

# Wireless Communication Facility Development Ordinance

Ordinance No. \_\_\_\_\_  
Adopted \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE 14, THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, ESTABLISHING STANDARDS FOR THE LOCATION, DEVELOPMENT, CONSTRUCTION, AND MAINTENANCE OF WIRELESS COMMUNICATION FACILITIES.**

WHEREAS, The City of Jonesboro desires to encourage the orderly development of wireless communication technologies for the benefit of its citizens; and,

WHEREAS, as a matter of public policy the City wishes to encourage the delivery of wireless technologies throughout the City while controlling the proliferation of communication towers and other communication facilities; and,

WHEREAS, the development of wireless communication facilities will promote and protect the health, safety, and general welfare of the citizens of Jonesboro.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:

That the Zoning Ordinance (Title 14 of the Jonesboro Municipal Code) be amended to add Section 14.32.12 as set forth below.

**Section 14.32.12 Wireless Communication Facility Standards.**

**(a) Purposes**

The Wireless Communication Facility Development Standards are designed to achieve the following purposes:

- (1). Provide a range of locations for Wireless Communication Facilities (hereinafter referred to as throughout the City of Jonesboro;
- (2). Encourage the location of Wireless Communication Facilities onto existing structures to reduce the number of new communication towers needed to serve the City;
- (3). Encourage co-location and site sharing of new and existing Wireless Communication Facilities;

- (4). Control the type of wireless communication support structures (including towers) that are constructed;
- (5). Protect residential areas and scenic corridors from uncontrolled development of Wireless Communication Facilities by requiring reasonable location or siting conditions;
- (6). Insure the harmonious, orderly and efficient growth and development of Wireless Communication Facilities within the City;
- (7). Provide development standards for Wireless Communication Facilities, that are consistent with the requirements of the Federal Telecommunications Act of 1996;
- (8). Provide clear performance standards for locating Wireless Communication Facilities; and
- (9). Streamline and expedite the permitting procedures for Wireless Communication Facilities to effect compliance with the Federal Telecommunications Act of 1996.

**(b) Interpretation and Definitions**

- (1). Construction of Other Ordinances  
To the extent the development standards of this Section conflict with other Ordinances of the City of Jonesboro, these development standards shall control.
- (2). Rules for Words and Phrases  
For the purposes of this Section, words used in the present tense include the future tense; words in the singular number include the plural number; and words in the plural number include the singular number. The word “shall” is mandatory; the word “may” is permissive; the word “used” includes “designed” and “intended” or arranged to be used or occupied. The word “person” includes a firm, association, organization, partnership, trust, foundation, company or corporation as well as an individual.
- (3). Definitions  
Certain specialized words, phrases and terms used in this Section of the Zoning Ordinance shall be interpreted as stated below.

*Antenna Array* – One or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals, which may include, but not be limited to, omni-directional antenna

(rod), directional antenna (panel) and parabolic antenna (disc). An Antenna Array (hereinafter referred to as an Antenna) does not include the support structure.

*Attached Wireless Communication Wireless Facility* – An Antenna that is attached to an existing building or structure such as utility poles, signs, water towers, rooftops, towers with any accompanying pole or device which anchor the Antenna to the existing building or structure (“Attachment Structure”) along with associated connection cables and an Equipment Facility which may be located either inside or outside the existing building or structure.

*Co-location/Site Sharing* – Use of a common Wireless Communication Facility or common site by more than one wireless communication license holder (often referred to as the “carrier”) or by one wireless license holder for more than one type of communications technology and/or placement of an Antenna on a structure owned or operated by a utility or other public entity.

*Equipment Compound* – That portion of a Wireless Communication Facility or an Attached Wireless Communication Facility that may contain a support structure and/or equipment facilities and is completely enclosed by security fencing.

*Equipment Facility* – Any structure used to contain ancillary equipment for a Wireless Communication Facility and may include cabinets, shelter, and a build-out of an existing structure, pedestals, and other similar structures.

*FAA* – Federal Aviation Administration.

*FCC*- Federal Communications Commission.

*FTA* – Federal Telecommunications Act of 1996

*Height* – The vertical distance measured from the base of a tower or other support structure to the highest point on the Wireless Communication Facility, including the antenna array and other attachments.

