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BILL NO. \_\_\_\_\_

SUMMARY - An ordinance to amend Title 22 Chapter 22.02 of the Clark County Code to codify current practices related to simple permit fees, damage assessment inspections reports and fee reductions for qualified affordable housing projects, deletes the requirements for the submittal of hard copy documents with the permit applications, and clarifies and adds certain types of work that are exempt from the permitting requirements; and providing for other matters properly relating thereto.

ORDINANCE NO. \_\_\_\_\_

(of Clark County, Nevada)

**AN ORDINANCE TO AMEND TITLE 22 CHAPTER 22.02 OF THE CLARK COUNTY CODE TO CODIFY CURRENT PRACTICES RELATED TO SIMPLE PERMIT FEES, DAMAGE ASSESSMENT INSPECTIONS REPORTS AND FEE REDUCTIONS FOR QUALIFIED AFFORDABLE HOUSING PROJECTS, DELETES THE REQUIREMENTS FOR THE SUBMITTAL OF HARD COPY DOCUMENTS WITH THE PERMIT APPLICATIONS, AND CLARIFIES AND ADDS CERTAIN TYPES OF WORK THAT ARE EXEMPT FROM THE PERMITTING REQUIREMENTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

**THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. Title 22, Chapter 22.02 is amended to read as follows:

#### **22.02.035 - DEFINITIONS**

Add the definition for Damage Assessment Inspection Report as follows:

Damage Assessment Inspection Report (DAIR) is a document that may be issued following a request for inspection to identify damaged areas of a *building or structure* and elements of the *building or structure* which require *repair or replacement*, for which a *permit* is required.

Modify the definition for Technical Codes as follows:

” Technical codes” are those codes adopted in Titles 22, 24, and 25 of the Clark County Code. *Technical codes* currently governed by this chapter include the *Building Code* of Clark County (22.04), the

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Residential Code of Clark County (22.05), the Safety Standards for Existing Buildings (22.10), the Existing *Building Code* of Clark County (22.11), the Abatement of *Dangerous Building Code* of Clark County (22.12), the *Amusement and Transportation Systems Code* (22.16), the Swimming Pool and Spa Code of Clark County (22.20), ~~International Swimming Pool and Spa and Water Feature Code~~, Noise Attenuation Construction Standards (22.22), Water, Sewage and Other Utilities (Title 24), the Electrical Code of Clark County (25.04), the Plumbing Code of Clark County (25.08), the Building Water Conservation Code of Clark County (25.10), ~~the Solar Energy Code (25.12)~~, the *Mechanical Code* of Clark County (25.16), and the Energy Conservation Code of Clark County (25.20).

## 22.02.043 ASSESSMENT OF DAMAGE TO BUILDINGS AND STRUCTURES

Add new Section “22.02.043 Assessment of Damage to Buildings and Structures” as follows:

### 22.02.043 Assessment of Damage to Buildings and Structures.

(A) **General.** Where approved by the Building Official, a Damage Assessment Inspection Report (DAIR) may be issued following a request for inspection of a building or structure to identify areas of structural damage caused by fire, water, wind, vehicle impact, vandalism, or other cause. An inspector shall identify elements of the building or structure requiring repair or replacement, for which a permit is required.

When issued, the DAIR shall provide a general scope of work (i.e., building, electrical, mechanical, and/or plumbing) for the required permit(s), and not a comprehensive list of the work required. Requirements regarding engineering and/or plans shall be at the discretion of the inspector based to conditions of the structure at the time of the inspection. Requirements of the Plans Examination Division may override those made by the inspector.

(B) **Damage Inspection Request.** A request for a damage assessment inspection may be made by the property owner or their authorized representative. Requests may be made via telephone, website, mail, email, or in person.

