

ORDINANCE NO. 2003-16

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS APPROVING REVISED REGULATIONS CONCERNING THE CONTROL OF FUGITIVE DUST (PM10) FROM MAN-MADE AND OTHER SPECIFIED SOURCES, REPLACING THE EXISTING REGULATIONS WITHIN TITLE XV OF THE DESERT HOT SPRINGS MUNICIPAL CODE.**

The City Council of the City of Desert Hot Springs, California, does hereby find and ordain as follows:

**SECTION 1. Findings**

**WHEREAS**, the City Council of the City of Desert Hot Springs recognizes that the Coachella Valley has been classified as a "serious" non-attainment area with regard to Federal ambient air quality standards for the containment of fugitive dust (PM10), both locally and regionally. Furthermore, the City Council recognizes that community air quality is one of the most essential issues associated with public health and safety, which in turn is essential to the continued economic well-being of the City and to the needs of society.

**WHEREAS**, the purposes and intent of this chapter is to ensure the continued control of fugitive dust (PM10), which is mainly generated from man-made development activities and other specified sources, in compliance with the California Clean Air Act of 1988, as amended, hereinafter referred to as "CCAA," and Federal Clean Air Act, hereinafter referred to as "CAA," so that new development may occur without impacting existing land uses as noted in the City's adopted General Plan. This chapter includes updated and revised provisions for the continued control of fugitive dust (PM10) in line with the goal and policies of the Air Quality Element of the General Plan.

**WHEREAS**, circumstances have changed in the Coachella Valley since the City's adoption of the original fugitive dust (PM10) regulations in May 1993, causing the air-quality status to fall a level of non-attainment. Through the cooperative efforts of the Coachella Valley Association of Governments (CVAG) and the South Coast Air Quality Management District (SCAQMD) the revised regulations represent the best endeavor to achieve attainment for both the CAA and the CCAA.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS DOES ORDAIN AS FOLLOWS:**

**SECTION 2.** The City Council of the City of Desert Hot Springs finds that the above recitals are true and correct.

**SECTION 3.** Title XV, Chapter 150.115 through 150.120 of the Desert Hot Springs Municipal Code is hereby deleted.

**SECTION 4.** Title XV of the Desert Hot Springs Municipal Code is hereby amended to add a revised chapter on Control of Fugitive Dust (PM10) Emissions, from 150.115 through 150.121 to read in its entirety as follows:

**Control of Fugitive Dust (PM10) Emissions**

Sections:

150.115	Purpose and Intent
150.116	Definitions
150.117	Performance Standards and Test Methods
150.118	Control Requirements
150.119	Administrative Requirements
150.120	Exemptions
150.121	Compliance and Penalties

**Section 150.115 Purpose**

The purpose of this ordinance is to establish minimum requirements for construction and demolition activities and other specified sources in order to reduce man-made fugitive dust and the corresponding PM10 emissions.

**Section 150.116 Definitions**

For the purpose of this ordinance, the following definitions are applicable:

(A) AGRICULTURAL OPERATIONS are any operation directly related to the growing of crops, or raising of fowls or animals for the primary purpose of making a livelihood.

(B) AQMD is the South Coast Air Quality Management District and the representatives thereof.

(C) AVERAGE DAILY TRAFFIC (ADT) is the number of motor vehicles that traverse a given unpaved or paved surface during a specified 24-hour period. ADT levels are calculated as the average daily volume over a specified 48-hour period as determined by the City (County) in consultation with the AQMD.

(D) BULK MATERIAL is all sand, gravel, soil, aggregate and other organic and inorganic particulate matter.

(E) CHEMICAL DUST SUPPRESSANTS are non-toxic chemical soil binders that are not prohibited for use by the City (County), the California Regional Water Quality Control Board, the California Air Resources Board, the U.S. Environmental Protection Agency (U.S. EPA), or any other law, rule or regulation, used to reduce dust on disturbed surfaces.

(F) COACHELLA VALLEY BEST AVAILABLE CONTROL MEASURES (CV BACM) are methods to prevent or mitigate the emission and/or airborne transport of fugitive dust, as identified in the Coachella Valley Fugitive Dust Control Handbook.

(G) COACHELLA VALLEY FUGITIVE DUST CONTROL HANDBOOK is the most recently approved reference document by the AQMD that includes a description of fugitive dust control measures, guidance for preparation of Fugitive Dust Control Plans, notification forms, signage provisions, and test methods.