*Metropolitan Area Planning Commission (MAPC)* – The officially designated planning and zoning authority for the City of Jonesboro.

*Setback* – The required distance from the property line of the parcel of

land, on which the Wireless Communication facility is located to the base of the Support Structure and equipment shelter or cabinet; or, in the case of guy-wire supports, the guy anchors.

*Stealth Technology* - The technique or process of disguising Wireless Communication Facilities to fit into the natural or urban landscape.

*Support Structure* – A structure designed and constructed specifically to support an Antenna Support Structure and shall include a monopole, lattice tower, guy-wire support tower and other similar structures. Any Attachment Device used to anchor an Attached Structure shall be excluded from the definition and regulations applicable to Support Structures.

*Temporary Wireless Communication Facility* – A Wireless Communication Facility to be placed in use for 90 days or less.

*Wireless Communications* – Any personal wireless service as defined in the Telecommunications Act of 1996 (FTA) that includes FCC licensed commercial wireless telecommunications services including cellular, personal communication services (PCS), specialized mobile radio (AMR), enhanced specialized mobile radio (ESMR), paging, and similar services that currently exist.

*Wireless Communication Facility* (hereinafter referred to as a “Wireless Facility”)– Any un-staffed Wireless Facility used for the transmission and/or reception of wireless telecommunication services, usually consisting of an Antenna, connection cables, an Equipment Facility, and, if appropriate, a support structure to achieve the necessary elevation.

**(c) Preferred Locations for Wireless Facilities**

Attached Wireless Facilities are allowed as a “permitted use” (a use by right) in all zone districts.

Support Structures shall be allowed in the various zone districts as shown in the following table.

<b>WIRELESS COMMUNICATION FACILITY SUPPORT STRUCTURES BY TYPE AND PERMITTED ZONE DISTRICT</b>					
<b>ZONE DISTRICT</b>		<b>TYPE OF PERMITTED SUPPORT STRUCTURE</b>			
<b>SUPPORT STRUCTURES PERMITTED AS CONDITIONAL USES IN THE FOLLOWING ZONE DISTRICTS:</b>		<b>Stealth</b>	<b>Monopole</b>	<b>Lattice</b>	<b>Lattice with Guy</b>
AG	Agricultural District	X	X	X	X
RR	Rural Residential	X	X	X	X
R-O	Single-Family Low Density Residential	X	---	---	---
R-1	Single-Family Medium Density Residential	X	---	---	---
R-1A	Single-Family High Density Residential	X	---	---	---
R-2	Multi-Family Low Density Residential	X	---	---	---
R-2A	Multi-Family Medium Density Residential	X	---	---	---
R-3	Multi-Family High Density Residential	X	---	---	---
C-5	Neighborhood Office District	X	X	---	---
C-4	Neighborhood Commercial District	X	X	---	---
C-3	General Commercial District	X	X	X	X
C-2	Downtown Fringe Commercial District	X	X	X	X
C-1	Downtown Core Commercial District	X	X	---	---
<b>SUPPORT STRUCTURES PERMITTED “BY RIGHT” IN THE FOLLOWING ZONE DISTRICTS:</b>					
I-1	Limited Industrial District	X	X	X	---
I-2	General Industrial District	X	X	X	---

Locations for Wireless Facilities are listed below in order of preference:

- (1). Antenna Attachments onto an existing Support Structure including co-location with other Wireless Facilities.
- (2). Attached Wireless Facilities
- (3). Location within an Industrial Zone District (I-1 or I-2)
- (4). Location within a C-3, General Commercial District.
- (5). Location within a C-1, C-2, C-4 or C-5 Commercial District.
- (6). Location within a GA or RR District.
- (7). Location within a Residential District.

