

ORDINANCE NO. 2124

AN ORDINANCE TO AMEND SECTIONS 28-9, 28-10.2, 28-10.5, 28-10.8, 28-11.2, 28-11.7, 28-12.2, 28-12.4, 28-12.8, 28-13.2, 28-13.4, 28-13.8, 28-14.2, 28-14.5, 28-14.9, 28-15.2, 28-15.5, 28-15.9, 28-16.2, 28-16.9, 28-17 through 28-17.9, 28-18.2, 28-18.8, 28-19.2, 28-19.3, 28-20.3, 28-20.9, 28-21.3, 28-29.1, 28-31, 28-31.4, 28-37, and 28-38.2, OF THE LEXINGTON CITY CODE; TO PROVIDE FOR CHANGES IN THE ZONING CODE; TO REPEAL ORIGINAL SECTIONS 28-9, 28-10.2, 28-10.5, 28-10.8, 28-11.2, 28-11.7, 28-12.2, 28-12.4, 28-12.8, 28-13.2, 28-13.4, 28-13.8, 28-14.2, 28-14.5, 28-14.9, 28-15.2, 28-15.5, 28-15.9, 28-16.2, 28-16.9, 28-17 through 28-17.9, 28-18.2, 28-18.8, 28-19.2, 28-19.3, 28-20.3, 28-20.9, 28-21.3, 28-29.1, 28-31, 28-31.4, 28-37, and 28-38.2, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

Section 1. That Section 28-9 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-9 Definitions.

Accessory. A subordinate activity or use that is customarily incidental to and located on the same lot as the main use of the property.

Activity. The performance of a function or operation which constitutes the use of land.

Agricultural Farm or Operation: Farm or farm operation shall be any tract of land over ten (10) acres in area used for or devoted to the commercial production of farm products.

Agriculture. The planting, cultivating, harvesting and storage of grains, hay or plants commonly grown in the county. The raising and feeding of livestock and poultry shall be considered an agricultural venture if the area in which the livestock or poultry is kept is ten acres or more in area, and if such raising of livestock and poultry is incidental or supplemental to the raising of crops.

Alley. A public or private right-of-way which is used for secondary vehicular service access to the rear or side of those properties whose principal frontage is on a street.

Alteration. Any addition, removal, extension or change in the location of any exterior wall of a main building or accessory building.

Bed and Breakfast Guest House: A house or portion thereof, where short-term lodging rooms and meals are provided, and that no more than five (5) rooms or suites of rooms shall be provided for guests. The owner and, or host, shall reside on the premises.

Block. A piece or parcel of land entirely surrounded by public highways or streets, other than alleys or by a combination of streets and public parks, cemeteries, railroad rights-of-way, water courses or municipal boundaries. In cases where the platting is incomplete or disconnected, the City Engineer shall determine the outline of the block.

Board of Adjustment. The legally appointed municipal board empowered to hear and decide appeals from, and to provide interpretations of, the terms of the zoning ordinance and official map as defined within this ordinance and in accordance with the laws of the State of Nebraska.

Boardinghouse or Lodginghouse. A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous arrangements, but not for the public or transients.

Building. Any structure built for the support, shelter or enclosure of persons, animals, chattels, or movable property of any kind, and includes any structure.

Child Care Center. A facility which is or should be licensed by the Nebraska Department of Social Services as defined under the authority of Sections 71-1908 through 71-1918, Revised Statutes of Nebraska, as provided and defined under Title 474 of the Nebraska Administration Code, Chapter 6, Section 202.

Child Care Home. A facility which is or should be registered by the Nebraska Department of Social Services as a family day care home when care is provided for Four (4) or more children from different families as defined under Article 19, Section 71-1908-1918, Nebraska State Statutes.

Club, Private. A building or premises used for social, recreational, dining or philanthropic purposes, the normal use of which is limited to specific members, patrons or otherwise listed and enumerated persons.

Court. An open, unoccupied space, other than yard, bounded on three or more sides by exterior walls of a building, or by exterior walls of a building and lot lines on which walls are allowable.

District. The section(s) of zoning area for which this ordinance governing the use of land, building height and bulk, size of yards and intensity of activity are uniform.

Drive-in establishments. Any restaurant, financial institution or product vending enterprise where the patron does not enter and remain within a building during the transaction of his business. Food vending establishments where the food is not normally consumed within a building or where facilities are provided for eating outside a building, shall be included in this definition.

Dwelling. Dwelling shall mean any building or portion thereof which is designed and used for residential purposes.

Dwelling, Single-family. Single-family dwelling shall mean a dwelling having accommodations for and occupied by one family.

Dwelling, Two-family. A residential building containing two (2) dwelling units entirely surrounded by open space on the same lot.

Dwelling, Multifamily. A building or portion thereof used for occupancy by three (3) or more families living independently of each other and containing three (3) or more dwelling units.

Dwelling Unit. Consists of one or more rooms which are arranged, designed or used as a separate living quarters by a single family or other groups of persons living together as a household or person living alone. Individual bathrooms and complete kitchen facilities, permanently installed, shall always be included for each "dwelling unit."

Family. One or more persons, related or unrelated, living together as a single housekeeping unit with or without domestic servants, caregivers, foster children and supervisory personnel in a group living arrangement. The term "family" shall not include occupancy of a residence by persons living in fraternities, sororities, clubs or transient, or permanent commercial residential facilities catering to the general public, also excluded are nursing homes and convalescent homes.

Feedlot. See "Intensive Livestock, Confinement Facilities/Operations."

Garage, Private. An accessory building or portion of a main building used for storage of automobiles and other personal property incidental to the maintenance of the building and grounds.

Garage, Repair. An accessory building or portion thereof, designed or used for the storage, sale, hiring, care or repair of motor vehicles and which is operated for commercial purposes.

Height of Buildings and Structures. The vertical distance from the average ground level abutting a building or structure to the highest point of a building or highest point of any permanent part of a structure other than a building. Height where not regulated in feet shall be regulated by stories and a story shall be equal to twelve feet for purposes of measuring structures other than buildings.