(H) CONSTRUCTION ACTIVITIES are any on-site activities preparatory to or related to the building, alteration, rehabilitation, or improvement of property, including, but not limited to the following activities; grading, excavation, trenching, loading, vehicular travel, crushing, blasting, cutting, planning, shaping, breaking, equipment staging/storage areas, weed abatement activities or adding or removing bulk materials from storage piles.

(I) DEMOLITION ACTIVITIES are the wrecking or taking out of any load-supporting structural member of a structure or building and related handling operations or the intentional burning of any structure or building.

(J) DISTURBED SURFACE AREA is any portion of the earth's surface (or material placed thereupon) that has been physically moved, uncovered, destabilized, or otherwise modified from its undisturbed native condition (including vehicular disturbances) thereby increasing the potential for the emission of fugitive dust. This definition does not include land that has been restored to a native condition, such that the vegetative ground cover and soil characteristics are equal to surrounding native conditions.

(K) EARTH-MOVING OPERATIONS are the use of any equipment for an activity where soil is being moved, uncovered.

(L) FINISH GRADE is the final grade of the site that conforms to the approved grading plan.

(M) FUGITIVE DUST is any solid particulate matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly as a result of human activities. PM10 is a subset of fugitive dust and is defined as particulate matter with an aerodynamic diameter of 10 microns or less.

(N) FUGITIVE DUST CONTROL PLAN is a document that describes fugitive dust sources at a site and the corresponding control measures and is prepared in accordance with the guidance contained in the Coachella Valley Fugitive Dust Control Handbook (2003).

(O) HIGH-WIND EPISODE is when wind speeds exceed 25 miles per hour as measured by:

1. the closest AQMD monitoring station, or
2. a certified meteorological monitoring station, or

3. an on-site wind monitor calibrated and operated on-site in accordance with the manufacturer's specifications with a data logger or strip chart.

(P) OPERATOR is any person who owns, leases, operates, controls, or supervises any potential fugitive dust generating operation subject to the requirements of this ordinance. This definition includes any person who has been officially designated by a property owner as the person responsible for fugitive dust control at a site, as indicated in an approved Fugitive Dust Control Plan.

(Q) PAVED ROAD is an improved street, highway, alley, public way, or easement that is covered by roadway materials (e.g., cement, asphalt or asphaltic concrete).

(R) PHYSICAL ACCESS RESTRICTION is any barrier, including but not limited to; curbs, fences, gates, posts with fencing, shrubs, trees, or other measures that are effective in preventing vehicular and Off-Highway Vehicle (OHV) use of a specified site.

(S) SILT is any bulk material with a particle size less than 75 micrometers in diameter that passes through a Number 200 sieve as determined by American Society of Testing and Materials (ASTM) Test Method C 136 or any other test method approved by the U.S. EPA and AQMD.

(T) SITE is the real property on which construction, demolition, or other activities subject to this ordinance may occur.

(U) STABILIZED SURFACE is any portion of land that meets the minimum standards as established by the applicable test method contained in the Coachella Valley Fugitive Dust Control Handbook (2003).

(V) STORAGE PILE is any accumulation of bulk material with a height of three feet or more and a total surface area of 300 or more square feet.

(W) UNPAVED PARKING LOT is an area utilized for parking vehicles and associated vehicle maneuvering that is not covered with roadway materials (e.g., cement, asphalt or asphaltic concrete).

(X) UNPAVED ROAD is any service roads, internal access roads, heavy and light duty equipment paths and other roadways which are not covered by typical roadway materials (e.g., cement, asphalt, asphaltic concrete).

(Y) TEMPORARY UNPAVED PARKING LOTS are those used less than 24 days per year.

### **Section 150.117 Performance Standards and Test Methods**

All performance standards and test methods referenced in this ordinance shall be based on the methodologies included in the Coachella Valley Dust Control Handbook.

## **Section 150.118 Control Requirements**

### **150.118.1 Work Practices – All Fugitive Dust Sources**

(A) No operator shall conduct any potential dust-generating activity on a site unless the operator utilizes one or more Coachella Valley Best Available Control Measures, as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met.