Prior to applying to the Metropolitan Area Planning Commission for a conditional use to permit a new location for a Wireless Facility, the applicant shall provide the City Planner with adequate information to establish that equipment planned for the proposed Wireless Facility cannot be accommodated on existing or approved towers, buildings or alternative structures within the applicants search radius (or search “ring”) or within a less restrictive zone district due to one or more of the following reasons:

- (1). The planned equipment would exceed the structural capacity of the existing or approved tower, building or structures, as documented by a qualified and licensed Arkansas professional engineer, and the existing or approved tower, building or structure cannot be reinforced, modified or replaced to accommodate planned or equivalent equipment at a reasonable cost.
- (2). The planned equipment would cause interference materially impacting the usability of other existing or planned equipment at the tower, building or other structure as documented by a qualified and licensed Arkansas engineer and the interference cannot be prevented at a reasonable cost.
- (3). Existing or approved towers, buildings or other structures within the search radius or ring, or combinations thereof, cannot accommodate the planned equipment at a height necessary to function reasonably as documented by an qualified radio frequency (RF) engineer.
- (4). Other unforeseen reasons that make it infeasible to locate the planned telecommunication equipment upon an existing or approved tower, building or other structure, or within a less restrictive zone district.

**(d). Zoning Permit and Building Permit Required**

No person shall install or construct any Wireless Facility unless and until a Zoning Permit (if applicable) and a Building Permit have been issued pursuant to the requirements of this Zoning Ordinance.

**(e). Pre-existing Wireless Communication Facilities**

Any Wireless Facility installed prior to the effective date of this Zoning Ordinance Amendment shall be considered as nonconforming.

**(f). Nonconforming Facilities**

Wireless Communication Facilities in existence on the date of the adoption of this amendment to the Zoning Ordinance which do not comply with the requirements of this Ordinance are considered to be “nonconforming” and are subject to the following provisions:

- (1). Expansion. Nonconforming Wireless Facilities may continue in use for their existing purpose, but may not be expanded without complying with this Ordinance except as further provided in this Section.

- (2). Additions. Nonconforming Wireless Facilities may add additional antenna and ground equipment and may expand the footprint of the then-existing Equipment Compound belonging to the same service provider (carrier) or other providers subject to Administrative Review under this Section.
- (3). Repairs or Reconstruction. Nonconforming Wireless Facilities that become damaged due to any reason or cause may be repaired and restored to their former use, location, and physical dimensions subject to the provisions of this Section.
- (4). Abandonment. Any nonconforming Wireless Facility not in use for six months shall be deemed abandoned and all rights as a nonconforming use shall cease.

**(g). Amateur Radio Exclusion.**

This Section shall not govern the installation of any amateur radio Wireless Facility that is owned and operated by a FCC licensed amateur radio station operator.

**(h). Airport Proximity**

Any Wireless Facility located or proposed to be located in airport areas including approach zones governed by the FAA shall comply with the provisions of all applicable local, state and Federal airport regulations.

**(i). Development Standards**

The following development standards shall apply to all Wireless Facility installations constructed after the effective date of this amendment to the Zoning Ordinance.

(1). Height Standards

- a. Wireless Facilities on Attachment Structures and Existing Support Structures.  
Antennas mounted on an existing building, water tank or other Attachment Structure other than a freestanding Support Structure just not extend more than 30 feet above the highest part of the structure.

b. Wireless Facilities on New Support Structures

<b>Location</b>	<b>Maximum Height</b>
1. Residential Zone District	100 feet
2. Commercial Zone District	199 feet
3. Industrial Zone District	199 feet
4. Agricultural Zone District	199 feet

In the event an applicant has a compelling reason to exceed these height standards, the matter may be referred to the Board of Zoning Adjustment for review, consideration, and decision.

(2). Setback Standards

- a. Wireless Facilities on Existing Support Structures shall conform to existing setbacks.
- b. Wireless Communication Facilities on new Support Structures shall be set back a minimum of 50 feet from all property lines including street right-of-way lines.

(3). Landscaping

a. New Construction.

New Wireless Facilities on new Support Structures shall have a landscaped area a minimum of 10 feet in width around the outside perimeter of the security fence and shall be planted with the following materials:

1. One row of evergreen trees with a minimum caliper of 1.75 inches installed with maximum spacing of 25 feet.
2. Evergreen shrubs capable of creating a continuous hedge and obtaining a height of 8 feet shall be planted with a maximum spacing of 5 feet. Plants shall be at least 3-gallon container plants and be 36 inches tall at the time of planting.
3. All plants and trees shall be indigenous to this part of Arkansas and shall be drought resistant.

b. Land Form Preservation

Existing mature tree growth and natural landform of the Wireless Facility site shall be preserved to the extent feasible. However, this vegetation may be trimmed or removed if it causes interference with the Support Structure or Antenna or inhibits access to the Equipment Compound.

c. Existing Vegetation on a Wireless Facility site may be used in lieu of required landscaping where approved by the City Planner.

d. Minimum Site Disturbance

Grading for a new Wireless Facility shall be minimized and limited only to the area necessary for the new structures and



equipment, and for access and utility service to the Wireless Facility.