(C) **Asbestos Levels.** Prior to an initial inspection, reporting of asbestos levels shall be provided by the party requesting the damage assessment to ensure the building or structure is environmentally safe, as required pursuant to Clark County Department of Environment and Sustainability Air Quality Regulations Section 13.1, and Nevada Occupational Safety & Health Administration (OSHA) Section 1926.1101(k)(1)(i).

(D) **Safe Access.** The initial inspection shall be conducted subject to safe access. The inspector shall determine the level of hazard of the building or structure, which is to be posted on the property accordingly. Posting at the time of the initial inspection shall be designated as

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appropriate in the DAIR and shall be one of the following: UNSAFE (red), LIMITED ACCESS (yellow), or ACCESSIBLE (green).

- (E) Fees. DAIR inspection and reporting fees shall be charged at an hourly inspection rate as listed in Table 3-I of this Chapter. Fees shall be collected at the time of permit issue, unless otherwise authorized by the Building Official.
- (F) Damage Assessment Expiration. The DAIR shall expire 180 calendar days after the initial damage assessment request. This date shall be noted on the DAIR. An expiration notice shall be sent to the owner. If a subsequent DAIR is requested after the original report has expired, all fees must be paid prior to a new assessment being initiated. Any subsequent DAIR and inspections shall be subject to the same safety requirements and fees as the initial DAIR request.

#### 22.02.165 – GRADING, CONSTRUCTION OR INSTALLATION PERMITS REQUIRED

Amend 22.02.165 Grading, Construction or Installation Permits Required as follows:

**22.02.165 Grading, Construction, or Installation Permits Required.** Any owner or authorized agent who intends to perform *grading* or construct, enlarge, *alter, repair*, move, demolish, or change the *occupancy* of a building, *structure*, pool, spa, sign or ATS, or to erect, install, enlarge, *alter, repair*, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such *work* to be done, *shall* first make application to the *Building Official* and obtain the required *permit(s)*. (Amended 10-5-10 by Ord. #3899)

**Exception:** This section does not apply to buildings, *structures*, or service equipment and installations directly used in utility generation or distribution which are installed on properly recorded easements belonging to water, gas, power, telephone, or other utility companies which are pre-emptively regulated and governed by the ~~[Nevada Public]~~ Nevada Public Utilities Commission, State of Nevada charter, or other public franchise, including but not limited to the Las Vegas Valley Water District, Southern Nevada Water Authority, Clark County Water Reclamation District, NV Energy and Southwest Gas. This exception does not apply to site preparation, block walls, *fences*, or habitable public areas, such as offices, meeting rooms, and service counters.

#### 22.02.190 – BUILDING PERMIT EXEMPTIONS

Amend 22.02.190 (A) as follows:

- (A) One-story detached accessory buildings in conjunction with a single family dwelling used as tool and storage sheds, playhouses and similar non-occupiable space, provided the

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floor area does not exceed 200 square feet; and no ~~[electrical;]~~ mechanical or plumbing is to be installed. Exemption from obtaining a building permit applies when associated electrical work is limited to a single lighting circuit and/or a single power circuit, but an electrical permit is still required to be obtained for the electrical work.

Add 22.02.190 (AC) as follows:

(AC) Temporary use structures that are permitted pursuant to the Clark County Code 13.04, The Fire Code of Clark County.

## 22.02.195 – PLUMBING PERMIT EXEMPTIONS

Add 22.02.195 (H) as follows:

(H) Medical gas, industrial gas and vacuum systems that are regulated and inspected by the Clark County Fire Prevention Bureau.

## 22.02.200 – ELECTRICAL PERMIT EXEMPTIONS

Amend 22.02.200 electrical permit exemptions as follows:

(M) ~~[Wiring outside of buildings, installed by licensed and franchised cable television, telephone, or buried cable installers.]~~ Low voltage wiring and devices, as identified below, when the installation does not violate the provisions of the National Electrical Code or compromise any rated assembly or any fire protection systems.

