

City of Barnesville

Lamar County

Atlanta MSA

2003 Population Estimate 5,890; -2.1% change from 2000 Census.

Not a Tree City USA.

No tree board established by ordinance.

Landscape Regulations

Adopted 2004.

Addresses public and private property.

Includes buffer and landscape requirements.

TABLE OF CONTENTS

A. Short Title.

B. Purposes.

C. Administration

D. Applicability.

Definitions [section letters not used after this point]

Landscaping Plan Required

Required Information for Landscaping Plan

Planting Requirement Schedule

Required Landscaped Areas

Maintenance of Landscaping

Completion of Landscaping or Bond Required for Certificate of Occupancy

Variances to Ordinance

Enforcement and Penalties

Appendix A: Recommended Shrubs and Ground Cover [includes understory and overstory trees]

Section 2. [consistency with laws of the State of Georgia]

Section 3. [intentions of City Council]

Section 4. Repeal of Conflicting Provisions

City of Barnesville, Georgia Landscape Regulations

APPROVED
Rec. by: DZ Date: 1-12-04

Section Landscape Regulations

A. **Short Title.** This section shall be referred to as the "City of Barnesville Landscape Ordinance."

B. **Purposes.** The purposes of this chapter are to protect and enhance the natural environment by establishing landscaping standards for property to be developed; enhancing the appearance of the City; protecting public and private investment by enhancing property values; buffering incompatible land uses; and providing for enforcement of the provisions contained in this Section.

C. **Administration.** The City Manager, or his designee, shall have primary responsibility for administration of this Chapter. The City Manager, or his designee, may adopt policies and procedures to be followed by the Planning and Zoning Department, the Development Plan Review Department and the Building Department in administering this Chapter.

D. **Applicability.** This section shall apply as follows.

- (1) For any new development or construction in any district and for property on which public and semi-public uses or buildings are located.
- (2) For any development or construction that increases the gross floor area, lot area, or parking area of any existing structure or development located in any of the districts listed above by twenty-five percent (25%) or more.
- (3) For any new development or construction for which Development Plans are required.
- (4) For any development or construction that increases by twenty-five percent (25%) or more the gross floor area, lot area, or parking area of an existing structure or development for which Development Plans were required.
- (5) If trees of eight (8") DBH or greater are removed from any street right of way or any Tree Protection Area in order to accommodate the erection of a billboard, the site shall be landscaped according to the Planting Requirement Schedules in this Section, provided, however, that overstory trees shall not be required for sites on which billboards are erected.
- (6) In order to accommodate the preservation of Specimen trees, the City Manager, or his designee, may authorize the alteration of normal building setbacks, yards, and parking requirements.
- (7) This ordinance shall control over any conflicting provisions in the City Zoning Ordinance.

APPROVED
Rec. by: DZ Date: 1-12-04

Definitions

The following definitions shall apply to this Chapter. Other words and terms shall have their customary dictionary meaning.

- (1) **Board of Appeals:** The Barnesville City Council.
- (2) **Building Department:** The City of Barnesville Building Department.
- (3) **Caliper:** A standard of trunk measurement for understory or replacement trees. Caliper inches are measured at the height of 6 inches above the ground for trees up to and including 4 inch caliper and 12 inches above the ground for trees larger than 4 inch caliper.
- (4) **City:** the City of Barnesville.
- (5) **Conifer (or coniferous) tree:** Any tree with needle leaves and a woody cone fruit including, but not limited to, pine, juniper, and cedar species.
- (6) **Critical root zone:** The minimum area beneath a tree, which shall be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone (CRZ) will typically be represented by a concentric circle centering on the tree's trunk with a radius equal in feet to one and three-tenths (1.3) times the number of inches of the trunk's diameter. Example: The CRZ radius of a 20-inch diameter tree is twenty-six (26) feet.
- (7) **Development Plan Review Department:** The City of Barnesville Development Plan Review Department.
- (8) **Diameter Breast-Height (DBH):** The standard measure of overstory tree size (for trees existing on a site). The tree trunk is measured at a height of 4 ½ feet above the ground. If a tree splits into multiple trunks below 4 ½ feet, measure the trunk at its most narrow point beneath the split.
- (9) **Ground cover:** Natural plant material such as vines, shrubs, or grasses that would not normally attain a height of more than two feet.
- (10) **Hardwood Tree:** Any tree that is not coniferous (cone bearing). This definition is based on the colloquialism and does not necessarily reflect any true qualities of the tree.
- (11) **Landscaping:** Any additions to the natural features of a plot of ground to restore construction disturbance and to make it more attractive, as by adding lawns, trees, and shrubs to the natural environment.

