

An Ordinance of the City of Plano, Texas amending Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano by adding Article XXIV, Registration of Short-Term Rental Properties; providing for procedures for the registration and self-inspections of short-term rentals for operation; providing for procedures for approval, denial, and revocation of registration of short-term rentals; and providing a penalty clause, a severability clause, a repealer clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the rise of digital platforms such as Airbnb and VRBO has led to an increase in the number of persons or entities renting their residential properties for less than thirty days (“short-term rentals”), which has resulted in an increase in transient and vacation rental uses within neighborhoods in the City of Plano; and

WHEREAS, residents of the City of Plano have expressed concerns about short-term rentals related to nuisances such as noise, littering, and parking concerns; and

WHEREAS, the City Council wishes to advance the objective of championing great neighborhoods in the City of Plano; and

WHEREAS, the City wishes to respond to residents’ concerns and address issues with property owners and managers of short-term rentals; and

WHEREAS, the registration of short-term rental property is intended to allow the City to collect data on the existence and location of short-term rentals and provide information as to who can be contacted if short-term rentals are creating nuisances or if crimes are occurring or suspected of occurring on the property; and

WHEREAS, the City Council finds that identification of short-term rental property owners, and individuals and entities responsible for their management, maintenance and inspection of short-term rental properties will aid in enforcement of compliance with building standards, property maintenance codes, and other laws at short-term rental properties and the protection of the health, welfare, safety, and property of the residents of the City of Plano and the general public; and

WHEREAS, the City wishes to protect the safety of those staying at short-term rentals in the City of Plano; and

WHEREAS, the City Council finds that requiring self-inspections and records retention of short-term rental properties will increase the safety of those staying at short-term rentals in the City of Plano; and

WHEREAS, the registration of short-term rental properties will aid in the collection of hotel occupancy taxes and enforcement of ordinances and other laws as it relates to the health, welfare, safety and property of those staying at short-term rentals, the neighbors of the short-term rentals and the general public; and

WHEREAS, the City Council finds that it is necessary to adopt procedures and requirements for registration issuance and revocation and self-inspection for short-term rental properties by adding Article XXIV, Registration of Short-Term Rental Properties to Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, Texas.

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

Section I. Chapter 6, Building and Building Regulations, of the Code of Ordinances of the City of Plano is hereby amended by adding Article XXIV- REGISTRATION OF SHORT-TERM RENTAL PROPERTIES to read in its entirety as follows:

“ARTICLE XXIV. - REGISTRATION OF SHORT-TERM RENTAL PROPERTIES

Sec. 6-730. - Short title.

This article may be referred to as the “Short-Term Rental Code”.

Sec. 6-731. - Definitions.

Any terms not defined in this article shall be defined as they are in the City of Plano Zoning Ordinance. Any terms not defined in this article or in the Zoning Ordinance shall have their ordinary accepted meanings. The following terms and phrases, as used in this article, are defined as follows:

Applicant means a person applying for approval of registration of a short-term rental.

Booking Service means any reservation and/or payment service provided by a person or entity that facilitates a short-term rental transaction between an owner and a prospective occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the short-term rental transaction.

Conviction means an adjudication of guilt.

Designated Contact means an individual designated to respond to a report or request by the Director or law enforcement of an emergency condition, property or building maintenance condition, nuisance or criminal conduct at a short-term rental. Emergency conditions include, but are not limited to, fire, natural disaster, flood, damaged or malfunctioning pipes, and hazard of collapse. A nuisance includes, but is not limited to, noise, parking, and trash issues. Criminal conduct means any violation of local, state, or federal law.

Director means the director of the department of the City of Plano designated by the City Manager to administer and enforce the provisions of this article and any person or persons designated by the Director to represent the department for this purpose.

Hosting Platform means a person or entity that participates in the short-term rental business by providing, and collecting or receiving a fee for, booking services through which an owner may offer a short-term rental. Hosting platforms usually, though not necessarily, provide booking services through an online platform that allows an owner to advertise the short-term rental through a website provided by the hosting platform and the hosting platform conducts a transaction by which potential occupants arrange their use and their payment, whether the would-be occupant pays rent directly to the owner or to the hosting platform.

