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ORDINANCE _____
0-07-40

An ordinance of the City of Gainesville amending Chapter 14.5, Article III, consisting of Sections 14.5-25 thru 14.5-38 of the Gainesville Code of Ordinances relating to towing from certain private property; by providing definitions; by requiring owner, operator and vehicle registration for trespass towing; requiring wrecker operator permits; providing permit specifications; providing for permit revocation and appeal; clarifying requirement for agreement when property ownership changes; requiring the establishment of maximum rates for multiple classes of vehicles; requiring cash, major credit card and debit card payment options; prohibiting temporary storage of vehicles under tow; requiring photographs depicting violation and requiring telephone monitoring or staffing to provide specified information to owners or authorized drivers of vehicles; amending the Police section of Appendix A, Schedule of Fees, Rates and Charges by providing registration and permit fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

24 **WHEREAS**, at least 10 days notice has been given once by publication in a
25 newspaper of general circulation notifying the public of this proposed ordinance and of a
26 Public Hearing in the City Commission Auditorium in City Hall, City of Gainesville; and

27 **WHEREAS**, a Public Hearing was held pursuant to the published notice described at
28 which hearing the parties in interest and all others had an opportunity to be and were, in fact,
29 heard;

30 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF**
31 **THE CITY OF GAINESVILLE, FLORIDA;**

32 **Section 1.** Chapter 14.5, Article III, consisting of Sections 14.5-25 thru 14.5-38 of
33 the Code of Ordinances of the City of Gainesville, is amended to read as follows:

1 MISCELLANEOUS BUSINESS REGULATIONS

2 Article III. Towing From Certain Private Property

3 **Sec. 14.5-25. Definitions.**

4 As used in this article:

5 *Emergency towing* as used in this article shall only include circumstances where the usual
6 operation of a business is impeded by the blocking of entrances, exits or access to
7 operational equipment, but specifically shall not include tows for the purpose of clearing
8 parking areas.

9 Major credit card means a Visa© and Mastercard©.

10 *Normal business hours* shall be from 7:00 a.m. to 11:00 p.m.

11 Physically connected as used in this article shall mean that at least two of the vehicle's
12 wheels are raised from the ground and the connection is in compliance with the
13 requirements of § 316.222 F.S. (related to stop lamps and turn signals) and §316.525 F.S.
14 (requirements for vehicles hauling loads).

15 *Trespass towing* shall mean towing or removal of a vehicle that is parked on private real
16 property.

17 Violation as used in this article shall mean an uncontested citation or the conviction or a plea
18 of nolo contendere to a violation of this article.

19 **Sec. 14.5-26. Owner, operator and vehicle registration provisions**

20 It shall be unlawful for any person, either as principal, agent or employee, to perform
21 any trespass towing without having first registered the owner, wrecker operators and towing
22 service vehicles with the police department, using a format approved by the police
23 department. The information for registration shall contain the make, model and

1 manufacturer's serial number of the vehicle; date the vehicle was put into service; the
2 driver's license number of the owner and the name of the insurance company or companies
3 with which the owner and operators have liability insurance for the operation of the vehicle
4 as required by law; and the name and driver's license number of all employees involved in
5 the towing of vehicles as defined in the trespass tow ordinance.

6 Registration fees shall be as provided in Appendix A, Schedule of Fees, Rates and
7 Charges.

8 **Sec. 14.5-27. Application for wrecker operator's permit; violations.**

9 (a) No wrecker operator shall engage in trespass towing without first having obtained a
10 wrecker operator permit from the owner of the company such operator is employed, or such
11 owner's authorized designee. Each permit will meet the following specifications:

- 12 (1) be not less than 2 1/8 inches by 3 3/8 inches.
- 13 (2) contain a photograph of the wrecker operator that is not less than one inch by
14 1 1/2 inches in size.
- 15 (3) provide the name of the wrecker service and wrecker operator's first name in
16 letters that are not less than 1/4 inch by 1/4 inch.
- 17 (4) provide a control number that is linked to the driver's personal information.
- 18 (5) provide a place for the chief of police or designee to validate the permit.
- 19 a. After the permit is validated it shall be laminated to protect the
20 information on the permit.
- 21 b. If the permit is lost, damaged, stolen, becomes illegible or the permit
22 holder changes wrecker services, the permit must be replaced. The

1 replacement permit shall be valid only for the remainder of the time
2 period for which the initial permit was valid.

