DATE

May 29, 2009

TO

Members of the Economic Development Committee:
Ron Natinsky (Chair), Tennell Atkins (Vice Chair), Dwaine Caraway, Jerry R. Allen, Sheffie Kadane, Mitchell Rasansky, Linda Koop, and Steve Salazar

SUBJECT

Supergraphics Amendments

On August 27, 2008, City Council voted to extend the current supergraphic provisions to February 27, 2009. At that time, staff committed to continue to evaluate and explore other proposals to broaden the ability to post wallscape signs on buildings in the downtown area.

Staff worked with interested parties to develop proposals which were then forwarded to the Special Provision Sign District Advisory Committee, the Zoning Ordinance Advisory Committee and the City Plan Commission for consideration. On May 21, 2009 the City Plan Commission recommended approval of the attached ordinance amending the supergraphic provisions of the Downtown Special Provision Sign District. Please find attached briefing materials on the proposed amendments.

Please contact me if you need additional information.

A. O. Gonzalez
Assistant City Manager

C: Honorable Mayor and Members of the City Council
Mary K. Suhr, City Manager
Deborah A. Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge C. Victor Lander
Ryan S. Evans, First Assistant City Manager
Forest Turner, Interim Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Ramon F. Miguez, P.E., Assistant City Manager
David K. Cook, Chief Financial Officer
Theresa O'Donnell, Director of Development Services
Helena Stevens-Thompson, Assistant to the City Manager

“Dallas, The City That Works: Diverse, Vibrant and Progressive”
Supergraphic Provisions
Downtown Special Provision Sign
District

City Council Economic Development Committee
June 1, 2009
Background

- City Council adopted the supergraphics ordinance on September 12, 2001.
- The ordinance was amended on May 8, 2002 to substitute the phrase “face of the building” for the word “façade.” That amendment allowed a supergraphic to be placed on the west side of the YMCA building on Ross Ave.
- On June 11, 2003, the supergraphics provisions were extended for an additional 2 year period to expire on September 12, 2005.
- On May 25, 2005, the supergraphic provisions were extended to September 1, 2008.
- On August 27, 2008 the supergraphic provisions were extended to February 27, 2009. Staff was directed to develop possible amendments to allow for additional supergraphic signs.
Background

• On February 25, 2009 a resolution was passed by City Council suspending enforcement of the sunset provision of the ordinance and instructing staff to submit changes to the supergraphic provisions to City Council by June 24, 2009.

• There has been interest in amending the supergraphic provisions to allow for expansion of supergraphic signs in the downtown area. This interest has come from both the sign industry and property owners. There has also been concern expressed with the possible expansion of the program to allow additional non-premise signs in the city core.
## Meeting Chronology

<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting Type</th>
<th>Other</th>
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</thead>
<tbody>
<tr>
<td>12/18/08</td>
<td><em>Initial joint meeting</em></td>
<td>SSDAC and ZOAC</td>
</tr>
<tr>
<td>1/13/09</td>
<td><em>SSDAC meeting</em></td>
<td>SSDAC</td>
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<tr>
<td>2/2/09</td>
<td>Regular ZOAC meeting</td>
<td>ZOAC</td>
</tr>
<tr>
<td>3/5/2009</td>
<td>Regular ZOAC meeting</td>
<td>ZOAC</td>
</tr>
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<td>4/2/09</td>
<td>Regular ZOAC meeting</td>
<td>ZOAC</td>
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<tr>
<td>4/9/09</td>
<td>Special Industry meeting</td>
<td>City staff with Sign Company representatives</td>
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<tr>
<td>4/16/09</td>
<td>Regular ZOAC meeting</td>
<td>ZOAC</td>
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</table>
SUMMARY OF EXISTING SUPERGRAPHIC PROVISIONS

• Signs must have a minimum area of 10,000 s/f
• Signs cannot have a maximum area of greater than 20,000 s/f
• Signs must be a minimum of 92 percent non-textual graphic
• Signs must be located on a blank face of a building
• Signs must cover at least 90 percent of the face of the building
• Signs may not exceed 150 ft in height
• No sign may be displayed for more than four consecutive months in a twelve month period
• No more than 6 supergraphic signs are permitted
• Signs may not be attached to a building erected after June 1, 2005
Example of how to measure text portion of sign
Examples From Other Cities

West Hollywood, CA

Times Square, NY

5,400 sq/ft

2,632 sq/ft
Examples From Other Cities

WASHINGTON D.C.