Metropolitan Statistical Area (MSA) means one of the counties in the Dallas Fort Worth-Arlington Metropolitan Statistical Area (Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, and Somervell) or Cooke County, Fannin County, or Grayson County.

Occupant means any person living, sleeping or possessing a short-term rental. A person is not required to be paying rent, providing in-kind services, or named in any lease, contract or other legal document to be considered an occupant.

Operate means to do any of the following for a short-term rental: rent or lease; offer, advertise, or market to rent or lease; or enter into an agreement to rent or lease.

Owner means any person, agent, operator, firm or trust who: (1) has a legal or equitable interest in the short-term rental and their designee; (2) is recorded in the official records of the county as holding title to the short-term rental; or (3) has control of the short-term rental, including the guardian of the estate of any such person, and the executor of the estate of such person if ordered to take possession of the short-term rental by a court.

Person means an individual, corporation, association, partnership or other entity acting as a group.

Premises means any parcel of real property together with all buildings and structures thereon used as a short-term rental.

Residential occupancy means the use of a short-term rental as living quarters by anyone eighteen years of age or older. The term does not include non-residential uses as identified in the City of Plano Zoning Ordinance, including, but not limited to educational uses; health care uses, long-term care, or continuing care facility; retail uses; restaurants; assembly halls; private clubs; and commercial amusements.

Registrant means a person who has applied for and been approved for registration and operation of a short-term rental.

Registration means approval by the Director of an application for registration to operate a short-term rental.

Short-Term Rental (STR) means any portion of a dwelling unit, rented or offered for rent for compensation, for residential occupancy of a period of less than thirty (30) consecutive

days. This definition of short-term rental shall not include temporary accessory housing shelters, bed-and-breakfast inns, boarding/rooming houses, rehabilitation care facilities, rehabilitation care institutions, assisted living facilities, caretaker/guard residences, household care institutions, religious facilities, or motel/hotel facilities.

Sec. 6-732. - Purpose.

The purpose of this article is to safeguard the health, welfare, safety, and property of occupants of short-term rentals, the neighbors of said occupants, and the general public, by developing a process to identify short-term rentals and their owners and others responsible for their operation, management and compliance with applicable law, register, and self-inspect short-term rentals; and to provide equitable and practical remedies for the violation of this article.

Sec. 6-733. - Applicability and administration.

- (a) This article shall apply to short-term rentals located in the City of Plano.
- (b) This article shall not apply to any of the following uses of property:
 - (1) pursuant to and in compliance with a Special Event Permit issued by the city;
 - (2) pursuant to the Zoning Ordinance as a temporary accessory housing shelter, bed-and-breakfast inn, boarding/rooming house, rehabilitation care facility, rehabilitation care institution, assisted living facility, household care institution, religious facility, or motel/hotel facility; or
 - (3) by a party to the sale of the premises who is occupying the premises pursuant to a written post-closing occupancy agreement.
- (c) The Director is authorized to administer and enforce the provisions of this article.

Sec. 6-734. - Requirements of hosting platforms.

- (a) All hosting platforms shall provide the following information in a notice to any person listing a STR located within the City of Plano through the hosting platform's service. The notice shall be provided prior to the person listing the premises and shall include the following information: THE SHORT-TERM RENTAL CODE OF THE CODE OF ORDINANCES OF THE CITY OF PLANO PROHIBITS THE SHORT-TERM RENTAL OF PREMISES WITHIN THE CITY OF PLANO WITHOUT AN ACTIVE SHORT-TERM RENTAL REGISTRATION.
- (b) Notwithstanding any other provision of this article, nothing shall relieve any owner, person, occupant or hosting platform of the obligations imposed by applicable local, state, and federal law including this Code and the Texas Tax Code. Further, nothing in this article shall be construed to limit any remedies available under applicable local, state, and federal law.

Sec. 6-735. - Registration required.