- (12) Natural vegetation: A generally undisturbed, maintenance-free, self-perpetuating stand of vegetation comprised of indigenous shrubs, flowers, wild grasses, and trees.
- (13) Overstory tree: Those trees that compose the top layer or canopy of vegetation and will generally reach a mature height of greater than 40 feet.
- (14) Planning and Zoning Department: The City of Barnesville Planning and Zoning Department.
- (15) Recommended overstory or understory tree: Any tree listed in Appendix A of this Section or any tree determined by the City Manager; his designee, or a landscape architect licensed by the State of Georgia to be suited to the soils and climate of the City of Barnesville, Georgia.
- (16) Recommended shrub/ground Cover: Any shrub or ground cover listed in Appendix A of this Section or any tree determined by the City Manager; his designee, or a landscape architect licensed by the State of Georgia to be suited to the soils and climate of the City of Barnesville, Georgia.
- (17) Registered landscape architect: A person registered in the State of Georgia as being a landscape architect.
- (18) Shrub: A woody plant or bush of relatively low height (two to six feet) distinguished from a tree by having several stems rather than a single trunk.
- (19) Softwood Tree: Any coniferous (cone bearing) tree. This definition is based on the colloquialism and does not necessarily reflect any true qualities of the tree.
- (20) Specimen tree: Any tree which qualifies for special consideration for preservation due to its size, type, condition, location, or historical significance.
- (21) Tree: Any living, self-supporting woody or fibrous plant which normally obtains a diameter breast height of at least three (3) inches and typically has one (1) main stem or trunk and many branches.
- (22) Tree protection area: An area encompassing the critical root zone of a tree.
- (23) Understory tree: Those trees that grow beneath the overstory, and will generally reach a mature height of less than 40 feet.

APPROVED
Rec. by: DZ Date: 1-12-04

Landscaping Plan Required. A Landscaping Plan shall be required as follows.

- A. For developments or structures for which Development Plans are required to be reviewed by the Planning and Zoning Department, a Landscape Plan, signed and sealed by a Registered Landscape Architect, shall be included as part of the Development Plans and both shall be submitted to the City but not subject to review by the City of Barnesville Planning and Zoning Department. Rather, a Landscape Plan shall be subject to review by the City Manager, or his designee. The Landscape Plan, as approved or amended by the City Council, shall be required and included as part of any subsequent submittal for a building permit and no such permit shall be issued until such Landscaping Plan has been submitted.
- B. For any other property, development, or construction to which this Section applies, an approved Landscaping Plan shall be included as part of the submittal for a building permit and no such permit shall be issued until such Landscaping Plan has been submitted.

Required Information for Landscaping Plan. At a minimum, Landscaping Plans shall include the following information. Additional information may be required by the City Manager, his designee, or City Council.

- A. Any Tree Removal Plan previously approved for the property.
- B. Location of any Tree Protection Areas and Residential Buffers on the property.
- C. Tree Survey is required.
- D. Information showing the locations, species, and sizes of all proposed landscaping materials, including existing trees and other plant materials that will be incorporated into the landscaping.
- E. Calculations showing that the proposed plant materials will satisfy the Planting Requirement Schedule.
- F. If the development is to include an irrigation system, information about the type and coverage of the irrigation system shall be included in the Landscaping Plan.
- G. The location of any existing or planned power lines or other utilities located on the proposed development or on any adjacent rights of way.
- H. Measures to be taken to prevent damage to any existing trees that are to be incorporated into the landscaping.

Planting Requirement Schedule.

- A. For any development or construction to which this Chapter applies, the following point schedule shall be satisfied. However, at least twenty-five percent (25%) of the points shall be accounted for by hardwood overstory trees and at least fifty percent (50%) of the points shall be accounted for by a combination of overstory trees and understory trees.