5,400 sq/ft

COLUMBUS, OH

1,800 sq/ft left
3,600 sq/ft middle
2,700 sq/ft right
8,100 sq/ft grand total
Examples From Other Cities

NEW YORK, NY

CHICAGO, IL

4,500 sq/ft

800 sq/ft
Examples From Other Cities
New Proposals

• Smaller Wallscapes
• Tall Building Wallscapes
• Municipal Center Wallscapes
• Promotional Wallscapes
Original Proposal for Tall Wallscapes

- Wallscape signs allowed on buildings greater than 150 ft
- Require 70 percent façade (face) coverage
- No more than 4 tall building wallscapes
- Vertical orientation
- No fenestration on facade
City Center Wallscape Proposal
Civic Center Wallscapes
SSDAC Recommendation

<table>
<thead>
<tr>
<th></th>
<th>SUPER-GRAPHIC</th>
<th>TALL WALLSCAPE</th>
<th>CITY CENTER WALLSCAPE</th>
<th>MUNICIPAL CENTER WALLSCAPE</th>
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<tr>
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<td>4</td>
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<td>20,000 s/f</td>
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<td>10,000 s/f</td>
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<td><strong>MAXIMUM TEXT AREA %</strong></td>
<td>10%</td>
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<td><strong>ORIENTATION</strong></td>
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<td><strong>MESSAGE DURATION</strong></td>
<td>4 consecutive months</td>
<td>4 consecutive months</td>
<td>4 consecutive months</td>
<td>4 consecutive months</td>
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<tr>
<td><strong>WALL TYPE</strong></td>
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<td>Blank Face</td>
<td>Blank Wall Area</td>
<td>Blank Wall Area</td>
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<td><strong>HEIGHT</strong></td>
<td>Max 150 ft Bldg</td>
<td>Max 350 ft Bldg</td>
<td>Max 150 ft top sign from grade</td>
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<tr>
<td><strong>COVERAGE</strong></td>
<td>90%</td>
<td>70%</td>
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# City Center Wallscape - CPC

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>Existing Supergraphics</th>
<th>ZOAC Recommendation</th>
<th>CPC Recommendation</th>
<th>Alternatives</th>
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<tr>
<td>NUMBER OF SIGNS</td>
<td>6</td>
<td>12 2 / Building Max</td>
<td>12 2 / Building Max</td>
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<tr>
<td>MAXIMUM SIZE</td>
<td>20,000 s/f</td>
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<tr>
<td>MINIMUM SIZE</td>
<td>10,000 s/f</td>
<td>2,500 s/f</td>
<td>2,500 s/f</td>
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<tr>
<td>MAXIMUM TEXT AREA %</td>
<td>8%</td>
<td>10%</td>
<td>10%</td>
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<tr>
<td>MAX PRODUCT AREA</td>
<td>No Requirement</td>
<td>50%</td>
<td>50%</td>
<td>No Requirement</td>
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<tr>
<td>MESSAGE DURATION</td>
<td>4 consecutive months</td>
<td>4 consecutive months</td>
<td>4 consecutive months</td>
<td></td>
</tr>
<tr>
<td>WALL TYPE</td>
<td>Blank Wall Face</td>
<td>Blank Portion of Wall</td>
<td>Blank Wall Face</td>
<td>Blank Facade</td>
</tr>
<tr>
<td>MAX SIGN HEIGHT</td>
<td>150 ft Max Bldg Height</td>
<td>200 ft (from grade)</td>
<td>No Requirement</td>
<td>200 ft (from bottom of sign)</td>
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<tr>
<td>COVERAGE</td>
<td>90%</td>
<td>90%</td>
<td>90%</td>
<td>60% or No Requirement</td>
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<tr>
<td>OCCUPANCY REQUIREMENT</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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## Municipal Center Wallscape Proposal - CPC