Home Occupations. An accessory use of a non-residential nature within a residence or its accessory building(s).

Hotel or Motor Hotel. A building occupied or used as a more or less temporary abiding place of individuals or groups of individuals who are lodged, with or without meals, and in which there are more than forty sleeping rooms, and no provisions for cooking in individual rooms.

Intensive Livestock, Confinement Facilities/Operations. Shall mean any building(s), lot(s), pen(s), pool(s) or pond (s) or other confined spaces, which normally are not used for raising crops or grazing

animals, which are designed and/or used for on-going confined raising, feeding or management of animals which exceed the following animal capacities.

- (8) Fifty (50) or more feeder or fat cattle.
 - (9) Fifty (50) or more beef breeding animals two (2) years or older.
 - (10) Thirty (30) or more dairy cattle.
 - (11) Three hundred (300) or more swine.
 - (12) Five hundred (500) or more sheep.
 - (13) One Thousand (1,000) or more poultry.
- Or an equivalent in combined animal units.

Junk or salvage yard. A place where waste, discarded or salvaged metals, building materials, paper, textiles, used plumbing fixtures, abandoned or inoperable motor vehicles or parts thereof, and other used materials are bought, sold, exchanged, stored, baled or cleaned; and places or yards for the storage of salvaged metal, materials and equipment; but not including pawn shops and establishments for the sale, purchase or storage of used cars or trucks presently in operable condition, and used furniture and household equipment in usable condition and not including the processing of used, discarded or salvaged materials as part of manufacturing operations.

Kennel. The ownership or harboring of more than four (4) dogs on the premises of a zoned lot, whether kept for private or business purposes. (Ord. 1839, Sec. 1)

Lot. A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

Lot, Corner. A lot abutting upon two or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension; except that a lot as herein defined, when made up of more than one platted lot, shall be deemed to front on the street upon which the platted lots front.

Lot Depth. The mean horizontal distance from the front street line to the rear line.

Lot, Interior. A lot whose side lines do not abut upon any street.

Lot Line, Front. The boundary between a lot and the street on which it fronts.

Lot Line, Rear. The boundary line which is opposite and most distant from the front street line.

Lot Lines. The lines bounding a lot as defined herein.

Lot Line, Side. Any lot boundary line not a front or rear line thereof, a side line may be a party lot line, a line bordering on an alley or place or a side street line.

Lot of Record. A lot created by a subdivision of land which has been legally recorded in the office of the Register of Deeds or a parcel of land described by metes and bounds and has also been so recorded.

Lot, Through. An interior lot having frontage on two streets.

Lot Width. The horizontal distance between side lines, measured at the front building line.

Manufactured Home. (a) A factory-built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles, and which bears a label certifying that it was built in compliance with National Manufactured Home Construction and Safety Standards, 24 C.F.R, 3280 et seq., promulgated by the United States Department of Housing and Urban Development, or (b) a modular housing unit as defined in Nebraska Revised Statutes Sec. 71-1557, and bearing the seal of the State of Nebraska Department of Health.

Mobile Home and Mobile Home Park. Refer to definitions in Section 25-1.

Nonconforming Use, Building, or Yard. A use, building or yard which does not, by reason of design, use or dimensions, conform to the regulations of the district in which it is situated and existed as such on the date of adoption of these regulations.

Parking Space, Off Street. An area, enclosed or unenclosed, sufficient in size to store one automobile, together with a driveway connecting the parking space with a street or alley and permitting ingress and egress of an automobile.

Professional Services. Offices for professional services, including but not limited to, services provided by physicians, surgeons, chiropractors, osteopaths, physical therapists, dentists, counselors, architects, engineers, lawyers and accountants.

Restaurant. A building wherein food is prepared and served in ready-to-eat form to the public for human consumption. The term restaurant shall include cafe, cafeteria, grill, pizza parlor, diner, snack shop, hamburger shop and steak house.

Service Floor Area. The total floor area of a building exclusive of stairways, restrooms, storage rooms, hallways or other areas which are not regularly used by visitors, clients, customers, patients or patrons in their normal every day use of the building.

Sign. Exterior display of any letters, numerals, pictorial representation, symbol, flag, emblem, designs or trademarks illuminated or animated device which makes information known to the public or directs attention of the public off the site on which the sign is displayed to any object, subject, place, person, activity, product, etc.

Special use permit. A written permit issued with authorization of the City Council. The special permit provides permission under specific conditions to make certain special uses of land in specific zoning districts as stipulated under permitted special uses in each of the district zoning regulations.

Stable, Private. An accessory building and premises for the keeping of horses, ponies, mules or cows, owned by occupants of the premises, and not kept for remuneration, hire or sale.

Stable, Public. A stable other than a private or riding stable as defined herein.

Stable, Riding. A structure and premises in which horses, ponies or mules, used exclusively for pleasure riding or driving, are housed, boarded or kept for remuneration, hire or sale.

Street. A right-of-way which affords principal means of vehicular access to property abutting thereon.

Street Oriented Sign. A sign that directs attention to a business, profession, service or entertainment conducted, sold, or offered on the premises of the zone lot where the sign is located.

Structural Alterations. Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

Structure. Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including but not limited to signs, and excepting customary utility poles, retaining walls and boundary fences.

Tourist Cabin or Motel. A building or buildings containing in the aggregate, on one undivided tract or parcel of land, a group of individual private units, each provided with separate sleeping room or rooms, having both lavatory and toilet facilities, designed and to be used primarily for transient guests traveling by automobile.

Townhouses. One of a group or row of not less than three (3) nor more than twelve (12) attached, single family dwellings designed and built as a single structure facing upon a street in which the individual townhouse may or may not be owned separately. For the purpose of the side yard regulations, the structure containing the row or group of townhouses shall be considered as one building occupying a single lot.

Used For. Includes "designed for" or "intended for."