- (a) No STR shall be operated without an approved, valid STR registration from the city.
- (b) Every individual dwelling unit operated as a STR within a common structure or building, regardless of ownership or management, shall require a separate, individual registration for each unit intended to be used as a STR.
- (c) The following are required for issuance of a STR registration:
 - (1) A completed registration application on a form prescribed by the Director;
 - (2) A registration application containing the following:
 - i. Business or trade name, physical address, and business mailing address of the STR;
 - ii. Identity and contact information (including legal name, mailing address, email addresses, and telephone number), for every owner, operator, manager, partner, and mortgage lien holder of the STR or property where it is located, including the registered agent for any entity;
 - iii. Complete contact information for all designated contacts, including legal name, residential and business mailing addresses, email address, telephone number, copy of government-issued identification, and dates and times of availability as a designated contact;
 - iv. Copy of government-issued identification for the primary applicant for registration;
 - v. Acknowledgement that any registration approved under this article does not supersede any property-specific restrictions against the STR that may exist under law, agreement, lease, covenant or deed restriction;
 - vi. Depiction of the floor plan that identifies sleeping areas, furniture layout, evacuation routes, and location of all fire extinguishers and smoke and carbon monoxide detectors;
 - vii. A plot plan of the premises identifying the location of parking spaces to be used in conjunction with the STR;
 - viii. Proof of insurance as required by this article;
 - ix. Identity and contact information for the property owners' association, if any, of which the premises are covered by the dedicatory instrument;

- x. A copy of the proposed host rules for the STR, including any rule on maximum number of guests;
- xi. A sworn statement that the owner:
 - 1. has met and will continue to comply with all requirements of this article and all applicable local, state, and federal law;
 - 2. has provided accurate and complete information on all documents submitted to the city pursuant to this article;
 - 3. has paid and shall continue to pay all applicable fees and assessments levied upon the premises to be used as a STR including hotel occupancy taxes, except that owners utilizing booking services for their STR through a hosting platform that has entered into a contract with the City of Plano to collect hotel occupancy taxes is not required to register for tax collection, tax remittance or tax purposes, but is required to register for all other purposes; and
 - 4. understands that the owner or their representative does not have a property right in a short-term rental registration and it is issued at the city's discretion and subject to revocation or denial in accordance with the terms of this article.
- xii. All other information as may be required by this article.

- (d) Applications shall be considered complete when all documentation required under this article has been submitted and all registration fees have been paid. Incomplete applications will not be accepted. A STR registration shall be approved and issued by the Director if the STR application satisfies all conditions of this article and all applicable local, state, and federal law.
- (e) All fees due from the owner and assessments levied upon premises must be paid prior to the registration or renewal of a STR registration by the city.
- (f) A registration to operate a STR is non-transferable and shall not be assigned nor transferred to another owner, operator or location. STR registration approval does not confer any property rights on the owner of the registered STR. Any attempt to transfer a registration or attempt to use another person's registration may be grounds for revocation of said registration.

Sec. 6-736. - Designated contact designation.

- (a) As part of the registration application, applicant, owner, or registrant must designate one or more designated contacts for the STR. A designated contact may be an owner, applicant, registrant, or a designee and shall meet the following criteria:

- (1) Reside or work within the MSA;
 - (2) Have care, custody, or control over the STR;
 - (3) Be authorized to make decisions regarding the premises, STR, and its occupants;
and
 - (4) Be available to respond within a reasonable time under the circumstances to a request or report by the Director or law enforcement of an emergency condition, property or building maintenance condition, nuisance, or criminal conduct at the STR.
- (b) The requirement to reside or work within the MSA in 6-736(a)(1) above may be waived by the Director upon written request by the applicant, owner, or registrant if a reasonable alternative is provided.

Sec. 6-737. - Expiration of registration; renewals.