(1) Cable, telephone, and data wiring outside of buildings installed by licensed and franchised cable or satellite television, telephone, internet provider, or buried cable installers.

(2) Replacement of lighting fixtures in single family residences-dwelling units as defined in the NEC.

(3) Burglar alarms, security cameras, security systems and doorbell systems operating at not greater than 24V.

(4) Power limited signal wiring for music and intercoms where these items are not a part of a life safety system such as a fire alarm or emergency communication system.

(5) Exposed surface-mounted power-limited wiring.

~~[(N) Power limited wiring of 50 volts or less in or associated with single family dwellings.]~~

~~[(O) Exposed surface-mounted power-limited wiring.]~~

~~[(P) Replacement of lighting fixtures in single family residences, dwelling units, guestrooms and~~

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~~guest suites as defined in the NEC.]~~

~~[(Q) Installing low voltage devices and data links.]~~

~~[(R) N] Replacement of Variable Frequency Drive (VFD) units up to 50 HP or 100 amperes and not part of a smoke control system.~~

~~[(S) Power limited class 2 & 3 wiring not part of a fire warning system, control wiring for emergency power systems, or smoke control systems.]~~

## 22.02.230 – SUBMITTAL OF CONSTRUCTION DOCUMENTS

Amend 22.02.230 Submittal of Construction Documents as follows:

### 22.02.230 Submittal of Construction Documents.

*Construction documents shall be submitted* ~~[in three or more sets]~~ with each application for a *permit*. *Construction documents shall be prepared by a design professional or by a person who qualifies for an exemption pursuant to NRS Chapters 623, 623A, 624, or 625. The Building Official may require persons claiming the design exemption to demonstrate their qualifications for the exemption.*

## 22.02.235 – INFORMATION ON PLANS AND SPECIFICATIONS

Amend 22.02.235 (A) General as follows:

- (A) **General.** Plans *shall* be drawn to scale upon substantial paper and *shall* be of sufficient clarity to indicate the location, nature and extent of the *work* proposed and show in detail that it will conform to the provisions of the *technical codes* and all relevant laws, ordinances, rules, and regulations. At the option of the *Building Official*, otherwise code-compliant plans for complex projects may require additional detailing to better enable proper field inspections. All *construction documents shall* be of sufficient quality to be readable after they are reproduced from microfilm and/or electronic scanning. All *revisions shall* be identified with a delta symbol and clouded on the drawings or resubmitted as a new project. *Revisions* completed the same date *shall* have the same delta symbol letter or number. It *shall* be the responsibility of the *principal design professional* to notify the *Building Official*, *permit applicant*, and *Prime Agency* of any and all changes throughout the project and provide revised *construction documents* prior to the commencement of *work*.

Exception: Plans and construction documents are not required when determined through the DAIR process.

Add 22.02.235 (D) Demolition Permits as follows:

(D) Demolition Permits. Prior to issuance of all demolition permits, the applicant shall

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submit a notarized letter, signed by the recorded property owner or authorized representative, in which the owner or authorized representative states that they grant permission to the licensed demolition contractor to perform the demolition scope of work identified on the permit application and corresponding demolition plans.

#### 22.02.335 – EXPRESS PLAN PROCESSING

Amend 22.02.335 Express Plan Processing as follows:

The *building official* may establish an express plan review program with rules and regulations, subject to workload and staff availability for providing express services without adversely impacting normal plan review activities. Additional fees *shall* be charged for express plan review services as established in Section 22.02.345 (~~E~~E).

#### 22.02.345 – PERMIT AND PLAN REVIEW FEES

Amend 22.02.345 Permit and Plan Review Fees to include new exception as follows:

**22.02.345 Permit and Plan Review Fees.** The fees for issuance and plan review of each type of permit *shall* be as set forth in this section. When *construction documents* are required to be submitted by this Chapter, a plan review fee shall be paid at the time of submitting *construction documents* for review. All specified plan review fees are separate fees and are in addition to the *permit* fees. Where a technical code has been adopted by Clark County for which no fee schedule is shown in this Chapter, the fee required *shall* be in accordance with the schedule established by the Board of County Commissioners.

