENT: Council Member Villalta

APPROVED:

/s/ Tommy Jones
Tommy Jones, Mayor

ATTEST:

/s/ Lucille L. Mallonee
Lucille L. Mallonee, City Clerk