Variance. A variation from a specific requirement in this chapter, as applied to a specific piece of property, as distinct from rezoning.

Yard. An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the least horizontal distance between the lot line and the building shall be used. Where lots abut a street that is designated a thoroughfare street on the thoroughfare plan, all yards abutting the street shall be measured from a line one-half the proposed right-of-way width from the center line, or from the lot line, whichever provides the greater setback. On other lots all yards abutting a street shall be measured from a line twenty-five feet from the lot line, whichever provides the greater setback.

Yard, Front. A yard across the full width of the lot extending from the front line of the main building to the front line of the lot.

Yard, Rear. A yard between the rear lot line and the rear line of the main building and the side lot lines.

Yard, Side. A yard between the main building and the adjacent side line of the lot, and extending entirely from a front yard to the rear yard.

Zone Lot. A lot of record as of the effective date of the ordinance or any amendments to it, or two or more lots of record or any portion thereof within a block under single ownership or use as of the effective date of this ordinance or any subsequent amendments to it.

Section 2. That Section 28-10.2 of the Lexington City Code is hereby amended to read as follows:

Sec. 28-10.2 Permitted Principal Uses and Structures.

The following shall be permitted as uses by right:

- (8) Agricultural farm or operation, excluding the expansion of existing or development of new intensive livestock, confinement facilities/operations as defined in Section 28-9.
- (9) Bulk grain storage both publicly or privately owned or managed;
- (10) Garden centers and nurseries;
- (11) Home occupations; in conformance with Article 28-24;
- (12) Irrigation and flood control projects;
- (13) One single-family dwelling per zone lot;
- (14) Parks, playgrounds and community buildings owned or operated by a public agency;

- (15) Place of worship;
- (16) Public and private golf courses, excluding miniature golf and driving ranges not associated with a golf course;
- (17) Public elementary and high schools or private schools;
- (18) Public uses of an administrative , public service or cultural type including city, county, state or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures and facilities;
- (19) Stables and riding academies;
- (20) Veterinary facilities.

Section 3. That Section 28-510.5 of the Lexington City Code is hereby amended to read as follows:

Sec. 28-10.5 Permitted Special Uses.

A building or premises may be used for the following purposes in the A-1 Agricultural District if a special permit for such use has been obtained in accordance with Article 28-38 of this Ordinance.

- (1) Agricultural service establishments primarily engaged in performing agricultural, animal husbandry or horticultural services; agricultural product milling and processing; establishments engaged in performing services such as crop dusting, fruit picking, grain cleaning, harvesting and plowing; farm equipment services, sales and repairs;
- (2) Airports and heliports including crop dusting strips;
- (3) Auction/sale barns and yards;
- (4) Broadcast towers and stations, including Amateur Radio or land mobile towers of more than 100 feet;
- (5) Camp grounds;
- (6) Cemeteries, mausoleums, and mortuaries;
- (7) Child care center;
- (8) Colleges, universities and trade schools;

- (9) Contiguous expansion of intensive livestock, confinement facilities/ operations, as defined in Section 28-9;
- (10) Facilities for the commercial storage or sale of fertilizer or toxic or flammable agricultural chemicals;
- (11) Kennels;
- (12) Mineral extraction, which shall include the following: oil wells, sand and gravel extraction and strip mine operations and quarries;
- (13) Mobile homes, subject to compliance with Section 25-2 (3);
- (14) Museums and art galleries;
- (15) One additional single family dwelling for the purpose of housing relatives or agricultural workers;
- (16) Public and private charitable institutions;
- (17) Water storage, sewer treatment plants, and public and private sanitary landfills.

Section 4. That Section 28-10.8 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-10.8 Height and Area Regulations.

The maximum height and minimum lot requirements, except as provided in Article 28-27, within the A-1 Agricultural District shall be as follows:

	<u>Dwelling Single-family</u>	<u>Other Permitted Uses</u>
Lot Area (Sq. Ft.)	10 acres	5 acres
Lot Width	400'	200'
Required Front Yard	50'	50'
Required Side Yard	25'	15'
Required Rear Yard	50'	25'
Height	35'	35'

Maximum Lot Coverage	20%	20%
Maximum Height of Accessory Structures	100'	100'

Section 5. That Section 28-11.2 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-11.2 Permitted Principal Uses and Structures.

The following shall be permitted as uses by right:

- (1) Agricultural farm or operation, excluding the expansion of existing or development of new intensive livestock, confinement facilities/operations as defined in Section 28-9;
- (2) Home occupations, in conformance with Article 28-24;
- (3) Irrigation and flood control projects;
- (4) One single-family dwelling per zone lot;
- (5) Parks, playgrounds and community buildings owned or operated by a public agency;
- (6) Public and private golf courses, excluding miniature golf and driving ranges not associated with golf courses;
- (7) Public and quasi-public uses of an educational, recreational or religious type including public and parochial elementary schools, junior high schools, and high schools; private non-profit schools, churches, parsonages, and other religious institutions; parks and playgrounds;
- (8) Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures and facilities.

Section 6. That Section 28-11.7 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-11.7 Height and Area Regulations.

The maximum height and minimum lot requirements, except as provided in Article 28-27, within the A-2 Urban Reserve District shall be as follows:

Lot Area (Sq. Ft.)	<u>Dwelling Single-family</u>	<u>Other Permitted Uses</u>
	10 acres	5 acres
		10

Lot Width	400'	200'
Required Front Yard	50'	25'
Required Side Yard	25'	15'
Required Rear Yard	50'	25'
Height	35'	35'
Maximum Lot Coverage	20%	20%
Maximum Height of Accessory Structures	100'	100'

Section 7. That Section 28-12.2 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-12.2 Permitted Principal Uses and Structures.