Table 1. REQUIRED POINTS BY SIZE OF DEVELOPED LOTS*

Square Footage of Lot	Landscaping Point Requirement
0 – 10,000 Square Feet	40 + 1 per 200 Square feet of paved area
10,001 – 20,000 Square Feet	60 + 1 per 200 Square feet of paved area
20,001 – 30,000 Square Feet	80 + 1 per 200 Square feet of paved area
30,001 – 40,000 Square Feet	100 + 1 per 200 Square feet of paved area
40,001 – 50,000 Square Feet	120 + 1 per 200 Square feet of paved area
50,001 – 60,000 Square Feet	140 + 1 per 200 Square feet of paved area
Greater than 60,000 Square Feet	(Square Footage/400) + 1 per 200 Square feet of paved area

* The landscaping requirements of this subsection are to be applied to individual lots whether residential, commercial, office/institutional, or industrial. This means that the requirements of this subsection can not be met through landscaped buffers or preserved natural areas. Preserved trees on individual lots, however, may be counted towards the requirements of this subsection as provided herein.

APPROVED
 Rec. by: DC Date: 1-12-04

- B. The following schedule shall be used to calculate the value of new plant materials in a Landscaping Plan.

Table 2. POINT VALUES FOR NEW PLANT MATERIALS

Plant Material	Minimum Size	Point Value
Recommended Overstory Tree	2.0 – 2.5 inch caliper or greater and 6ft. or greater in height for hardwood trees 7 gallon for conifer trees	5 for hardwood trees 2.5 for softwood trees
Recommended Understory Tree	Single Trunk – 1.00 inch to 1.25 inch caliper or greater and 4 feet or greater in height Multiple Trunk – 6 feet or greater in height with minimum of three trunks	2.5
Recommended Shrub or Groundcover	Shrub – No less than 18” tall or 3 gallon container size, whichever is greater	1
Grass, Sod	Not Applicable	1 point for each 500 square feet above the amount required in Table 4
Trees (overstory or understory)	Not Applicable	Additional 2 points per overstory tree or 1 point per understory tree with an increase in the minimum caliper of three inches

APPROVED
 Rec. by: DZ Date: 1-12-04

- C. The following schedule may be used to calculate point values for existing trees that are preserved and incorporated into the Landscaping Plan for a development.

Table 3. POINT VALUES FOR EXISTING TREES

Tree	Point Value
Overstory more than 3 inches caliper, but less than 8 inches DBH	Hardwood 8 Softwood 4
Overstory Tree more than 8 inches caliper, but less than 12 inches DBH	Hardwood 10 Softwood 5
Overstory Tree more than 12 inches caliper, but less than 24 inches DBH	Hardwood 15 Softwood 8
Overstory Tree greater than 24 inches DBH	Hardwood 20 Softwood 10
Understory Tree more than 4 inches caliper DBH	5

APPROVED
 Rec. by: DZ Date: 1-12-04

D. The following schedule shall reflect the minimum sod requirements for each district under the City Zoning Ordinance.

Table 4. MINIMUM SOD REQUIREMENTS

Districts	Minimum Sod Requirement
Agricultural District	20 feet from all sides of the structure that is not covered by an impervious surface
R-1A, R-1B, R-1C	Sod must be planted in all areas of the entire front and sides of the home. Also to the rear of the home to a distance of 20 ft. past the rear drip line of the roof of the structure that extends to the farthest part on the lot.
R-2	All yards sodded
R-3	All yards sodded
C-1, C-2, C-3, C-4	All yards sodded including parking islands except where other ground cover provided
Industrial District	All yards sodded including parking islands except where other ground cover provided
Planned Development	All yards sodded including parking islands except where other ground cover provided

E. Residential Developments

1. All residential developments shall have one (1) Overstory Tree per forty feet (40') on each side of the street within the subdivision. Said trees shall be planted between the street edge and the sidewalk of rights-of-way and shall be of species that can survive in close proximity to impervious surfaces without damaging sidewalks, curbs, and streets. These plantings shall be located to maintain visibility at all intersections.

