

CITY OF NORTH LIBERTY ADOPTION OF THE INTERNATIONAL FIRE CODE ORDINANCE

An ordinance of the City of North Liberty adopting the 2009 edition of the *International Fire Code*, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of North Liberty; providing for the issuance of permits and collection of fees therefor; repealing Chapter 15.03 of the City of North Liberty Municipal Code and all other ordinances and parts of the ordinances in conflict therewith.

The City Council of the City of North Liberty does ordain as follows:

Section I. That a certain document, one (1) copy of which are on file in the office of the City Clerk of the City of North Liberty being marked and designated as the *International Fire Code*, 2009 edition, including Appendix Chapters B, C, D, E, F, G, H, I and J as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of North Liberty, in the State of Iowa regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of North Liberty are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section II. That the following sections are hereby revised:

Section 101.1 Insert: City of North Liberty

Section 109.3. Insert: Municipal Infraction, as prescribed in City of North Liberty Municipal Code, Chapter 1.18; Municipal Infraction.

Section 111.4. Insert: \$500, repeat offense \$750.

Section III. That the geographic limits referred to in certain sections of the 2009 *International Fire Code* are hereby established as follows:

Section 3404.2.9.6.1 The storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited in the entire City of North Liberty, Iowa.

Exceptions: I-1 and I-2 Zoning Districts and/or as approved by the Fire Chief.

Section 3406.2.4.4 The storage of Class I and Class II liquids in above-ground tanks is prohibited in the entire City of North Liberty, Iowa.

Exceptions: I-1 and I-2 Zoning Districts and/or as approved by the Fire Chief.

Section 3506.2 The storage of flammable cryogenic fluids in stationary containers is prohibited in the entire City of North Liberty, Iowa. Exceptions: As approved by the Fire Chief.

Section 3804.2 The storage of liquefied petroleum gas is prohibited in the entire City of North Liberty

Exceptions: I-1 and I-2 Zoning Districts and/or as approved by the Fire Chief.

Section IV. Fees. Fees for inspections, re-inspections, plans reviews, acceptance testing, permits and other services related to enforcement of this Code shall be established by the City Council by resolution and paid to the Fire Department.

Section V. Amendments to the Fire Code. The following sections are amended to read as follows:

Section 104.12 Add a new section to read as follows: The code official is authorized to order an operation or use stopped or the evacuation of any premises, building, or vehicle or portion thereof which has or is a fire, life safety or health hazard.

Section 105.2 Add a sentence to the end of the section to read as follows: Application for an operational permit shall be submitted with all required information not less than 14 days prior to the event requiring a permit.

Section 106.2 Add a sentence to the end of the section to read as follows: The fire code official at their discretion shall send plans to an outside agency for review. The fire code official shall choose the plans review agency. The applicant shall pay all fees associated with the plan review directly to the outside agency. A certificate of occupancy shall not be issued until the review fees have been paid.

Section 108 Delete in its entirety. See City of North Liberty Ordinance 99.18; Boards of Appeals.

Section 202 Add a new definition to read as follows: CODE OFFICIAL. The Fire Chief, the Assistant Fire Chief, or the Chief's authorized representative.

Section 202 Delete the existing definition and substitute the following: R-4 Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living facilities including more than five but not more than 16 occupants, excluding staff.

Group R-4 occupancies shall meet the requirements for construction as defined in the International Building Code for Group R-3, except as otherwise provided for in that code.

Section 307 See also City of North Liberty Ordinance 8.12.020, Section O, Open Burning.

Section 307.1.1 Delete the section and replace with: Prohibited burning. Burning that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Section 307.3 Delete the section and replace with: Extinguishment authority. The fire code official is authorized to order the extinguishment by the responsible person or the fire department of any burning that creates or adds to a hazardous or objectionable situation.

Section 401.9 Add a new section to read as follows: Building evacuation. Upon activation of the building fire alarm system or upon notification by other means of detecting and reporting unwanted fire, all building occupants shall promptly evacuate the building. Building employees and tenants shall implement the appropriate emergency plan and procedures. Exception: When the emergency evacuation plan, as approved by the fire code official, does not require the immediate total evacuation of the building.

Section 405.2 Add to the end of the section as follows: Fire and evacuation drills in Group E occupancies, excluding daycares and preschools shall be conducted in accordance with Section 100.31 of the Code of Iowa. Emergency evacuation/fire drills shall be conducted at least four times a year. Not less than two drills shall be conducted between July 1 and December 31 of each year and not less than two drills shall be conducted between January 1 and June 30 of each year. The North Liberty Fire Department shall conduct one of the two drills during July 1 and December 31 and one of the two drills during January 1 and June 30 of each year. The fire department emergency evacuation/fire drills shall be unannounced.

