



# CITY OF WHEATLAND

## CITY COUNCIL MEETING STAFF REPORT

February 22, 2022

**SUBJECT:** Council Discussion and Consideration to Waive the Second Reading and Adopt Ordinance No. 485 related SB 1383 Implementation

**PREPARED BY:** Jim Goodwin, City Manager

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### **Recommendation**

Staff recommends your City Council waive the second reading and adopt Ordinance No. 485.

### **Background/Discussion**

SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016 was passed by the Legislature and signed into law in 2016. The bill made significant changes to waste management requirements for local cities and counties. Pursuant to the joint powers agreement, the Regional Waste Management Association (RWMA) will implement many of the new provisions, but some will need to be implemented by the City. Accordingly, the City Attorney has prepared the draft Ordinance to integrate the statutorily mandated components of SB 1383 into the relevant provisions of the City's Municipal Code. The City's ordinance is based on a model ordinance provided by CalRecycle, as modified by RWMA consulting staff, to reflect conditions within the Yuba-Sutter region.

Specifically, Ordinance No. 485 does the following:

1. Amends the City's existing "Green Building" Code to require compliance with Calgreen Building Standards Recycling Requirements;
2. Amends the City's existing landscaping standards to require compliance with the Model Water Efficient Landscaping Ordinance Requirements.
3. Adds new provisions requiring multi-family residential buildings and commercial construction projects to have readily accessible recycling bins and allows for inspection of those sites by City enforcement staff to ensure compliance with these CALGreen Building Standards.
4. Specifies that a violation of these requirements may be subject to fines of \$50 per violation for a first violation, \$100 per violation for a second violation and \$250 per violation for a

third and subsequent violation and may be enforced pursuant to Chapter 1.18 of the Wheatland Municipal Code.

### **Alternatives**

The City Council waived the first reading and introduced Ordinance No. 485 on February 8, 2022. Council may choose not to waive the second reading and adopt the ordinance, or it may choose to direct staff to revise the ordinance. Failing to adopt an ordinance with the statutorily mandated components may lead to an enforcement action against the City by CalRecycle.

### **Fiscal Impact**

Potential administrative costs for enforcement activity and potential nominal revenue generated from fines that may be imposed.

### **Attachments**

- 1. Ordinance 485.**

**ORDINANCE NO. 485**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF WHEATLAND  
ADOPTING "CALGREEN" BUILDING STANDARDS AND  
WATER-EFFICIENT LANDSCAPING REQUIREMENTS**

The City Council of the City of Wheatland does ordain as follows:

**SECTION 1. Purpose and Authority.** The purpose of this ordinance is to adopt the provisions of Senate Bill 1383, the Short-Lived Climate Pollutant Reduction Act of 2016, which established methane emissions reduction targets to reduce emissions of short-lived climate pollutants. This ordinance is adopted pursuant to California Constitution article 11, section 7, Government Code §§ 65800, *et seq.*, and 65591 – 65599, and other applicable law.

**SECTION 2. Findings.** The City Council of the City of Wheatland makes the following findings in support of the adoption and application of this ordinance:

A. In 2016, the Legislature passed, and the Governor signed into law Senate Bill 1383, which added Sections 39730.5, 39730.6, 39730.7, and 39370.8 to the California Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the California Public Resources Code, establishing methane emission reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants.

B. The Department of Resources Recycling and Recovery (“CalRecycle”) is the state agency designated with the responsibility for developing regulations implementing the provisions of SB 1383 and their enforcement. In 2020, CalRecycle adopted the Short-Lived Climate Pollutants: Organic Waste Reduction regulations (“SB 1383 Regulations”), which added 14 CCR, Division 7, Chapter 12 and amended portions of Section 14 and Section 27 of the same.

