



AGENDA

SPECIAL MEETING OF THE NEVADA CITY COUNCIL

FRIDAY, JUNE 14th, 2024 7:00 A.M.

CITY HALL COUNCIL CHAMBERS, 1209 6TH STREET, NEVADA, IA

The Council will be meeting in the Council Chambers and via Zoom. You may attend in person or via Zoom.

<https://us02web.zoom.us/j/85159572027?pwd=LzJ0V0F2aEtoOEZxSkY4VGVTdHBpdz09>

Passcode: 287321

OR by phone: (312) 626-6799, (646) 558-8656, (301) 715-8592

Webinar ID: 851 5957 2027 Password: 287321

1. Call Meeting to Order
2. Roll Call
3. Approval of Agenda
4. Resolution No. 090 (2023/2024): A Resolution Setting Time and Place to conduct a Public Hearing to Consider Disclaimer of Interest in Right-of-Way Permit and Easement
5. Discussion and appropriate follow-up on Closed Session pursuant to authority found in Iowa Code 21.5 (1) (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.
6. Discussion and Appropriate Follow up Regarding Closed Session
7. Ordinance No. 1055A (2023/2024): An Ordinance Amending the Code of Ordinances of the City of Nevada, Iowa, 2006, by Amending Provisions pertaining to Sewer Use Charges (Chapter 99)
8. Adjourn

The agenda was posted on the official bulletin board on June 12, 2024, in compliance with the requirements of the open meetings law.

F:\OFFICE\COUNCIL\AGENDAS-COUNCIL\2023-2024\2024-06-14, SPECIAL SEWER RATES #1.DOC9

RESOLUTION NO. 090 (2023/2024)

A RESOLUTION SETTING THE TIME AND PLACE TO CONDUCT A PUBLIC HEARING TO CONSIDER DISCLAIMER OF INTEREST IN RIGHT-OF-WAY PERMIT AND EASEMENT

WHEREAS, The Story County Hospital is the current owner of certain real property (the "Property") legally described on "Exhibit A" attached hereto; and

WHEREAS, that certain Right-of-Way Permit and Easement in favor of the City, dated September 9, 1977, and recorded October 21, 1977, in the office of the County Recorder in Book 137, Page 413 (the "Easement"), has been recorded as an encumbrance for utility purposes against title to the Property; and

WHEREAS, The Easement does not, in fact, encumber title to the Property and was erroneously recorded against title to the Property; and

WHEREAS, The City hereby desires to disclaim any interest in the Easement with respect to the Property and terminate the Easement with respect to the Property, but not with respect to any other property affected by such Easement.

NOW THEREFORE BE IT RESOLVED by the City Council of Nevada, Iowa that:

1. The Council desires to disclaim any interest in the Easement with respect to the Property and terminate the Easement with respect to the Property, but not with respect to any other property affected by such Easement described herein.
2. The Council shall make a final determination on the proposal following a public hearing, which shall be held on June 24, 2024 at 6:00 p.m. or soon thereafter, in the City Council Chambers, 1209 6th Street, Nevada, Iowa 50201.
3. Pursuant to Iowa Code 364.7 the City Clerk is hereby directed to publish the proper notice of the public hearing with legal description and the proposed disclaimer of interest in the Right-of-Way Permit and Easement, as set forth in "Exhibit B", attached hereto.

All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED this 24th day of June, 2024.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

Moved by Council Member __, seconded by Council Member __, that Resolution No. 090 (2023/2024) be adopted.

AYES: —
NAYS: —
ABSENT: —

The Mayor declared Resolution No. 090 (2023/2024) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 090 (2023/2024) at the regular Council Meeting of the City of Nevada, Iowa, held on the 24th day of June, 2024.

Kerin Wright, City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Lot One (1) and the North one-half of Lot Four (4) in Block Forty-five (45) of the Original Town of Nevada, Story County, Iowa.

(Tax Parcel No. 1107255660)

The South ten (10) feet of Lot eight (8) and all of Lot nine (9) in Block thirty-nine (39) in the Original Town of Nevada, Iowa, Story County, Iowa.

(Tax Parcel No. 1107250360)

Block Forty (40), Original Town of Nevada, Story County, Iowa.

(Tax Parcel No. 1107255400)

EXHIBIT B

**NOTICE OF PUBLIC HEARING CONCERNING
THE VACATION OF CITY PROPERTY**

YOU ARE HEREBY NOTIFIED that the City of Nevada, Iowa, proposes to disclaim any interest in Right-of-Way Permit and Easement with respect to certain real property, but not with respect to any other property affected by such Easement and terminate the Easement with respect to the Property, but not with respect to any other property affected by such Easement. The certain real property is legally described as:

Lot One (1) and the North one-half of Lot Four (4) in Block Forty-five (45) of the Original Town of Nevada, Story County, Iowa. (Tax Parcel No. 1107255660)

The South ten (10) feet of Lot eight (8) and all of Lot nine (9) in Block thirty-nine (39) in the Original Town of Nevada, Iowa, Story County, Iowa. (Tax Parcel No. 1107250360)

Block Forty (40), Original Town of Nevada, Story County, Iowa. (Tax Parcel No. 1107255400)

YOU ARE FURTHER NOTIFIED, that a Public Hearing will be held in the City Council Chambers, 1209 6th Street, Nevada, Iowa 50201, at the City Council Meeting scheduled to begin at 6:00 p.m. on the 24th day of June, 2024 at which time the Council will hear comments for and against the proposal from any interested party. You have a right to attend and express your views on this proposal. If you are unable to attend, you may submit your written comments addressed to the City Clerk, 1209 6th Street, Nevada, Iowa 50201. Your written comments must be received no later than 4:00 p.m. on the 24th day of June, 2024. At the conclusion of the Public Hearing, the Council will consider the disclaimer of interest in the Right-of-Way Permit and Easement on the above-described property.

Recorder's Cover Sheet

Document: DISCLAIMER OF INTEREST IN RIGHT-OF-WAY PERMIT AND EASEMENT

Preparer Information: (name, address and phone number)

Michele J. Thurnblom Esq., Dorsey & Whitney LLP, 50 South Sixth Street, Suite 1500,
Minneapolis, Minnesota 55402

Phone: (612) 492-6557

Taxpayer Information:

Story County Hospital, 640 S. 19th St., Nevada, IA 50201

Return Document To:

Michele J. Thurnblom Esq., Dorsey & Whitney LLP, 50 South Sixth Street, Suite 1500,
Minneapolis, Minnesota 55402

Declarant/Disclaimant:

City of Nevada, Story County, Iowa

Legal Description: See Exhibit A

Document or instrument number of previously recorded documents: Book 137, Page 413

**DISCLAIMER OF INTEREST
IN
RIGHT-OF-WAY PERMIT AND EASEMENT**

THIS DISCLAIMER OF INTEREST IN RIGHT-OF-WAY PERMIT AND EASEMENT (this "Disclaimer") is made as of _____, 2024 (the "Effective Date"), by CITY OF NEVADA, STORY COUNTY, IOWA, a municipal corporation (the "City").

RECITALS:

A. The Story County Hospital is the current owner of that certain real property (the "Property") legally described on Exhibit A attached hereto.

B. That certain Right-Of-Way Permit and Easement in favor of the City, dated September 9, 1977, and recorded October 21, 1977, in the Office of the County Recorder in Book 137, Page 413 (the "Easement"), has been recorded as an encumbrance for utility purposes against title to the Property.

C. The Easement does not, in fact, encumber title to the Property and was erroneously recorded against title to the Property.

D. The City hereby desires to disclaim any interest in the Easement with respect to the Property and terminate the Easement with respect to the Property, but not with respect to any other property affected by such Easement.

NOW, THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, the City agrees as follows:

City Disclaimer and Termination of Easement. As of the Effective Date, the City hereby disclaims any interest in the Easement with respect to the Property and terminates the Easement with respect to the Property, but not with respect to any other property affected by such Easement. As of the Effective Date, all rights and obligations under the Easement are hereby terminated, released and vacated in their entirety and are of no further force and effect with respect to the Property.

[Remainder of page intentionally left blank; signature follows.]

IN WITNESS WHEREOF, the City has executed this Disclaimer as of the Effective Date.

THE CITY OF NEVADA, STORY COUNTY,
IOWA, an Iowa municipal corporation

By: _____
Name: _____
Its: Mayor

By: _____
Name: _____
Its: City Clerk

STATE OF IOWA)
) ss.
COUNTY OF STORY)

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by _____ and _____, as Mayor and City Clerk, respectively, of City of Nevada, Story County, Iowa, an Iowa municipal corporation.

Witness my hand and official seal.

Notary Public

My commission expires: _____

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

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(Tax Parcel No. 1107255660)

The South ten (10) feet of Lot eight (8) and all of Lot nine (9) in Block thirty-nine (39) in the Original Town of Nevada, Iowa, Story County, Iowa.

(Tax Parcel No. 1107250360)

Block Forty (40), Original Town of Nevada, Story County, Iowa.

(Tax Parcel No. 1107255400)

ORDINANCE NO. 1055A (2023/2024)

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEVADA,
IOWA, 2006, BY AMENDING PROVISIONS PERTAINING
TO SEWER USE CHARGES (CHAPTER 99)**

BE IT ENACTED by the City Council of the City of Nevada, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 99 (Sewer Use Charges), Section 99.02 (Definitions), 99.03 (Annual Revenue Required), 99.06 (Domestic, Commercial, Industrial Classification), 99.07 (Classification Definitions), 99.08 (User Charges), 99.09 (Surcharge), of the Code of Ordinances of the City of Nevada, Iowa, 2006, is amended to read as follows:

CHAPTER 99: SEWER USE CHARGES

99.02 DEFINITIONS. For use in this chapter, the following terms are defined:

1. **"BOD" (denoting Biological Oxygen Demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20°) C, expressed in milligrams per liter or parts per million.**
2. **"CBOD" (denoting Carbonaceous Biochemical Chemical Oxygen Demand) means the amount of the oxidant consumed is experimentally measured to calculate the equivalent amount of oxygen required by the wastewater for the degradation of the pollutants.** quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20°) C, expressed in milligrams per liter or parts per million.
3. **City of Nevada Industrial and Commercial Pretreatment Manual This manual sets forth uniform requirements for Users of the Publicly Owned Treatment Works for the City of Nevada [the City] and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403).**
4. **Debt Charges are for debt retirement of any existing or future bonded indebtedness which include a minimum monthly charge and a usage charge per 1000 gallon.**
5. "Normal domestic wastewater" means wastewater that has a CBOD₅ concentration of not more than 300 mg/l, a **total** suspended solids concentration of not more than 300 mg/l and an ammonia nitrogen concentration of not more than 35 mg/l.
6. "Operation and maintenance" means all expenditures during the useful life of the wastewater treatment works for materials, labor, utilities and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.
7. **"pH" = -log[H⁺]: where [H⁺] denotes the molar hydrogen ion concentration**
8. "Replacement" means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.
9. "Residential contributor" means any contributor to the City's treatment works whose lot, parcel of real estate or building is used for domestic dwelling purposes only.
10. **TKN" means the Total Kjeldahl Nitrogen is the sum of the organic nitrogen and ammonia nitrogen. concentration expressed in mg/l as determined using EPA approved methods.**
11. **Total Nitrogen (TN) The sum of the TKN, Nitrate and Nitrite in the sample using EPA approved methods.**

12. Total Phosphorous (TP) total phosphorus is the sum of all the forms of phosphorus in the sample: orthophosphate, condensed phosphate, and organic phosphate using EPA approved methods.

13. “Total Suspended Solids (TSS)” A well-mixed sample is filtered through a weighed standard glass-fiber filter and the residue retained on the filter is dried to a constant weight at 103 to 105°C. The increase in weight of the filter represents the total suspended solids .using EPA approved methods. “TKN” means the total Kjeldahl nitrogen concentration expressed in mg/l as determined using EPA methods or standard methods.

14. “Treatment works” means any devices and systems used for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land, that will be an integral part of the treatment process or used for ultimate disposal of residues resulting from such treatment (including land used for composting sludge, temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

15. “Useful life” means the estimated period during which a treatment works will be operated.

16. “User charge” means that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the treatment works.

17. “Water meter” means a water volume measuring and recording device, furnished and/or installed by the City or furnished and/or installed by a user and approved by the City, as further defined in Chapter 90 through 92 of this Code of Ordinances.

99.03 ANNUAL REVENUE REQUIRED. The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance including replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance including **repair, expansion or** replacement of the **collection system, pumping stations and** treatment works shall be established by this chapter.

99.06 DOMESTIC, COMMERCIAL AND INDUSTRIAL CLASSIFICATION SYSTEM. The City of Nevada evaluates sewer use charges for domestic, commercial and industrial dischargers based on a flow charge that includes the treatment of: Flow, BOD, COD, TSS, TKN, Total Nitrogen, Total Phosphorous, Oil/Grease and any other requirements based on the City’s NPDES permit. The universal flow-based rate is applied to all dischargers. Additional surcharges for excessive discharges of the conventional pollutants listed above are applied through the City’s NPDES Treatment Agreements, sewer discharge monitoring and the Commercial-Industrial Classification System. Sewer use charges will address the discharges as to the type of discharge and with uniform surcharge rates for monitored industrial dischargers. Classifications will be: Residential (Single Family): Single family domestic sewage discharger; Commercial (Exempt): Single Occupancy Commercial Property with low sanitary sewage flow from an individual restroom for staff use only; Commercial (Multi-Family): Multi-Family dwellings with a single water meter used to calculate the total sanitary sewer discharge from each family unit; Commercial 1; Commercial 2; Industrial 1; Industrial 2; Industrial-Monitored.

99.07 CLASSIFICATION DEFINITIONS. The universal flow-based rate is applied to all dischargers to the City of Nevada Wastewater Treatment Facility. Additional surcharges

for excessive discharges of the conventional pollutants listed are applied through the City's NPDES Treatment Agreements, sewer discharge monitoring and the Commercial-Industrial Classification System

The Commercial-Industrial Classification System number of strength units assigned are based on the ratio of sewage works unit cost for each parameter. The ratio of sewage works unit cost associated with BOD to Total Suspended Solids to Total Nitrogen to Total Phosphorous to Oil and Grease is 1.35:1:1:1:1 and COD to Total Suspended Solids to Total Nitrogen to Total Phosphorous to Oil and Grease is 0.64:1:1:1:1.

Standard Strength Unit = (BOD mg/L x 1.35) + (Total Suspended Solids mg/L) + (Total Nitrogen mg/L) + (Total Phosphorous mg/L) + (Oil and Grease mg/L) or

Standard Strength Unit = (COD mg/L x 0.64) + (Total Suspended Solids mg/L) + (Total Nitrogen mg/L) + (Total Phosphorous mg/L) + (Oil and Grease mg/L)

The classification system defines the relative sewage works costs associated with the wastewater strength for each class. The sewerage charges shall be calculated from metered water use times the sewerage rate stated in this section, times the factor presented in the following table:

1.

COMMERCIAL CUSTOMER CLASSIFICATION	Standard Strength Units	Factor Times Domestic Rate
Commercial (Exempt)	0-630	1.00
Commercial (Multi-Family)	Above 631	1.25
Commercial 1 & Government	631-990	1.25
Commercial 2	Greater than 990	1.35
INDUSTRIAL CUSTOMER CLASSIFICATION	Standard Strength Units	Factor Times Domestic Rate
Industrial 1	631-990	1.35
Industrial 2	Greater than 1030	1.40

2. Industrial-Monitored: An industrial discharger that:

A. Monitors and records the flow from their discharge to the sanitary sewer with a Flow Paced or Time Paced Sampler and pH Recording Sampler seven (7) days a week.

B. Determines the concentration of the following conventional pollutants utilizing the approved methods in 40 CFR part 136 and under the requirements of the Sufficiently Sensitive Method requirements in 40 CFR part 122.44. BOD, COD, CBOD, TSS, TKN, Total Nitrogen, Total Phosphorous, Total Oil and Grease (HEM), and Silica Gel Treated Oil and Grease (HEM-SGT).

C. Determines the concentration of the following inorganic and organic pollutants utilizing the approved methods in 40 CFR part 136 under the requirements of the Sufficiently Sensitive Method requirements in 40 CFR part 122.44. 40 CFR Part 503 Sludge Metals, 40 CFR Part 433 Categorical Pollutants, Other Pollutants of Concern Determined by the City of Nevada.

99.06 USER CHARGES.

1. Minimum Charge. The minimum user charge per month shall be:

METER READING DATE	MONTHLY SERVICE FEE
Current: June, 2017	\$8.44
July, 2020	\$10.13
June, 2021	\$12.16
March, 2022	\$20.00 Ord 1022
June, 2024 All Users	\$20.00

***An Additional 3% increase yearly with the July billing**

2. ~~Additional Quantity Use Charge. In addition to the minimum monthly charge, each contributor shall pay a user charge rate for operation and maintenance (including replacement), debt retirement of any existing or future bonded indebtedness or construction of reasonable and necessary improvements:~~

METER READING DATE	CHARGE PER 1000 GALLONS OR PRO RATA PART THEREOF
Current: June, 2017	\$4.35
July, 2020	\$5.22
June, 2021	\$6.26
June, 2022	\$6.26
December, 2022	\$10.00 Ord 1030
June, 2024 Residential (Single Family)	\$6.75
June, 2024 Commercial 1 / Government	\$8.44
June, 2024 Commercial (2) / Industrial (1)	\$9.11
June, 2024 Industrial (2)	\$9.45
June 2024, Industrial (3)	\$9.45

***An Additional 2% increase yearly with the July billing**

~~The sewer charges and rates established and stated herein are determined by the system for development of proportional user charges set out, with representative computations, as shown in current Appendix A. (Based upon rate study prepared by Howard R. Green Company – May 2013.) Ord 1011~~

3. Sewer Construction. In addition to the above two charges, each user shall be assessed an additional charge per month for payment of reasonable and necessary improvements.

METER READING DATE	MONTHLY CONSTRUCTION FEE
Current: June, 2017	\$1.69
July, 2020	\$2.03
June, 2021	\$2.44
*To be evaluated.	Ord 1011
March, 2022	\$5.00 Ord 1022
December, 2022	\$8.00 Ord 1030
June, 2024 (Ord 1047)	\$53.00
June 2024 (New Ord)	\$3.00

***An Additional 2% increase yearly with the July billing**

4. Sewer Only Customer Deposits. The following deposit and **fee** requirements are for those customers who use city sewer services but not city water:

(a) Before sewer service is provided to any customer, a deposit is required to the City Clerk equal to three months' average use based on past usage during the most recent period of continuous occupancy, not less than ~~seventy-five dollars (\$75.00)~~ one hundred dollars **(\$100.00)**. The deposit may be refunded or credited to the customer's account after a period of twenty-four (24) months during which time not more than one late payment penalty has been assessed.

Any customer who does not presently have a deposit on file, or in cases where a deposit is on file with the City, and who has been assessed more than two (2) late penalties within a twelve (12) month period, shall be required to pay a deposit in an amount equal to three months average use based on past usage during the most recent period of continuous occupancy, but not less than ~~\$75.00~~ **100.00**. In these cases, a "Notice of Required Deposit" shall be mailed by ordinary U.S. mail to the customer. In addition to notifying the customer that they must remit the deposit and the reason for its

requirement, the Notice shall also state that if the deposit is not paid within 30 days from the date of the Notice, the sewer service may be discontinued. Any deposit required under this subsection may be refunded or credited to the customer's account after a period of twenty-four (24) months during which time not more than one late payment penalty has been assessed.

The Wastewater Superintendent is authorized to terminate sewer service to any customer who does not timely remit the deposit or additional deposit set forth in this section. (Ord 1030)

A Monthly Service Fee of \$25.00 will be added to any customer that doesn't have a city meter with remote read.

(Ord. 976 – Sep. 13 Supp.)

99.07 DEBT CHARGES.

1. Minimum Charge. The minimum debt charge per month per account shall be:

METER READING DATE	MONTHLY SERVICE FEE
June, 2024 All Users	\$27.50

***Minimum Charge not applicable to any user who contributes upfront toward the debt.**

2. Additional Debt Quantity Use Charge. In addition to the Debt minimum monthly charge, Each contributor shall pay a Debt user charge rate for debt retirement of any existing or future bonded indebtedness:

METER READING DATE	CHARGE PER 1000 GALLONS OR PRO RATA PART THEREOF
June, 2024	\$3.60

99.07g SURCHARGE. For those **monitored** contributors who contribute wastewater the strength of which is greater than the limits set out below, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance including replacement is:

1. Carbonaceous Biological Oxygen Demand (CDOB **BOD**) per pound over 300 mg/l

July 2017	Aug 2020	July 2021	July 2022	July 2023	July 2024	July 2025
\$0.204 (per pound)	\$0.210	\$0.216	\$0.223	\$0.229	0.472	0.486

***An Additional 3% increase yearly with the July billing** Ord 1011

2. **OR** Chemical Oxygen Demand (COD) per pound over **300** mg/l

					July 2024	July 2025
					0.472	0.486

***An Additional 3% increase yearly with the July billing**

2. Total Suspended Solids (TSS) **per pound** in excess of 300 **200** mg/l

July 2017	July 2020	July 2021	July 2022	July 2023	July 2024	July 2025
\$0.497 (per pound)	\$0.512	\$0.527	\$0.543	\$0.559	\$1.12	\$1.15

***An Additional 3% increase yearly with the July billing**

3. Total Kjeldahl Nitrogen (TKN) **per pound in excess of 35** mg/l

July 2017	July 2020	July 2021	July 2022	July 2023	July 2024	July 2025
\$0.792 (per pound)	\$0.816	\$0.840	\$0.865	\$0.891	\$1.50	\$1.55

***An Additional 3% increase yearly with the July billing**

4. **Total Phosphorous Surcharge per pound in excess of 30 mg/l**

					July 2024	July 2025
					\$1.00	\$1.03

***An Additional 3% increase yearly with the July billing**

- 5. Oil and Grease:
 - A. \$0.10 **\$0.50** per pound in excess of 300 **100** mg/l and an additional
 - B. \$0.20 **\$1.00** per pound in excess of 600 **100** mg/l
- (Ord. 976 – Sep.13 Supp.)

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved first reading by the Nevada City Council this _ day of __, 2024.
Passed and approved second reading by Nevada City Council this _ day of __, 2024.
Passed and approved third reading by the Nevada City Council this _ day of __, 2024.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

1st Reading – __
Motion by Council Member __, seconded by Council Member __, to adopt the first reading of Ordinance No. 1055A (2023/2024).
AYES: —
NAYS: —
ABSENT: —

2nd Reading – __
Motion by Council Member __, seconded Council Member by __, to approve the second reading of Ordinance No. 1055A (2023/2024).
AYES: —
NAYS: —
ABSENT: —

3rd Reading –
Motion by Council Member __, seconded by Council Member __, to approve the third reading of Ordinance No. 1055A (2023/2024).