The following shall be permitted as uses by right:

- (1) Child care homes in conformance with Section 28-38.4;
- (2) Home occupations; in conformance with Article 28-24;
- (3) One single-family dwelling per zone lot, including manufactured homes as defined in Section 28-9 and in conformance with Section 28-31.4;
- (4) Public and quasi-public uses of an educational, recreational or religious type including public and parochial elementary schools, junior high schools, and high schools; private non-profit schools, churches, parsonages, and other religious institutions; parks and playgrounds.

Section 8. That Section 28-12.4 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-12.4 Permitted Special Uses.

A building or premises may be used for the following purposes in the R-1 Residential District if a special permit for such use has been obtained in accordance with Article 28-38. of this Ordinance.

- (1) Cemeteries, mausoleums and mortuaries;
- (2) Child care center, in conformance with Section 28-38.4;
- (3) Expansion of nonconforming uses;

- (4) Kennels;
- (5) Museums and art galleries;
- (6) Public and private charitable institutions;
- (7) Public and private golf courses, excluding miniature golf courses and driving ranges not associated with golf courses;
- (8) Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures, and facilities;
- (9) Public utility purposes, and communications equipment buildings.
- (10) Bed and Breakfast Guest Homes.

As a condition to allowance of a Bed and Breakfast Guest Home:

- a. No more than five (5) rooms or suites of rooms shall be provided for guests;
 - b. The owner and host shall reside on the premises;
 - c. Off-street parking shall be prescribed appropriate for each premises. (Ord. No. 1937, Sec. 4)
- (11) Antique retail sales shop.

Section 9. That Section 28-12.8 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-12.8 Height and Area Regulations.

The maximum height and minimum lot requirements, except as provided in Article 28-27, within the R-1 Residential District shall be as follows:

	<u>Dwelling Single-family</u>	<u>Other Permitted Uses</u>
Lot Area (Sq. Ft.)	8,000	8,000
Lot Width	70'	70'
Required Front Yard	25'	25'

Required Side Yard	7'	7'
Required Rear Yard	25'	25'
Height	35'	45'
Maximum Lot Coverage	30%	30%
Maximum Height of Accessory Structures(1) (except garages and storage buildings)	60'	60'

(1) Setback shall be such that structure shall not fall beyond the property line.

Section 10. That Section 28-13.2 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-13.2 Permitted Principal Uses and Structures.

The following shall be permitted as uses by right:

- (1) Child care homes in conformance with Section 28-38.4;
- (2) Home occupations; in conformance with Article 28-24;
- (3) No more than two single-family dwellings per zone lot, including manufactured homes as defined in Section 28-9 and in conformance with Section 28-31.4;
- (4) One Two-family dwelling per zone lot;
- (5) Public and quasi-public uses of an educational, recreational or religious type including public and parochial elementary schools, junior high schools, and high schools; private non-profit schools, churches, parsonages, and other religious institutions; parks and playgrounds.

Section 11. That Section 28-13.4 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-13.4 Permitted Special Uses.

A building or premises may be used for the following purposes in the R-2 Residential District if a special permit for such use has been obtained in accordance with Article 28-38 of this Ordinance.

- (1) Child care center, in conformance with Section 28-38.4;
- (2) Cemeteries, mausoleums and mortuaries;
- (3) Expansion of nonconforming uses;

- (4) Kennels;
- (5) Museums and art galleries;
- (6) Public and private charitable institutions;
- (7) Public and private golf courses, excluding miniature golf courses and driving ranges not associated with golf courses;
- (8) Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures, and facilities;
- (9) Public utility purposes, and communications equipment buildings;
- (10) Townhouses.
- (11) Bed and Breakfast Guest Homes.

As a condition to allowance of a Bed and Breakfast Guest Home:

- a. No more than five (5) rooms or suites of rooms shall be provided for guests;
- b. The owner and host shall reside on the premises;
- c. Off-street parking shall be prescribed appropriate for each premises. (Ord. No. 1937, Sec. 4)

Section 12. That Section 28-13.8 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-13.8 Height and Area Regulations.

The maximum height and minimum lot requirements, except as provided in Article 28-27, within the R-2 Residential District shall be as follows:

R-2 Residential District

	<u>Dwelling, Single-Family</u>	<u>Dwelling, Two-Family</u>	<u>Other Permitted Uses</u>
Lot Area (Sq. Ft.)	7,000	10,890	0,890
Lot Width	50'	75'	75'
Required Front Yard	25'	25'	25'

Required Side Yard	7'	7'	7'
Required Rear Yard	25'	25'	25'
Height	35'	35'	40'
Maximum Lot Coverage	50%	50%	50%
Maximum Height of Accessory Structures(1) (except garages and storage buildings)	60'	60'	----

(1) Setback shall be such that structure shall not fall beyond the property line.

Section 13. That Section 28-14.2 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-14.2 Permitted Principal Uses and Structures.

The following shall be permitted as uses by right:

- (1) Boarding and lodging houses;
- (2) Child care homes, in conformance with Section 28-38.4;
- (3) Golf courses, except miniature golf and driving ranges not associated with golf courses;
- (4) Home occupations, in conformance with Article 28-24;
- (5) Multifamily dwellings;
- (6) Nursing homes;
- (7) Public and quasi-public uses of an educational, recreational or religious type including public and parochial elementary schools, junior high schools, and high schools; private non-profit schools, churches, parsonages, and other religious institutions; parks and playgrounds;
- (8) Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures, and facilities;
- (9) Single-family dwellings, including manufactured homes as defined in Section 28-9 and in conformance with Section 28-31.4;
- (10) Two-family dwellings.

Section 14. That Section 28-14.5 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-14.5 Permitted Special Uses.

A building or premises may be used for the following purposes in the R-3 Residential District if a special permit for such use has been obtained in accordance with Article 28-38 of this Ordinance.

- (1) Cemeteries, mausoleums and mortuaries;
- (2) Child care center, in conformance with Section 28-34.4;
- (3) Expansion of nonconforming use;
- (4) Kennels;
- (5) Medical, dental and related health care and personal services, including legal, accounting and like professional services; undertaking establishments; office buildings;
- (6) Museums and art galleries;
- (7) Public and private charitable institutions;
- (8) Public utility purposes and communications equipment buildings;
- (9) Townhouses.
- (10) Bed and Breakfast Guest Homes.