Exceptions:

1. These fees may be adjusted administratively to comply with NRS 354.59891 when so advised by the Building Enterprise Fund Advisory Committee created in NRS 354.59893, but not to exceed the amounts set forth in this section. The *Building Official* may accept credit and debit cards for payment of fees. When payment is made with a credit or debit card, the *Building Official* may collect the cost of the financial institution's convenience fee.
2. The *Building Official* may authorize plan review fees to be collected at the time of permit issuance.

#### 22.02.347 AFFORDABLE HOUSING FEE REDUCTION

Add new section "22.02.347 *Affordable Housing Fee Reduction*" to read as follows:

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#### 22.02.347 - Affordable Housing Fee Reduction

Pursuant to the Resolution No. 3-16-21-4 approved by the Board of County Commissioners on March 16, 2021, certain affordable housing development projects are entitled to the reduction in development fee assessed in sections 22.02.075, 22.02.280, 22.02.285, 22.0.340, 22.02.345, 22.02.390, 22.02.400, 22.02.400, 22.02.405, 22.02.410, 22.02.415, and 22.02.433 of this Code as follows:

(A) Affordable housing projects that meet a criteria of a deed restricted sales or rent targeting between 61-80% of AMI may receive a reduction in fees of 50%.

(B) Affordable housing projects that meet a criteria of a deed restricted sales or rent targeting 60% of AMI or below may receive a reduction in fees of 75%.

(C) Affordable housing projects that offer a blend of rental rates or sales prices, may qualify for a calculated fee reduction on the blended rates.

Only projects issued an Affordable Housing Certificate by Clark County Community Resource Management will be eligible for the discounted fees as stated under this section.

#### **22.02.350 - EXPIRATION OF PLAN REVIEW**

Amend 22.02.350 Expiration of Plan Review as follows:

**22.02.350 Expiration of Plan Review.** Applications for which no *permit* is issued within 180 days following the date of approval or applications in which the applicant has failed to meet the specific requirements of plan review within 180 days from date of submittal, *shall* expire by limitation, and *construction documents* submitted for review may thereafter be ~~[returned to the applicant or]~~ destroyed by the *Building Official*. The *Building Official* may extend the time for action by the applicant for a period not exceeding 180 days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application *shall* be extended more than once unless the delay has been caused by another county *department* or state agency due to circumstances beyond the control of the applicant. Written explanation and verification *shall* be required. In order to renew action on an application after expiration, the applicant *shall* resubmit *construction documents* and pay a new plan review fee.

**Exception:** If there has been a significant design change, ~~[or]~~ change in the technical codes, or the adoption of a new code cycle, the application must be resubmitted and a new plan review fee *shall* be charged to renew action on an expired application.

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22.02.395 – TABLE 3-B ELECTRICAL PERMIT FEES

Amend 22.02.395 Table 3-B Electrical Permit Fees as follows:

Table 3-B ELECTRICAL PERMIT FEES	
<b>Permit Issuance</b> For issuing permit	\$54.00
<u>Online Electrical Simple Permit Fees:</u>	
<u>Electric Re-Tag Only</u>	<u>\$61.88</u>
<u>Electrical Same Size Panel Replacement up to 200amp</u>	<u>\$61.88</u>
<u>Electrical Same Size Panel Replacement up to 600amp</u>	<u>\$70.56</u>
<u>Electrical Same Size Panel Replacement up to 2000amp</u>	<u>\$86.80</u>
<u>Electrical Same Size Panel Replacement over 2000amp</u>	<u>\$119.16</u>
<del>[UNIT FEE SCHEDULE]</del>	
<del>[(Note: the following do not include permit issuance fee.)]</del>	
<del>[General lighting outlets, receptacles outlets, and switches, each]</del>	<del>[\$0.495]</del>
<del>[(Note: For multi-outlet assemblies, each 5 feet or fraction thereof may be considered as one outlet.)]</del>	
<del>[Appliances up to 1 horsepower (HP), kilowatt (KW) or kilovolt ampere (KV) in rating:</del>	<del>[\$0.90]</del>
<del>For outlets, appliances, including wall-mounted electric ovens; counter-mounted cooking tops; electric ranges; self-contained plug-in air conditioners; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; blast coil heaters; or other similar appliances, each]</del>	
<del>[Appliances – 1 horsepower, kilowatt, or kilovolt ampere in rating, or greater:</del>	<del>[\$3.915]</del>
<del>For motors; generators; transformers; self-contained factory wire appliances; medical and dental devices; food, beverage, and ice-cream machines; laundry machines; rectifiers; converters; capacitors; industrial heating, air conditioners and heat pumps; cooking or baking equipment; or other similar appliance, each]</del>	
<b>Services</b>	
For each subpanel or distribution board	\$4.35
<b>Power Limited</b> For signals, alarms, or television outlets, control panels, telephones, switchboards, each	\$0.45
Fees for projects not specified in this schedule shall be determined by the building official by	



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applying the total value of the scope of work being performed to Table 3-A of this chapter.
Contract valuations supplied by the applicant will be utilized by the building official. The building official reserves the option of requesting appropriate additional documentation of contract valuations supplied by the applicant.

**22.02.400 – TABLE 3-C MECHANICAL PERMIT FEES**

Amend 22.02.400 Table 3-C Mechanical Permit Fees as follows:

Table 3-C MECHANICAL PERMIT FEES	
<b>Permit Issuance</b>	
1. For the issuance of each permit	\$54.00
<u>Online Mechanical Simple Permit Fees:</u>	
<u>Mechanical A/C or Furnace Replacement</u>	<u>\$61.88</u>
<u>Mechanical Furnace Replacement &lt;100K BTU</u>	<u>\$62.28</u>
<u>Mechanical Furnace Replacement &gt;100K BTU</u>	<u>\$63.81</u>
<u>Mechanical Residential Condenser Combo</u>	<u>\$83.34</u>
Fees for projects not specified in this schedule shall be determined by the building official by applying the total contract value of the scope of work being performed to Table 3-A of this chapter.	
Contract valuations supplied by the applicant will be utilized by the building official. The building official reserves the option of requesting additional appropriate documentation of contract valuations supplied by the applicant.	

**22.02.405 – TABLE 3-D PLUMBING PERMIT FEES**

Amend 22.02.405 Table 3-D Plumbing Permit Fees as follows:

Table 3-D PLUMBING PERMIT FEES	
<del>[Residential Water Heaters and Water Softeners]</del>	<del>[\$56.57]</del>
<del>[(Includes permit issuance fee)]</del>	
<b>Permit Issuance</b>	
For the issuance of each permit	\$54.00
<u>Online Plumbing Simple Permit Fees:</u>	
<u>Gas Retag ONLY</u>	<u>\$61.88</u>
<u>Plumbing Re-Pipe</u>	<u>\$56.57</u>
<u>Reverse Osmosis</u>	<u>\$56.57</u>
<u>Water Heater</u>	<u>\$56.57</u>
<u>Water Softener</u>	<u>\$56.57</u>
<del>[Unit Fee Schedule (in addition to issuance and system fees)]</del>	

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<del>[Private or wading pool (including spa)]</del>	<del>[\$26.10]</del>
<del>[1. Medium pressure gas system]</del>	<del>[\$15.525]</del>
<del>[2. Each gas appliance]</del>	<del>[\$2.565]</del>
Fees for projects not specified in this schedule shall be determined by the building official by applying the total value of the scope of work being performed to Table 3-A of this chapter.	
Contract valuations supplied by the applicant will be utilized by the building official. The building official reserves the option of requesting appropriate additional documentation of contract valuations supplied by the applicant.	