3 (b) It shall be unlawful for the owner of any wrecker service to permit any person to be
4 employed as a wrecker operator conducting trespass towing within the city unless such
5 person has been granted a wrecker operator permit to engage in trespass towing which has
6 been validated by the chief of police or designee. Upon issuance of the permit, the wrecker
7 operator is granted the privilege of engaging in trespass towing within the city limits of the
8 City of Gainesville, Florida, unless such permit expires or is suspended or revoked, as
9 provided in this Article. Each permit shall be valid for two years from date of issuance.

10 (c) In order to secure a wrecker operator permit, an applicant must provide the following
11 information on a form provided by the city. The applicant must:

12 (1) Submit to the chief of police or designee a certified copy from the Florida
13 Department of Law Enforcement of his/her criminal history and a certified
14 copy of his/her driving record from the Florida Department of Highway
15 Safety and Motor Vehicles;

16 (2) Possess a valid Florida Class E driver's license and provide a photocopy to
17 the chief of police or designee.

18 (3) Not have been convicted, pled nolo contendere to, or had adjudication
19 withheld for any of the following:

20 a. Any violent felony including rape, battery, aggravated battery, felony
21 battery and aggravated assault.

22 b. Within the previous ten years, any felony or first degree misdemeanor
23 directly related to the business of towing motor vehicles; repossession

1 of motor vehicles; motor vehicle theft; car jacking or chop shops; or
2 liens for recovering, towing, or storing vehicles and vessels (§713.78,
3 F.S.).

4 c. Within the previous five years, of either: (1) driving under the
5 influence of alcohol, a controlled substance, or a chemical substance,
6 to the extent that normal faculties are impaired; or (2) driving with an
7 unlawful blood alcohol level.

8 (d) A permit shall be reviewed and granted or denied in writing within two business
9 days. If the permit is denied, the reason for such denial shall be provided in writing and
10 shall also advise that the applicant may correct deficiencies in the application within 7 days
11 of the notice of denial without incurring an additional application fee.

12 (e) Permit fees shall be as provided in Appendix A, Schedule of Fees, Rates and
13 Charges.

14 **Sec. 14.5-28. Revocation; appeal**

15 (a) The City may revoke the privilege of any person to perform trespass towing on any
16 of the following grounds:

17 (1) If the towing service owner and/or operator fails to register as required by
18 this article;

19 (2) If the registration contains a false statement of material fact;

20 (3) If the towing service owner and/or wrecker operator provides monetary or
21 other valuable consideration to the private property owner for the privilege of
22 towing vehicles from the property under contract;

- 1 (4) The towing service owner and/or operator provides monetary or other
2 valuable consideration to the private property owner for each or any
3 individual vehicle towed from the property;
- 4 (5) If the service owner and/or wrecker operator charges fees in excess of that set
5 out in the Police section of Appendix A, Schedule of Fees, Rates and Charges
6 of this Code of Ordinances;
- 7 (6) If a wrecker operator fails to display on or about his person or on the
8 dashboard of the wrecker, easily visible to the public, the wrecker operator
9 permit while performing a trespass tow.
- 10 (b) Three violations of the provisions of this article by any owner and/or operator of a
11 towing service or towing service vehicle within a one-year period shall result in the
12 automatic suspension of the owner's and/or operator's privilege to engage in the business of
13 trespass towing. An owner shall not be suspended for acts of an employee/operator in
14 violation of this section unless the owner actively participated in or had knowledge of the
15 violation and took no corrective action against the employee/operator or unless repeated
16 violations by an employee did not result in progressive discipline. The owner shall maintain
17 written documentation of all corrective action taken against an employee/operator for a
18 minimum period of one year. In addition to the corrective action taken, the documentation
19 shall detail the type and date of the specific ordinance/statutory violation. An operator may
20 be suspended or revoked notwithstanding that the operator's violations may not be
21 applicable against the owner for purposes of the owner's suspension. In the event of such
22 suspension:

1 (1) The chief of police or designee shall inform the owner and/or operator shall
2 be informed in person or by certified or registered mail within seven days
3 prior to the effective date of the suspension.

4 (2) The owner and/or operator may file a written request for a due process
5 hearing within 10 calendar days of the date of the suspension with the chief
6 of police or designee. Failure to request a hearing within the 10 calendar-day
7 period shall constitute a waiver by the owner and/or operator of any rights to
8 a hearing.