(B) Any operator involved in any potential dust-generating activity on a site with a disturbed surface area greater than one acre shall, at a minimum, operate a water application system as identified in the Coachella Valley Fugitive Dust Control Handbook, if watering is the selected control measure.

### **Performance Standards and Test Methods**

(C) No person subject to the requirements contained in Section 150.118.1 shall cause or allow visible fugitive dust emissions to exceed 20 percent opacity, or extend more than 100 feet either horizontally or vertically from the origin of a source, or cross any property line.

### **150.118.2 Construction and Demolition Activities**

(A) Any operator applying for a grading permit, or a building permit for an activity with a disturbed surface area of more than 5,000 square feet, shall not initiate any earth-moving operations unless a Fugitive Dust Control Plan has been prepared pursuant to the provisions of the Coachella Valley Fugitive Dust Control Handbook (2003) and approved by the City.

(B) A complete copy of the approved Fugitive Dust Control Plan must be kept on site at all times and provided to the City and AQMD upon request.

(C) Any operator involved in demolition activities shall comply with AQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities) requirements, and the requirements of Title 40, Part 61 of the code of Federal Regulations.

(D) Any operator involved in earth-moving operations shall implement at least one of the following short-term stabilization methods during non-working hours:

1. maintaining soils in a damp condition as determined by sight or touch;  
or
2. establishment of a stabilized surface through watering; or
3. application of a chemical dust suppressant in sufficient quantities and concentrations to maintain a stabilized surface.

(E) Within 10 days of ceasing activity, an operator shall implement at least one of the following long-term stabilization techniques for any disturbed surface area where construction activities are not scheduled to occur for at least 30 days:

1. re-vegetation that results in 75 percent ground coverage provided that an active watering system is in place at all times; or

2. establishment of a stabilized surface through watering with physical access restriction surrounding the area; or
3. use of chemical stabilizers to establish a stabilized surface with physical access restriction surrounding the area.

(F) Any operator shall remove all bulk material track-out from any site access point onto any paved road open to through traffic:

1. within one hour if such material extends for a cumulative distance of greater than 25 feet from any site access point; and
2. at the conclusion of each workday.

(G) Any operator of a project with a disturbed surface area of five or more acres or of any project that involves the import or export of at least 100 cubic yards of bulk material per day shall install and maintain at least one of the following control measures at the intersection of each site entrance and any paved road open to through traffic with all vehicles exiting the site routed over the selected device(s):

- A. pad consisting of minimum one inch washed gravel maintained in a clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long; or
- B. paved surface extending at least 100 feet and at least 20 feet wide; or
- C. wheel shaker/wheel spreading device consisting of raised dividers (rails, pipe, or grates) at least three inches tall and at least six inches apart and 20 feet long; or
- D. a wheel washing system.

(H) Any operator required to submit a Fugitive Dust Control Plan under Section 150.118.2(A) shall install and maintain project contact signage that meets the minimum standards of the Coachella Valley Fugitive Dust Control Handbook, including a 24-hour manned toll-free or local phone number, prior to initiating any type of earth-moving operations.

(I) Any operator of a project with a disturbed surface area of 50 or more acres shall have an on-site Environmental Observer that:

1. is hired by the property owner or developer; and
2. has dust control as the sole or primary responsibility; and
3. has successfully completed the AQMD Coachella Valley Fugitive Dust Control Class and has been issued a Certificate of Completion for the class; and
4. is identified in the approved Fugitive Dust Control Plan as having the authority to immediately employ sufficient dust mitigation 24-hours per day, 7 days a week and to ensure compliance with this ordinance, the approved Fugitive Dust Control Plan, and AQMD regulations.

### **Performance Standards and Test Methods**

(J) No operator required to submit a Fugitive Dust Control Plan under Section 150.118.2(A) shall cause or allow visible fugitive dust emissions to exceed 20 percent opacity, or extend more than 100 feet either horizontally or vertically from the origin of a source, or cross any property line.

(K) Exceedance of the visible emissions prohibition in Section 150.118.2(J) occurring due to a high-wind episode shall constitute a violation of Section 150.118.2(J), unless the operator demonstrates to the City all the following conditions:

1. all Fugitive Dust Control Plan measures or applicable Coachella Valley Best Available Control Measures were implemented and maintained on site; and
2. the exceedance could not have been prevented by better application, implementation, operation, or maintenance of control measures; and
3. appropriate recordkeeping was complied and retained in accordance with the requirements in Section 150.118.2(L) through 150.118.2(O); and
4. documentation of the high-wind episode on the day(s) in question is provided by appropriate records.