**22.02.430 – TABLE 3-I OTHER PLANS EXAMINATION, INSPECTIONS AND MISCELLANEOUS FEES**

Amend 22.02.430 Table 3-I Other Plans Examination, Inspections and Miscellaneous Fees:

Table 3-I OTHER PLANS EXAMINATION, INSPECTIONS, AND MISCELLANEOUS FEES	
1. Inspections or plan review outside of normal business hours (minimum three hour charge for inspections which are not contiguous with the normal work day).	\$110.00/hour
2. Re-inspection fees	\$110.00 each
3. Inspections or service for which no fee is specifically indicated	\$110.00/hour
4. Additional plan reviews, as necessary	\$110.00/hour
5. Where the costs associated with contracted plan review services or for component listing exceed the fee calculated herein, the excess cost of such services shall be charged to the permit applicant.	
6. Review for approval of unlisted components	\$110.00/hour
<u>7. DAIR (3-hour minimum)</u>	<u>\$110.00/hour</u>

**22.02.510 – SPECIAL INSPECTIONS**

Amend 22.02.510 (E) as follows:

(E) Subcontracted Inspection. The *prime agency* designated on the inspection agreement may subcontract *special inspection* services to other *approved agencies*. The *prime agency* is responsible for overall coordination, identifying the subcontracted agencies scope of special inspection activities, and issuance of the final report. The *prime agency* and the *subcontracted agency* shall notify the *building official* in writing. The written notification shall identify the *prime agency*, the *subcontracted agency*, and the division of

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scope of *work* prior to commencement of the *work*. The engineering manager of the *prime agency* shall provide a written declaration that they are in responsible charge of all subcontracted *special inspections*. The *prime agency* is responsible for notifying the *building official* in writing of any changes in the designated subcontracted agencies.

## 22.02.525 – DUTIES AND RESPONSIBILITIES OF THE QUALITY ASSURANCE AGENCY, AND SPECIAL INSPECTOR

Modify 22.02.525 (A2, B1) as follows:

(A) General. *Approved special inspectors* and *approved agencies* shall perform all duties imposed through this chapter, the technical codes, and the *technical guidelines*.

(2) The *approved agencies* shall notify the *building official* within 48 hours of commencement of *special inspection* activities on a project. Notification shall be done through the filing of a Project Startup & Notification form (Form 803).

(B) Reports.

(1) Daily Report by Special Inspector. The *approved special inspector* shall write daily report(s) and provide, as directed by the *building official* such other information as may be required within the scope of the special inspector's duties. The *approved special inspector* shall furnish inspection reports as required by the *technical guidelines*. The *approved special inspector* shall immediately notify the contractor and the *building official* in writing of non-conformance to the *approved construction documents*, or other violations of the *technical codes* within the scope of their *special inspection* activities. Notification shall be performed by placing the non-conformance in the project book prior to leaving the site ~~[within 24 hours and may be accomplished by fax]~~.

SECTION 2. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the other sections of this ordinance shall remain valid.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases, or sentences contained in the Code of Clark County in conflict with this ordinance are hereby repealed.

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SECTION 4. After publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada at least once a week for a period of two (2) weeks, this ordinance shall take effect and be in force.

PROPOSED on the \_\_\_\_ day of \_\_\_\_\_, 2021

PROPOSED BY \_\_\_\_\_

PASSED on the \_\_\_ day of \_\_\_\_\_, 2021

AYES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAYES: \_\_\_\_\_

\_\_\_\_\_

ABSTAINING: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

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BY: \_\_\_\_\_  
Marilyn Kirkpatrick, Chair

ATTEST:

\_\_\_\_\_  
LYNN GOYA, County Clerk

This ordinance *shall* be in force and effect from and after two weeks after the approval date.