Erosion control facilities, approved by the City Engineering Department, shall be correctly installed prior to any land disturbance or land alteration activities. These facilities shall be maintained in good, serviceable condition throughout the construction process.

(4). Aesthetics, Placement, Materials and Colors.

- a. Antenna Attachments shall be designed to be compatible with the Wireless Facility to which it is to be affixed, including matching the proposed array with the support structure's design, façade colors, and camouflage or stealth technology.
- b. New Wireless Facilities shall be designed to be compatible with existing structures in the surrounding area to the extent feasible. The proposed Wireless Facility must be consistent with the tower type and height standards indicated in this Section for similar properties in similar locations, including considerations of scale and space of the immediate vicinity of the new Wireless Facility, placement in a location that is consistent with proper functioning of the Wireless Facility, the use of compatible or neutral colors, and camouflage or stealth technology.

(5). Lighting

Wireless Facilities shall not be artificially illuminated, directly or indirectly, except for:

- a. Security and safety lighting of equipment buildings if such lighting is shielded to keep light within the boundaries of the site; and,
- b. Illumination required by the FAA or other applicable authority provided all lighting fixtures are installed in a manner to minimize impacts on adjacent properties. Unless otherwise required, such lighting shall be red and a type of lens used to reduce ground lighting when the site is within 100 feet of a residential structure.

(6). Fencing

An opaque fence, including slatted chain link, not less than 8 feet in height, shall enclose all Wireless Facilities. Security features may be incorporated into the buffer and landscaping areas around the out-side

perimeter of the Equipment Compound.

(7). Signage

Wireless Facilities shall not display any signage, logos, decals, symbols or any message of a commercial or noncommercial nature. Small message signs containing identification and contact information and emergency telephone numbers as required by local, state, and Federal regulations and small “No Trespassing” and other warning signs may be posted on the fence.

(8). Radio Frequency Emissions and Sound

a. Radio Frequency Impact.

The FTA gives the FCC jurisdiction for regulating Radio Frequency (RF) emissions. The approval of Wireless Facilities shall not be conditioned or denied on the basis of RF impact.

b. FCC Compliance.

Applicants for Wireless Facilities shall be required to provide information with the application on the periodic measurement of the effective radiated power of the Wireless Facility and how this meets FCC standards. A procedure or protocol shall be established for furnishing this information to the City so RF emission levels may be monitored.

c. Sound Prohibited

No unusual sound emissions such as alarms, bells, buzzers or the like are permitted.

(9). Structural Integrity

a. Wireless Facilities with Support Structures shall be constructed to the Electronics Industries Association & Telecommunications Industries Association (EIA/TIA) 222 Revision F Standard entitled “Structural Standards for Steel Antennas Towers and Antenna Support Structures,” as it may be updated and amended. Each Support Structure shall be capable of supporting multiple Antennas.

b. All Support Structures shall be designed and constructed to collapse within the industry-approved radius of the center-point of the structure. However, in no case shall the collapse radius go beyond a property line.

c. All Support Structures shall be designed and constructed to meet seismic requirements of all applicable codes.

- d. All Support Structures shall be designed and constructed to meet wind-load requirements of all applicable codes.

Compliance with these structural requirements shall be certified by an independent structural engineer registered in Arkansas and also by the manufacturer of the structure. These certifications must be submitted to the City before a building permit can be issued for the structure.

(10). Design and Co-location Support Structure.

All Wireless Facilities with a Support Structure up to a height of 150 feet shall be engineered and constructed to accommodate at least 3 Antenna. All Wireless Communication Facilities with a Support Structure 150 feet or greater shall be engineered and constructed to accommodate at least 4 Antenna.

(11). Co-location Statement

All applicants for a Wireless Facility shall submit a statement with the application agreeing to allow and actively market co-location opportunities to other wireless communication providers or carriers. The statement shall include the applicant's policy regarding co-location of other providers and the methodology to be used by the applicant in determining reasonable rental rates for other providers. The Co-location Statement shall be conditioned on the issuance of a Zoning Permit and a Building Permit for the proposed Wireless Facility. These permits may not be issued unless the applicant complies with the co-location policy outlined in this Section.