- (a) A registration is valid for one calendar year after the date of issuance, unless revoked pursuant to this article or there is a change in ownership of the STR.
- (b) Any renewal application for a STR registration may not be submitted any earlier than sixty (60) days prior to expiration of the current registration. Every complete renewal application for a STR registration shall include updates, if any, to the information contained in the original registration application or any subsequent renewals. The registrant shall sign a statement affirming that there is either no change to such information, or that any updated information is accurate and complete. The Director may require additional information to ensure compliance with this article.
- (c) A renewal application for a STR registration submitted after the expiration of the most current registration shall be treated as an application for a new registration as described in this article.
- (d) If a complete application for a STR registration is submitted prior to expiration of the current registration and the time to process the application will exceed the expiration date, the Director, in his or her sole discretion, may grant an extension of the current registration for the amount of time that is reasonable to process the application.
- (e) No STR registration may be renewed without a completed renewal application and payment of the renewal application fee prior to the registration renewal date.
- (f) The Director shall renew the registration of a STR if the renewal application satisfies all conditions of this article and all applicable local, state, and federal law.

Sec. 6-738. - Application fees.

- (a) A non-refundable fee of three hundred dollars (\$300.00) shall be submitted with each registration or renewal application for a STR.
- (b) If a change in ownership of a STR occurs during the period that a registration is valid, the new owner of the STR shall have thirty (30) days from the date of when the change of ownership occurred to apply for a registration change with the Director and shall pay a non-refundable application fee of one hundred fifty dollars (\$150.00) at the time the registration change application is submitted.
- (c) A fee of twenty-five dollars (\$25.00) shall be submitted to reprint an already issued registration certificate.

Sec. 6-739. - Proof of insurance required.

No STR shall be operated without liability insurance commensurate with the operations of a STR that provides coverage of at least \$1 million per occurrence. A certificate of insurance must be on file with the Director. Proof of insurance shall be required at the time of application and notice of cancelation or change of insurance must be made to the Director within thirty (30) days.

Sec. 6-740. - Hotel occupancy taxes; request for occupancy history.

No STR shall be operated without payment of hotel occupancy taxes as required under state law. Upon request of the Director or the Finance Department of the city, the owner shall remit, within thirty (30) days, an accounting of all occupants who rented the STR and the hotel occupancy taxes paid therefor. The owner, however, is not required to provide such accounting for STRs rented with a hosting platform that has entered into a contract with the City of Plano to collect hotel occupancy taxes.

Sec. 6-741. - Owner self-inspections; record retention.

- (a) Owner shall fully inspect each STR in compliance with this article. Self-inspections by the owner shall be conducted at least once a year. The Director shall provide a list indicating the areas to be self-inspected by owner. Owner shall sign and date each self-inspection report at the time the self-inspection is completed for each STR.
- (b) Self-inspection reports shall be in writing and on a form prescribed or approved by the Director. Any alterations to an approved form must be resubmitted to the Director for approval. All documents related to the self-inspection and the inspection reports shall be maintained by the registrant for a minimum of three (3) years from the date of approval by the Director.

Sec. 6-742. - Registration to be displayed.

Each STR shall display in a conspicuous, publicly accessible area inside the front entrance(s) of the STR:

- (a) A copy of the current and valid registration certificate;
- (b) The contact information for the designated contact; and
- (c) Pertinent local and state information, regulations, and laws, in a format to be provided by the Director, as it relates to the use of the STR by the occupant.

Sec. 6-743. - Denial or revocation of short term rental registration.

- (a) An application for registration or renewal may be denied or a registration may be revoked, if the Director determines any of the following:
 - (1) Previous registration was issued in error;
 - (2) Previous registration was issued on the basis of incomplete or incorrect information provided by applicant, registrant or owner;
 - (3) Within the prior 12-month time period, registrant or owner has been convicted of two or more violations of this article or any other provisions of this Code, the City of Plano Zoning Ordinance, or state or federal laws as it relates to the premises being used as a STR; or
 - (4) Registrant or owner failed or refused to comply with a requirement of this article and remains in non-compliance ten (10) days after being notified in writing of such non-compliance;
 - (5) Failure to maintain or to provide upon request from the Director proof of insurance in compliance with this article and consistent with the registration application; or
 - (6) Applicant, registrant or owner otherwise becomes disqualified for the issuance of a registration under the terms of this article.
- (b) Notice of the denial or revocation shall be given to the applicant or registrant in writing, with the reasons for the denial or revocation. Such notice shall be served either by personal service or by certified United States mail to the applicant or registrant's last known address. In cases of revocation, the revocation shall become effective the day following personal service or if mailed, ten (10) days from the date of mailing.
- (c) In the event an owner's STR registration is revoked by the Director, no second or additional registration shall be issued for a STR at the same location for one (1) year from the date such registration was revoked.