C. Pursuant to its police powers, the City is authorized to adopt regulations to protect public health, safety, and welfare. SB 1383 requires the City to adopt and enforce an ordinance that implements the SB 1383 Regulations adopted by CalRecycle. Such ordinance must include provisions for (1) compliance with the construction and demolition debris diversion requirements of the California Green Building Standards Code (“CALGreen Building Standards”), (2) provision of readily accessible areas for depositing, storage, and collection of non-hazardous materials for recycling in Multi-Family Residential Dwellings and commercial construction projects as required by CALGreen Building Standards, and (3) compliance with specified provisions of the Model Water Efficient Landscape Ordinance (“MWELO”) established by Title 23, California Code of Regulations, Division 2, Chapter 2.7

**SECTION 3.** As used in this ordinance, the following definitions will apply:

“CALGreen Building Standards” means the California Green Building Standards Code as contained in the California Code of Regulations, Title 24, Part 11.

“CalRecycle” means the California Department of Resources Recycling and Recovery.

“California Code of Regulations” or “CCR” means the California Code of Regulations.

“Commercial Business” or “Commercial” means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a Multi-Family Residential Dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A multi-family residential dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of this ordinance.

“Compliance Review” means a review of records by the City to determine compliance with the provisions of this ordinance.

“Designee” means an entity that a City contracts with or otherwise arranges to carry out any of the City’s responsibilities under this ordinance as authorized in 14 CCR Section 18981.2. A Designee may be a government entity, a private entity, or a combination of those entities

“Enforcement Action” means an action of the City to address non-compliance with this ordinance including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies

“Inspection” means a site visit where the City reviews records, containers, and an entity’s collection, handling, recycling, or landfill disposal of materials to determine if the entity is complying with requirements set forth in this ordinance.

“City Enforcement Official” means the city manager, department director, or other executive in charge or their authorized Designee(s) who is/are partially or wholly responsible for enforcing this ordinance

“Multi-Family Residential Dwelling” or “Multi-Family” means of, from, or pertaining to residential premises with five (5) or more dwelling units.

“Model Water Efficient Landscape Ordinance” or “MWELo” refers to the Model Water Efficient Landscape Ordinance (MWELo), 23 CCR, Division 2, Chapter 2.7.

“Notice of Violation (NOV)” means a notice that a violation has occurred that includes a compliance date to avoid an action to seek penalties, or as otherwise defined in 14 CCR Section 18982(a)(45) or further explained in 14 CCR Section 18995.4.

“SB 1383” means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the

California Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the California Public Resources Code, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time.

“SB 1383 Regulations” means or refers to, for the purposes of this ordinance, the Short-Lived Climate Pollutants: Organic Waste Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Chapter 12 and amended portions of regulations of 14 CCR and 27 CCR.

“Single-Family” means of, from, or pertaining to any residential premises with fewer than five (5) units.

**SECTION 4.** Chapter 15.14.030 is hereby added to the Wheatland Municipal Code to read as follows:

**15.14.030. Recycling of Construction and Demolition Debris.**

- A. Persons applying for a permit from the City for new construction and building additions and alterations that are within the scope of the CalGreen Building Standards, Title 24 of the California Code of Regulations, Part 11, as may be amended shall comply with the construction and demolition debris diversion requirements pursuant to Sections 4.408 and 5.408 of the same. Project applicants shall also comply with all written and published City policies and/or administrative guidelines regarding the provision of a construction waste management plan; construction waste management plan acknowledgment by the project contractor and subcontractors; and, construction waste management plan compliance documentation. Project applicants must, as a condition of City’s permit approval, comply with the following:
1. For projects where five (5) or more Multi-Family dwelling units are to be constructed on a building site, the project applicant shall identify and provide readily accessible areas that serve occupants of all buildings on the site for the storage and collection of nonhazardous materials for recycling, including recyclable materials and organic waste materials collected in the City’s solid waste collection program, in compliance with Section 4.410.2 of the California Green Building Standards Code, 24 CCR, Part 11.
  2. For projects that involve new Commercial construction or additions resulting in an increase to floor area of 30% or more the project applicant shall identify and provide readily accessible areas for the storage and collection of nonhazardous materials for recycling, including recyclable materials and organic waste materials collected in the City’s solid waste collection program, in compliance with Sections 5.410.1 and 5.410.1.2 of the CalGreen Building Standards, as may be amended. Section 5.410.1.2 references the space allocation sample ordinance developed pursuant to Chapter 18, Part 3, Division 30 of the California Public Resources Code, known as the California

Solid Waste Reuse and Recycling Access Act of 1991, which took effect in the City September 1, 1993, as the City did not adopt an alternate ordinance.