APPROVED
 Rec. by: DZ Date: 1-12-04

2. There shall be a minimum of one (1) Overstory Tree, one (1) Understory Tree, and five (5) shrubs planted in conjunction with each subdivision entrance sign that is proposed.
3. The above required plantings under paragraph E are in addition to any landscaping requirements under this section and any landscaping strip or buffer requirements listed in the City Zoning Ordinance.

F. Commercial and Industrial Districts

1. Interior drive aisles shall have one (1) Overstory Tree per forty-five feet (45'), or portion thereof, on each sides of any proposed drive aisle. Said trees shall be planted between the street edge and the rights-of-way line and shall be of a species that can survive in close proximity to impervious surfaces without damaging sidewalks, curbs, and streets. These plantings shall be located to maintain visibility at all intersections.
2. There shall be landscaped areas a minimum of four feet (4') width immediately adjacent to buildings on all four (4) sides. Trees, shrubs, sod, or other ground cover shall be placed in those landscaped areas immediately adjacent to buildings and within the front, side, and rear setbacks. Sod appropriate to the season shall be planted in all yard areas not occupied by building, driveways, and vehicles parking areas.
3. Garbage and refuse collection areas shall be screened on three sides by upright evergreen shrubs planted five foot (5') centers and a minimum six foot (6') high solid fence or wall which shall be compatible in material, in terms of texture and quality, as the material and color of the principal building.
4. Loading areas shall be screened from view from any public rights-of-way or their entire length except where necessary to provide access to the loading area. The screening shall consist of upright evergreen shrubs planted on five foot (5') centers. The City Manager, or his designee, may require a mixture of plant materials and a minimum six foot (6') high solid fence or wall which shall be compatible in material, in terms of texture and quality, as the material and color of the principle building. In the case of buildings in a mixed-use neighborhood where mixed-use buildings (containing both residential and commercial uses) are located proximate to the curb, the City Manager, or his designee, may waive or alter this requirement.
5. Vehicular use areas designed to accommodate more than twenty (20) automobiles are required to install interior landscaped areas such as islands, peninsulas, and medians so that no more than twelve (12) adjacent parking spaces exist without a landscaped separation at least

APPROVED
Rec. by: DZ Date: 1-12-04

eight feet (8') in width. Interior landscaped areas shall be located to most effectively relieve the monotony of large expanses of paving and contribute to orderly circulation of vehicular and pedestrian traffic

6. The above required plantings under paragraph F are in addition to any landscaping requirements under this Section, any landscape strip or buffer requirements listed in the City Zoning Ordinance.
- G. Documentation of compliance with this subsection, shall be prepared, signed, and sealed by a registered landscape architect.

Required Landscaped Areas

- A. All developments shall include a sodded landscaped area of at least ten feet (10') in depth adjacent to any public right-of-way, exclusive of those interior public right-of-ways to be dedicated to the City, unless a shallower depth is approved by the City Council in its approval of the Landscaping Plan.
- B. Any area used for vehicular parking, access, or circulation shall be separated from any residentially zoned property by a landscaped area of at least 10 feet in depth.
- C. The required landscaping areas under this Section may be included in a required buffer area.

Maintenance of landscaping

- A. Landscaping materials, including preserved trees that die or become diseased or damaged shall be replaced by the developer one year from the date the lot on which the plant material is located is sold. The replacement plants shall have point values equal to or greater than those being replaced as determined by the Planting Requirement Schedules. Replacement plants shall be the same type as those being replaced unless the City Manager, his designee, or a registered landscape architect determines that one or more alternate species would be more likely to thrive in the development, in which case one of the alternate species may be used.
- B. Failure to maintain landscaping materials or to replace landscaping materials that have died or become diseased or damaged shall be a violation of this Ordinance and shall be punishable.

Completion of landscaping or bond required for Certificate of Occupancy.

- A. No certificate of Occupancy for any building or development covered by this Chapter shall be issued unless the required landscaping has been completed. A temporary Certificate of Occupancy, not to exceed 6 months, may be issued if

a cash bond for the completion of the required landscaping is provided to the City in accordance with the following provision.

- B. The bond shall be in an amount equal to one hundred fifty percent (150%) of the estimated cost of the materials, labor, and maintenance associated with the required landscaping. The bond may be paid with each phase of development rather than for the development as a whole. Otherwise, the bond shall be held for one (1) year and to the end of the succeeding planting season to ensure survival of the landscaping and the applicant shall be responsible for the irrigation (watering) of landscaping during the period of the bond. Upon compliance with the landscaping requirements for either the development as a whole or a particular phase of development the bond shall be released.