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ZOAC REC</th>
<th>CPC REC</th>
<th>Alternative</th>
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</thead>
<tbody>
<tr>
<td>NUMBER OF SIGNS</td>
<td>4 2 / Building Max</td>
<td>4 2 / Building Max</td>
<td>4 4 / Building Max</td>
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<tr>
<td>MAXIMUM SIZE</td>
<td>N/A</td>
<td>N/A</td>
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</tr>
<tr>
<td>MINIMUM SIZE</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>MAXIMUM TEXT AREA %</td>
<td>10%</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>MAX PRODUCT AREA</td>
<td>50%</td>
<td>50%</td>
<td>No Requirement</td>
</tr>
<tr>
<td>MESSAGE DURATION</td>
<td>4 consecutive months</td>
<td>4 consecutive months</td>
<td></td>
</tr>
<tr>
<td>WALL TYPE</td>
<td>Blank Portion of Wall</td>
<td>Blank Portion of Wall</td>
<td></td>
</tr>
<tr>
<td>MAX SIGN HEIGHT</td>
<td>200 ft (from grade)</td>
<td>No Height</td>
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<tr>
<td>COVERAGE</td>
<td>N/A</td>
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</tr>
<tr>
<td>OCCUPANCY REQUIREMENT</td>
<td>City Owned Convention etc</td>
<td>City Owned Convention etc</td>
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## Promotional Wallscape Proposal - CPC

<table>
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<td>MAXIMUM SIZE</td>
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<tr>
<td>MINIMUM SIZE</td>
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<td>MAXIMUM SPONSOR AREA %</td>
<td>10%</td>
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<tr>
<td>MAX PRODUCT AREA (Event Promotion)</td>
<td>N/A</td>
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<tr>
<td>MESSAGE DURATION</td>
<td>60 Days Prior 30 Days Post</td>
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<tr>
<td>WALL TYPE</td>
<td>N/A</td>
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<td>MAX SIGN HEIGHT</td>
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<tr>
<td>COVERAGE</td>
<td>N/A</td>
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<tr>
<td>OCCUPANCY REQUIREMENT</td>
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### Other Requirements

<table>
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<tr>
<th>DESCRIPTION</th>
<th>CPC</th>
<th>Alternative</th>
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<tr>
<td>HBA SIGNS</td>
<td>NO HBA SIGN</td>
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<tr>
<td>SUNSET PERIOD</td>
<td>5 Years</td>
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<tr>
<td>LOCATION PERMIT PERIOD</td>
<td>2 Years</td>
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<tr>
<td>SIGN FACE PERMIT</td>
<td>4 Months</td>
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<tr>
<td>LOCATION PERMIT ISSUE METHOD</td>
<td>First Come</td>
<td>Lottery</td>
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<tr>
<td>LOCATION PERMITS PER COMPANY</td>
<td>5</td>
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</table>
Occupancy Requirement:

- Except for Civic Center and Promotional Supergraphics, only permitted on buildings with lodging, retail and personal service uses, or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent or parking structures. Applications for wallscape sign locations must include an affidavit stating that the building meets the occupancy requirements in this Subsection.
Major Discussion Topics

• Restrict to occupied buildings
• Type of wall face allowed for signs
  – Cover windows
  – Blank area, blank face, blank facade
• Maximum height
• Maximum / minimum size
• Should signs only be permitted for a limited time period in a given year (ex. 120 days per 52 week period)
• Restriction on total number of signs
• Application process options
  – first come, first serve
  – Lottery (Miami model)
New Sign Types

CIVIC (MUNICIPAL) CENTER WALLSCAPE means a supergraphic type sign on a civic building, a convention center, library, or performance venue.

PROMOTIONAL WALLSCAPE means a supergraphic type sign that identifies or promotes a cultural activity or sporting event that benefit the city. Benefit to the city is established by an ordinance or resolution of the city council that recognizes the activity or event as substantially benefiting the city. A maximum of 10 percent of the sign area may contain words or logos that identify the sponsor of an activity or event. A promotional wallscape may not be erected more than 60 days prior to the beginning of the advertised activity or event and most be removed not later than 30 days after the activity or event has ended.
Wall Face Examples

Ineligible Wall Face

Wall face has openings
Wall Face Examples

Eligible Wall Face

Eligible Wall Face
Wall Face Examples

100 Blk N. Field St

Ineligible Wall Face

400 Blk N Field & Patterson

Ineligible Wall Face

Wall faces have openings
Wall Face Examples

Eligible Wall Face

County Court House
west elevation

Eligible wall face is offset from remainder of facade
Wall Face Examples

 Eligible Wall Face
Federal & Akard

 Eligible Wall Face
Federal & Akard 2 walls on southwest corner
Wall Face Examples