### **Reporting / Recordkeeping**

#### *Before Construction*

(L) The operator of a project with 10 acres or more of earth-moving operations shall:

1. forward 2 copies of a Site-Specific, Stand Alone [8½ by 11 inch] Fugitive Dust Control Plan to the AQMD within ten days after approval by the City. [Note: A separate AQMD approval will not be issued]; and
2. notify the City (County) and the AQMD at least 24-hours prior to initiating earth-moving operations.

#### *During Construction*

(M) Any operator involved in earth-moving operations shall compile, and maintain for a period of not less than 3 years, daily self-inspection recordkeeping forms in accordance with the guidelines contained in the Coachella Valley Fugitive Dust Control Handbook (2003).

(N) Any operator involved in earth-moving operations that utilizes chemical dust suppressants for dust control on a site shall compile records indicating the type of product applied, vendor name, and the method, frequency, concentration, quantity and date(s) of application and shall retain such records for a period of not less than 3 years.

#### *After Construction*

(O) Any operator subject to the provisions of Section 150.118.2(L) shall notify the City and the AQMD within ten days of the establishment of the finish grade or at the conclusion of the finished grading inspection.

### **150.118.3 Disturbed Vacant Lands / Weed Abatement Activities**

(A) Owners of property with a disturbed surface area greater than 5,000 square feet shall within 30 days of receiving official notice by the City prevent trespass through physical access restriction as permitted by the City.

(B) In the event that implementation of Section 150.118.3(A) is not effective in establishing a stabilized surface within 45 days of restricting access, the owner shall implement at least one of the following long term stabilization techniques within an additional 15 days, unless the City has determined that the land has been re-stabilized:

1. uniformly apply and maintain surface gravel or chemical dust suppressants such that a stabilized surface is formed; or
2. begin restoring disturbed surfaces such that the vegetative cover and soil characteristics are similar to adjacent or nearby undisturbed native conditions. Such restoration control measure(s) must be maintained and reapplied, if necessary, such that a stabilized surface is formed within 8 months of the initial application.

(C) Any operator conducting weed abatement activities on a site that results in a disturbed surface area of 5,000 or more square feet shall:

1. apply sufficient water before and during weed abatement activities such that the applicable performance standards are met; and
2. ensure that the affected area is a stabilized surface once weed abatement activities have ceased.

### **Performance Standards and Test Methods**

(D) No person subject to the provisions of Sections 150.118.3(A) through 150.118.3(C) shall cause or allow visible fugitive dust emissions to exceed 20 percent opacity, or extend more than 100 feet either horizontally or vertically from a source, or cross any property line, and shall either:

1. maintain a stabilized surface; or
2. maintain a threshold friction velocity for disturbed surface areas corrected for non-erodible elements of 100 centimeters per second or higher.

### **Reporting / Recordkeeping**

(E) Within 90 days of ordinance adoption, operators of property with disturbed surface area of 5,000 or more square feet shall notify the City of the location of such lands and provide owner contact information.

(F) Any person subject to the provisions of Sections 150.118.3(A) through 150.118.3(C) shall compile, and retain for a period of not less than three years, records indicating the name and contact person of all firms contracted with for dust mitigation, listing of dust control implements used on-site, and invoices from dust suppressant contractors/vendors.

#### 150.118.4 Unpaved Roads

(A) Owners of public or private unpaved roads with average daily traffic levels between 20 and 150 vehicles must take measures (signage or speed control devices) to reduce vehicular speeds to no more than 15 miles per hour.

(B) Owners of a cumulative distance of six or less miles of public or private unpaved roads shall pave each segment having 150 or more average daily trips or, alternatively apply and maintain chemical dust suppressants in accordance with the manufacturer's specifications for a travel surface and the performance standards included in Section 150.118.4(D) in accordance with the following treatment schedule:

1. one-third of qualifying unpaved road segments within 1 year of ordinance adoption; and
2. remainder of qualifying unpaved road segments within 3 years of ordinance adoption. (Note: treatments in excess of annual requirements can apply to future years.)