(12). Compliance with Building Codes

In addition to the requirements of this Section, construction of all Wireless Facilities shall comply with all local and state construction codes.

**(j). Review Process**

(1). Permitting Procedures

All proposed Wireless Facilities that include Support Structures shall be subject to the Conditional Use procedure, standards, and guidelines set out in Chapter 14.24 of this Ordinance. Provided, however, that all proposed Attached Wireless Communication Facilities as well as Support Structures in the I-1 and I-2 zone districts are allowed as permitted uses subject to the standards and guidelines as set out in Chapter 14.36 of this Zoning Ordinance.

- (2). Temporary Wireless Facilities may be permitted by Administrative Approval for a term not to exceed 90 days. Once granted, a temporary Wireless Facility permit may be extended for an additional 90 days upon evidence of need presented by the applicant. In cases of emergency (e.g., storm damage to an existing tower or other circumstances resulting in interruption of existing service) the Administrative Review shall be expedited to the extent feasible.

**(k). Approval Process**

(1). Application Submission

a. Submission Requirements

Each applicant requesting a Conditional Use Permit, Zoning Permit, and Building Permit for a Facility must be signed by the landowner of record, the developer of the Support Structure, and the initial communication provider or carrier. An application without all signatories shall be considered incomplete and will not be reviewed.

1. Certificate of ownership giving the names, titles, relationships, and addresses of all land- owners of record. Each owner of record must sign the certificate. A copy of the deed for the land proposed as the site for a Wireless Facility must accompany the certificate.
2. Site survey prepared by a surveyor licensed in Arkansas showing property boundaries, topography, major vegetation, existing structures, and other features. This survey should also illustrate (but not with survey accuracy) the location of structures on abutting land including land on the opposite side of an adjoining public street.
3. Site plan showing the location of all proposed facilities including the Support Structure, equipment buildings or shelters, setback lines, access driveways, parking spaces, fencing, landscaping, and any other features deemed important in explaining the proposal. A site plan is not required if the Wireless Facility is proposed to be located on an existing structure.
4. Elevation of the Support Structure showing dimensions of the base of the structure, height of the structure, location of antenna array, and other information necessary to adequately depict the structure;

5. Specifications for the Support Structure and antenna including a description of design characteristics and materials.
6. Photographic simulations of the site from four directions with the Support Structure in place. The purpose of these simulated photographs is to help evaluate the potential visual and aesthetic impacts the proposed structure will have on the surrounding area. In unusual situations, the City Planner may require a balloon test to help evaluate the potential impact a Support Structure might have on the surrounding neighborhood.
7. Evidence that a valid FCC license has been issued for the proposed Wireless Facility.
8. Acknowledgment of the structural certification requirements and a statement affirming the intention to provide these certifications to the City prior to a request for a building permit.
9. An agreement to remove the Support Structure within 90 days after cessation of use.
10. Evidence that the applicant has made a reasonable good faith attempt to locate its Wireless Facility onto an existing structure. Competitive conflict and financial burden alone are not deemed to be adequate reasons against co-location.
11. Evidence that an applicant proposing to place a Wireless Facility in a residential district cannot achieve the desired service coverage and capacity by placing the Wireless Facility in a non-residential district.
12. Evidence that the proposed Wireless Facility is to be designed engineered and constructed with the capability of sharing the Wireless Facility with other service providers.
13. A Co-location Statement that allows and ensures active marketing of co-location opportunities to other Wireless Facility providers or carriers. This agreement shall include the applicant's policy regarding co-location of

other providers and the methodology to be used by the applicant in determining reasonable rental rates for other service providers.

14. A statement describing the applicant's proposed protocol for periodically monitoring radio frequency (RF) emissions and reporting the findings to the City.

b. Application Fee

A plan review fee of \$250.00 shall accompany each application for a Support Structure or an antenna array.

c. Additional Technical Assistance.