9 (3) At the due process hearing, the towing service owner and/or operator shall
10 have the opportunity to present any testimony and/or documentation he/she
11 believes negates or mitigates the suspension.

12 (4) Upon a review of the evidence presented at the hearing, the chief of police or
13 designee may revoke the owner’s and/or operator’s privilege to engage in the
14 business of trespass towing for up to one year:

15 a. First revocation 6 months.

16 b. Second and subsequent revocations 1 year.

17 (c) Any towing service owner and/or operator whose privilege to engage in trespass
18 towing has been revoked shall not be eligible to again obtain a permit with the police
19 department for trespass towing until such revocation period has expired. Any revocation
20 shall include the period of suspension which led to the revocation.

21 (d) Any towing service owner and/or operator whose privilege to engage in the business
22 of trespass towing has been revoked by the chief of police or designee may file an appeal
23 within 15 days of the date of revocation pursuant to the appeals process specified below.

1 (e) Right of appeal. Any towing service owner and/or operator whose privilege to
2 engage in trespass towing has been revoked by the chief of police or designee may appeal
3 such decision to the city manager or designee. Such appeal shall be taken by filing written
4 notice with the chief of police or designee within 15 days after the decision by the police
5 chief to revoke such privilege. The notice of the appeal shall contain the grounds for the
6 appeal and shall contain information showing that either the finding is contrary to the law or
7 is not supported by competent substantial evidence. The chief of police or designee shall
8 transmit copies of the appeal to the city manager along with papers constituting the record
9 upon which the action appealed from is based. The filing of a notice of appeal will not delay
10 the effectiveness of any revocation. The city manager may decide to uphold or reverse the
11 decision of the chief of police. If the city manager reverses the decision of the chief of
12 police, the trespass towing privilege will be immediately reinstated.

13 **Sec. 14.5-26 29. Prerequisites to towing vehicles parked on private property;**
14 **exceptions.**

15 (a) It shall be unlawful for any person to tow or cause to be towed any vehicle parked on
16 private real property unless the provisions of F.S. § 715.07, have been complied with
17 together with the following requirements:

18 (1) The owners of the real property shall have executed, at least 24 hours prior to
19 the towing or removal of any vehicle, a written agreement for trespass towing
20 with a towing service, which agreement shall contain the following
21 provisions:

- 22 a. The duration of the agreement;
- 23 b. The time of day that such towing or removal is authorized;

- 1 c. The days of the week that such towing or removal is
- 2 authorized;
- 3 d. The fees to be paid for the towing or removal;
- 4 e. The signatures of both the property owner or the authorized
- 5 representative, and the owner, or authorized representative of
- 6 the towing service, certifying that each has read and is in
- 7 compliance with all of the provisions of F.S. § 715.07.

8 The form for such agreement shall be provided by the police department, and may not be
9 amended or modified in any manner that provides for terms or activities that violate the
10 provisions of this article or F.S. § 715.07.

11 (2) A copy of the completed agreement is on file with the Gainesville Police
12 Department.

- 13 a. A new completed agreement is submitted each time a property owner
- 14 changes tow vendors: or the ownership or management of the
- 15 property changes.
- 16 b. A completed agreement is resubmitted annually, one year from the
- 17 date of last submittal.

18 (3) Where the private real property is provided for residential parking other than
19 for a single-family residence, the agreement, except as provided in subsection
20 (a)(4) below, shall not authorize the towing service to tow away or remove
21 any vehicle without a verified request to remove the specific vehicle by the
22 property owner or an authorized representative. A property owner's
23 representative may include a resident manager, a property manager or other

1 agent who has the legal authority to bind the owner, but may not be an
2 officer, employee or agent of a towing service.

3 (4) Owners of properties used for residential purposes may elect to authorize the
4 towing service to tow away or remove vehicles without a verified request to
5 remove a specific vehicle provided that the owner first complies with the
6 following requirements:

7 a. Signage shall be added to each of the existing tow away signs with
8 letters of the same size as the "tow away" language, which provides
9 the following words: "roam towing." The sign shall state the specific
10 hours of roam towing or state 24 hours, if that is applicable.

11 b. Towing contract on file with the Gainesville Police Department as
12 required by subsection (a)(1) shall be amended to provide for roam
13 towing.