Sec. 6-744. - Administrative Appeal.

- (a) Upon denial of an application or revocation of a registration, the Director shall notify the applicant or registrant, in writing, of the reason for which the registration is subject to

denial or revocation. To contest the denial or revocation of a registration, the applicant or registrant shall file a written request for a hearing with the Director within ten (10) days following service of such notice. If no written request for hearing is filed within ten (10) days, the denial or revocation is sustained.

- (b) The appeal shall be conducted within twenty (20) days of the date on which the notice of appeal was filed with the Director.
- (c) The hearing provided for in section shall be conducted by the Director at a time and place designated by the Director. Based upon the recorded evidence of such hearing, the Director shall sustain, modify or rescind any notice or order considered at the hearing. A written report of the hearing decision shall be furnished to the applicant or registrant requesting the hearing.
- (d) After such hearing, an applicant or registrant whose registration was denied or revoked by the Director may appeal to the City Manager or the City Manager's designee to hear such appeals within ten (10) days of the date of notice of the hearing decision. If a written request for an appeal to the City Manager is not received within the required time period, the hearing decision shall be final.
- (e) An appeal shall not stay the denial or revocation of the registration unless otherwise directed by the Director.

Sec. 6-745. - Appeal to City Manager.

- (a) All appeals to the City Manager or the City Manager's designee must be made in writing and received within ten (10) days after any final decision made by the Director in accordance with the section above.
- (b) The City Manager or the City Manager's designee shall schedule the appeal hearing within twenty (20) days from receipt of the applicant or registrant's appeal request.
- (c) If the City Manager or the City Manager's designee finds by preponderance of evidence that the denial or revocation of the registration was necessary to protect the health, safety, or welfare of the general public, the City Manager or the City Manager's designee shall affirm the denial or revocation of the application or registration.
- (d) The City Manager or the City Manager's designee may consider any or all the following factors when reaching a decision on the merits of the appeal:
 - (1) The number of violations, convictions, or liability findings;
 - (2) The number of previous registration revocation;
 - (3) The number of repeat violations at the same location;

- (4) The degree to which previous violations endangered the public health, safety or welfare; and
 - (5) Any pending action or investigation by another agency.
- (e) After the hearing, the City Manager or the City Manager's designee shall issue a written order. The order shall be provided to the applicant or registrant by personal service or by certified United States mail, return receipt requested.
 - (f) The City Manager or the City Manager's designee may affirm or reverse the denial or revocation of the registration. If affirmed, the order issued may state that the applicant or registrant is not eligible to receive a new registration for a STR at the same location sooner than one (1) year after the date of the order. If reversed, the registration shall be reinstated immediately, in the case of a revocation, or the registration shall be issued within five (5) business days, in the case of denial.
 - (g) The determination of the City Manager or the City Manager's designee shall be final on the date the order is signed.
 - (h) An appeal to the City Manager does not stay the effect of a denial or revocation or the use of any enforcement measure unless specifically ordered by the Director, the City Manager or the City Manager's designee.

Sec. 6-746. - Offenses.

- (a) It shall be an offense for any person to operate a STR and:
 - (1) Fail to have a valid registration for the STR;
 - (2) Fail to pay registration, administrative or inspection fees as required in this article;
 - (3) Fail to comply with self-inspection requirements or record-retention as required in this article;
 - (4) Fail to display a valid STR registration certificate and emergency contact information as required in this article;
 - (5) Advertise the STR in any medium, including, but not limited to newspaper, magazine, brochure, website, social media, or mobile application without including a current and valid registration number issued by the Director;
 - (6) Operate the STR using a permit number not assigned to the owner or registrant, or to a different address, or to a different dwelling unit;
 - (7) Operate the STR without current, valid insurance in compliance with this article;