VARIANCES TO ORDINANCE

- A. Written requests for a variance are permitted.
- B. The City Manager, or his designee, shall have the authority to grant written variance requests not to exceed twenty percent (20%) of the minimum or maximum standards of this article. The City Council shall schedule a hearing as soon as reasonably practicable to consider an appeal of a variance request denied or granted by the City Manager, or his designee. Variance requests in excess of twenty percent (20%) must be presented in writing to the City Council for review and consideration.
- C. Variance requests shall be ruled on by the City Manager, his designee, or City Council in writing and shall be issued no later than thirty (30) days after a request is reviewed.
- D. Variances can be granted only in the case of extreme hardship or unusual circumstance. The burden is on the Applicant to establish the basis for a grant of a variance. The factors to be taken into consideration by the City Manager, his designee, or City Council may include the following:
- (1) The ease with which the applicant can alter or revise the proposed development or improvement to accommodate existing trees.
 - (2) The economic hardship that would be imposed upon the applicant was the variance denied.
 - (3) The need for visual screening in transitional zones or relief from glare, blight, or commercial or industrial unsightliness or any other visual affront.
 - (4) Whether the topography of the area in which the plant is located is such a nature to be damaging or injurious to plant.

- (5) Whether reducing the landscaping requirement would have an adverse impact upon neighboring property values.

Enforcement and Penalties

- A. **Enforcement.** The City Manager or his designee shall be primarily responsible for the administration and enforcement of the provisions of this article. The City Manager or his designee shall be responsible for recommending to the Director of the City of Barnesville Building Department, or other position with similar authority, the approval or denial of applications for Certificate of Occupancy.
- B. **Penalties.**
- (1) A violation of this article shall constitute a misdemeanor punishable by a fine of up to one thousand dollars (\$1,000.00) (per day per occurrence) and/or a sentence of up to thirty (30) days incarceration. Replacement of dead, diseased, or damaged plant material shall also be imposed. Nothing herein shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violations.
- (2) In addition, upon notice from the City Manager or his designee, work on any development that is being done contrary to the provisions of this Section shall immediately cease. The stop-work notice shall be in writing and shall go to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. When an emergency exists, the City Manager or his designee shall not be required to give written notice prior to stopping the work. Further, in the event that work on any development is being done contrary to the provisions of this Section, the City Manager or his designee may revoke any permit pertaining to the development activity for which the Land Disturbance or Building Permit has been issued and may refuse to issue or allow to be issued any further permit until, at the discretion of the City Manager or his designee, the work on the development is brought into compliance with the provisions of this Section.

APPROVED
Rec. by: DZ Date: 1-12-04

**Appendix A
Recommended Shrubs and Ground Cover**

A. Shrubs

- American Holly
- American Boxwood
- Arborvitae
- Azalea (deciduous – interior)
- Bar Harbor Juniper
- Bayberry
- Bigleaf Hydrangum
- Burford Holly
- Camellia
- Cherry Laurel
- Chinese Witchhazel (deciduous – interior)
- Chinese Privet (deciduous – interior)
- Common Privet
- Dwarf Burford Holly (evergreen - interior)
- Dwarf Burning Bush (deciduous – interior)
- Dwarf Chinese Holly (evergreen – interior)
- Dwarf Nandina (evergreen – interior)
- Dwarf Yaupon Holly (evergreen – interior)
- English Ivy
- Flame Azalea
- Flowering Jasmine (deciduous – interior)
- Forsythia (deciduous – interior)
- Golden Raintree
- Hetz Juniper
- Hibiscus
- Holly
- Hollywood Juniper
- Hydrangea
- Japanese Flowering Quince (deciduous – interior)
- Japanese Holly (evergreen – interior)
- Juniper (evergreen – interior)
- Leatherleaf Vinburnum (evergreen – interior)
- Ligustrum
- Mother-in-Laws Tongue
- Mugo Pine (evergreen – interior)