As a condition to allowance of a Bed and Breakfast Guest Homes:

- a. No more than five (5) rooms or suites of rooms shall be provided for guests;
- b. The owner and host shall reside on the premises;
- c. Off-street parking shall be prescribed appropriate for each premises.

Section 15. That Section 28-14.9 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-14.9 Height and Area Regulations.

The maximum height and minimum lot requirements, except as provided in Article 28-27, within the R-3 Residential District shall be as follows:

Other

	<u>Dwelling, Single-family</u>	<u>Dwelling, Two-family</u>	<u>Dwelling, Multiple (4)</u>	<u>Permitted Uses</u>
Lot Area (Sq. Ft.)	5,000	7,260	3,630 per unit	7,260
Lot Width	50'	75'	80'	80'
Required Front Yard	25'	25'	25'	25'
Required Side Yard	7'	7'	7'	7'
Required Rear Yard	25'	25'	25'	25'
Height	35'	35'	35'	45'
Maximum Lot Coverage	50%	50%	50%	50%
Maximum Height of Accessory Structures(1) (except garages and storage buildings)	60'	60'	60'	60'

(1) Setback shall be such that structure shall not fall beyond the property line.

Section 16. That Section 28-15.2 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-15.2 Permitted Principal Uses and Structures.

The following shall be permitted as uses by right:

- (1) Child care homes, in conformance with Section 28-38.4;
- (2) Home occupations; in conformance with Article 28-24;
- (3) Mobile homes;
- (4) Nursing homes;
- (5) Public and quasi-public uses of an educational, recreational or religious type including public and parochial elementary schools, junior high schools, and high schools; private non-profit schools, churches, parsonages, and other religious institutions; parks and playgrounds;

- (6) Single-family dwellings, including manufactured homes as defined in Section 28-9 and I conformance with Section 28-31.4;
- (7) Two-family dwellings.

Section 17. That Section 28-15.5 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-15.5 Permitted Special Uses.

A building or premises may be used for the following purposes in the R-4 Mobile Home Dwelling District if a special permit for such use has been obtained in accordance with Article 28-38 of this Ordinance.

- (1) Child care center, in conformance with Section 28-38.4;
- (2) Expansion of nonconforming uses;
- (3) Kennels;
- (4) Mobile home parks in compliance with Chapter 25 of the Lexington City Code;
- (5) Museums and art galleries;
- (6) Public and private charitable institutions;
- (7) Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures, and facilities;
- (8) Public utility purposes, and communications equipment buildings.

Section 18. That Section 28-15.9 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-15.9 Height and Area Regulations.

Except within a Mobile Home Park, which is subject to standards as provided in Chapter 25 of the Lexington City Code, the maximum height and minimum lot requirements, except as provided in Article 28-27, within the R-4 Mobile Home Dwelling District shall be as follows: (Ord. No. 1932, Sec. 4)

Lot Area	<u>Mobile Homes</u>	<u>Other Permitted Uses</u>
(Sq. Ft.)	5,000	5,000

Lot Width	50'	50'
Required Front Yard	25'	25'
Required Side Yard	7'	7'
Required Rear Yard (1)	25'	25'
Height	20'	20'
Maximum Lot Coverage	50%	50%
Maximum Height of Accessory Structures (1) (except garages and storage buildings)	60'	60'

(1) Setback shall be such that structure shall not fall beyond the property line.

Section 19. That Section 28-16.2 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-16.2 Permitted Principal Uses and Structures.

The following shall be permitted as uses by right:

- (1) Barber shops and beauty parlors;
- (2) Child care center, in conformance with Section 28-38.4;
- (3) Child care home in conformance with Section 28-38.4;
- (4) Detached banking facilities;
- (5) Home occupations; in conformance with Article 28-24;
- (6) Administrative and professional offices, including but not limited to accountants, architects, brokers, engineers, dentists, dental laboratories, attorneys, physicians, medical supply, real estate, insurance, and financial institutions.
- (7) Mortuaries;
- (8) Public and charitable institutions;

- (9) Public and quasi-public uses of an educational, recreational or religious type including public and parochial elementary schools, junior high schools, and high schools; private non-profit schools, churches, parsonages, and other religious institutions; parks and playgrounds;
- (10) Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures, and facilities;
- (11) Public utility purposes and communication equipment buildings;
- (12) Any use permitted in District R-1.

Section 20. That Section 28-16.9 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-16.9 Height and Area Regulations.

The maximum height and minimum lot requirements, except as provided in Article 28-27 , within the C-O Office Commercial District shall be as follows:

	<u>Dwelling, Single-family</u>	<u>Dwelling, Two-family</u>	<u>Dwelling, Multi-family</u>	<u>Other Permitted Uses</u>
Lot Area (Sq. Ft.)	5,000	5,000	3,630 per unit	5,000
Lot Width	50'	50'	75'	50'
Required Front Yard	25'	25'	25'	25'
Required Side Yard	7'	7'	7'	10'
Required Rear Yard	25'	25'	25'	25'
Height	35'	35'	35'	45'
Maximum Lot Coverage	50%	50%	50%	50%
Maximum Height of Accessory Structures(1)	35'	35'	35'	35'

- (1) Setback shall be such that structure shall not fall beyond the property line.

Section 21. That Section 28-16 through 28-16.9 of the Lexington City Code are hereby amended to read as follows:

Sections 28-16 through 28-16.9, LIMITED COMMERCIAL DISTRICT-DELETED

Section 22. That Section 28-18.2 of the Lexington City Code is hereby amended to read as follows:

Sec. 28-18.2 Permitted Principal Uses and Structures.