B. Inspections and Investigations.

1. City representatives and/or its designated entity, including Designees, are authorized to conduct Inspections and investigations, at random or otherwise, of any project site, collection container or collection vehicle loads to confirm compliance with this section by Commercial Businesses (including Multi-Family Residential Dwellings); property owners; building/demolition/landscaping contractors; or, other entity subject to applicable laws. This section does not allow City representatives and/or its designated entity, including Designees to enter the interior of a private residential property for Inspection.
2. Regulated entities shall provide or arrange for access during all Inspections (with the exception of residential property interiors) and shall cooperate with the City's representative(s) or its designated entity/Designee during such Inspections and investigations. Such Inspections and investigations may include confirmation of proper solid waste collection services, proper placement of materials in containers, records, or any other requirement of this section. Failure to provide or arrange for: (i) access to an entity's premises; or (ii) access to records for any Inspection or investigation is a violation of this section and may result in penalties described.
3. Any records obtained by the City during its Inspections or investigations, and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.
4. City representatives, its designated entity, and/or Designee are authorized to conduct any Inspections, or other investigations as reasonably necessary to further the goals of this section, subject to applicable laws.
5. City shall receive written complaints from persons regarding an entity that may be potentially non-compliant with this section, including receipt of anonymous complaints.

C. Enforcement.

1. Violation of any provision of this chapter shall constitute grounds for issuance of a Notice of Violation and assessment of a fine by a City Enforcement Official or representative. Enforcement Actions under this chapter are issuance of an administrative citation and assessment of a fine. The City's procedures on imposition of administrative fines, pursuant to Chapter 1.18 of the Wheatland Municipal Code are hereby incorporated in their entirety, as modified from time to time, and shall govern the imposition, enforcement, collection, and review of administrative citations issued to



enforce this chapter and any rule or regulation adopted pursuant to this chapter, except as otherwise indicated.

2. Other remedies allowed by law may be used, including civil action or prosecution as misdemeanor or infraction. City may pursue civil actions in the California courts to seek recovery of unpaid administrative citations. City may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of City staff and resources.
3. Entity Responsible for Enforcement.
  - a. Enforcement pursuant to this chapter may be undertaken by the City Enforcement Official(s) or their designated entity, legal counsel, or combination thereof.
  - b. City Enforcement Official(s) will interpret this chapter; determine if violation(s) have occurred; implement Enforcement Actions; and, determine if compliance standards are met.
  - c. City Enforcement Official(s) may issue Notices of Violation(s).
4. Process for Enforcement.
  - a. City Enforcement Official(s) and/or their Designee will monitor compliance with this chapter randomly and through Compliance Reviews, investigation of complaints, and an Inspection program.
  - b. City may issue an official notification to notify regulated entities of its obligations under the chapter.
  - c. City shall issue a Notice of Violation requiring compliance within 60 days of issuance of the notice
  - d. Absent compliance by the respondent within the deadline set forth in the Notice of Violation, City shall commence an action to impose penalties, via an administrative citation and fine, pursuant to this chapter. Notices shall be sent to the Commercial Business (including Multi-Family Residential Dwellings); property owner; building/demolition/landscaping contractor; or, other entity responsible for the violation.
5. Penalties. Penalties will be assessed as follows:
  - a. For a first violation, the amount of the base penalty shall be \$50 per violation.
  - b. For a second violation, the amount of the base penalty shall be \$100 per violation.

- c. For a third or subsequent violation, the amount of the base penalty shall be \$250 per violation.

6. Compliance Deadline Extension Considerations.

- a. The City may extend the compliance deadlines set forth in a Notice of Violation issued in accordance with Section 6 if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:
  - i. Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters; or,
  - ii. Delays in obtaining discretionary permits or other government agency approvals.

