#### ORDINANCE NO. 2024-\_\_\_\_

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28, "LAND DEVELOPMENT REGULATIONS", OF THE CITY CODE OF ORDINANCES, CREATING ARTICLE 206, "GREEN BUILDING DESIGN STANDARDS", AND CREATING SECTIONS 206.10 THROUGH 206-90, IMPLEMENTING THE GREEN BUILDING STANDARDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission desire to amend the Land Development Code in order to provide for Green Building Standards, and to include those standards in the City's Code; and

**WHEREAS,** the City desires to modify Chapter 28 of the Land Development Regulations to created Article 206, for Green Building Standards.

# NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

**Section 1.** That the preceding "WHEREAS" clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

Section 2 That Chapter 28 of the City's Code of Ordinances entitled "Land D evelopment Regulations", to create Article 206, entitled "Green Building Design Standards", to read as follows:

#### CHAPTER 28 LAND DEVELOPMENT REGULATIONS

\* \* \*

#### **ARTICLE 206. – GREEN BUILDING DESIGN PRACTICES**

#### Sec. 206-10. – Purpose and intent

To establish City-wide mandatory green design practices, certification requirements and development incentives for building and site design, materials and construction techniques that minimize demand for nonrenewable material and energy resources, water consumption, and minimize the generation of waste products, pollution, and stormwater runoff.

#### <u>Sec 206-20. – Definitions</u>

For purposes of this Article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

ASHRAE. The American Society of Heating, Refrigerating and Air-Conditioning Engineers.

*Biophilic design.* A design approach to architecture that seeks to connect building occupants more closely to nature. Biophilic designed buildings incorporate things like natural lighting and ventilation, natural landscape features and other elements for creating a more productive and healthier built environment for people.

*Circular products.* Products that operate within the circular economy model i.e. those products that have reduced or completely no need for virgin resources and are designed with the end of their life in mind.

*Energy Star.* Energy Star rating system (use latest edition of rating system at time of submittal of permit application to the Building Division).

*ENVISION.* Sustainable infrastructure rating system developed by the Institute for Sustainable Infrastructure (ISI).

*FGBC.* Florida Green Building Coalition (use latest edition of rating system in effect at time of submittal of permit application to the Building Division).

GBI. Green Building Initiative.

*Green design practice*. Any of the design practices delineated in Article 206, maintained by the Community Development Department and adopted by resolution of the City Commission, as may be amended from time to time.)

Green Globes. Green Globes by the GBI (use latest edition of Green Globes rating system in effect at time of submittal).

*LEED*. Leadership in Energy and Environmental Design by the USGBC (use latest edition of LEED rating system in effect at time of submittal).

*Lux.* A is a measure of the amount of light level intensity, which is commonly referred to as unit of illuminance or illumination on a surface area. Luz is a SI unit that measures "luminous flux" per unit area. The measurement of 1 lux is equal to the illumination of a one-meter square surface that is one meter away from the light output of a single candle. One (1) Lux is one (1) lumen projected over an area of one (1) square meter.

<u>MERV.</u> Minimum efficiency reporting value reports an air filter's ability to capture larger particles between 0.3 and 10 microns (um).

Solar Reflectance Index (SRI). A measure of the constructed surface's ability to reflect solar heat, as shown by a small temperature rise. It is defined so that a standard black surface

(reflectance 0.05, emittance 0.90) is 0 and a standard white surface (reflectance 0.80, emittance 0.90) is 100.

Sustainable Agriculture Practices, Sustainable agricultural practices are intended to protect the environment, expand the Earth's natural resource base, and maintain and improve soil fertility.

USGBC. U.S. Green Building Council.

# Sec. 206-30. – Applicability

- (A) <u>This Article applies to construction of all new buildings, structures and sites, as well as major</u> renovation consisting of alterations, modifications or additions that exceed fifty (50) percent of the total floor area of an existing building or structure in the City.
- (B) Development subject to the requirements of this Article is classified in the following categories:
  - (1) <u>Single family dwellings and duplexes (Section 206-40);</u>
  - (2) <u>Small scale development (Section 206-50);</u>
  - (3) Large scale development (Section 206-60); and,
  - (4) City facilities (Section 206-70). City facilities shall also comply with Fla. Stat. 255.2575.
- (C) This Article does not apply to developments that have an approved development order issued prior to the effective date of this Article; proposed developments that have a complete development application in the process of review by the City or that have been issued a building permit number prior to March 12, 2024

## Sec. 206-40. – Single family dwellings and duplexes

New construction of, and a major renovation (substantial improvement) to, a single-family dwelling or duplex shall include a minimum of five (5) green design practices, as established in Section 206-80.