Main & Central  Eligible
Wall Face
Wall Face Examples

 Eligible Wall Face

Pearl & San Jacinto

 Eligible wall face is offset from remainder of facade

 Young & Akard

 Ineligible Wall Face

Wall face has windows
Wall Face Examples

Ineligible Wall Face

Eligible Wall Face
Wall Face Examples

Ineligible Wall Face

Ineligible Wall Face

Wall face has windows
Wall Face Examples

Ineligible Wall Face

Ineligible Wall Face
Wall Face Examples

Ineligible Wall Face

Eligible Wall Face
Wall Face Examples
Wall Face Examples

Eligible Wall Face

Ineligible Wall Face

Ineligible Wall Face
Staff Recommendation

- Approval subject to:
  - Define civic center wallscape to apply to city owned or operated buildings only
  - Remove 50 percent maximum area for product, text, logo combined
  - Limit supergraphics to buildings less than 450 ft in height
Next Steps

• Schedule for City Council action
An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Section 51A-7.930; establishing regulations for civic center wallscape signs, central business district wallscape signs, and promotional wallscape signs; providing a new sunset date for supergraphic signs in the Downtown Special Provision Sign District; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:


“SEC. 51A-7.930. SUPERGRAPHIC SIGNS.

(a) Definitions. In this section:

(1) AFFILIATE means any person who is an owner, shareholder, member, partner, agent, officer, or director of an applicant seeking to apply for a supergraphic sign location permit pursuant to this section [INNER LOOP AREA means the Main Street Subdistrict, the Retail Subdistrict, and the General CBD Subdistrict].

(4) CENTRAL BUSINESS DISTRICT WALLSCAPE means a supergraphic sign located in the inner loop area that is neither a promotional wallscape nor a civic center wallscape.
CPC Recommendation

(2) **CIVIC CENTER WALLSCAPE** means a supergraphic sign located on a convention center, library, or performance venue with a minimum 1,000 seating capacity.

Staff Recommendation

(2) **CIVIC CENTER WALLSCAPE** means a supergraphic sign located on a city owned convention center, library, or performance venue with a minimum 1,000 seating capacity.

(3) **INNER LOOP AREA** means the Main Street Subdistrict, the Retail Subdistrict, and the General CBD Subdistrict.

(5) **PROMOTIONAL WALLSCAPE** means a supergraphic sign that identifies or promotes a cultural activity or sporting event that benefits the city.

(6) **QUALIFIED APPLICANT** means any person or entity who has been qualified by the Director to apply for a supergraphic sign permit and is not an affiliate of another qualified applicant.

(7) **SUPERGRAPHIC SIGN** means a large attached premise or non-premise sign on a mesh or fabric surface.

(b) Visual display and coverage.

CPC Recommendation

(1) A supergraphic sign must have one large visual display with a minimum of 90 [92] percent non-textual graphic content (no more than 10 [eight] percent text). No more than 50 percent of the sign can be text, logo, or product combined.

Staff Recommendation

(1) A supergraphic sign must have one large visual display with a minimum of 90 [92] percent non-textual graphic content (no more than 10 [eight] percent text). **No more than 50 percent of the sign can be text, logo, or product combined.**

(A) Multiple displays giving an appearance of multiple signs are prohibited.

(B) The effective area of text is the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word.

(C) A promotional wallscape may contain 10 percent text or logo related to sponsorship. The remainder of the sign must promote the special event.
(2) A central business district wallscape [supergraphic sign] must cover at least 90 percent of the of the face of the building to which it is attached. The lower 10 feet of the face may not be covered and is disregarded in calculating the coverage area.

(3) Supergraphic signs are intended to be creative and artful and not strictly a representation of an advertised product. It is the intent of this provision to:

(A) encourage the use of illustrative images or other non-repetitive design elements;

(B) encourage visually interesting, vibrant, and colorful designs;

(C) discourage use of solid colors or repetitive design elements; and

(D) discourage an image of a single product or product logo without other graphic elements.

(4) Supergraphic signs may not be internally illuminated.

CPC Recommendation

(5) No building may have more than two supergraphic signs. The two supergraphic signs must be oriented a minimum of 90 degrees from each other.