7. Appeals.

- a. Persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation. A hearing will be held only if it is requested within the time prescribed and consistent with City's procedures in the City's codes for appeals of administrative citations. Evidence may be presented at the hearing. The City will appoint a hearing officer who shall conduct the hearing and issue a final written order.

8. Education Period for Non-Compliance.

- a. Beginning on the effective date of this Ordinance and through December 31, 2023, City will conduct Inspections and Compliance Reviews, depending upon the type of regulated entity, to determine compliance, and if City determines that a Commercial Business (including Multi-Family Residential Dwellings); property owner; building/demolition/landscaping contractor; or, other entity is not in compliance, it shall provide educational materials to the entity describing its obligations under this chapter and a notice that compliance is required immediately, and that violations may be subject to administrative civil penalties starting on January 1, 2024.

9. Civil Penalties for Non-Compliance.

- a. Beginning January 1, 2024, if the City determines that a Commercial Business (including Multi-Family Residential Dwellings); property owner; building/demolition/landscaping contractor; or, other entity is not in compliance with this chapter, it shall document the noncompliance or violation, issue a Notice of Violation, and take Enforcement Action pursuant to this Section 6, as needed.



**SECTION 5.** Chapter 18.60.130 of the Wheatland Municipal Code is hereby amended to add Section E and to read as follows:

**E. Model-Water Efficient Landscaping Ordinance.** Property owners or their building or landscape designers, including anyone requiring a building or planning permit, plan check, or landscape design review from the City, who are constructing a new (Single-Family, Multi-Family, public, institutional, or Commercial) project with a landscape area greater than 500 square feet, or rehabilitating an existing landscape with a total landscape area greater than 2,500 square feet, shall comply with the following requirements of the Model Water Efficient Landscaping Ordinance (“MWELO”):

1. Sections 492.6 (a)(3)(B)(C), (D) and (G), as may be amended, of the MWELO, which require the submittal of a landscape design plan with a soil preparation, mulch, and amendments section to include the following:
  - a. For landscape installations, soil amendments shall be incorporated according to recommendations of the soil management report per Section 492.5 of the MWELO and what is appropriate for the plants selected.
  - b. For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils with greater than six percent (6%) organic matter in the top six (6) inches of soil are exempt from adding compost and tilling.
  - c. For landscape installations, a minimum three (3) inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife up to five percent (5%) of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
  - d. Organic mulch materials made from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local fuel modification plan guidelines or other applicable local ordinances.
2. The requirements of this Section are not an inclusive list of MWELO requirements, therefore, property owners or their building or landscape designers that meet the threshold for MWELO compliance outlined in Section 4(a) shall consult the full MWELO for all applicable requirements.
3. Inspections and Investigations.
  - a. City representatives and/or its designated entity, including Designees, are authorized to conduct Inspections and investigations, at random or

otherwise, of any project site, collection container or collection vehicle loads to confirm compliance with this section by Commercial Businesses (including Multi-Family Residential Dwellings); property owners; building/demolition/landscaping contractors; or, other entity subject to applicable laws. This section does not allow City representatives and/or its designated entity, including Designees to enter the interior of a private residential property for Inspection.

- b. Regulated entities shall provide or arrange for access during all Inspections (with the exception of residential property interiors) and shall cooperate with the City's representative(s) or its designated entity/Designee during such Inspections and investigations. Such Inspections and investigations may include confirmation of proper solid waste collection services, proper placement of materials in containers, records, or any other requirement of this section. Failure to provide or arrange for: (i) access to an entity's premises; or (ii) access to records for any Inspection or investigation is a violation of this section and may result in penalties described.
- c. Any records obtained by the City during its Inspections or investigations, and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.
- d. City representatives, its designated entity, and/or Designee are authorized to conduct any Inspections, or other investigations as reasonably necessary to further the goals of this section, subject to applicable laws.
- e. City shall receive written complaints from persons regarding an entity that may be potentially non-compliant with this section, including receipt of anonymous complaints.