- (8) Rent, lease, or offer for rent or lease, an STR for a rental period of less than 24 hours;
 - (9) Fail to provide within thirty (30) days following a request by the Director an accounting of payment of hotel occupancy taxes and history of occupants as required in this article;
 - (10) Fail to respond in person or by telephone as a designated contact within a reasonable time under the circumstances to a report or request from the Director or law enforcement regarding an emergency condition, property or building maintenance, nuisance, or criminal conduct alleged to have occurred at the STR;
 - (11) Fail to provide complete and accurate information in an application for registration or renewal of registration of a STR; or
 - (12) Fail to notify the Director within seventy-two (72) hours after information in an application or approved STR registration becomes inaccurate, excluding information regarding the change in the ownership of the STR.
- (b) It shall be an offense for a person to operate a STR and intentionally, knowingly, or recklessly allow the use of the STR:
- (1) To promote or engage in an illegal activity;
 - (2) By one or more persons in violation of the Residency Restrictions for Child Predator Offenders as set forth in Sec. 14-123 of this Code or in violation of Registration Requirements in Chapter 62 of the Texas Code of Criminal Procedure;
 - (3) To promote or engage in illegal distribution or possession with intent to distribute marijuana, a dangerous drug, or any controlled substance, as defined by the Texas Health and Safety Code;
 - (4) To promote or engage in selling alcohol or another activity that requires a permit or license under the Texas Alcoholic Beverage Code;
 - (5) To operate as a sexually oriented business as defined in Sec. 17.5-2 of this Code;
or
 - (6) As a tent, hammock, motor vehicle (including recreational or camper vehicle), outdoor area, accessory building, non-residential structure, or other non-residential dwelling.

Sec. 6-747. - Enforcement.

- (a) A violation of Sec. 6-746(a) of this article or violation of any other provision in this article not listed in Sec. 6-746(b) is a Class C misdemeanor punishable as stated in Section 1-4(b) of this Code by a fine not to exceed \$500.00.
- (b) A violation of Sec. 6-746(b) of this article is a Class C misdemeanor punishable as stated in Section 1-4(a) of this Code by a fine not to exceed \$2,000.00.
- (c) Nothing in this article prohibits the City of Plano from enforcing civil and criminal enforcement remedies concurrently or availing itself of any other remedy allowed by law.
- (d) Every day a violation continues shall constitute a separate offense.

Sec. 6-748. - Repeat and habitual offenders.

- (a) If it is shown on the trial of an offense punishable under Sec. 6-746(a) of this article that the defendant previously has been finally convicted of an offense punishable under Sec. 6-746(a) of this article, the fine on conviction shall not be less than two hundred dollars (\$200.00) or exceed five hundred dollars (\$500.00).
- (b) If it is shown on the trial of an offense punishable under Sec. 6-746(a) of this article that the defendant previously has been finally convicted of two or more offenses punishable under Sec. 6-746(a) of this article, the fine on conviction shall not be less than three hundred dollars (\$300.00) or exceed five hundred dollars (\$500.00).
- (c) If it is shown on the trial of an offense punishable under Sec. 6-746(b) of this article that the defendant previously has been finally convicted of an offense punishable under Sec. 6-746(b) of this article, the fine on conviction shall not be less than five hundred dollars (\$500.00) or exceed two thousand dollars (\$2,000.00).
- (d) If it is shown on the trial of an offense punishable under Sec. 6-746(b) of this article that the defendant previously has been finally convicted of two or more offenses punishable under Sec. 6-746(b) of this article, the fine on conviction shall not be less than one thousand dollars (\$1,000.00) or exceed two thousand dollars (\$2,000.00).
- (e) This subsection for Repeat and Habitual Offenders applies only to a person finally convicted of a second or subsequent offense within three (3) years before the date on which the most recent preceding offense was committed.

Sec. 6-749 to 766. – Reserved”

Section II. Any violation of the provisions or terms of this Ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Sec. 6-747 and Sec. 6-748 of this Ordinance. Every day a violation continues shall constitute a separate offense.

Section III. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

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

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

Section VI. This Ordinance shall be published as required by law and shall be effective on January 3, 2023.

DULY PASSED AND APPROVED this the 14th day of November, 2022.

John B. Muns, MAYOR

ATTEST:

Lisa Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY