

AN ORDINANCE
To Be Entitled

AN ORDINANCE TO AMEND PART 3, CHAPTER 2, PERTAINING TO FIRE PREVENTION AND PROTECTION OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003) TO ESTABLISH A FIRE SERVICES UTILITY; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR A SPECIAL REVENUE FUND; TO PROVIDE FOR SCOPE OF RESPONSIBILITY; TO ESTABLISH FIRE SERVICES FEES; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY the Mayor and Aldermen of Savannah, Georgia, in regular meeting of Council assembled, and pursuant to lawful authority thereof:

SECTION 1: That Part 3, Chapter 2 of the Code of the City of Savannah, Georgia (2003), be amended by inserting a new Article G entitled Fire Services Special Revenue Fund:

Article G. FIRE SERVICES SPECIAL REVENUE FUND

Sec. 3-2081. Purpose. This ordinance establishes the Savannah Fire Services Special Revenue Fund and establishes fire user fees.

Sec. 3-2082. Findings of Fact. The Mayor and Aldermen of the City of Savannah make the following findings of fact:

- (a) The City of Savannah is authorized by the Georgia Constitution of 1983, including, without limitation, Article IX, Section II, Paragraph VI thereof, to create special service districts for the provision of services within such districts, and to levy and collect within such districts fees and assessments to pay, wholly or partially, the cost of providing such services therein.
- (b) The City of Savannah, Georgia, is authorized by its Charter to fix and establish fire service limits and from time to time to extend, enlarge or restrict same.
- (c) In accordance with O.C.G.A. § 36-70-20, areas of Chatham County that are serviced by Savannah Fire and Emergency Services (SFES) are defined in the Service Delivery Strategy (SDS), most recently certified in 2016.
- (d) In promulgating the regulations contained in this Article, the City of Savannah is acting pursuant to authority granted by the

Constitution and laws of the State of Georgia and its City Charter to provide for fire services.

- (e) A system for fire services provides special benefit to properties within the City of Savannah, through increased value and marketability, heightened use and enjoyment of the property, reduced risk to life and property due to fire, and reduced insurance premiums.
- (f) The cost of maintaining a constant state of availability, readiness and preparedness, which is the primary function of SFES, should, to the extent practicable, be allocated in relationship to the services made available to the property by the SFES. Initial fire response to a particular property, and the cost to the SFES to be prepared to provide such a response, is affected by building size as well as the risk (i.e. the probability and/or the consequence) of a fire occurring at a particular property.
- (g) The financing analysis and related documents prepared by SFES properly assesses and defines the SFES needs, goals, priorities as well as the SFES funding strategy.
- (h) Given the SFES needs, goals, priorities and funding strategy identified in the aforementioned financing analysis, it is appropriate to authorize the formation of an organizational and accounting entity dedicated specifically to the maintenance, protection, control, regulation, use, and enhancement of fire protection services, systems and facilities within the City in concert with other resource management programs.
- (i) Fire services are applicable and needed throughout the incorporated areas of the City. While specific service and facility demands may differ from area to area at any given point in time, one service area encompassing all lands within the incorporated areas of the City is consistent with the present and future needs of the community.
- (j) It is practical and equitable to allocate the cost of maintaining a constant state of availability, readiness and preparedness to provide fire services among the owners of property in proportion to the demands the properties impose on SFES which result in benefits to such properties and the owners thereof. The fair and equitable apportionment of costs via the user fee charge should correlate to the fire services made available to properties.

- (k) The fire services in the City include, but are not limited to protection of the public health, safety, and welfare of the properties, property owners and residents of the City. Provision of fire services renders and/or results in both a service and a benefit to all properties, property owners, citizens, and residents of the City, although said benefits may be indirect or immeasurable.
- (l) The most equitable means to provide fire services within the City is through fire user fee charges and other mechanisms.
- (m) A schedule of fire user fee charges based in part on the amount of livable space on all properties of different customer classes (i.e., residential, commercial, institutional, industrial, etc.), with residential fees being charged based on each residential dwelling unit and all other fees being calculated as a rate per square foot of developed space, is the most appropriate and equitable means of allocating the cost of providing fire services throughout the City.
- (n) To ensure that the City's fire service charge is reasonably correlated to the cost to SFES to make service available to all properties within the City's Fire District, a rate modifier based on risk, as established through the SFES's Community Risk Assessment, shall be applied to each property.
- (o) Fire service fee charges may be supplemented by other types of fees and charges which address specific needs, including, but not limited to, special user fees, special assessments, revenue bonds, use of proceeds from special purpose local option sales taxes (SPLOST) and other forms of revenue, as deemed appropriate by the Mayor and City Council.
- (p) The existence of privately owned and maintained on-site fire facilities, systems, programs and services which reduce, or otherwise mitigate, the impact of a particular property on the City's fire protection program, and reduce the risk of a fire occurring at that property, should be taken into account to reduce the user fee charge on that property in the form of a credit, and such credit should be conditioned upon continuing provision of such facilities in a manner complying with the standards and codes as determined by the National Fire Protection Association and SFES. Discounts for privately owned and maintained fire facilities, systems, programs or services shall incentivize risk reduction behaviors and be generally proportional to the effect that such facilities or systems have on reduction and mitigation of the fire risk generated by the property. By reducing overall risk to life and property, SFES will reduce risk to their personnel and

equipment reducing overall cost to the department and allowing SFES to maintain a high ISO rating, which reduces the cost of fire insurance to properties.

- (q) It is imperative that the proceeds from all services fee charges for fire services, systems or facilities, together with any other supplemental revenues raised or otherwise allocated specifically to fire services, systems or facilities, be dedicated solely to those purposes, and such proceeds of user fee charges and supplemental revenues shall therefore be deposited into the Fire Special Revenue Fund and held in trust. Said funds shall remain in that fund and be dispersed only for fire services capital, operating and non-operating costs, lease payments and debt service of bonds or other indebtedness for fire protection purposes.
- (r) In order to protect the health, safety and welfare of the public, the governing authority of Savannah hereby concludes a Fire Services Utility, funded by a dedicated Fire Special Revenue Fund, is warranted as the best available means of addressing the foregoing needs and legal requirements. By separate ordinance, the City will enact a user fee rate structure to establish user fees for the provision of fire services.

Sec. 3-2083. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Commercial* is a category used to described professional office space (e.g., law offices, doctors'/dentists' offices, realtors, etc.) as well as all service and non-service related commercial activities including, but not limited to, uses that include bars, restaurants, shops, lodging, gas stations, studios and grocery stores.
- (b) *Industrial* is a category used to describe high intensity land uses such as manufacturing, assembly, and processing activities where noise, particulate matter, vibration, smoke, dust, gas, fumes, odors, radiation, or other nuisance characteristics may result, as well as industrial land uses such as wholesale trade and distribution.
- (c) *Multi-Family Residential* is a category used to describe instances where multiple residential structures are located on a single lot or instances where one structure contains multiple units (i.e., apartments, mobile home parks and condos).

(d) *Public/Institutional* is a category used to describe certain federal, state, or local government uses, and institutional land uses. Government uses include City halls, County courthouses, government building complexes, police and fire stations, public libraries, post offices, and schools. Institutional uses include colleges, churches and hospitals. This category is also used to describe areas of land specifically designed for active and passive recreational use (e.g., parks, playgrounds, beaches, and public swimming pools), tracts of land dedicated for use by public utilities such as electricity, gas, and water services (e.g., power plants, and sewer treatment plants).

(e) *Service District* means the entire land area within the corporate limits of the City as now configured and hereafter amended.

(f) *Single-Family Residential Property* (or SFR) means developed property containing one residential structure with no more than two dwelling units in or attached thereto, situated upon a single lot of record. Improved property may be classified as SFR even if supplemental accessory structures are present such as garages, carports, storage buildings, guesthouses, servants or caretakers quarters, cottages or barns, or the presence of a commercial use within the residence. SFR properties shall not include improved property containing structures used primarily for non-residential purposes; manufactured homes located within manufactured home parks where the land is owned by someone other than the owners of the manufactured homes; residential condominium developments with more than two units; or vacant/undeveloped property.

(g) *Fire Services* mean all services provided by the City which relate to:

- (1) fire suppression, prevention, response and protection;
- (2) the maintenance, repair and replacement of existing fire protection facilities and equipment;
- (3) the planning, development, design and construction of additional fire protection facilities and equipment to meet current and anticipated needs;
- (4) the regulation of the use of fire services, facilities and equipment; and

(5) the compliance with applicable State and Federal fire protection regulations and permit requirements.

(h) *Fire systems and facilities* mean all personnel, equipment, physical works, properties and improvements which are used to provide fire protection services.

(i) *Fire user fee* means the periodic user fee charge imposed pursuant to this Article by the Savannah Fire Utility for providing fire services. This term shall exclude special charges to the owners of particular properties for services or facilities related to fire protection, including, but not limited to, charges for fire inspections for which a corresponding fee is collected for the service rendered.

(j) *Undeveloped Land* means land in its unaltered natural condition.

(k) *User* is defined as any person who uses property to whom fire services are made available or provided.

Sec. 3-2084. Fire Special Revenue Fund Established.

(a) There is hereby established a Fire Services Utility to be known as the Savannah Fire Utility which shall be responsible for fire protection services throughout the incorporated areas of the City, and which shall provide for the management, regulation, use and enhancement of the City's fire protection facilities and services.

(b) There is hereby established a Fire Special Revenue Fund in the City budgeting and accounting systems for the purpose of dedicating and protecting all funding applicable to the purposes and responsibilities of the SFES, including, but not limited to, rates, charges, and fees as may be established by the Mayor and Aldermen of the City of Savannah from time to time, and other funds that may be transferred or allocated to the Savannah Fire Utility.

(c) All revenues and receipts of the Savannah Fire Utility shall be placed in the Fire Special Revenue Fund in trust, to be expended solely for fire protection purposes. All expenses and capital investments of the Fire Utility shall be paid from the Fire Special Revenue Fund; provided, however, that other revenues, receipts and resources not accounted for in the Fire Special Revenue Fund may be applied to fire protection services as deemed appropriate by the City.

(d) The City shall place responsibility with the Fire Chief, or his/her designee, for operation, maintenance and regulation of the Fire Protection Utility and fire services and facilities performed, owned and operated or

maintained by Savannah, and other related assets, including, but not limited to, properties upon which fire protection facilities are located, as well as certain equipment used solely for fire protection.

Sec. 3-2085. Fire Service Area. There shall be one fire service area in the City which shall encompass the municipal boundaries of Savannah. In that all developed properties within such service area receive fire protection services from the City, a fire protection user fee shall be generated for each one.

Sec. 3-2086. Scope of Responsibility for Fire Protection Systems and Facilities. It is the express intent of this Article to protect the public health, safety and welfare of people and property in general, but not to create any special duty or relationship with any individual person, or to any specific property within or outside the municipal boundaries of the City. The City expressly reserves the right to assert all available immunities and defenses in any action seeking to impose monetary damages or equitable remedies upon the City, its elected officials, officers, employees and agents arising out of any alleged failure or breach of duty or relationship.

Sec. 3-2087. Fire Service User Fees.

(a) It shall be the policy of the City that user fees for fire services to be provided by the Fire Utility in the designated service area shall be equitably derived through methods which have a demonstrable relationship to the demands and impacts imposed on the fire services by individual properties and/or the level of service rendered by, or resulting from, the availability of fire services. Fire user fee charge rates shall be adopted via the rate ordinance and be structured so as to be uniform within the customer class, and the resultant user fees shall bear a reasonable relationship to the cost of maintaining a constant state of availability, readiness and preparedness to adequately respond to a particular property. A fire service fee shall be in addition to other rates, charges, or fees employed for fire services within the incorporated areas of the City as defined herein.

(b) To the extent practicable, discounts against fire user fees shall be provided for on-site fire protection facilities, systems or programs constructed, operated, maintained and performed to the City's standards by public and private property owners which mitigate or compensate for the fire risk that the property poses to the public fire protection systems and facilities.

SECTION 2: That Part 3, Chapter 2 of the Code of the City of Savannah, Georgia (2003), be amended by inserting a new Article H entitled Fire Service Fee:

Article H. FIRE SERVICE FEE

Sec. 3-2091. Purpose. This ordinance shall serve the purpose of establishment and set up of the Fire Service Fee Rate Structure and Billing Mechanism.