The following shall be permitted as uses by right:

- (1) Automobile sales and services;
- (2) Automotive wash facilities;
- (3) Bakery;
- (4) Banks, savings and loan associations, credit unions and finance companies;
- (5) Barbershops, beauty parlors and shoeshine shops;
- (6) Business offices;
- (7) Commercial recreation facilities (bowling alleys, miniature golf courses and similar uses);
- (8) Detached banking facilities;
- (9) Dry cleaning or laundry establishments;
- (10) Food service, restaurants and taverns;
- (11) Food storage lockers;
- (12) Funeral homes and mortuaries;
- (13) Garden centers;
- (14) Messenger and telegraph stations;
- (14) Motels and hotels;
- (15) Multifamily dwelling units in commercial buildings on floor other than the ground floor;

- (16) Museums and art galleries;
- (17) Office buildings;
- (19) Parking lots, parking garages and other off-street parking facilities;
- (20) Personal and professional services;
- (21) Photography studios;
- (22) Private schools, including but not limited to business or commercial schools, dance or music academies, and nursery schools;
- (23) Public and private charitable institutions;
- (24) Public and quasi-public uses of an educational, recreational or religious type including public and parochial elementary schools, junior high schools, and high schools; private non-profit schools, churches, parsonages, and other religious institutions; parks and playgrounds;
- (25) Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures, and facilities;
- (26) Public utility facilities;
- (27) Sales and showrooms, including service facilities and rental of equipment, provided all displays and merchandise are within the enclosure walls of the buildings;
- (28) Filling/Service stations and convenience stores;
- (29) Single-family dwellings, including manufactured homes as defined in Section 28-9 and in conformance with Section 28-31.4;
- (30) Stores or shops for the sale of goods at retail;
- (31) Temporary shelter for homeless;
- (32) Two-family dwellings.

Section 23. That Section 28-18.8 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-18.8 Height and Area Regulations.

The maximum height and minimum lot requirements, except as provided in Article 28-27, within the C-2 Core Commercial District shall be as follows:

	<u>Dwelling, Single-family</u>	<u>Dwelling, Two-family</u>	<u>Dwelling, Multi-family</u>	<u>Other Permitted Uses</u>
Lot Area (Sq. Ft.)	2,500	2,500	2,500	2,500
Lot Width	50'	75'	75'	25'
Required Front Yard	0	0	0	0
Required Side Yard	0	0	0	0
Required Rear Yard	0	0	0	0
Height	35'	35'	35'	35'
Maximum Lot Coverage	75%	75%	75%	100%
Maximum Height of Accessory Structures	45'	45'	45'	45'

Section 24. That Section 28-19.2 of the Lexington City Code is hereby amended to read as follows
Sec. 28-19.2 Permitted Principal Uses and Structures.

The following shall be permitted as uses by right:

- (1) Automobile sales and services;
- (2) Automotive wash facilities;
- (3) Construction sales and services;
- (4) Commercial recreation facilities (bowling alleys, miniature golf courses and similar uses);
- (5) Detached banking facilities;

- (6) Food service, restaurants and taverns;
- (7) Freight terminals;
- (8) Garden centers and nurseries;
- (9) Mobile and modular home sales;
- (10) Motels and hotels;
- (11) Museums and art galleries;
- (12) Public and private charitable institutions;
- (13) Public and quasi-public uses of an educational, recreational or religious type including public and parochial elementary schools, junior high schools, and high schools; private non-profit schools, churches, parsonages, and other religious institutions; parks and playgrounds;
- (14) Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures, and facilities;
- (15) Filling/Service stations and convenience stores;
- (16) Stores or shops for the sale of goods at retail;
- (17) Temporary shelter for homeless;
- (18) Transportation warehousing;
- (19) Wholesale sales and services.

Section 25. That Section 28-19.3 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-19.3 Permitted Conditional Uses.

A building or premises may be used for the following in the C-3 Commercial Highway Service District in conformance with the conditions prescribed herein:

- (1) Child care center in conformance with Section 28-38.4.
- (2) Child care home in conformance with Section 28-38.4.

Section 26. That Section 28-20.3 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-20.3 Permitted Conditional Uses.

A building or premises may be used for the following in the C-1 Limited Commercial District in conformance with the conditions prescribed herein:

- (1) Child care center, in conformance with Section 28-38.4;
- (2) Child care home, in conformance with Section 28-38.4;

Section 26.1. That Section 26-20.9 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-20.9 Height and Area Regulations.

The maximum height and minimum lot requirements, except as provided in Article 28-27, within the M-1 Light Industrial District shall be as follows:

	<u>Permitted Uses</u>
Lot Area (Sq. Ft.)	10,000
Lot Width	80'
Required Front Yard	15'
Required Side Yard	10'
Required Rear Yard	15'
Height	35'
Maximum Lot Coverage	60%
Maximum Height of Accessory Structure	100'

Section 27. That Section 28-21.3 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-21.3 Permitted Conditional Uses.

A building or premises may be used for the following in the M-2 Heavy Industrial District in conformance with the conditions prescribed herein:

- (1) Child care center, in conformance with Section 28-38.4;
- (2) Child care home, in conformance with Section 28-38.4;

Section 28. That Section 28-29.1 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-29.1 Schedule of Minimum Off-Street Parking and Loading Requirements.