Section 405.2 Table Add footnote e. as follows: Group E occupancies, excluding Preschools and Daycares shall conduct fire and evacuation drills at least four times a year in accordance with Section 100.31 of the Code of Iowa. Footnote shall be added to Group E occupancy frequency.

Section 505.1 Delete the section and replace with: Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. Address numbers and exterior suite numbers shall be in Arabic numerals or alphabet letters a minimum of 4 inches in height with a minimum stroke width of 1/2 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Exterior address location for commercial buildings shall be determined by the Code Official

Exceptions:

1. Monument signs shall have the address installed a minimum of 36 inches from the ground.
2. Addresses located 100 to 199 feet from the street shall have a minimum of 6 inches in height with a minimum stroke width of 1/2 inch. Addresses located 200 to 299 feet from the street shall have a minimum of 8 inches in height with a minimum stroke width of 1 inch. For each additional 100 feet from the street, the number shall increase by an additional 2 inches in height with the stroke increased proportionally. Measurements to determine the minimum number or letter size shall be measured from the approved address location to the center line of the street for which the premise is addressed. Minimum height and minimum stroke may be increased by the Code Official.
3. Interior suite numbers shall be a minimum of 3 inches in height.

Section 505.3 Add a new section to read as follows: Addresses for Buildings Under Construction. All new commercial and residential buildings under construction shall have plainly visible addresses from the street. The temporary address sign shall be approved and issued by the City of North Liberty Building Department and be placed no further than 10 from the street. Additional address signage may be required at the discretion of the code official.

Section 506.1 Add a sentence to the end of the section to read as follows: An approved key box shall be installed in accordance to the City of North Liberty Ordinance 15.34, Key Lock Box.

Section 507.5.1 Delete exceptions 1 & 2.

Section 507.5.1.1 Add a new section to read as follows: Fire Sprinkler System & Standpipe System Support. A fire hydrant shall be located no more than 100 feet from a fire sprinkler or standpipe system connection on hard surface, easily accessible by fire apparatus and meeting the approval of the Code Official.

Section 507.5.7 Add a new section to read as follows: Fire Hydrant Installation

Section 507.5.7.2 Add a new section to read as follows: Fire hydrant outlet direction: All fire hydrants shall be positioned so that the four and one-half (4 1/2) inch connection is facing the street or driveway accessible to fire department apparatus.

Section 507.5.7.3 Fire hydrants threads: All new fire hydrants within the limits of the city of North Liberty shall have National Standard Threads (NST) on the two and one-half (2 1/2) inch connections and the four and one-half (4 1/2) inch connection will have a Storz connection.

Section 507.5.7.4 Flow: The minimum flow requirements for a water main serving a fire hydrant is the rate of water flow, at a residual pressure of twenty pounds per square inch (20psi) and for a specified duration, as specified in appendix B of this code.

Section 507.5.7.5 Add a new section to read as follows: Fire Hydrant height: Fire hydrants shall be installed a minimum of eighteen (18) inches from the nominal ground level to the center of the lowest water outlet.

Section 605.10 Delete the section and replace with: Portable, electric, space heaters. Portable electric space heaters shall comply with Sections 605.10.1 through 605.10.5.

Section 605.10.5 Add a new section to read as follows: Fully enclosed. Portable, electric space heaters shall be fully enclosed space heaters that by design have no external surfaces that reach temperatures capable of igniting materials placed against the surface.

Section 607.4. Add a sentence to the end of the section to read as follows: The required elevator keys shall be secured in an approved elevator key box in an approved location by the Fire Code Official.

Section 804.4 Add a new section to read as follows: Maintenance. The interior finish of buildings shall be maintained in accordance with the conditions of original approval. Any change to the interior finish that is regulated by the provisions of this code or the building code shall be made in accordance with all applicable requirements.

Section 806.1 Add a sentence to the end of the section to read as follows: Natural or resin-bearing cut trees and natural decorative vegetation used in buildings open to the general public shall be properly treated with an approved flame retardant.

Section 806.1.1 Delete the section and replace with: Restricted occupancies. Natural cut trees shall be prohibited in Group A, B, E, I-1, I-2, I-3, I-4, M, R-1, R-2 and R-4 occupancies.

Exception: 1) Trees located in areas protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 shall not be prohibited in Groups A, B, E, M, R-1 and R-2. 2) Trees shall be allowed within dwelling units in Group R-2 occupancies.

Section 807.4.3.1 Delete exceptions 1 & 2.