#### 4. Enforcement.

- a. Violation of any provision of this ordinance shall constitute grounds for issuance of a Notice of Violation and assessment of a fine by a City Enforcement Official or representative. Enforcement Actions under this ordinance are issuance of an administrative citation and assessment of a fine. The City's procedures on imposition of administrative fines, pursuant to Chapter 1.18 of the Wheatland Municipal Code are hereby incorporated in their entirety, as modified from time to time, and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this ordinance and any rule or regulation adopted pursuant to this ordinance, except as otherwise indicated in this ordinance.
- b. Other remedies allowed by law may be used, including civil action or prosecution as misdemeanor or infraction. City may pursue civil actions in the California courts to seek recovery of unpaid administrative citations. City may choose to delay court action until such time as a sufficiently large number of violations, or cumulative

size of violations exist such that court action is a reasonable use of City staff and resources.

- c. Entity Responsible for Enforcement.
  - i. Enforcement pursuant to this ordinance may be undertaken by the City Enforcement Official(s) or their designated entity, legal counsel, or combination thereof.
  - ii. City Enforcement Official(s) will interpret ordinance; determine if violation(s) have occurred; implement Enforcement Actions; and, determine if compliance standards are met.
  - iii. City Enforcement Official(s) may issue Notices of Violation(s).
- d. Process for Enforcement.
  - i. City Enforcement Official(s) and/or their Designee will monitor compliance with this ordinance randomly and through Compliance Reviews, investigation of complaints, and an Inspection program.
  - ii. City may issue an official notification to notify regulated entities of its obligations under the ordinance.
  - iii. City shall issue a Notice of Violation requiring compliance within 60 days of issuance of the notice.
  - iv. Absent compliance by the respondent within the deadline set forth in the Notice of Violation, City shall commence an action to impose penalties, via an administrative citation and fine, pursuant to this ordinance. Notices shall be sent to the Commercial Business (including Multi-Family Residential Dwellings); property owner; building/demolition/landscaping contractor; or, other entity responsible for the violation.
- e. **Penalties.** Penalties will be assessed as follows:
  - i. For a first violation, the amount of the base penalty shall be \$50 per violation.
  - ii. For a second violation, the amount of the base penalty shall be \$100 per violation.
  - iii. For a third or subsequent violation, the amount of the base penalty shall be \$250 per violation.
- f. Compliance Deadline Extension Considerations.
  - i. The City may extend the compliance deadlines set forth in a Notice of Violation issued in accordance with if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:
  - ii. Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters; or,

- iii. Delays in obtaining discretionary permits or other government agency approvals.
- g. **Appeals.** Persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation. A hearing will be held only if it is requested within the time prescribed and consistent with City’s procedures in the City’s codes for appeals of administrative citations. Evidence may be presented at the hearing. The City will appoint a hearing officer who shall conduct the hearing and issue a final written order.
- h. **Education Period for Non-Compliance.** Beginning on the effective date of this Ordinance and through December 31, 2023, City will conduct Inspections and Compliance Reviews, depending upon the type of regulated entity, to determine compliance, and if City determines that a Commercial Business (including Multi-Family Residential Dwellings); property owner; building/demolition/landscaping contractor; or, other entity is not in compliance, it shall provide educational materials to the entity describing its obligations under this section and a notice that compliance is required immediately and that violations may be subject to administrative civil penalties starting on January 1, 2024.
- i. **Civil Penalties for Non-Compliance.** Beginning January 1, 2024, if the City determines that a Commercial Business (including Multi-Family Residential Dwellings); property owner; building/demolition/landscaping contractor; or, other entity is not in compliance with this ordinance, it shall document the noncompliance or violation, issue a Notice of Violation, and take Enforcement Action pursuant to this Section 6, as needed.