(C) Owners of a cumulative distance of more than six miles of public or private unpaved roads shall stabilize each segment having 150 or more average daily trips in accordance with the following treatment schedule:

1. at least 2 miles paved or 4 miles stabilized with chemical dust suppressants in accordance with the manufacturer's specifications for a travel surface and the performance standards established in Section 150.118.4(D) within 1 year of the ordinance adoption; and
2. at least 2 miles paved or 4 miles stabilized with chemical dust suppressants in accordance with the manufacturer's specifications for a travel surface and the performance standards included in Section 150.118.4(D) in accordance with the following treatment schedule annually thereafter until all qualifying unpaved roads have been stabilized. (Note: treatments in excess of annual requirements can apply to future years).

#### Performance Standards and Test Methods

(D) Owners of any public or private unpaved road shall not allow visible fugitive dust emissions to exceed 20 percent opacity, or extend more than 100 feet either horizontally or vertically from the origin of a source, and shall either:

1. not allow silt loading to be equal to or greater than 0.33 ounces per square foot; or
2. not allow the silt content to exceed six percent.

#### Reporting / Recordkeeping

(E) Within 90 days of ordinance adoption, owners of unpaved roads shall provide to the City and the AQMD the location and ADT estimates for all unpaved roads.

(F) Owners of unpaved roads that utilize chemical dust suppressants shall compile, and retain for a period of not less than three years, records indicating the type of product applied, vendor name, and the method, frequency, concentration, quantity and date(s) of application.

### **150.118.5 Unpaved Parking Lots**

(A) Owners of parking lots established subsequent to ordinance adoption are required to pave such areas, or alternatively apply and maintain chemical dust suppressants in accordance with the manufacturer's specifications for traffic areas and the performance standards included in Section 150.118.5(D).

(B) Owners of existing public or private unpaved parking lots shall implement one of the following control strategies within 180 days of ordinance adoption:

1. pave; or
2. apply and maintain chemical dust suppressants in accordance with the manufacturer's specifications for traffic areas and the performance standards included in Section 150.118.5(D);
3. apply and maintain washed gravel in accordance with the performance standards included in Section 150.118.5(D).

(C) Owners of public or private temporary unpaved parking lots (those that are used 24 days or less per year) shall apply and maintain chemical dust suppressants in accordance with the manufacturer's specifications for traffic areas and the performance standards included in Section 150.118.5(D) prior to any 24-hour period when more than 40 vehicles are expected to enter and park. The owner of any temporary unpaved parking lot greater than 5,000 square feet shall implement the disturbed vacant land requirements contained in Section 150.118.3 during non-parking periods.

### **Performance Standards and Test Methods**

(D) The operator of any public or private unpaved parking lot shall not allow visible fugitive dust emissions to exceed 20 percent opacity, or extend more than 100 feet either horizontally or vertically from the origin of a source, and shall either:

1. not allow silt loading to be equal to or greater than 0.33 ounces per square foot; or
2. not allow the silt content to exceed 8 percent.

### **Reporting / Recordkeeping**

(E) Within 90 days of ordinance adoption, owners of unpaved parking lots shall provide to the City and the AQMD the location and ADT estimates and the size (in square feet) of unpaved parking lots.

~~(F) Owners of unpaved parking lots that utilize chemical dust suppressants or apply gravel shall compile, and retain for a period of not less than three years, records~~

indicating the type of product applied, vendor name, and the method, frequency, concentration, quantity and date(s) of application.

### 150.118.6 Public or Private Paved Roads

(A) Any owner of paved roads shall construct, or require to be constructed all new or widened paved roads in accordance with the following standards:

1. curbing in accordance with the American Association of State Highway and Transportation Officials guidelines or as an alternative, road shoulders paved or treated with chemical dust suppressants or washed gravel in accordance with the performance standards included in Section 150.120(D) with the following minimum widths:

Average Daily Trips	Minimum Shoulder Width
500 - 3,000	4 feet
3,000 or greater	8 feet

2. paved medians or as an alternative, medians surrounded by curbing and treated with landscaping, chemical dust suppressants, or washed gravel applied and maintained in accordance with the performance standards included in Section 150.118.4(D).

(B) Any owner of public or private paved roads shall remove or cause to be removed any erosion-caused deposits of greater than 2,500 square feet within 24-hours after receiving notice by the City or the AQMD or prior to resumption of traffic where the paved area has been closed to vehicular traffic.