Section 901.2 (a) Add a new section to read as follows: Water based fire protection systems. Working plans submitted to the fire department for water based fire protection systems shall be stamped and approved by a qualified person to be in compliance with applicable NFPA standards and the North Liberty Fire Code. Any changes to the working plans shall be approved by a qualified person. A qualified person shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level III certification for Automatic Sprinkler System Layout OR be a licensed engineer with experience in life safety system design. Other qualifications may be approved by the code official.

Section 901.2 (b) Add a new section to read as follows: Fire alarm systems. Working plans submitted to the fire department by a qualified person for fire alarm systems shall be stamped and approved by a qualified person to be in compliance with applicable NFPA standards and the North Liberty Fire Code. Any changes to the working plans shall be approved by a qualified person. A qualified person shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level III certification for Fire Alarm Systems OR be a licensed engineer with experience in life safety system design. Other qualifications

may be approved by the code official.

Section 901.7 Add a sentence to the end of the section to read as follows: A person assigned to firewatch must walk through the building at least once every 30 minutes checking for fire or smoke. A firewatch must be continued until the fire alarm system and/or fire protection system has been restored to normal operating condition or the building has been evacuated. A competent adult familiar with the building must conduct the firewatch. If a fire is discovered, call 911 and immediately evacuate the building.

Section 903.3.5.3 Add a new section to read as follows: Water supply safety margin. Provide a minimum 10%, but not less than 5 psi, safety margin above static pressure in the fire protection system hydraulic calculation.

Section 903.3.8 Add a new section to read as follows: Fire Sprinkler Riser Room. Fire sprinkler riser room shall be separated from electrical room and have no electrical panels inside the rooms other than the outlets required for the use of the fire sprinkler system or fire alarm panel. The fire sprinkler riser room shall have an exterior access door. Exception: Non-mixed use R-2 Occupancies and approval by Code Official.

Section 903.4.2 Delete the section and replace with: Alarms. An approved weatherproof horn/strobe device shall be mounted directly above the fire department connection between seven (7) and ten (10) feet in height above grade. The water-flow alarm device shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Approved and supervised audible visual notification appliances shall be installed through out each level of the interior of the building as required by the fire code official and NFPA 72.

Section 903.7 Add a new section to read as follows: Zones. Automatic sprinkler system zones shall not exceed the area permitted by NFPA 13 or NFPA 13R and shall provide a sprinkler control valve and water flow device for each normally occupied floor or normally occupied space in a multi-tenant building. Except by approval of the fire code official, all control valves shall be located in the sprinkler system riser room.

Section 903.8 Add a new section to read as follows: Fire sprinkler for canopies. A canopy covering a door that is required to be marked as an exit shall be required to have fire sprinklers installed outside that door if the canopy extends more than 4 feet out from the door and is 12 feet or less in height from the ground regardless of whether the canopy is combustible or noncombustible. Canopies that have vehicle access under them with door openings shall be required to have fire sprinklers installed under the total canopy regardless of whether the canopy is combustible or non-combustible.
Exception: If the Code does not require a building to have a fire sprinkler system, section 903.8 does not apply.

Section 904.11.6.4 Add a new section to read as follows: Ventilation Operation. The ventilation system shall shut down the make up air to the hood and continue to exhaust upon activation of the hood fire extinguishing system. Supply air openings other than part of the hood system shall be a minimum of 6 feet from any part of a Type 1 Hood. Supply air openings closer than 6 feet must shut down upon activation of the extinguishing system. Exception: Section 904.11.6.6 may be revoked if the fire extinguishing agent will not perform to specifications due to exhausting requirements.

Section 905.1.1 Add a new section to read as follows: Delete all references to class II standpipe system and replace with class III standpipe systems.

Section 905.3.8 Add a new section to read as follows: Additional Standpipe Systems: Additional standpipe systems may be added to new buildings or structures as deemed necessary by the Code Official.

Section 906.1 Delete the exception without substitution.

Section 906.3 Add a sentence to the end of the section to read as follows: The minimum size and rating of any required portable fire extinguisher for Class A, Class B, or Class C hazard shall be 5lb. 2-A, 10-B C.

Section 907.1.4 Add a new section to read as follows: Fire alarm control panels and Fire alarm annunciator panels. Installation of fire alarm control panels and fire alarm annunciator panels shall be installed in accordance with section 907.1.4.1 through 907.1.4.5

Section 907.1.4.1 Add a new section to read as follows: Fire Alarm Panel Height: Installation of fire alarm panels shall not exceed 6 feet in height measured from the floor to the top of the panel. Exception: Panel height may be altered by the code official.