In the course of its consideration of an application for a Wireless Facility, the City may deem it necessary, in complex situations, to employ an engineer or other consultant qualified in the design and installation of Wireless Facilities to assist the City in reviewing technical aspects of the application. In such cases, the actual cost incurred by the City in obtaining the technical review and recommendation shall be reimbursed by the applicant prior to the Conditional Use hearing before the Metropolitan Area Planning Commission. The proposal for technical review services, including a "not to exceed" cost estimate, shall be presented to the applicant for approval prior to employing an engineer or other consultant.

(2). Administrative Review

a. Review Authority

An application for co-location of an Antenna on an existing Support Structure already approved as a Conditional Use may be reviewed and approved by the City Planner.

b. Review Criteria

Each application shall be reviewed for compliance with the development criteria specified in this Section.

(3). MAPC Approval

a. Review Authority

The Metropolitan Area Planning Commission shall be the review authority for all Wireless Facility applications not eligible for Administrative Review.

b. Notice of Public Hearing

All notice of public hearing procedures prescribed for

consideration of a Conditional Use shall be followed.

c. Public Hearing

MAPC shall review and consider a Conditional Use application at a public hearing. Interested persons may appear and offer information in support or opposition to the proposed Wireless Facility application. MAPC shall consider the following factors in reaching a decision;

1. The complete Conditional Use application for a Wireless Facility shall be reviewed for compliance with the development criteria set forth in this Section.
2. MAPC may recommend alternative development criteria, impose stipulations, or add restrictions on the Wireless Facility proposal as it deems necessary to reduce or minimize any adverse effects and to enhance the compatibility of the Wireless Facility with the surrounding property, in accordance with the purposes and intent of this Section of the Zoning Ordinance. Provided, however, the alternative development criteria, conditions or restrictions are reasonable and capable of being accomplished. The inclusion of additional conditions, development criteria or restrictions shall be by specific inclusion in a motion for approval.

d. Approval Criteria

A Conditional Use Permit for a Wireless Facility may be granted when each of the following Finding of Fact have been made by the MAPC:

1. The Wireless Facility will not materially endanger the public health or safety if located where proposed by the application and developed according to the submitted plan;
2. The Wireless Facility meets all required conditions, specifications and development standards of this Ordinance;
3. The Wireless Facility will not substantially injure the value of adjoining or abutting property;
4. The location and character of the Wireless Facility, if developed according to the submitted plan, will be in harmony with the area in which it is to be located and in general conformity with the Jonesboro Comprehensive Plan;

5. Any additional development conditions recommended by MAPC are based upon the purpose and goals of this Ordinance which is to promote, preserve, and protect the public interest;
  6. Any additional development conditions recommended by MAPC are reasonable and capable of being accomplished.
- e. Action  
Following the public hearing and presentation of evidence the MAPC shall take one of the following actions:
1. Approve the application as submitted; or
  2. Approve the application with conditions or modifications; or,
  3. Deny the application in writing.
  4. Refer the application to the Jonesboro City Council for final disposition.
- f. Findings  
All decisions rendered by the MAPC concerning a Wireless Facility application shall be supported by written findings of fact and conclusions of law based upon substantial evidence of record. All findings of fact and the reasoning behind a decision shall be provided to the applicant within 15 days following the decision.
- g. Appeals  
A decision of the MAPC to deny the application may be appealed to the Jonesboro City Council as described in Section 14.24.03 of this Ordinance.

**(l). Removal of Abandoned Support Structures**

Any Support Structure that is not operated for a continuous period of 12-months shall be considered abandoned, and the City, at its election, may require the Support Structure owner to remove the Support Structure within



90 days after notice from the City. If there are two or more users of a single Support Structure, this provision shall not become effective until all service providers (carriers) cease to use the Support Structure. If the owner of an abandoned support structure cannot be located or is no longer in business, the requirements of this Section shall be the responsibility of the landowner on whose property the support Structure is located.

**(m). Revocation Zoning Permit and Building Permit**

A Zoning Permit and/or a Building Permit for development of a Wireless Facility may be revoked at any time during the construction process for any violation of the Zoning Ordinance including this section. Permits may be reinstated once the violation is corrected.

**(n). Civil Penalty**

The penalty for violating any provision of the Zoning Ordinance is set out in Section 14.44.04 of the Ordinance.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Hubert Brodell, Mayor

\_\_\_\_\_  
Donna K. Jackson, CMC, City Clerk

Approved as to legal form and content:

\_\_\_\_\_  
Phillip Crego, City Attorney