STRUCTURES & USES	MINIMUM OFF-STREET PARKING SPACES ¹	MINIMUM OFF-STREET LOADING SPACES
Single-family & duplex dwelling unit	2 per each unit	N/A
Multi-family dwelling unit	2 per each unit	N/A
Hotels and Motels	1 per each unit	1 space
Any use in C-2 District	1 per each 2 employees	N/A
Churches, theaters & other seating facilities	1 space per 4 seating capacity	N/A
Libraries	1 space per 500 sq.ft. of floor area	N/A
Hospitals, sanitariums & nursing homes	1 space per 4 beds	1 space
Banks	1 space per 200 sq.ft. of floor area	1 space
Barber & beauty shops	1 space per 200 sq.ft. of floor area	N/A
Restaurants	1 space per 4 seating capacity	1 space
Carry-out food establishments	1 space per 100 sq.ft. of floor area	1 space
Medical clinics	5 spaces per doctor or dentist	1 space

STRUCTURES & USES	MINIMUM OFF-STREET PARKING SPACES	MINIMUM OFF-STREET LOADING SPACES
Dry cleaning & coin operated laundry	1 space per 200 sq.ft. of floor area	1 space
Photographic studios	1 space per 200 sq.ft. of floor area	N/A
Schools	1 space per teacher	1 space
Armories or assembly halls	1 space per 200 sq.ft. of floor area	1 space
Bakeries	1 space per 200 sq.ft. of floor area	1 space

¹Angle parking from the public right-of-way not exceeding 60N may be included in offstreet parking requirements upon application and approval of the City Council for each specific request.

Mortuaries	1 space per 4 seating capacity	1 space
Printing & publishing plants	1 per each 2 employees (largest shift)	1 space
Radio & television broadcasting	1 per each 2 employees (largest shift)	1 space
Shops for custom work or light manufacture	1 space per 400 sq.ft. of floor area	1 space
Industrial Uses	1 per each 2 employees (largest shift)	1 space
Taverns or nightclubs	1 space per each 4 seating capacity	1 space
Frozen food lockers	1 space per 400 sq.ft. of floor area	1 space
Bowling alleys	4 spaces per alley	1 space
Wholesale stores	1 space per 400 sq.ft. of floor area	1 space
Retail or liquor stores	1 space per 200 sq.ft. of floor area	1 space
Professional offices	1 space per 400 sq.ft. of floor area	N/A
Service Establishments	1 space per 200 sq.ft. of floor area	1 space

Section 29. That Section 28-31 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-31 Fence, Wall and Hedge Requirements.

No fence, wall or hedge shall be erected, placed, maintained or grown within a public right-of-way except by permit granted pursuant to Section 2 of this Ordinance.

- (1) In the side yard common to the side street on a corner lot, an open or semi-solid fence or wall not exceeding six (6) feet in height from the front setback line to the rear lot line. Permitted types of fences shall include split rail, chain link, stockade or other similar material to be approved by the zoning/building administrator.
- (2) In the side yard common to the side street on a corner lot an open fence or screen wall not exceeding four (4) feet in height from the front lot line to the front setback line excluding the area for corner lot sight requirements in Section 28-31.1. Permitted types of fences shall include split rail, chain link or other similar material to be approved by the zoning/building administrator.
- (3) On all required front yards no open fence or screen wall shall exceed four (4) feet in height. Permitted types of fences shall include split rail, chain link or other similar material to be approved by the zoning/building administrator.
- (4) In the side yard common to two lots, an open, semi-solid or solid fence not exceeding eight (8) feet may be constructed from front setback line to rear lot line. Permitted types of fences shall include split rail, chain link, stockade or other similar material to be approved by the zoning/building administrator.

- (5) In the rear yard an open and/or solid fence not exceeding eight (8) feet. Permitted types of fences shall include split rail, chain link, stockade or other similar material to be approved by the zoning/building administrator.

No person shall construct, place, or maintain a fence, wall or hedge which encroaches into the public street right-of-way without first obtaining a permit in the form of an Easement issued by the Lexington City Manager. Application for such Easement shall be filed with the City Building official, on a Building Permit Application, providing a site plan for the location of any proposed encroachment into the public street right-of-way.

- A. The building official shall collect in advance a permit fee of \$35.00 plus the anticipated cost of recording of the Easement to be issued.
- B. An Easement shall be granted if the City Manager shall determine as follows:
 1. That the encroachment shall not be hazardous to or interfere with vehicle or pedestrian traffic on the street, alley, or sidewalk.
 2. That the encroachment shall not hinder vision in the vicinity of an intersection of two (2) streets in violation of Section 28-31.1 of the Lexington City Code.
 3. That the encroachment will not interfere with the operation and maintenance of the public utilities located within the public street right-of-way.
 4. That the encroachment will be subject to the express condition that said encroachment shall be removed upon thirty (30) days written notice that the area of the encroachment is necessary for public improvements or maintenance or repairs of such improvements, and that the property owner will indemnify, protect, and hold the City harmless from and against any claims and demands for damages arising from the construction or maintenance of the encroachment.
 5. In the event that the City Manager refuses to grant the Easement, the application may be presented to the Lexington City Council for final determination. (Ord. No. 2000)

Section 30. That Section 28-31.4 of the Lexington City Code is hereby adopted as follows:

Sec. 28-31.4 MANUFACTURED HOME STANDARDS.

Manufactured Homes: All manufactured homes located outside mobile home parks shall meet the following standards:

1. The home shall have no less than nine hundred (900) square feet of floor area;

2. The home shall have no less than an eighteen (18) foot exterior width.
3. The roof shall be pitched with a minimum vertical rise of two and one-half (2.5) inches for each twelve (12) inches of horizontal run.
4. The exterior material shall be of a color, material and scale comparable with thos existing in residential site-built, single family construction.
5. The home shall have nonreflective roof material which is or simulates asphalt or wood shingles, tile or rock.
6. the home shall have wheels, axles, transporting lights and removable towing apparatus removed.
7. Nothing in the Article shall be deemed to supersede any valid restrictive covenants of record.
8. The home must meet building code requirements adopted by the City.

Section 31. That Section 28-37 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-37 General.

Application for amendment, revision or change of the zoning district map or for a special use permit may be made by any person, or his agent, who owns the land sought to be rezoned or specially used. If such application is made by the owner's agent, the agent shall enter upon the application the name and current mailing address of the owner.

Applications for amendment, revision or change of any portion of this chapter may be made by any interested person. All applications shall be made on forms prescribed by the City Clerk-Treasurer and duly filed with the City Clerk-Treasurer.

A fee as determined by resolution of the City Council shall accompany each application for amendment, revision or change of the zoning district. An accurate sketch of the land in question, drawn to scale on a sheet of 8 1/2" X 11", and a legal description thereof shall accompany the application.