Section 907.1.4.2 Add a new section to read as follows: Number of Fire Alarm Control Panels in Buildings: Only one listed fire alarm control panel shall be allowed per building and shall lock in the alarm until the system is reset and shall not be canceled by the operation of an audible – alarm silencing switch. This control panel shall only receive alarm signals from fire protection equipment.

Section 907.1.4.3 Add a new section to read as follows: Combination Fire/Security Alarm System Panels. A listed combination fire/security alarm system panel that meets all the requirements of this code and amendments may be permitted by approval of the fire code official. The fire/security panel shall be capable of providing a signal that can differentiate between the fire and security alarm.

Section 907.1.4.4 Add a new section to read as follows: Password/PIN Protection Prohibited: Fire alarm control panels and/or fire alarm annunciator panels that require a password/PIN to silence an alarm/supervisory/trouble signal and/or to reset an alarm/supervisory/trouble signal shall be prohibited.

Section 907.1.4.5 Add a new section to read as follows: Fire Alarm Annunciator Panels: The fire code official can require additional fire alarm annunciator panels based on the size of building and access to the building, these panels shall meet the requirements of 907.1.4 and 907.2.

Section 907.2 Delete the section and replace with: Where required new buildings and structures. An approved and addressable manual, automatic or manual and automatic fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with 907.10, unless other requirements are provided by another section of this code. A minimum of one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm system employing automatic fire detectors or water-flow devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

- 1) The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
- 2) The manual fire alarm box is required for Group R-2 occupancies to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. The manual fire alarm box shall not be located in an area that is accessible to the public.
- 3) Multi-tenant buildings required to have a manual/automatic fire alarms system shall install one manual pull station per tenant space.

Section 907.2.1.2 Add a new section to read as follows: Electrical Shunt for Amplified Sound Conditions. Group A occupancies having an occupancies having an occupant load of 300 or more, electrical shunts shall be provided to de-energize the music or sound systems upon fire alarm activation.

Section 907.2.11.2 Modify by adding a fourth location requirement as follows:

- 4) Supervised smoke alarms shall be installed in all common corridors and at the top and bottom of all stairway enclosures in Groups R-2, R-4 and I-1 occupancies. In corridors, detectors shall be located within fifteen (15) feet of the end of the corridor and in such a way that one detector is located for each thirty (30) feet of corridor length or spaced as allowed by the code.

Section 907.5.2 Add a sentence to the end of the section to read as follows: Where in the opinion of the code official manual fire alarm boxes may be used to cause false fire alarms, the code official is authorized to modify the requirements for manual fire alarm boxes.

Section 907.6.2.3.5 Add a new section to read as follows: Alarm Signal Deactivation. Both audible and visual appliances shall shut off when the signal silence feature is activated on the fire alarm control panel or the fire alarm annunciator panel. Exception: Exterior water flow horn/strobe.

Section 907.7.3.3 Add a new section to read as follows: Zone and address location labeling. Fire alarm and/or annunciator panels shall have all zones and address points plainly and permanently labeled as to their location on the outside of the panel or on an easily readable map of the building, if no display is present.

Section 907.7.5 Delete the section and replace with: Monitoring. Fire alarms required by this chapter, the International Building Code, or the Code Official, an approved UL listed Central Station service in accordance with NFPA 72 shall monitor fire alarm systems to provide for the immediate and automatic notification of the Fire Department. Exception: Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings
4. Fire alarm systems in one- and two-family dwellings

Section 907.7.5.1 Add a new section to read as follows: Each address point id shall have an alpha/numeric descriptor location. Alpha/numeric descriptor locations are required to be reported to the Emergency Communications/Dispatch Center upon activation of a water-flow tamper and/or alarm conditions as specified by the fire code official.

Section 907.7.5.2 Add a new section to read as follows: Existing fire alarm systems monitoring requirements. Existing fire alarms systems that are currently not monitored by an approved UL listed Central Station shall become monitored within 1 year from **receiving notice** in accordance with section 907.7.5.

Section 907.7.5.3 Add a new section to read as follows: Existing sprinkler systems monitoring requirements. Existing sprinkler systems shall have all valves controlling the sprinkler system and water flow electrically supervised and monitored by an approved UL listed Central Station in accordance with sections 903.4 and 903.4.1 within 1 year from **receiving notice**.

Section 907.10 Add a new section to read as follows: Approved hold-open devices. When installed in buildings that have a fire alarm system and/or sprinkler system, all approved hold open devices shall release upon activation of a fire alarm and sprinkler water-flow activation.

Section 910.3.2.2 Delete the section and replace with: Sprinklered buildings. Where installed in buildings provided with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically by actuation of a heat-responsive device rated at least 100 degrees F (38 degrees C) above the operating temperature of the sprinkler. Exception: Gravity-operated drop-out vents complying with Section 910.3.2.1.