**SECTION 6.** Chapter 18.06.010 of the Wheatland Municipal Code is hereby amended in part to amend the definition of “Landscaping” to read as follows:

“Landscaping” means a planted area, or an area incorporating artificial plants, designed to be aesthetically appealing and which contains grass, ground covers, shrubs, trees, stonework, bark dust, or other similar items in any combination. Artificial plants such as artificial turf may also be included in landscaping, provided that they are aesthetically appealing.

**SECTION 7.** Chapter 18.51.030, section B (12) of the Wheatland Municipal Code is hereby amended to read as follows:

**18.51.030. Application.**

**B.12. Master Landscaping Plan.** A master landscaping plan showing parks, pedestrian circulation, landscape and hardscape themes, consistent with Wheatland Municipal Code 18.60.130, subsection E.

**SECTION 8.** Chapter 18.51.040 PD of the Wheatland Municipal Code is hereby amended to add subsection G, to read as follows:

**18.51.040. Application Review Criteria.**

- G. Compliance with applicable requirements of Wheatland Municipal Code 18.60.130.

**SECTION 9.** Chapter 18.67.040, section C of the Wheatland Municipal Code is hereby amended to read as follows:

**18.67.040. Principles of compliance.**

- C. Landscaping shall be provided for beautifying and enhancing a property, controlling erosion, and reducing glare. Landscaping shall comply with all applicable requirements of Wheatland Municipal Code 18.160.130. Landscaped areas shall be maintained in an attractive manner.

**SECTION 10.** Chapter 13.54.100 of the Wheatland Municipal Code is renumbered to be Chapter 13.54.110. New Chapter 13.54.100 is added to read as follows:

**13.54.100. Water-Efficient Landscaping.** Certain landscaping projects are required to comply with the water efficiency provisions of Wheatland Municipal Code Section 18.60.130 and the Model Water Efficient Landscape Ordinance (MWELo), as contained in 23 CCR, Division 2, Chapter 2.7.

**SECTION 11.** Chapter 8.14.080 of the Wheatland Municipal Code is amended to read as follows:

**8.14.080. Prohibited Materials.** Household hazardous waste, Class I toxic chemicals, and liquid garbage shall not be deposited for collection in the weekly refuse service. Rocks, sod, concrete bricks, and similar solid material, plaster, dirt, large appliances, and furniture shall be subject to pick up by the collector with special arrangement therefor made between the owner and the collector pursuant to the terms of the agreement between the city and collector. Materials subject to the provisions of 15.14.030 shall be disposed of in accordance with the provisions of that section.

**SECTION 11. Exemption from CEQA.** This ordinance will not cause a direct physical change in the environment or a foreseeable indirect physical change in the environment. The City Council therefore concludes that enactment of this ordinance does not constitute the approval of a project under the California Environmental Quality Act ("CEQA"), and, even if it did qualify as a project, it would be exempt from CEQA. (Pub. Res. Code § 21065, CEQA Guidelines §§ 15060(c)(2), 15060(c)(3); 15061(b)(3); 15064(d)(3); 15378(a).)

**SECTION 12. Severability.** If any section or provision of this ordinance, or the application of such section or provision to any person, firm, organization, corporation or circumstance is held by a court of competent jurisdiction to be invalid, the remainder of this ordinance, including the application of such part or provision to other persons, firms, organizations, corporations or circumstances, shall not be affected and shall continue in full force and effect.

**SECTION 13. Effective Date.** This ordinance shall take effect 30 days after its adoption by the City Council.

**SECTION 14. Posting.** Within 15 days after the City Council adopts this ordinance, the City Clerk shall post a copy of it in at least three public places in the City.

**INTRODUCED** by the City Council on the 8<sup>th</sup> day of February 2022.

**PASSED AND ADOPTED** by the City Council of the City of Wheatland on the 22<sup>nd</sup> day of February 2022, as follows:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Rick West, Mayor

Attest:

\_\_\_\_\_  
City Clerk

I hereby certify that the foregoing is a true and correct copy of City of Wheatland Ordinance No. 485, which ordinance was duly introduced, adopted and posted pursuant to law.

\_\_\_\_\_  
City Clerk