### 150.119 Administrative Requirements

(A) Any operator preparing a Fugitive Dust Control Plan shall complete the AQMD Coachella Valley Fugitive Dust Control Class and maintain a current valid Certificate of Completion.

(B) At least one representative of each construction or demolition general contractor and subcontractor responsible for earth-movement operations shall complete the AQMD Coachella Valley Fugitive Dust Control Class and maintain a current valid Certificate of Completion.

(C) All reporting / recordkeeping required by Section 150.118.2 shall be provided to the City and AQMD representatives immediately upon request.

(D) All reporting / recordkeeping required by Section 150.118.3 through Section 150.118.6 shall be provided to the City and AQMD representatives within 24-hours of a written request.

## 150.120 Exemptions

(A) The provisions of this ordinance shall not apply to:

1. agricultural operations including on-field sources and unpaved roads used solely for agricultural operations.
2. any dust-generating activity where necessary fugitive dust preventive or mitigative actions are in conflict with either federal or State Endangered Species Act provisions as determined in writing by the appropriate federal or State agency.
3. any action required or authorized to implement emergency operations that are officially declared by the City (County) to ensure the public health and safety.

(B) The provisions of Section 150.118.2(A) shall not apply to any construction or demolition activity meeting any of the following activity levels or requirements:

1. the activity is occurring entirely within an enclosed structure from which no visible airborne particulate matter escapes; or
2. activities that do not require issuance of a grading permit or those that require a building permit provided that the project results in 5,000 or less square feet of soil disturbance.

(C) The provisions of Section 150.118.2(H) shall not apply to:

1. projects that takes two weeks or less to complete provided that a long-term stabilization technique(s) identified in Section 150.120 are implemented; and
2. line projects (i.e., pipelines, cable access lines, etc.).

## 150.121 Compliance and Penalties

### 150.121.1 Failure to Comply

(A) Violation of, or failure to comply with any provisions of an approved Fugitive Dust Control Plan shall be a violation of this ordinance.

### 150.122.2 Penalty

Any person who violates this ordinance shall be guilty of a misdemeanor and subject to a fine of not more than one-thousand (\$1,000), or by imprisonment in the county jail for no more than six months, or by both such fine and imprisonment. Each day that the violation exists shall be deemed a separate offense.

In addition to any other remedy provided by law, failure to correct any condition in the notice of violation within 24 hours of issuance will permit the City to initiate one or more of the following actions where appropriate:

(A) Civil proceedings to obtain an injunction or other relief against the owner/permittee.

(B) Refusal to issue future permits and/or to release of securities held until the owner/permittee has adequately demonstrated compliance with the notice of violation.

(C) Correction of the condition by the City through the use of any securities held under this ordinance.

**SECTION 5. Severability**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Desert Hot Springs hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

**SECTION 6. Effective Date**

This Ordinance shall be in full force and effect thirty (30) days after its passage.

**SECTION 7. Certification**

The City Clerk shall certify to the adoption of this Ordinance and shall cause it be published and circulated in the City of Desert Hot Springs.

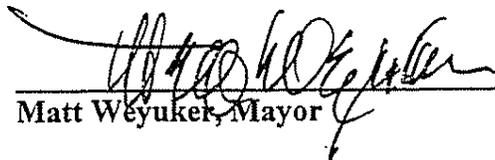
**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Desert Hot Springs on October 7, 2003 by the following vote:

**AYES:** Mayor Weyuker, Vice Mayor Ruppert, Councilmembers Bosworth, Pieper & Stephens

**NOES:** None.

**ABSENT:** None.

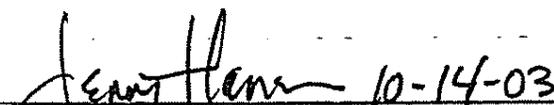
**ABSTAIN:** None.

  
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Matt Weyuker, Mayor

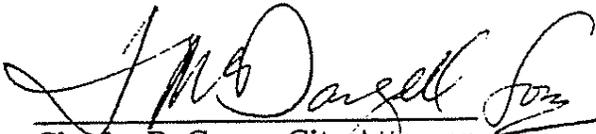
**ATTEST:**

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Rossie Stobbs, City Clerk

  
\_\_\_\_\_  
Jerry Hanson, City Manager

APPROVED AS TO LEGAL FORM:



Charles R. Green, City Attorney