Section 910.4.3 Delete section and replace with: Operation. Mechanical smoke exhaust fans shall be automatically activated by heat detectors having operating characteristics equivalent to those described in Section 910.3.2. Individual manual controls for each fan unit shall also be provided.

Section 912.1.1 Add a section to read as follows: Fire Department Connection Height. The fire department connection shall be located not less than 18 inches from the bottom of the cap(s) and not more than 3 feet from the top of the cap(s) above the level of the adjacent grade or access level. Deviation from this height may be granted by the Code Official for just cause.

Section 912.3.1 Delete the sentence and replace with: Locking fire department connections caps. Locking fire department connections caps approved by the fire department are required for all new construction that have a water-based fire protective system and existing structures that have a water-based fire protective system immediately after conducting the five year obstruction and maintenance testing or if one or more of the fire department caps are missing.

Section 912.7 Add a section to read as follows: Size. Minimum fire department connection size shall be 2 ½" National Standard Thread.

Section 1011.5.2 Delete the section and replace with: Exit Sign Illumination. In new construction, or if an exit sign is replaced, exit signs shall use an LED lighting system and be illuminated internally. Exit signs shall have a battery backup unless an on-site generator set is used. Luminance on the face of an exit sign shall have an intensity of not less than 5.0 foot-candles (53.82 lux).

Section 1011.6 Add a new section to read as follows. Combination Lights: In new construction, combination exit sign/emergency light devices shall not be allowed.

Section 1011.7 Add a new section to read as follows: Separation of Emergency Lighting. In new construction, emergency lighting shall be separated from the exit sign by a minimum of 6 feet.

Section 1011.8 Add a new section to read as follows: Self-luminous and Photoluminescent exit signs. Self-luminous and photoluminescent exit signs are not allowed. Exception: Approved self-luminous and/or photoluminescent exit may be allowed in tents by approval of the Code Official.

Section 1011.9 Add a new section to read as follows: Self-Testing Exit Signs and Emergency Lights. Exit signs and/or emergency lights mounted higher than 8 1/2 feet from floor level to the bottom of the exit sign or emergency light or if the exit sign or emergency light is mounted in a location where it cannot be manually tested, the exit sign and/or emergency light shall be self-testing and have a visual diagnostic indicator.

Section 1011.6 Add a new section to read as follows. Additional Exit Signs: Exit signs may be required at the discretion of the code official to clarify an exit or exit access.

Section 2306.7 Modify by deleting footnote “J” from TABLE 2306.2.

Section 2703.13 Add a new section to read as follows: Tier II Reporting. Facilities reporting hazardous chemical inventories in excess of their Threshold Planning Quantities pursuant to Section 312 of the Emergency Planning and Community Right to Know Act shall use an approved electronic “Emergency and Hazardous Chemical Inventory” form or show reason to use paper forms and submit the electronic or paper form prior to March 1 of each year.

Section 3301.1.3 Delete exception 4 and insert in lieu thereof: The possession, storage, sale, handling and use of gold star producing sparklers on wires which contain no magnesium or chlorate or perchlorate, flitter sparklers in paper tubes that do not exceed one-eighth of an inch in diameter, toy snakes which contain no mercury or caps used in cap pistols.

Section 3404.2.9 Add a sentence to the end of the section to read as follows: For above ground storage tanks of 276 gallons capacity or more, the minimum distance between such above ground tanks and any Residential Zone boundary must be at least 100 feet. If the above ground tank is located in an approved vault, the minimum separation distance from a Residential Zone boundary may be reduced to no less than 50 feet.

Section 3404.2.11.2 Add a #4 to the end of the section to read as follows:

4. A minimum distance of ten (10) feet shall be maintained between underground tanks and any Residential Zone boundary.

Section 3404.2.13.2.4 Add a section to read as follows: Existing above-ground tank hazards. Existing above-ground tank installations, even if previously approved, that are determined to constitute a hazard by the fire code official, shall not be continued in service. Unsafe tanks shall be removed as required by the fire code official and in accordance with this code.

Section 3405.5.1 Add an exception to read as follows:

6. Corridor installations are prohibited in Group-E occupancies.

Section 45 Referenced Standards. Amend the NFPA referenced standards list to reflect the most current NFPA editions.

SECTION VI. REPEALER. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION VII. SEVERABILITY. If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION VIII. EFFECTIVE DATE. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted shall be in full force and effect after its final passage, approval and publication, as provided by law.

PASSED AND APPROVED this XX day of XXXX, 2010.