Sec. 3-2092. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Discount* means a reduction in the amount of a customer's fire service fee charge in recognition of a customer's efforts to mitigate the response burden imposed on the SFES, and the SFES cost of providing fire services.
- (b) *Dwelling Unit* shall mean a structure, regardless of the type or method of construction, which contains one (1) or more bedrooms, a bathroom, and cooking facilities, designed for occupancy by a one or more person(s) regardless of relationship, living as a single-family unit.
- (c) *Equivalent Residential Unit (ERU)* means the fire service fee charge billing unit increment related to the median building square footage of a single family home, 1,700 square feet.
- (d) *Non-Single Family Residential (NSFR)* property shall mean a parcel of land that consists of various non-residential land uses not classified as single family residential by the Chatham County Tax Assessor.
- (e) *Single-Family Residential (SFR)* property means developed property defined as single family residential by the Chatham County Tax Assessor.
- (f) *Undeveloped Property* means a parcel with no structures located within the parcel boundaries.

The SFES Standards of Cover Report, the Fire Services Funding Analysis; and applicable supporting, project-related documents are incorporated herein by reference.

Sec. 3-2093. Fire Utility Customer Classes.

- (a) The Fire Utility shall establish specified customer classes within the service area to reflect differences in building structure and contents; needed fire flow; fire protection services provided by SFES customers; and the respective demand that those customers' properties place on SFES, water supply system, and fire protection vehicles and equipment. All State, Federal, and County properties are subject to the user fee charges on the same basis as private properties. The

Fire Services Utility classes will encompass all developed and undeveloped properties within the City and are defined as follows:

(1) The Single Family Residential (SFR) Class shall consist of all developed properties classified as SFR customers per the applicable definition.

(2) The Non-Single Family Residential (NSFR) Class shall consist of all developed properties classified as NSFR customers per the applicable definition.

(3) The Undeveloped Class shall consist of properties classified as undeveloped per the applicable definition.

(b) Documentation pertaining to the Fire Utility customer classes shall be kept on file in the office of the Fire Chief, or his/her designee, for public inspection.

Sec. 3-2094. Fire Service User Fee Charge Rates.

(a) The Fire Utility shall impose a fire service user fee on all properties within the service area in a fair and equitable manner. The Fire Utility shall apportion the cost of providing fire services to all properties based on the demand the property places on the SFES and the cost to the SFES to stand ready to provide fire services.

(b) Fire service fee charge rates shall be set and may be modified from time to time by the Mayor and Aldermen of the City of Savannah. A schedule of said rates shall be on file in the office of the City Clerk of Savannah. In setting or modifying such rates, it shall be the goal of the City to establish rates that are fair, equitable and reasonable, and together with other funding sources available to the Fire Service Utility for services, systems, and/or facilities related to fire services are sufficient to support the cost of the SEES, including, but not limited to, the payment of principal and interest on debt obligations, lease payments, operating expenses, capital outlays, non-operating expenses, provisions for prudent reserves and other costs as deemed appropriate by the City.

(c) The basis for calculation of the fire service fee charge to all property within the City is established in this Article. The City shall assign or determine the customer class, building square footage, risk factor, and other pertinent factors as may be needed for the fair, reasonable and equitable allocation of the costs to deliver fire services and to calculate the fire service fee charges for all properties in the City.

(d) Fire service fee charges shall be based upon the total number of Equivalent Residential Units (ERUs) associated with properties within the City. Each ERU shall correspond to 1,700 square feet.

(1) The number of ERUs that will be utilized to calculate the user fee charge shall be in general accordance with the following:

(A) **SFR Customer Class:** Each SFR customer account shall be charged 1.0 ERU for each SFR dwelling unit on that parcel. Attached single family residential structures including townhomes and condominiums would be assigned 1.0 ERU, which would then be multiplied by the appropriate risk multiple for the full property. Duplexes, triplexes and quadplexes where the units are considered to be individual structures by the Tax Assessor, i.e. they have a fire wall between them, will have each unit treated as an individual single-family unit.

(B) **NSFR Customer Class:** Each NSFR customer shall be assigned one ERU for each 1,700 square feet of building space, or increment thereof, to establish the number of ERUs for that parcel. Fractional ERUs will be rounded down to the nearest 0.1 ERU.

(i) The maximum amount of building square footage per parcel that will be considered in the fire fee calculation will be 83,500 feet of building space.

(C) **Undeveloped Property Customer Class:** Each undeveloped property customer shall be charged the minimum billing unit of 1.0 ERU per parcel.

(e) To ensure that the fire service fee is reasonably correlated to the cost to SFES to make service available to all properties within the City's Fire District, fire service fee charges shall be subject to a risk rate modifier, based upon the risk classification assigned to a parcel by the SFES. Based upon the Community Risk Assessment, SFES has assigned one of the following risk categories to individual properties within the City. A risk modifier will be applied to the ERU calculation for each parcel based upon the relative cost to the SFES to provide the minimum response required for each of these risk categories:

(1)

Risk Level	Modifier
Special	1.5
High	1.2

Moderate	1.0
Low	0.2

(2) The risk modifier shall be applied to the ERU calculation for a particular parcel to calculate the total number of ERUs.

(f) Fire service fee charges shall be billed on the customer's annual City property tax bill, beginning in September 2018, as provided in this Article.

(1) Customers that do not receive a property tax bill from the City shall be billed for fire services via a method and frequency established by the City.

(2) The property owner will be charged for the total number of ERUs for residential customer accounts that are part of a larger common development such as multi-family complexes or manufactured home parks.

Sec. 3-2095. Fire Service User Fee Charge Exemptions. Except as otherwise provided by law, no public or private property located in the incorporated area of the City shall be exempt from the fire service fee charges. The fire protection fee charge is not a tax and no exception, offset, or other reduction in fire service fee charges shall be granted based on age, tax status, economic status, race, religion, disability, or other condition unrelated to the SFES cost of providing fire services and facilities.

Sec. 3-2096. Fire Service User Fee Charge Discounts.

(a) The Fire Chief, or his/her designee, shall grant discounts or adjustments based on the technical and procedural criteria set forth in the Fire Services Fee Discount Manual (Discount Manual), which is incorporated into this Ordinance by reference and made a part hereof. Copies of the Discount Manual will be maintained by and made available from the SFES.

(1) Customers may apply for credits and/or adjustments in accordance with the Discount Manual.

(2) A fire service fee charge discount shall be determined based on the technical requirements, standards and criteria contained in the Discount Manual. The amount of discount, or reduction of the fire service fee charge, shall be in accordance with the criteria contained in the Discount Manual.

(3) Any discount allowed against the fire service fee charge is conditioned on continuing compliance with the City's design and performance standards as stated in the Discount Manual and upon

continuing provision of the controls, systems, facilities, services, and activities provided, operated, and maintained by the customer. The Fire Chief, or his/her designee, may revoke a discount at any time for noncompliance with applicable standards and criteria as established in the Discount Manual or this Article.

(4) In order to obtain a discount, the customer must make application to the City on forms provided by the Fire Chief, or his/her designee, for such purpose, and in accordance with the procedures outlined in the Discount Manual.

(5) The application for any credit or adjustment must be in writing and must include the information necessary to establish eligibility for the credit or adjustment, and be in the format described in the Discount Manual. The customer's public utility account must be paid and current prior to review and approval of a fire service fee credit application by the SFES. Incomplete applications will not be accepted for consideration and processing.

(6) When an application for a discount is deemed complete by the Fire Chief, or his/her designee, they shall have 60 days from the date the complete application is received to approve the discount in whole, approve the discount in part, or deny the discount. The Fire Chief's, or his/her designee's, decision shall be in writing and will be mailed to the address provided on the adjustment request, and service shall be complete upon mailing.

Sec. 3-2097. Fire Service User Fee Charge Billing, Delinquencies, Collections, Adjustments. The property owner, as identified from the Tax Digest and other public records of Chatham County, shall be obligated to pay the applicable fire protection fee charge.

(a) Billing.

(1) Fire service fee charges shall begin to accrue January 1, 2018, and shall be billed in arrears. A bill for fire service fee charges may be sent through the United States Postal Service or by alternative means, notifying the customer of the following items (as a minimum): the fire service fee charge amount (less any approved discounts), the date the payment is due and the date when payment is past due.

(2) Frequency of the billing of fire protection fee charges shall be specified by the City.

(3) Failure to receive a bill shall not be justification for nonpayment. Regardless of the party to whom the bill is initially directed, the owner of

each property subject to fire service fee charges shall be ultimately obligated to pay fire protection fee charges and any interest at the rate of eighteen (18%) percent per annum on delinquent fire service fee charge payments.

(4) If a property is unbilled, or if no bill is sent for a particular tract of property, the City may back bill for a period of up to three (3) years, but shall not be entitled to any interest or any delinquency charges during the back billed period.

(b) Delinquencies and Collections.

(1) Unpaid fire service fees shall be collected by filing suit to collect on an unpaid account and by using all methods allowed by Georgia law to collect on any judgment obtained thereby, including enforcement of any lien resulting from any such judgment. Unless reduced to a judgment and a writ of fieri facias issued, the unpaid fire service fee charge shall not constitute a direct lien against the owner or the property.

(2) A late charge shall be assessed against the customer for the unpaid balance of any fire service fee charge that becomes delinquent in accordance with applicable State law and City ordinance provisions. In addition, the city shall assess all costs of collection, including attorney's fees and court costs, against the property owner.

(c) Adjustments.

(1) The Fire Chief, or his/her designee, shall administer the procedures and standards for the adjustment of the fire service fee charge.

(A) If a customer believes his/her fire service fee is incorrect, the customer may seek an adjustment of the fire service fee charge allocated to a property at any time by submitting the request in writing to Fire Chief, or his/her designee, and setting forth in detail the grounds upon which relief is sought. The customer's fire services fee account must be paid and current prior to consideration of an adjustment request by the City.

(B) Customers requesting the adjustment shall be required, at their own expense, to provide accurate information to Fire Chief, or his/her designee, including, but not limited to, inspection reports from a certified fire professional or building construction plans certified by a registered architect or a professional engineer. Submittal of this information will be required if the Fire Chief, or his/her designee, cannot make a determination based on field inspection and/or review of existing City information. Failure to

provide the required information within the time limits established by Fire Chief, or his/her designee, as may be reasonably extended, may result in denial of the customer's adjustment request.

(C) Once a completed adjustment request and all required information are received by the Fire Chief, or his/her designee, Fire Chief, or his/her designee, shall within 60 calendar days render a written decision.

(D) In considering an adjustment request, the Fire Chief, or his/her designee, shall consider whether the calculation of the fire service user fee charge for the property is correct.

(E) The decision of the Fire Chief, or his/her designee, shall be in writing and will be mailed to the address provided on the adjustment request, and service shall be complete upon mailing.

(F) If the result of an adjustment is that a refund is due the applicant, the refund will be applied as a credit on the applicant's next fire services user fee bill.

Sec. 3-2098. Appeals and Hearings.

(a) An appeal to the City Manager may be taken by any property owner or customer aggrieved by any decision of the Fire Chief, or his/her designee. The appeal shall be taken within 30 calendar days of the decision of the Fire Chief, or his/her designee, by filing with the City Manager a notice of appeal in writing specifying the grounds thereof. Upon the filing of the notice of appeal, the Fire Chief, or his/her designee, shall forthwith transmit to the City Manager all documentation constituting the record upon which the decision appealed from was taken.

(b) The City Manager shall fix a reasonable time for hearing the appeal and give written notice to the appellant at least ten (10) calendar days prior to the hearing date. The notice shall indicate the place, date and time of the hearing. The City Manager shall affirm, reverse, affirm in part, or reverse in part the decision of the Fire Chief, or his/her designee, after hearing the evidence. If the decision of the Fire Chief, or his/her designee, is reversed in whole or in part, resulting in a refund or discount due to the property owner or customer, then such refund or discount shall be calculated retroactive to the date of the initial appeal. The decision of the City Manager shall be final, and there shall be no further administrative appeal. Any person aggrieved or dissatisfied with the decision of the City Manager may petition the Superior Court of Chatham County for Writ of Certiorari.

SECTION 3: Severability. If the provisions of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this ordinance.

SECTION 4: Repealer. All ordinances or parts thereof which are in conflict with any provision or any section, subsection, paragraph, provision or clause of this ordinance are hereby repealed to the extent of the conflict.

SECTION 5: Effective Date. This ordinance shall become January 1, 2018.

ADOPTED AND APPROVED: _____

Eddie W. DeLoach, Mayor

CLERK OF COUNCIL