## Sec 206-50. - Small-scale development

(A) For the purposes of this Article, small-scale development is defined as follows:

- (1) <u>Multifamily residential development in buildings 1 3 stories in height, or less than fifty</u> (50) dwelling units; or,
- (2) Less than twenty thousand (20,000) square feet of nonresidential use; and,

- (3) Does not include both residential and nonresidential uses.
- (B) For small scale development, new construction of, and a major renovation to any building, structure or site shall include a minimum of five (5) green design practices, as established in Section 206-80.

## <u>Sec 206-60. – Large-scale development</u>

(A) For the purposes of this Article, large scale development is defined as follows:

- (1) <u>Multifamily residential development in buildings over three (3) stories in height, or fifty</u> (50) dwelling units or more; or
- (2) <u>Twenty thousand (20,000) square feet or more of nonresidential use; or,</u>
- (3) Development that includes both residential and nonresidential uses; or,
- (4) <u>Any development on a lot with a net land area of more than one (1) acre, regardless of building / structure size or dwelling unit count.</u>
- (B) All large-scale development, including new construction of, and major renovation (substantial improvements) to, any building, structure or site, shall either (i) include a minimum of ten (10) green design practices, as established in Section 206-80, (ii) obtain minimum certification as a USGBC LEED -certified development, or (iii) obtain minimum certification as a GBI Green Globes-certified development.

## <u>Sec. 206-70. – City facilities</u>

All new City facilities shall include a minimum of ten (10) green design practices, as established in Section 206-80. City facilities shall also comply with Fla. Stat. 255.2575.

## Sec 206-80. – Green Design Practices

- (A) The following green design practices are approved for single family dwellings, duplex and small-scale development:
  - (1) <u>Minimum R-values for Wall, Roof and Floor Insulations</u>. The entire building thermal envelope meets or exceeds the insulation requirements of 2021 IECC Table R402.1.3 including a minimum ceiling R-value of thirty (30).
  - (2) <u>Maximum Assembly and Fenestration Requirements</u>. The building thermal envelope meets the fenestration requirements of 2021 IECC Table R402.1.2. Assemblies have a U-factor that does not exceed the values specified in Table R402.1.2 and the glazed fenestration Solar Heat Gain Coefficient (SHGC) does not exceed a maximum of 0.25.

- (3) <u>High Reflectance Roofs (Cool Roofs)</u>
  - i. <u>All roof surfaces must provide a Solar Reflectance Index (SRI) as follows:</u>
    - a. Low-sloped roofs with a maximum slope of 2:12: initial SRI of eighty-two (82) or three year (3-yr) aged SRI of sixty-four (64).
    - b. <u>Steep-sloped roofs with a maximum slope of 2:12: initial SRI of three (3) year aged</u> <u>SRI of thirty-two (32).</u>
  - ii. Compliant metal roofs meeting initial SRI values above are preferred.
  - iii. Vegetated Roofs automatically qualify.
- (4) <u>Vegetated Roof Planters (Green Roofs)</u>
  - i. <u>At least fifty percent (50%) of the total roof surface must consist of a vegetated roof planter.</u>
  - ii. A vegetated roof, also referred to as a living roof or planter, shall mean a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional components such as a root barrier, drainage and irrigation system, and soil containment.
  - iii. <u>Green roof structural components (non-vegetative components) shall be deemed</u> permitted accessory equipment in all zoning districts.
  - iv. The vegetated roof structural components (non-vegetative components) may exceed the maximum permitted height limit in any zoning district by no more than five (5) feet.
  - v. For existing buildings non-conforming to height requirements, in order to be deemed permitted accessory equipment, green roof structural components may exceed the roof height by no more than five (5) feet.
- (5) Sanitation system for pools that reduces chlorine usage. To claim this design practice, a system that eliminates the use of liquid chlorine by recycling a salt alternative, or a system that reduces the amount of liquid chlorine required by using ionization technology must be used. An ultraviolet and ozone system that sterilizes the water without the use of chemicals is also acceptable. Systems must be shown on plans and verified by a plumbing inspector on site at final inspection.
- (6) <u>No garbage disposal.</u> No disposal should be shown on plans, and no disposal should be present at the time of final building inspection.
- (7) <u>All Energy Star appliances</u>. <u>All permanent appliances in each dwelling unit that can be</u> <u>Energy Star rated must be so rated to claim this item.</u> (This includes refrigerator, stove, <u>washing machine, dryer, etc. Items not covered are countertop appliances such as toasters</u>,

mixers etc.) Energy Star appliances must be verified by a building inspector on site at final inspection.

- (8) <u>Energy Star qualified homes. The owner shall submit proof of application and the retainer</u> retention of an energy star rater. A copy of the Energy Star home certificate shall be given to the Building Division upon receipt prior to the final certificate of occupancy.
- (9) Shower heads. Install low flow shower heads rated at a maximum flow of 1.75 gallons per minute at eighty (80) psi water pressure per compartment (compartment defined as a shower with a maximum area of 2500 sq. in.). All showers shall have no more than one shower head per compartment (including rain shower heads and handheld shower heads) or shall install a point-of-use diverter so that a maximum flow rate per shower compartment is achieved. All shower heads must be shown on plumbing plans and verified by plumbing inspector on site at final inspection.
- (10) <u>Central vacuum system (CVS). CVS canister shall be located in non-air-</u> conditioned space and shown on plans accordingly. CVS system must be verified by building inspector on site at final inspection.
- (11) Washer and dryer outside of air-conditioned space. Washer and dryer outside of air-conditioned space must be shown on plans and verified by building inspector on site at final inspection.
- (12) <u>Clotheslines (Single family and duplex development only).</u>
  - i. <u>Clotheslines are deemed permitted accessory structures and shall conform to the accessory structure setback and height requirements of the zoning district in which the property is located.</u>
  - ii. A clothesline cannot be installed in an easement without a form signed by any holder of an easement on the property consenting to the installation within the easement.
- (13) <u>Recycling</u>
  - i. <u>Residential uses: A dedicated storage area for a garbage bin and a recycle bin, sized to fit both, must be shown on the plans. Dedicated storage area shall be verified by plans examiner. Plans for the kitchen must include pull-out recycling and garbage bins built into cabinets. Pull-out bins built into cabinets shall be verified by plans examiner at permit review and by building inspector at final inspection.</u>
  - ii. <u>Non-residential uses: A dedicated area for collecting recycled materials that is accessible to all occupants must be provided. This can be internal or external but must be shown on plans and verified by plans examiner at permit review and by the building inspector at final inspection.</u>
- (14) <u>Bicycle Storage and Changing Room (Small-scale development only).</u>

- i. <u>Long-term bicycle storage provided for a minimum of five percent (5%) of full-time</u> equivalent (FTE) employees and thirty percent (30%) of residents.
- ii. The long-term bicycle storage area shall include covered dedicated lockable racks on the ground floor level with facilities to accommodate a minimum of fifty percent (50%) of all required bicycle parking spaces per Section 265-51.
- iii. <u>Short-term bicycle storage provided for a minimum of two and a half percent (2.5%) of all peak visitors, students, and retail customers.</u>
- iv. The total number of residents per dwelling unit equals one plus the number of bedrooms for each unit (i.e. three (3) residents for a 2-bedroom unit). The total number of FTE employees, peak visitors, students and retail customers can be estimated using the LEED v4 BD+C Reference Guide, Appendix 2, Table 1 Default Occupancy Numbers.
- v. <u>The changing room shall be a dedicated lockable room for the changing of clothes to</u> which occupants of the building have access when building is in use.
- (15) <u>Photovoltaic (PV) system</u>
  - i. <u>Single family and duplex development shall install solar PV system capable of generating at least sixty percent (60%) of energy demand based on daytime peak load and on an annual basis.</u>
  - ii. <u>Small scale development shall install solar PV system capable of generating at least</u> ten percent (10%) of energy demand based on daytime peak load and on an annual <u>basis.</u>
  - iii. Section 220-65 contains additional regulations for rooftop photovoltaic systems.
- (16) <u>Solar water heater must provide solar water heating with at least an eighty (80)</u> gallon storage tank.
- (17) <u>Electric vehicle charging station(s)</u>
  - i. <u>Single family and duplex development shall install electric lines and circuit breakers to</u> readily accommodate future installation. Lines shall be installed up to the point where the charging station will be located.
  - ii. <u>Small scale development shall install a minimum number of electric vehicle-charging station(s) with the project at the rate of five (5) percent of the total number of required parking spaces. If five (5) percent calculates to a fractional number, that fractional number must be rounded up to the next higher whole number.</u>

- iii. An electric vehicle charging station sign shall be posted at the electric vehicle charging station stating, "Electric Vehicle Charging Station." Signs shall be no less than twentyfour (24) inches wide by eighteen (18) inches high. Color and letter size specifications shall meet the Manual on Uniform Traffic Control Devices (MUTCD) requirements for sign designation (electric vehicle charging). Single-family and duplex stations are not required to meet the MUTCD standards.
- iv. The application documents for the project shall at a minimum identify the following:
  - a. <u>The location where the vehicle(s) will be parked</u>,
  - b. The location of the charging station(s), and
  - c. <u>The electrical plans showing the location of the meter, circuitry, panel schedules</u> <u>and routing.</u>
- v. <u>Permeable Hardscapes.</u> At least thirty percent (30%) of total surface area of all hardscapes (driveways, walkways, plazas, patios, and surface parking) must be permeable surfaces that achieve a surface infiltration rate of five hundred (500) inches/hour when newly installed.
- (18) Florida Native Landscaping. Exceed the native planting requirements in Section 275-60 by planting a minimum of eighty (80) percent of all vegetation, including turfgrass and groundcover.
- (19) <u>Enhanced Tree Canopy</u>
  - Single family and duplex development shall provide a minimum of six (6) trees of three

     (3) different species and twenty (20) shrubs shall be planted per lot. For all lots larger than eight thousand (8,000) square feet in area, additional shrubs and trees shall be provided at the rate of two (2) trees and six (6) shrubs per three thousand (3,000) square feet of lot area.
  - ii. <u>Small scale development shall exceed the minimum tree requirements listed in Article</u> 275 by planting one hundred fifty percent (150) of the minimum trees required in the Perimeter buffer landscape, and two hundred percent (200) of the minimum trees required in the Interior landscape requirements for Vehicular Use Areas.
- (20) <u>Green Walls</u>
  - i. <u>A green wall, also referred to as a living wall or vertical garden, shall mean an internal or external wall partially or completely covered with vegetation that includes a support structure and growing medium, and an integrated water delivery system.</u>
  - ii. A green wall must cover at least forty (40) percent of the external surface on the opaque wall assembly on which it is constructed or a minimum of twenty (20) percent of the entire façade.

- iii. Green wall systems shall be deemed permitted accessory equipment in all zoning districts.
- iv. The green wall structural components (non-vegetative components) may encroach into any required setback by no more than three (3) feet.
- v. For existing buildings non-conforming to height requirements, in order to be deemed permitted accessory equipment, green roof structural components shall not exceed the roof height by more than five (5) feet.
- (21) <u>Irrigation systems</u>
  - i. Drip Irrigation system is installed for all landscape beds along with an irrigation plan and implementation executed by a Qualified Professional certified by a Water Sense labeled program or equivalent.
  - ii. <u>Provide irrigation controllers that are labeled EPA water sense program.</u>
- (22) Rainwater collection and distribution. Collect rainwater installing an impermeable cistern system and distribute collected water for at least fifty percent (50%) of irrigation demands or for at least twenty-five percent (25%) of indoor flush fixtures (toilets, urinals) or a combination of both.
- (23) Enhanced hurricane resistant structure. Meet a wind load twenty miles per hour ( 20 mph) greater than Florida Building Code requirements.
- (24) <u>Low-Impact Development / Green Infrastructure</u>
  - i. <u>Provide Green infrastructure (GI) and low-impact development (LID) rainwater</u> management strategies as part of the overall stormwater management efforts for the project. <u>LID strategies include bioretention, vegetated swales and buffers, rain gardens,</u> permeable surfaces, rainwater harvesting systems, vegetated roofs, and soil amendments. Refer to EPA's National Menu of Stormwater Best Practices for additional reference.
  - ii. For projects that propose Green Infrastructure or Low Impact Development systems for stormwater management and/or water quality protection, the applicant must demonstrate the proposed system meets the applicable stormwater management and/or water quality protection requirements as required by the City, Broward County, the South Florida Water Management District or the Florida Department of Environmental Protection as applicable.
  - iii. <u>The property owner shall provide the City with the issued permit(s) from any external</u> applicable jurisdictional agency if required for the Green Infrastructure or Low Impact <u>Development system.</u>

- iv. The Green Infrastructure shall be maintained to ensure the efficacy of the system in managing stormwater and protecting water quality.
- (25) <u>Diversion of waste from landfill.</u> For projects involving demolition, provide documentation that at least thirty percent (30%) of all demolition materials will be reclaimed, recycled or otherwise diverted from landfill.
- (26) <u>Community Garden (Small-scale development only)</u>. A portion of the lot is established as a community garden, available to residents/occupants/visitors to provide local food production to residents or area consumers.
- (27) <u>Community Placemaking</u>. Provide a publicly accessible space within the project that promotes social wellbeing of a community and serves as a positive neighborhood feature.
- (28) <u>Reuse of existing building. At least seventy-five percent (75%) by area or surface</u> of the major elements or components of an existing building and structures are reused, modified or deconstructed for later use.
- (29) <u>Salvaged/Reclaimed Materials</u>. At least ten percent (10%) by cost of the total construction cost are either salvaged or reclaimed materials from within the site or from off site. Cannot repeat the same item used for Reuse of existing building.
- (30) <u>Bio-based and Wood Products</u>
  - i. Use at least two (2) types of bio-based materials, to reach two percent (2%) of the project's projected building material cost. Bio-based products include but are not limited to:
    - a. Bamboo, Cork, Cotton, or Wool and Engineered Wood,
    - b. <u>Any products containing minimum fifty percent (50%) of biobased content as</u> determined by the manufacturer according to ASTM Standard D6866,
    - c. Any biobased products meeting Sustainable Agriculture practices.
  - ii. At least fifty percent (50%) of all wood products (by total value) have been certified to Forestry Stewardship Council standards.
- (31) Low-Emitting Construction Materials. Provide ninety percent (90%) of Adhesive, Sealants, Paints and coatings with Low VOC content based on the South Coast Air Quality Management Division (SCAQMD) rules 1168 for Adhesives and Sealants and 1113 for Paints and Coatings.
- (32) Low-Emitting Flooring. Provide one hundred percent (100%) of hard flooring with Floor Score certification and one hundred percent (100%) of carpets with Green Label Plus certification.

## (33) <u>Circular Products</u>

- i. Use at least five (5) permanently installed products from three (3) manufacturers that demonstrate achievement of at least one of the circular product reports listed below. No more than four products can come from one category of criteria below. Products that satisfy more than one criterion cannot be double counted.
  - a. <u>Supply Chain Circularity</u>
  - b. Zero Waste Manufacturing
  - c. Designed for Circularity
  - d. <u>Closed Loop products.</u>
- (34) Water-Managed Wall Assembly
  - i. Flashing at bottom of exterior walls with weep holes included for masonry veneer and weep screed for stucco cladding systems, or equivalent drainage system.
  - ii. Fully sealed continuous drainage plane behind exterior cladding that laps over flashing and fully sealed at all penetrations. Additional bond-break drainage plane layer provided behind all stucco and non-structural masonry cladding wall assemblies.
  - iii. Window and door openings fully flashed.
- (35) <u>Water-Managed Roof Assembly</u>
  - i. <u>Step and kick-out flashing at all roof-wall intersections, extending greater than or equal</u> to (≥) four inches (4") on wall surface above roof deck and integrated shingle-style with drainage plane above; boot / collar flashing at all roof penetrations.
  - ii. For homes that don't have a slab-on-grade foundation and do have expansive or collapsible soils, gutters & downspouts provided that empty to lateral piping that discharges water on sloping final grade greater than or equal to five feet ( $\geq 5$  ft.) from foundation, or to underground catchment system not connected to the foundation drain system that discharges water greater than or equal to ten feet ( $\geq 10$  ft.) from foundation. See Footnote for alternatives & exemptions.
  - iii. <u>Self-adhering polymer-modified bituminous membrane at all valleys & roof deck</u> <u>penetrations.</u>
  - iv. In 2009 IECC Climate Zones 5 & higher, self-adhering polymer-modified bituminous membrane over sheathing at eaves from the edge of the roof line to greater than two feet (> 2 ft.) up roof deck from the interior plane of the exterior wall.
- (36) <u>Water-Managed Building Materials</u>
  - i. <u>Wall-to-wall carpet not installed within two and a half feet (2.5 ft.) of toilets, tubs, and showers.</u>

- ii. Cement board or equivalent moisture-resistant backing material installed on all walls behind tub and shower enclosures composed of tile or panel assemblies with caulked joints. Paper-faced backerboard shall not be used.
- iii. <u>In Warm-Humid climates, Class 1 vapor retarders not installed on the interior side of air permeable insulation in above-grade walls, except at shower and tub walls. Building materials with visible signs of water damage or mold not installed or allowed to remain.</u>
- iv. Framing members & insulation products having high moisture content not enclosed (e.g., with drywall).
- v. For each condensate-producing HVAC component, corrosion-resistant drain pan (e.g., galvanized steel, plastic) included that it drains to a conspicuous point of disposal in case of blockage. Backflow prevention valve included if connected to a shared drainage system.
- (37) <u>Lighting Controls for shared multi-occupant spaces (applies to small scale development only)</u>
  - i. Provide multizone control systems that enable occupants to adjust the lighting to suit their needs, with at least three lighting levels or scenes (on, off, midlevel). Midlevel is thirty percent (30%) to seventy percent (70%) of the maximum illumination level (not including daylight contributions).
- (38) <u>Water Shutoff Devices.</u> Provide Lever-style Clothes Washer shutoffs, water <u>Sensors/Shutoff system and armored/metal hoses from service to all fixtures and appliances.</u>
- (39) <u>Kitchen Exhaust units. Kitchen exhaust units and/or range hoods are ducted</u> directly to the outdoors and have a minimum ventilation rate of 100cfm for intermittent operation and 25 cubic foot a meter (" cfm") for continuous operation.
- (40) Implement Biophilic design features Indoors:
  - i. <u>Include at least five (5) distinct design strategies related to biophilic design that</u> <u>addresses at least two (2) for each of the following criteria based on Terrapin Bright</u> <u>Green LLC's Fourteen (14) Patterns of Biophilic Design publication:</u>
  - ii. Nature in the Space: Plants, Water, Breeze, Scents, Sun Light, Shadows, Animals.
  - iii. <u>Natural Analogues: Materials, Patterns, Objects, Colors, Shapes, Façade</u> <u>Ornamentation, Décor and Furniture.</u>
  - iv. Nature of the Space: Prospect, Refuge, Mystery, Risk/Peril.

- v. Submit a Biophilia Design narrative at time of building permit.
- (41) <u>Daylighting</u>. Implement daylight measures by demonstrating that fifty-five percent (55%) of the regularly occupied spaces illuminance levels are between three hundred (300) lux and three thousand (3,000) lux at both 9 a.m. and 3 p.m.
- (42) Quality Exterior Views. Provide occupants with direct access to a view to the outdoors for seventy-five percent (75%) of the regularly occupied floor area through glass with a visible light transmittance (VLT) above forty percent (40%) and include a view to nature, urban landmarks, art, or other objects at least twenty-five (25) feet from the exterior of the glazing.

## Sec 206-90 - Conflicts – Florida Building Code.

(A)<u>In the case of a conflict between the Florida Building Code and this Article, the Florida</u> <u>Building Code shall prevail.</u>

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**Section 4.** That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 6. It is the intention of the Mayor and City Commission of the City of Dania Beach, and it is ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Dania Beach, Florida and codified by the City. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

**Section 7.** That this Ordinance shall be effective 10 days after passage.

| PASSED on first reading on              | <u>,</u> 2024. |          |
|---|----------------|----------|
| PASSED AND ADOPTED on second reading on |                | _, 2024. |

| First Reading:<br>Motion by:   |      |    |
|--------------------------------|------|----|
| Second by:                     |      |    |
| Second Reading:<br>Motion by:  |      |    |
| Second by:                     |      |    |
| FINAL VOTE ON ADOPTION: Unania | mous |    |
|                                | Yes  | No |
| Commissioner Joyce L. Davis    |      |    |
| Commissioner Tamara James      |      |    |
| Commissioner Marco Salvino     |      |    |
| Vice Mayor Lori Lewellen       |      |    |
| Mayor Archibald J. Ryan IV     |      |    |

ATTEST:

ELORA RIERA, MMC CITY CLERK ARCHIBALD J. RYAN IV MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

EVE A. BOUTSIS CITY ATTORNEY