Staff Recommendation

(5) No building may have more than two central business district wallscape signs. The two central business district wallscape signs must be oriented a minimum of 90 degrees from each other.

(c) Effective area. [Maximum permitted effective area of a supergraphic sign is 20,000 square feet.] Minimum permitted effective area of a central business district wallscape is 2,500 [10,000] square feet.

(d) Height. No maximum height [No supergraphic sign may exceed 150 feet in height]

(e) Number of sign[s] locations permitted.

(1) No more than 12 central business district wallscape locations [six supergraphic signs] are permitted within the inner loop area.

(2) No more than four civic center wallscape locations are permitted within the inner loop area.

(3) No supergraphic signs are permitted outside of the inner loop area.
(f) **Extensions prohibited.** A supergraphic sign may not extend beyond the edge of the face of the building to which it is attached.

(g) **Location.**

1. A central business district wallscape [supergraphic sign] may only be located on a blank face of a building.

2. No supergraphic sign may:

   (A) cover any window or architectural or design feature of the building to which it is attached;

   (B) be attached to an historic or landmark structure; or

   (C) be attached to a facade erected or altered after June 1, 2005.

3. Central business district wallscapes are only permitted on parking structures or buildings with lodging, retail and personal service, or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent.

(h) **Message duration.** A supergraphic sign location may not display the same message for more than four consecutive months in any 12-month period.

(i) **Hardware fasteners.** All hardware fasteners for a supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.

(j) **HBA signs prohibited.** No supergraphic sign may be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102.

(k) **Permits [application review].**

1. **Pre-qualification.** An applicant shall submit an application to the Director for the purpose of qualifying as an applicant. The application must include:

   (A) The name, address, phone number, and other pertinent information of the applicant, and if the applicant is a business entity, the names and business addresses of the principal officers, managers, and other persons who own more than five percent of the entity;

   (B) An affidavit stating that the applicant is in good standing with the city on all code enforcement matters related to supergraphic signs. A person may not apply for a location permit if that person has any outstanding code violations related to supergraphic signs. A person may not apply for a permit if that person has previously displayed a non-permitted supergraphic within the previous 12 months.
(2) Location permit.

(A) Qualified applicants and location permit holders may not be an affiliate of any other applicants or location permit holders.

(B) A qualified applicant may not have more than five pending applications or active location permits combined at any one time.

(C) A person shall not obtain a location permit for use by another person.

(D) Each applicant must submit one application for each location. The Director shall time stamp all applications upon receipt.

(E) Applications will be reviewed in order of submittal. If the Director determines that a location permit application is incomplete or does not meet the guidelines, the application will be rejected and the Director will then proceed with reviewing the next location permit.

(F) An application for a supergraphic sign location permit must contain:

   (i) a memorandum of lease, sworn to by affidavit that shows that the applicant has an enforceable lease for a supergraphic location;

   (ii) an affidavit stating that the subject property has no outstanding code enforcement matters;

   (iii) a current tax certificate and affidavit stating there are no unpaid governmental liens for the supergraphic sign location; and

   (iv) an affidavit stating that the building meets the occupancy requirements in Paragraph (g)(3).

(G) A location permit expires two years from the date of issuance.

(H) The building official shall revoke a location permit if the location has displayed obsolete advertising or has been without advertising matter for six months or more.

(3) Promotional wallscapes. An application for a promotional wallscape must be supported by a resolution of the city council that recognizes the activity or event as significantly benefiting the city. A promotional wallscape may not be erected more than 60 days before the beginning of the activity or event and must be removed not later than 30 days after the activity or event has ended.
(4) Sign permit. All applications [for sign permits] for supergraphics sign[s] permits shall be reviewed using the director procedure in Section 51A-7.505.

(l) Mandatory removal in 2014 [2009]. All supergraphic signs must be removed on or before, _______ , 2014 [February 27, 2009]. This section does not confer a nonconforming or vested right to maintain a supergraphic sign after _______ , 2014 [February 27, 2009], and all permits authorizing supergraphic signs shall automatically expire on that date.

(m) Sunset. This section expires on _______ , 2014 [February 27, 2009], unless re-enacted with amendment before [prior to] that date. The city plan commission and city council shall review this section before [prior to] its expiration date.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.

SECTION 3. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By__________________________________
Assistant City Attorney

Passed____________________________