Immediately upon receipt of such application and fee, the Clerk-Treasurer shall note thereon the date of filing and make a permanent record thereof. All such applications shall be set down for hearing not later than the second regular monthly meeting of the Planning Commission following the application. Any such hearing may, for good cause, at the request of the applicant or in the discretion of the Planning Commission be continued for a definite time to be specified in the record of the Planning Commission. Notice of such hearing shall be published at least one time in the official newspaper of the City, such notice to be published not less than ten (10) days prior to the date of the hearing before the Planning Commission.

In addition to the publication of the Notice herein prescribed, a Notice shall be posted in a conspicuous place on or near the property on which action is pending. Said Notice shall be not less than three (3) feet in height and two (2) feet in width with white or yellow background, and black letters not less than two (2) inches in height, and be substantially the same as the published Notice. Such posted Notice shall be so placed upon such premises that it is easily visible from the street nearest the same and shall be so posted at least ten (10) days prior to the date of such hearing. It shall be unlawful for anyone to remove, mutilate, destroy or change such Notice prior to such hearing. Any person so

doing shall be deemed guilty of a misdemeanor. The record title holders of any real estate included in such proposal, and all record title holders of land within three hundred (300) feet of the land involved in such proposal, shall be served with a written Notice substantially the same as the published Notice. Service to non-resident title holders shall be made by certified mail to the last known address of said title holder. Such Notice shall be mailed at least ten (10) days prior to such hearing. In addition, the Clerk-Treasurer shall notify the Board of Education having jurisdiction in the area containing the property, for the purpose of securing a recommendation from the Board relative to the zoning change. Such recommendation from the Board of Education shall be advisory only and failure to submit a recommendation within thirty (30) days shall be construed as approval of the proposal as submitted.

Following the final hearing of such application, the Planning Commission shall approve or deny the same, at the earliest reasonable time, and shall transmit an accurate written summary of the proceedings to the City Clerk-Treasurer.

Following receipt of the summary of the action of the Planning Commission, the City Clerk shall cause the proper posting and publication to be done for a public hearing by the City Council and shall submit the same to the City Council for consideration at the next regular meeting following the date of publication as allowed by law; at which time, final action approving or disapproving the recommendation of the Planning Commission shall be taken, provided, that the Council may for good cause or upon the request of the applicant, continue its hearing upon such application or take the same under advisement after hearing, for final decision at a later date, and in any case the record shall show the reason for such continuance or withholding of final action.

Recommendations for amendment, revision, change or repeal of this chapter, zoning district map, rules or regulations, may also be made by the Planning Commission upon its own motion or by the City Council, provided, that the same are first submitted to the Planning Commission for hearing and recommendation. In either case, final action by the City Council shall be taken only after hearing upon publication notice and recommendation, whether favorable or otherwise, by the Planning Commission, in the manner hereinbefore provided.

In case of a protest against such change, signed by the owners of twenty percent (20%) or more either of the area of the lots included in such proposed change, or of those immediately adjacent on the sides and in the rear thereof extending three hundred (300) feet therefrom, and of those directly opposite thereto extending three hundred (300) feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths (3/4) of all the members of the legislative body. (Ord. No. 1816, Sec. 3)

Change of zone requests issued after January 1, 2000, for specific parcels, blocks or tracts of ground, if so approved by the City Council, shall be conditionally valid for a period of one (1) year. In the event the applicant has not commenced construction or used the property as allowed by the change of zone within such time period, the change of zone shall be null and void, and the property shall revert to the previous zoning classification.

Section 32. That Section 28-38-3.2 of the Lexington City Code is hereby amended to read as follows:
Sec. 28-38.2 Requirements for Special Use Permit.

General requirements are hereby established which shall apply to all applications for special use permits, and specific standards listed shall apply to the issuance of a special use permit as appropriate. The Commission may impose such other conditions and restrictions upon the premises benefited by a special use permit as may be necessary in order to reduce or minimize the injurious effect of such conditional use upon and insure compatibility with surrounding property and to better carry out the general intent of this ordinance. The Commission may establish expiration dates as a condition or a part thereof.

Special Use Permits granted after January 1, 2000 may be subject to annual review by the Planning Commission, for compliance with the provisions under which the permit was originally issued. Upon failure of applicant to meet the provisions or conditions contained within the Special Use Permit, the Planning Commission may recommend and the City Council may revoke the Special Use Permit. In the event that a use has not been established within one (1) year after the issuance of a Special Use Permit, the Planning Commission may recommend and the City Council may revoke said permit.

General requirements: A special use permit shall be recommended, provided the Commission finds that it:

- (1) Is so designed, located, and proposed to be operated that the public health, safety and welfare will be protected;
- (2) Will not adversely affect other property in the area in which it is located;
- (3) Is within the provision of "Special Uses" as set out in this ordinance; and
- (4) Conforms to all applicable provisions of this ordinance for the district in which it is to be located and necessary for public convenience in that location.

Section 33. That original Sections 28-9, 28-10.2, 28-10.5, 28-10.8, 28-11.2, 28-11.7, 28-12.2, 28-12.4, 28-12.8, 28-13.2, 28-13.4, 28-13.8, 28-14.2, 28-14.5, 28-14.9, 28-15.2, 28-15.5, 28-15.9, 28-16.2, 28-16.9, 28-17 through 28-17.9, 28-18.2, 28-18.8, 28-19.2, 28-19.3, 28-20.3, 28-20.9, 28-21.3, 28-29.1, 28-31, 28-31.4, 28-37, and 28-38.2, together with all ordinances or sections of ordinances in conflict herewith are hereby repealed.

Section 34. That this Ordinance shall be published in pamphlet form and take effect as provided by law.

Passed and approved this 11th day of April, 2000.

John & Janet

Mayor

Attest:

Shirley Dennis
City Clerk - Deputy