14 c. Photograph(s) of the "offending" vehicle shall be taken prior to its
15 removal and shall be of sufficient detail to demonstrate the violation
16 of rule or regulation for which the vehicle is being towed. The
17 photograph(s) must be date and time stamped and maintained by the
18 wrecker company for a minimum period of one year.

19 ed. Lease, rental or property owners' association documents shall contain
20 a notice provision indicating that the residential property utilizes roam
21 towing. In the case of properties with existing leases, rental
22 agreements or property owners' association documents, it shall be
23 sufficient to notify by regular mail, at the last known address, each of

1 the tenants/owners of the property prior to the initiation of roam
2 towing. All new leases, rental agreements or property owners'
3 association documents, or amendments thereto, shall contain the
4 provision giving notice that the property owner intends to utilize roam
5 towing.

6 (5) For private property located within the boundaries of the community
7 redevelopment areas as defined in division 9 of chapter 2 of the Gainesville
8 Code of Ordinances, signage as required by F.S., § 715.07 and subsection (a)
9 above, shall use reflective white lettering on a non-reflective black
10 background. All existing signs within the redevelopment areas referenced
11 herein shall be replaced on or before January 1, 2004.

12 (6) Upon filing the written agreement with the police department as required
13 herein, the property owner or the authorized representative of the property
14 owner, shall simultaneously submit an administrative fee to process the
15 trespass towing application in the amount set forth in Appendix A. The
16 administrative fee shall be applicable to all trespass towing agreements filed
17 with the police department after the adoption of this section and shall be paid
18 each time a trespass towing agreement is filed with the police department as
19 required herein.

20 (b) The provisions of this article shall not apply to:

21 (1) The towing of vehicles pursuant to section 3-116, authority to remove
22 vehicles, and section 26-136 et seq "Abandoned, Wrecked and Non-operating
23 Vehicles," City of Gainesville Code of Ordinances.

1 (2) The towing of vehicles from property appurtenant to and obviously a part of a
2 single-family residence.

3 (3) When notice is personally given to the owner or other legally authorized
4 person in control of the vehicle that the area in which that vehicle is parked is
5 reserved or otherwise unavailable and that the unauthorized vehicle will be
6 removed at the owner's or operator's expense.

7 (c) The 24-hour notice requirement of this section shall not apply where the tow is of an
8 emergency nature and the property owner or authorized representative of the tow owner or
9 operator has notified the police department prior to removing the vehicle.

10 (d) Each towing service shall staff or monitor its telephones at all times (pager only does
11 not satisfy this requirement) and immediately advise any vehicle owner or authorized
12 representative who calls by telephone of the following:

13 (1) Each and every document or other item which must be produced to retrieve
14 the vehicle.

15 (2) Exact charges as of the time of the telephone call, and the rate at which
16 charges will accumulate thereafter.

17 (3) The acceptable methods of payment. If the towing service owner or operator
18 cannot, or will not provide change to a customer, the owner or operator shall
19 advise the customer to bring exact payment.

20 (4) That the vehicle can be picked up within one hour of request.

21 **Sec. 14.5-2730. Authorized fees and charges.**

22 (a) Any towing firm engaged in the business of trespass towing shall not charge the
23 owner of any towed vehicle or personal property in excess of the fees set by the city

1 commission by resolution. The fees set by resolution shall be all inclusive during the first
2 24-hour period following notification of vehicle tow to the Gainesville Police Department;
3 no additional fees or charges whatsoever may be charged unless specifically established and
4 authorized herein or by state statute. ~~However, the maximum fees in this section shall not~~
5 ~~apply to trespass towing of vehicles which have more than two axles or more than four road~~
6 ~~wheels or are rated to carry more than one ton.~~ The city commission shall establish, by
7 resolution, a maximum fee for specific classes of vehicles as identified in the Towing and
8 Recovery Association of America's TRAA Vehicle Identification Guide©. After maximum
9 fees are initially established using the TRAA Vehicle Identification Guide©, such maximum
10 fees will be subject to rate review as provided in Sec. 14.5-30(c) notwithstanding that such
11 review may occur less than annually for the first instance.

12 (b) A person, operator, firm, or corporation that provides trespass towing and storage
13 services pursuant to Article III, Section 14-5-25, et. seq. of the Gainesville Code of
14 Ordinances shall accept payment for charges from the vehicle owner or authorized
15 representative in the following forms:

- 16 (1) Cash;
17 (2) Major credit card; and
18 (3) Debit card.

19 ~~(b)c~~ Maximum trespass towing fees shall be established no more than annually by the city
20 commission after receiving a request for fee modification by the towing company owners
21 and staff recommendations based on financial information submitted by the trespass towing
22 companies as to their costs for the removal of vehicles and on other information. The
23 required information shall be submitted by the towing company owners by September 30 of

1 each year. The maximum fees shall be set by resolution to be adopted by the city
2 commission prior to December 31 of each year in which a request for modification has been
3 made. Such maximum fees shall be effective during the following calendar year and until
4 changed by subsequent resolution.

5 **Sec. 14.5-~~28~~31. Vehicle not connected upon operator returning.**

6 The owner or operator of any towing service vehicle which is summoned to tow away any
7 vehicle on private property, or stops to tow any vehicle under a valid "Roam Towing"
8 provision on private property, shall not remove or tow the vehicle away and shall not charge
9 any fee if the vehicle operator returns to the vehicle prior to the towing service operator
10 having physically connected the vehicle to the towing apparatus.

11 **Sec. 14.5-~~29~~32. Vehicle not towed upon operator returning.**

12 If the registered owner or other legally authorized person in control of the vehicle arrives at
13 the scene prior to removal or towing of the vehicle, the vehicle shall be disconnected from
14 the towing or removal apparatus, and that person shall be allowed to remove the vehicle
15 without interference upon the payment of a reasonable service fee of not more than one-half
16 of the posted rate for such towing service for which a receipt shall be given, unless that
17 person refuses to remove the vehicle which is otherwise unlawfully parked.

18 **Sec. 14.5-33. Point of tow to point of storage.**

19 Except as provided in Sec. 14.5-32 above and except for bona fide emergencies, a vehicle in
20 tow shall be taken from the point of tow to the permanent business address of the tow owner
21 or operator where vehicles are normally stored. Temporary storage is prohibited.

22 **Sec. 14.5-~~30~~34. Vehicles subject to criminal investigation.**

1 Tow owner shall not refuse to relinquish to the police, a vehicle which is the subject of a
2 criminal investigation. Relinquishment of the vehicle to the police for impoundment at its
3 contract site shall not affect tow owners right to payment for services rendered and payment
4 for those services shall be made to tow owner by the owner of the vehicle or his/her
5 representative, or other arrangements shall be made with tow owner to receive payment
6 before the vehicle is released to the owner or his/her representative.

7 **~~Sec. 14.5-31. Reserved.~~**

8 **Sec. 14.5-~~32~~35. Civil citation; violation of ordinance.**

9 Police officers and code enforcement officers may issue a civil citation to tow owners or
10 their authorized representatives and property owners or their authorized representatives, for
11 violations of any section of this article.

12 **~~Sec. 14.5-33. Reserved.~~**

13 **Sec. 14.5-~~34~~36. Receipt from towing service to be furnished to owner when vehicle
14 claimed.**

15 When a towed vehicle is claimed the towing service shall furnish the owner or other legally
16 authorized person with a receipt which shall include the name of the person or management
17 entity who authorized the towing. The receipt shall also include the following language:

18 "Notice: Towing from private property is regulated by the provisions of F.S. § 715.07 and
19 Chapter 14.5, Article III City of Gainesville Code of Ordinances."

20 **Sec. 14.5-~~35~~37. Prohibitions.**

21 (a) It shall be a violation of this article to charge any fee which is based on police
22 response to a call by the owner of a vehicle.

1 (b) It shall be a violation of this article for any person other than the real property owner
2 or an authorized representative of the owner, or the tow owner or authorized representative
3 of the tow owner if the signs are placed by the tow company, to move, remove, or deface
4 any tow-away sign.

5 **Sec. 14.5-~~363~~8. Penalties.**

6 In addition to those penalties imposed by F.S. § 715.07, violation of any provision of this
7 article, including any of the requirements of F.S. § 715.07 shall be subject to the following
8 civil penalties:

9 (1) Any person who violates this article shall be liable to the owner or lessee of
10 the vehicle for all costs of recovery (including all towing and storage fees)
11 plus attorney's fees and court costs, and shall in addition be liable to the
12 owner or lessee of any towed or removed vehicle for damages resulting
13 directly or indirectly from the removal, transportation or storage of the
14 vehicle.

15 (2) Any person who violates any of the provisions of this article shall upon
16 conviction be fined not more than \$500.00 per violation. Each violation shall
17 be considered a separate offense.

18 **Secs. 14.5-~~3739~~--14.5-51. Reserved.**

19 **Section 2.** Appendix A of the Code of Ordinances of the City of Gainesville, under
20 the category "Police", is amended to read as follows:

21 **POLICE:**

22 *Burglar alarm operators:*

23 Application for alarm or annual renewal application 16.75

1 Note: Proportionately adjusted for initial periods exceeding one year (§ 21-52)

2 First false alarm with valid permit No cost

3 First false alarm without valid permit or second false alarm, each26.25

4 Third and fourth false alarms, each.....52.50

5 Fifth and sixth false alarms, each.....105.00

6 Seventh and eighth false alarms, each210.00

7 Ninth and above false alarms, each.....420.00

8 False alarm from non-permitted system, additional fee*210.00

9 *Note: Reduced to \$50.00 if application filed within ten days and issued within ten

10 days thereafter (§ 21-53)

11 Alarm permit reinstatement fee after revocation (§ 21-54)52.50

12 Failure to respond when requested by police (§ 21-56).....52.50

13 Failure to deactivate alarm within 15 minutes (§ 21-57).....131.25

14 Prohibited devices:

15 Automatic dialing device (§ 21-61(a)).....131.25

16 "One Plus Panic Alarm" or single-action switch (§ 21-61(b) and (c)).....52.50

17 Auxiliary power supply less than four-hour minimum (§ 21-62) . . . 131.25

18 *Burglar alarm monitoring companies:*

19 Annual registration fee (§ 21-58).....105.00

20 Failure to register or to maintain records for one year (§ 21-58).....131.25

21 Failure to verify alarm (§ 21-59)131.25

22 *Burglar alarm system contractors:*

23 Annual registration fee (§ 21-60(a))105.00

1 Failure to register annually (§ 21-60(a)).....131.25

2 Failure to meet UL or ANSI standards (§ 21-60(d)).....131.25

3 Activation of unpermitted alarm (§ 21-60(e))131.25

4 Causing false alarm during servicing or inspection, each violation (§ 21-60(f))

5131.25

6 Installation, maintenance, repair, alteration or servicing by unregistered contractor,

7 each violation (§ 21-60(b))131.25

8 Failure to furnish agents with identification cards (§ 21-60(c))52.50

9 Failure to provide operators with permit application - each violation (§ 21-60(g))

1052.50

11 *Burglar alarm systems:*

12 Assessment fee per false alarm11.25

13 *Roam Towing:*

14 Trespass towing application process fee (section 14.5-26(a)(6))

15 (a) Properties 1-5 47.00 ea

16 (b) Properties 6-10 35.00 ea

17 (c) Properties 11-15 30.00 ea

18 (d) Properties 16-20 25.00 ea

19 (e) Properties 20 or more 15.00 ea

20 Registration – Owners, operators and vehicles:

21 (a) Owners and vehicles No Charge

22 (b) Operators permit 10.00

23 (c) Replacement permits 1/2 Permit Fee

1 **Section 3.** It is the intention that Section 1 and Section 2 of this ordinance shall become
2 and be made a part of the Code of Ordinances, of the City of Gainesville, Florida, and that the
3 Sections and Paragraphs of this ordinance may be renumbered or relettered in order to
4 accomplish such intentions.

5 **Section 4.** If any section, sentence, clause or phrase of this ordinance is held to be
6 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no
7 way affect the validity of the remaining portions of this ordinance.

8 **Section 5.** All ordinances, or parts of ordinances, in conflict herewith are to the extent
9 of such conflict hereby repealed.

10 **Section 6.** This ordinance shall become effective immediately on adoption

11 **PASSED AND ADOPTED** this ____ day of _____, 2007.

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PEGEEN HANRAHAN
MAYOR

17 ATTEST

APPROVED AS TO FORM AND LEGALITY

18
19
20
21
22

KURT M. LANNON
CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

23 This Ordinance passed on first reading this ____ day of _____, 2007.

24 This Ordinance passed on second reading this ____ day of _____, 2007.