APPROVED
Rec. by: DZ Date: 1-12-04

- 7 Nandina (evergreen – interior)
- Nellie R. Stevens Holly
- Oakleaf Hydrangea (deciduous – interior)
- Oregonholly Grape (evergreen – interior)
- Osmanthus
- Pepp' mint Geranium
- Piedmont Azalea
- Plumleaf Azalea
- Red Columbine
- Russian Olive
- Savannah Holly
- Spirea (all varieties) (deciduous – interior)
- Thorny Eleagnus
- True Myrtle
- Varigated Privet
- Viburnum (deciduous – interior)
- Warty Barberry (evergreen – interior)
- Weigela (deciduous – interior)
- Winter Jasmine (deciduous – interior)
- Winter Honeysuckle (evergreen – interior)

B. Ground Cover.

- Aaronsbeard St. Johnswort
- Aragula
- Bermuda Grass
- Birds Nest Fern
- Blue Carpet Juniper
- Centipede Grass
- Common Sassafras
- Creeping Lilyturf (shade)
- Dwarf Juniper
- Dwarf Roses
- English Ivy (shade)
- Evergreen Candytuft (border)
- Fescue
- Hybrid Daylily
- Lily-Turf
- Ornamental Grasses
- Pachysandra (shade)
- Periwinkle (shade)
- Purpleleaf Wintercreeper
- Rockyspray Cotoneaster
- Sargent Juniper
- Shore Juniper
- St. Augustine Grass

APPROVED
Rec. by: DZ Date: 1-12-04

Willowleaf Cotoneaster
Zoysia Grass

C. Understory Trees

Trident Maple
Serviceberry
American Hornbeam, Musclewood
Eastern Redbud
Chinese Redbud
Fringe Tree, Grancy Graybeard
Common Smoketree
Washington Hawthorne
Leyland Cypress
Japanese Cryptomeria
Silverbell
Savannah Holly
Decidious Holly
Nellie R. Stevens Holly
American Holly
Yaupon Holly
Bougainvillea Goldenraintree
Panicked Goldenraintree
Crapemyrtle improved hybrids
Osage—orange
Sweetbay Magnolia
Saucer Magnolia
Star Magnolia
Flowering Crabapple
Waxmyrtle
Ironwood, Carolina Hornbeam
Sourwood
Chinese Pistache
Sassafras
Chastetree

D. Overstory Trees

Southern Sugar Maple
Florida Maple
Red Maple and improved hybrids
Sugar Maple
River Birch
Pecan
Shagbark Hickory
Chinese Chestnut

APPROVED
Rec. by: DZ Date: 1-12-04

Common Chinafir
American Beech
Green Ash
Ginko, grafted (male only)
Eastern Red Cedar
Sweetgum
Yellow-poplar
Southern Magnolia
Dawn Redwood
Swamp Tupelo
Black Gum
Sourwood
Slash Pine
White Pine
Loblolly Pine
Virginia Pine
American Sycamore
Sawtooth Oak
White Oak
Scarlet Oak
Southern Red Oak
Water Oak
Willow Oak
Pin Oak
Chestnut Oak
Shumard Oak
Japanese Pagodatree
Bald Cypress
True Chinese Elm
Japanese Zelkova

APPROVED
Rec. by: DZ Date: 1-12-04

Section 2.

This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

Section 3.

A. It is hereby declared to be the intention of the City Council that all sections, subsections, paragraphs, sentences, clauses, phrases, and terms of this Ordinance are and were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, subsection, paragraph, sentence, clause, phrase, or term of this Ordinance is severable from every other section, subsection, paragraph, sentence, clause, phrase, or term of this Ordinance. It is hereby further declared to be the intention of the City Council that, to the greatest extent allowed by law, no section, subsection, paragraph, sentence, clause, phrase, or term of this Ordinance is mutually dependent upon any other Section, subsection, paragraph, sentence, clause, phrase, or term of this Ordinance.

C. In the event that any section, subsection, paragraph, sentence, clause, phrase, or term of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by the law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, subsection, paragraph, sentence, clause, phrase, or term of this Ordinance and that, to the greatest extent allowed by law, all remaining Sections, subsection, paragraph, sentence, clause, phrase, or term of this Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. Repeal of Conflicting Provision.

Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

APPROVED
Rec. by: DZ Date: 1-12-04