



Bill No. 5058

Ordinance No. _____

INTRODUCED BY

ALDERMEN FINLEY, JUDD, GRAY, KELLING, FLEMING, WEAVER, SIEGEL, LEHMKUHL

AN ORDINANCE REPEALING CHAPTER 15, ARTICLE XI AND SECTION 15-5; AND ENACTING A NEW CHAPTER 15, ARTICLE XI, PERTAINING TO REGULATION OF BICYCLES, ELECTRIC BICYCLES, AND CERTAIN MOTORIZED AND NON-MOTORIZED VEHICLES.

WHEREAS, the use and operation of motorized bicycles, devices, and vehicles on public roads, sidewalks, and parks have increased dramatically recently, creating dangerous situations for motorists and pedestrians alike; and

WHEREAS, use of these devices also poses a danger to the operators of such devices, which are not equipped with adequate safety devices to protect operators, especially young people, who often do not recognize the risk associated with operating these devices and treat them as benign toys; and

WHEREAS, parents who buy these devices for their children have a special responsibility to educate their children on when, where, and how to properly operate them to minimize risks to their children and the public, and to safely oversee access to and use of these devices by those for whom they are responsible; and

WHEREAS, the Board of Aldermen finds and believes that the regulations hereinafter adopted strike a reasonable balance among interests of public safety for motorists and pedestrians, the safety of operators of such devices, and the responsibilities of parents for the conduct of their children, and will enhance the safety of all persons who reside in or visit Ballwin.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1: Chapter 15, Article XI, “BICYCLES”, is hereby repealed, and a new Chapter 15, Article XI, “BICYCLES, ELECTRIC BICYCLES, AND RELATED DEVICES”, is hereby enacted, which shall read as follows:

CHAPTER 15 – MOTOR VEHICLES AND TRAFFIC

ARTICLE XI – BICYCLES, ELECTRIC BICYCLES, AND RELATED DEVICES

SECTION 15-441 – Definitions

As used in this Article, the following terms shall mean:

ALTERNATIVE VEHICLE: Any Bicycles, Electric Bicycles, Electric MTDs, EPAMDs, Motorized Bicycles, Electric- or Gas-powered Scooters, Ride-On Toy Vehicles, Motorized Alternative Vehicles, and Non-Motorized Alternative Vehicles.

BICYCLE: Every vehicle propelled solely by human power upon which any person may ride, having two (2) tandem wheels, or two (2) parallel wheels and one (1) or two (2) forward or rear wheels, all of which are more than fourteen (14) inches in diameter, except scooters and similar devices.

ELECTRIC BICYCLE: An electric bicycle, an electrically assisted pedal cycle, or electrically powered assisted cycle, is a bicycle with an integrated electric motor used to assist propulsion. Said vehicles are further divided into three separate classes, as follows:

Class 1: Pedal assisted, no assistance without pedaling, with a maximum speed of 20 mph

Class 2: Throttle assisted, can be ridden without pedaling, maximum speed of 20 mph

Class 3: Pedal assisted/optional throttle, no assistance without pedaling, maximum speed of 28 mph. Must be sixteen (16) years of age or older to operate pursuant to this Article and to Section 307.194 RSMo.

ELECTRIC MICROMOBILITY TRANSPORTATION DEVICES (Electric MTDs):

Electric micromobility devices are small, lightweight, electric-powered transportation devices designed for play or short-distance travel. These devices include electric scooters (e-scooters), electric skateboards, one wheel self-balancing electric skateboards, and self-balancing boards (hoverboards).

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE (EPAMD): A self-balancing, two non-tandem wheeled device, designed to transport only one (1) person, with an electric propulsion system with an average power of seven hundred fifty (750) watts (one (1) horsepower), whose maximum speed on a paved level surface, when powered solely by such a propulsion system while ridden by an operator who weighs one hundred seventy (170) pounds, is less than twenty (20) miles per hour. This includes but is not limited to Segway-style devices.

ELECTRIC SCOOTER: Any two- or three-wheeled device that typically has one front

wheel and one or two rear wheels with a low footboard between, is steered by a handlebar, and has an electric motor with a power output of not more than 250 watts and is capable of propelling the device at a maximum speed of not more than twelve (12) miles per hour on level ground.

GAS POWERED SCOOTER: A self-propelled vehicle designed primarily for use on the roadways with not more than three wheels in contact with the ground, no manual clutch, and a gas-powered engine having a cylinder capacity not exceeding fifty cubic centimeters (50cc). A gas-powered scooter does not include any bicycle, electric-assisted bicycle, wheelchair, or any device designed to assist mobility impaired people who use pedestrian rights-of-way.

GOLF CART: A motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty miles per hour.

HIGH-SPEED ROADWAY: Any roadway as defined by this article on which the speed limit is greater than twenty-five miles per hour (>25 mph).

LOW-SPEED ROADWAY: Any roadway as defined by this article on which the speed limit is less than or equal to than twenty-five miles per hour (≤25 mph).

MOTOR VEHICLE: A mechanical device on wheels designed primarily for use on public rights-of-way and required by Missouri law to be licensed such as an automobile, but excluding any motorized alternative vehicles, golf carts, and EPAMDs.

MOTORIZED ALTERNATIVE VEHICLES: A coaster, unicycle, bicycle, tricycle, electric scooter, gas powered scooter or other similar vehicle which is not otherwise defined by this Article, including mini-motorcycles, pocket bikes, motorized go-carts, or motorized minibikes, having an electric motor or a gas engine with a cylinder capacity of not more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower and is capable of propelling the device at a minimum speed of five (5) miles per hour; provided however, that this term shall not include motorized wheelchairs or other similar motorized devices designed for and primarily used by a person with physical disabilities.

MOTORIZED BICYCLE: Any two- or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower and is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level ground. A motorized bicycle shall be considered a motor vehicle for purposes of any homeowners' or renters' insurance policy. Any vehicle which can travel at a speed greater

than thirty (30) miles per hour shall only be permitted to operate on a lawful roadway and shall be regulated by and subject to the laws or the City and State pertaining to motor vehicles (cars) or motorcycles, as is pertinent.

NON-MOTORIZED ALTERNATIVE VEHICLE: Any device or mechanism with wheels and designed for transportation or recreation that is not a motor vehicle or a motorized alternative vehicle; such vehicles include roller skates, roller blades, skateboards, scooters, or any similar non-motorized devices, but shall not include bicycles.

PUBLIC RIGHT-OF-WAY: A road, street or highway designed primarily for the use of motor vehicles, excluding sidewalks and paved walking trails.

ROADWAY: The portion of a street or highway ordinarily used for vehicular travel, ~~including exclusive of~~ the berm or shoulder.

SIDEWALK: Any sidewalk, trail or path, paved or unpaved, designed primarily for the use of pedestrians.

SCOOTER: Any two-, three- or four-wheeled device that typically has one front wheel and one or two rear wheels with a low footboard between, is steered by a handlebar, and is propelled by pushing one foot against the ground while resting the other foot on a footboard.

RIDE-ON TOY VEHICLE: Any powered ride-on vehicle intended for use by young children (typically between three and six years old) and which has a maximum speed of five (5) miles per hour.

SECTION 15-442 – Riding on Sidewalks - Limitations - Motorized Bicycles Prohibited; Emerging from Alleys or Driveways

1. Whenever any person is ~~operating or~~ riding any Alternative Vehicle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.
2. Bicycles, Class I and II electric bicycles, electric MTDs, EPAMDs, and non-motorized alternative vehicles may be ~~ridden or~~ operated on paved sidewalks ~~within the City which are not located in a district zoned for commercial use.~~
3. No person shall ride ~~any Class III electric bicycle, motorized alternative vehicles,~~ motorized bicycle, moped, gas powered scooter, ~~electric or~~ gas powered minibike, or ~~any electric or~~ gas-powered go-kart upon any sidewalk.

~~4. No person shall ride any bicycle, electric bicycle, or any motorized device on any sidewalk located in any district zoned for commercial use within the City. Non-motorized alternative vehicles such as roller skates, roller blades, skateboards, and non-motorized scooters shall be permitted to be ridden on said sidewalks.~~

~~5.4.~~ When emerging from an alley, driveway, or building, the operator of any Alternative Vehicle shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area, and upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway.

SECTION 15-443 – Certain Operators and Passengers Required to Wear Helmets

1. It shall be unlawful for any individual under the age of seventeen (17) to operate or be a passenger on a bicycle, electric bicycle, or motorized alternative vehicle unless the individual wears protective headgear that properly fits and is fastened securely upon the head of the operator or passenger.
2. It shall be unlawful for a parent or guardian to permit a child under the age of seventeen (17) years to operate or be a passenger on a bicycle, electric bicycle, or motorized alternative vehicle unless the child shall wear protective headgear which properly fits and is fastened securely upon the head of the operator or passenger.
3. The headgear required by this Section shall meet or exceed the impact standard for protective bicycle helmets set by the U.S. Consumer Products Safety Commission, the American National Standards Institute (ANSI), the Snell Memorial Foundation or the American Society of Testing and Materials (ASTM).

SECTION 15-444 – Lights and Reflectors

Every bicycle, electric bicycle, and motorized bicycle when in use on a roadway, street, or highway during the period from one-half hour after sunset to one-half hour before sunrise shall be equipped with the following:

- 1) A front-facing lamp on the front or carried by the rider which shall emit a white light visible at night under normal atmospheric conditions on a straight, level, unlighted roadway at 500 feet;
- 2) A rear-facing red reflector, at least two square inches in reflective surface area, on the rear which shall be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at 600 feet;

- 3) Colorless or amber reflectors on both the front and rear surfaces of all pedals. Each pedal reflector shall be recessed below the plane of the pedal or reflector housing. Each reflector shall be at least 90/100 square inch in projected effective reflex area, and must be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at 200 feet; and
- 4) A side-facing colorless or amber reflector visible on each side of the wheel mounted on the wheel spokes of the front wheel within three inches of the inside of the wheel rim and a side-facing essentially colorless or red reflector mounted on the wheel spokes of the rear wheel within three inches of the inside of the wheel rim, or continuous retroreflective material on each side of both tires which shall be at least 3/16 of an inch wide. All such reflectors or retroreflective tire sidewalls shall be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at 300 feet. The provisions of this subdivision shall not apply to motorized bicycles which comply with National Highway Traffic and Safety Administration regulations relating to reflectors on motorized bicycles.

SECTION 15-445 – Brakes Required

Every bicycle, electric bicycle, and motorized bicycle shall be equipped with a brake or brakes which will enable its operator to stop it within twenty-five feet from a speed of ten miles per hour on dry, level, clean pavement.

SECTION 15-446 – Non-Functional Pedals Prohibited

No Alternative Vehicle shall be equipped with any pedals which are non-functional when ridden or operated on any roadway, sidewalk, trail or path, or within any park.

SECTION 15-447 – Obedience to Traffic Control Signs and Signals

1. Any person operating any Alternative Vehicle which is permitted to be ridden on a roadway shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.
2. Whenever authorized signs are erected indicating that no right turn, left turn or U-turn is permitted, no person operating any Alternative Vehicle shall disobey the direction of any such sign, except where such person dismounts from the device or

vehicle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

SECTION 15-448 – Duty to Operate with Care and At Appropriate Speed

1. Any person who shall ride, use, operate, or permit to be ridden, used or operated any Alternative Vehicle, shall do so in a careful and prudent manner and not in a manner so as to cause or be likely to cause danger to any person or property. Holding onto any moving motor vehicle while riding on or operating an Alternative Vehicle is strictly prohibited.
2. No person shall ride or operate any Alternative Vehicle at a speed greater than the speed limit, nor at a speed greater than which is safe, reasonable, and prudent given the conditions present at that time and place, including the presence of pedestrians.

SECTION 15-449 – Operation and Conduct in Parks and Public Golf Course

1. The following devices and vehicles are permitted to be ridden or operated in parks within the City, subject to the restrictions contained in this Section: bicycles, Class 1 and Class 2 electric bicycles, stand-on **electric** motorized scooters, non-motorized alternative vehicles, ride-on toy vehicles, electric MTDs, and EPAMDs.
2. No person shall ride or operate any of the devices or vehicles permitted by Subsection 1 on any surface within a park other than a (1) paved roadway, (2) paved sidewalk, trail, or path which is not designated solely for pedestrian use, or (3) on an unpaved sidewalk, trail, or path which is specifically designated to permit such riding or operation.
3. A rider or operator shall be permitted to wheel, push, or carry any such device or vehicle across or through any grassy area, wooded trail, or any paved area reserved for pedestrian use.
- ~~4. Notwithstanding any other provision of this Article to the contrary, no person shall ride or operate any device or vehicle permitted by Subsection 1 in a park at a speed greater than ten (10) miles per hour.~~
- 5.4. No person shall leave a device or vehicle permitted by Subsection 1 lying on the paving, or in any place or position where other persons may trip over or be injured by it. All such devices and vehicles shall be stored on a storage or parking rack when such is provided and there is a space available.

5. Nothing Permitted to be Ridden or Used within Golf Course - In addition to the prohibition set forth in Section 18-64, no Bicycle, Electric Bicycle, or other Alternative Vehicle as defined by this Article shall be permitted to be ridden or operated within a public golf course other than as necessary by a City employee acting within the scope of their duties and responsibilities. This is not intended to prohibit the operation of golf carts rented to users of the course in accordance with the rules established for the use of such carts.
6. Notwithstanding any other provision of this Article, the Chief of Police, the Director of Parks and Recreation, or their designee(s) are permitted to prohibit the use of any device or vehicle regulated by this Article from being used or ridden in any park or portion thereof due to an event or other condition which could render such use unsafe.

SECTION 15-450 – Bicycles and Electric Bicycles – Traffic Laws Shall Apply – Rights and Duties

Every person riding a bicycle or electric bicycle upon a roadway shall be granted all of the rights and be subject to all of the duties applicable to the driver of a vehicle by the laws of the state, including those contained Chapter 304 RSMo., declaring rules of the road applicable to vehicles, and by the traffic ordinances of the city applicable to the driver of a vehicle, except as to special regulations in this Article and except as to those provisions of laws and ordinances which by their nature can have no application.

SECTION 15-451 – Electric Bicycles - Rights and Privileges; Label Requirements and Modifications Thereto; Safety Standards; Where Authorized to Ride and Exceptions; Special Provisions Pertaining to Class 3 Electric Bicycles

1. Except as otherwise provided in this Section, every person riding an electric bicycle shall be granted all of the rights and shall be subject to all of the duties applicable to the operator of a bicycle. An electric bicycle shall be considered a vehicle to the same extent as a bicycle.
2. Beginning August 28, 2021, manufacturers and distributors of electric bicycles shall apply a permanent label to each electric bicycle. The label, which shall be affixed to the electric bicycle in a prominent location, shall contain the classification number, top assisted speed, and motor wattage of the electric bicycle. The text on the label shall be Arial font and in at least nine-point type.
3. No person shall tamper with or modify an electric bicycle so as to change the motor-powered speed capability or engagement of an electric bicycle unless he or she

replaces the label required under Subsection (3) of this Section with a new label indicating the new classification.

4. An electric bicycle shall comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission, 16 CFR 1512.
5. An electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.
6. An electric bicycle may be ridden where bicycles are permitted to travel, subject to the following provisions:
 - a. A Class 1 or Class 2 electric bicycle may be ridden on bicycle or multi-use paths where bicycles are permitted.
 - b. Class 3 electric bicycles may only be ridden on roadways and shall not be used on any sidewalk, multi-use trail or path, or within any park or public golf course in the City.
7. The use of Class 3 electric bicycles shall be subject to the following provisions:
 - a. No person under sixteen (16) years of age shall operate a Class 3 electric bicycle. A person under sixteen (16) years of age may ride as a passenger on a Class 3 electric bicycle that is designed to accommodate passengers.
 - b. All Class 3 electric bicycles shall be equipped with a speedometer that is capable of clearly displaying the speed an electric bicycle is traveling in miles per hour.

SECTION 15-452 – Duty to Utilize Bicycle Lanes, Keep Right, Ride in Same Direction as Vehicles, and to Signal

Every person operating or riding on any Alternative Vehicle ~~bicycle, electric bicycle, or stand-on motorized scooter~~ upon a roadway:

1. Shall ride in a designated bicycle lane when available, or in the event that no designated bicycle lane exists, shall ride as near to the right side of the roadway as safe and practicable, unless when making a left turn, when avoiding hazardous conditions, when the lane is too narrow to share with another vehicle, or when on a one-way street;

2. Shall ride in the same direction as motor vehicles are required to be driven upon the roadway, and shall exercise due care when passing a standing vehicle or one proceeding in the same direction; and
3. Shall signal by hand or by electric signal device as required by Section 15-162, except that a signal by hand need not be given continuously if the hand is needed to control or operate the bicycle or electric bicycle.

SECTION 15-453 – Riding Abreast

Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Electric bicycles shall not be ridden more than single file except upon roadways where they are otherwise permitted to be ridden, whereupon they can be ridden no more than two abreast. Stand-on motorized scooters shall not be ridden more than single file.

SECTION 15-460 – Motorized Alternative Vehicles; Electric MTDs, EPAMDs, Non-Motorized Alternative Vehicles - License Required; Gas-Powered Minibikes and Go-Carts Prohibited

1. The permitted and prohibited operation of the various types of Alternative Vehicles and devices regulated by this Article is set forth in this Article and in Table A as appended hereto and incorporated herein by reference.
2. No person shall operate a motorized alternative vehicle on any highways, streets, or roadways in this City unless the person has a valid license to operate a motor vehicle and has said physical license in their possession during such operation.
3. No motorized alternative vehicle may be operated on any high-speed roadway or sidewalk within the City, within any park, nor on any public thoroughfare located within this City which has been designated as part of the Federal interstate highway system.
4. No person shall operate or use an electric MTD, EPAMD, stand-on motorized scooter, electric-powered minibikes or go-karts, or non-motorized alternative vehicle on any high-speed roadway, except while crossing a street at a crosswalk, and when so crossing such person shall be subject to all laws applicable to pedestrians.
- ~~4.5.~~ No person shall operate any gas-powered minibike or gas-powered go-carts within the City except on private property with consent of the owner.

~~5-6.~~ A person may operate or use bicycles, electric bicycles, electric MTDs, EPAMDs, and motorized and non-motorized alternative vehicles on private property with the permission of the owner.

SECTION 15-461 – Ride-On Toy Vehicles – May Be Operated Where

Ride-On Toy Vehicles as defined by this Article shall not be ridden on or across any roadway ~~or any sidewalk located in a district zoned for commercial use~~. Ride-On Toy Vehicles are permitted to be ridden on sidewalks ~~in non-commercial districts~~, on paved trails or paths located in parks, or on private property with the owner's consent.

SECTION 15-462 – Equipment Required for Gas-Powered Scooters and Mopeds

No person shall operate a moped or gas-powered scooter on any highways, streets or roadways in the City unless it is equipped in accordance with the minimum requirements for construction and equipment of MOPEDS, Regulation VESC-17, approved July 1977, as promulgated by the Vehicle Equipment Safety Commission.

SECTION 15-463 – Electric Scooters – May Be Operated Where

No person shall operate an electric scooter on any street or roadway in the City unless the operator has a valid driver's license. Electric scooters may be operated on any sidewalk, bicycle trail, or multi-use path.

SECTION 15-646 – Golf Carts Prohibited, Except When

No person shall operate any golf cart within the City except on private property with consent of the owner or on a public golf course in line with the requirements contained in Section 18-64.

SECTION 15-470 – Penalty for Violation

1. Any person who is the age of seventeen (17) or older who violates any provision of this Article is guilty of an ordinance violation and, upon conviction thereof, shall be punished pursuant to the terms of Section 1-6 of this Code. If a person violating the provisions of this Article is, by reason of age, not subject to the jurisdiction of the Ballwin Municipal Court, then said person may be prosecuted through the St. Louis County Juvenile Court. A parent or guardian of a juvenile who commits a violation of this Article may also be charged with an ordinance violation pursuant to Section 17-10 pertaining to parental responsibility.

2. If any minor violates any provision of this Article in the presence of a Police Officer, and if a parent, guardian, or responsible adult having custody or control of that minor fails to take possession of the device or vehicle used by the minor in committing the violation within a reasonable time, the officer may cause the vehicle to be towed to the owner's residence at the owner's expense.
3. If any person violates any provision of this Article in the presence of a Police Officer, the officer may, in their discretion, impound the device or vehicle involved for a period not to exceed five (5) days upon issuance of a receipt to the person riding it or to its owner.

TABLE A: Permitted and Prohibited Operation of Alternative Vehicles and Devices

In Accordance with Chapter 15, Article XI, the use of various Alternative Vehicles and Devices on the roadways, streets, sidewalks, multi-use trails and paths, and parks of the city shall be as indicated as set forth below. A checkmark (✓) shall indicate that a use is permitted, while an X shall indicate that a use is prohibited.

	<u>High-Speed Roadways (greater than 25 mph)</u>	<u>Low-Speed Roadways (25 mph or less)</u>	Sidewalks	Parks and Multi-Use Trails or Paths <u>Within</u>	Public Golf Course	Private Property (with owner's consent)
Bicycle	✓	✓	✓	✓	X	✓
Electric Bicycle (Classes 1 and 2)	✓	✓	✓	✓	X	✓
Electric Bicycle (Class 3) – age 16 or older required	✓	✓	X	X	X	✓
<u>Electric Bicycle (Class 3) – age 15 or younger</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Sit-on (Vespa style) motorized scooter (49cc or less) with valid driver's license	✓	✓	X	X	X	✓
Stand-on motorized scooter	X	✓	✓	✓	X	✓

Motorized Alternative Vehicles	X	<u>✓</u>	<u>X</u> ✓	X	X	✓
Minibikes, Pocket Motorbikes, Go-Karts (electric)	X	<u>✓</u>	<u>X</u> ✓	X	X	✓
Minibikes, Pocket Motorbikes, Go-Karts (gas- powered)	X	<u>X</u>	X	X	X	✓
Non-Motorized Alternative Vehicles (roller skates, roller blades, skateboards, non-motorized scooters, etc.)	X	<u>✓</u>	✓	✓	X	✓
Ride-on Toy Vehicles (maximum speed of 5 mph or less)	X	<u>X</u>	✓	✓	X	✓
Electric MTDs (such as hoverboards, electric skateboards, and similar devices)	X	<u>✓</u>	✓	✓	X	✓
EPAMDs (Segways and similar devices)	X	<u>✓</u>	✓	✓	X	✓
<u>Golf Carts</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u> (except per Sec. 18-64)	<u>✓</u>



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Section 2: Chapter 15, Article I, Section 15-5, “Use of Toy Vehicles”, is hereby repealed in its entirety.

Section 3: It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof, and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section 4: This ordinance shall be in full force and effect from its passage and approval pursuant to law and shall remain in effect until amended or repealed by the Board of Aldermen.

PASSED this _____ day of _____, 2026.

MARK R. STALLMANN, MAYOR

APPROVED this _____ day of _____, 2026.

MARK R. STALLMANN, MAYOR

ATTEST: _____
ERIC STERMAN, CITY ADMINISTRATOR