SEDIMENT AND EROSION CONTROL ORDINANCE #303

CITY OF LAKEWOOD

ORDINANCE

Grading, Soil Erosion and Sedimentation Control Regulations

BE IT RESOLVED by the City of Lakewood Board of Commissioners:

SECTION 1: That pursuant to the authority granted in T.C.A. (planning and zoning section of TCA) the City Commissioners find, determine and declare:

SECTION 2: That for the public safety, health and welfare of the citizens and residents of Lakewood, and in the best interest of Lakewood, there is a serious need for the establishment by the City of Lakewood Grading, Soil Erosion and Sedimentation Control Regulations.

SECTION 3: TITLES.

There regulations will be known as the City of Lakewood Grading, Soil Erosion and Sedimentation Control Regulations.

SECTION 4: PURPOSE.

A. The City of Lakewood has in the past experienced development causing the displacement of large quantities of earth. Significant problems resulting from such development are erosion and sedimentation. The erosion is a dangerous activity in that it is the cause of contamination of water supplies and water resources. A buildup of sediment clogs water-courses, storm sewers, road ditches, and sinkholes or natural drainageways, resulting in reduced drainage capacities and causing flooding which produces substantial damage to public and private lands. In addition, sediment is unsightly, expensive to remove, and limits the use or disposition of water for most beneficial purposes. The result is a serious threat to the health, safety, and general welfare of the community.

B. The general purpose of these regulations is to substantially reduce existing and future erosion and sedimentation damage in Lakewood and is designed to safeguard the health,

safety and welfare of the citizens; to establish reasonable and flexible criteria for development to minimize potential erosion and sedimentation damage; to minimize the pollution of streams, ponds, and other watercourses by sediment; to minimize the danger of flood damage; and to preserve the natural beauty and esthetics of the community.

SECTION 5: **RULES APPLYING TO TEXT.**

For the purpose of these regulations certain rules of construction apply Herein as follows:

1. Words used in the present tense include the future tense; and the singular includes the plural, unless the context clearly indicates the contrary.

2. The term "shall" is always mandatory and not discretionary, the word "may" is permissive.

3. Except as specifically defined herein, all words used in this regulation have their common dictionary definitions.

SECTION 6: **DEFINITIONS.**

The following definitions shall apply in the interpretation and enforcement of these regulations, unless otherwise specifically stated:

1. Accelerated Erosion: Any increase over the rate of natural erosion as a result of land-disturbing activities.

2. Buffer Zone: The strip of land adjacent to a lake or natural water-course, the width of which is measured from the water to the nearest edge of the disturbed area. This buffer zone shall be at a minimum of twenty-five feet (25 ft.) wide and shall contain undisturbed natural vegetation which will confine, trap or deposit sediment or visible siltation. The width or nature of the buffer zone shall be based on its ability to trap and hold silt.

3. Certification: A signed, written statement by the City of Lakewood or its designated representative, that specific work or construction,

inspections or tests which were required have been performed and that such comply with the applicable requirements of these Regulations.

4. Cut: Portion of land surface or area from which earth has been removed or will be removed by excavation. The depth below original ground surface to excavated surface.

5. Debris Basin: An impoundment area created by a barrier or dam built across a waterway, watercourse or at other suitable locations to retain rock, sand, gravel, silt, or other erodible material.

6. Developer: Any individual, firm, corporation, association, partnership, or other entity involved in commencing proceedings under this ordinance to effect development of land for himself or another.

7. Diversion Swale (Ditch): An excavated drainageway used above or below disturbed areas to intercept runoff and divert it to a desirable outlet across or at the bottom of a slope.

8. Embankment: A man-made or natural structure of soil, rock, or other erodible materials.

9. Erosion: The wearing or washing away of land surface by the action of wind, water, ice, or gravity.

10. Excavation: See Cut.

11. Existing Grade: The elevation of the existing ground surface prior to cutting or filling.

12. Fill: See embankment.

13. Finished Grade: The final grade or elevation of the ground surface conforming to the proposed design.

14. Grading: Any operation or occurrence by which the existing site elevations are changed by cutting, filling, borrowing, stockpiling, or where any ground cover, natural or manmade, is removed, or any building or other structures are removed, or any water course or body of

water, either natural or manmade, is relocated on any site, thereby creating an unprotected area. "Grading" shall be interchangeable with "Land-disturbing activity".

15. **Grading Permit:** A permit issued to authorize excavation and/or fill to be performed under these Regulations.

16. **Grassed Waterway:** A natural or constructed waterway, usually broad and shallow, established with approved erosion-resistant vegetation which conducts surface water from a field, diversion or other site feature.

17. **Mulching:** The application of plant or other suitable materials on the soil surface to conserve moisture, hold soil in place, and aid in establishing plant cover.

18. **Natural Ground Surface**: The ground surface is in its original state before any grading, excavating or filling.

19. **Off-Site Area:** As used in this Ordinance, off-site area shall refer to that area outside the site area that is or may be adversely affected by sedimentation and siltation because of construction or work activity which is being or has been conducted on the site. The off-site area may be adjacent property or property some distance away.

20. **Permittee:** Any person, firm, or entity to whom a permit is issued in accordance with these Regulations.

21. **Professional Engineer:** An engineer duly registered or otherwise authorized by the State of Tennessee to practice in the field of engineering.

22. **Regulated Grading:** Any grading performed with the approval of and in accordance with criteria established by the City of Lakewood.

23. **Sediment:** Solid material, both mineral and organic that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice, or gravity as a product of erosion.

24. Sediment Barrier: Any artificial, temporary low dike built to prevent sediment from entering a water course and consisting of straw bales, silt fence (fabric), earthen berm, or similar approved material.

25. Sediment Basin: See Debris Basin.

26. Sediment Pool: The reservoir space allotted to the accumulation of trapped sediment during the life of the structure.

27. Slope: Degree of ground surface inclination from the horizontal; usually expressed in percent or ratio.

28. Soil: All unconsolidated material and organic material or whatever origin that overlies bedrock which can be readily excavated.

29. Soil Engineer: A professional engineer who is qualified by education and experience to practice applied soil mechanics and foundation engineering.

30. Site: Any tract, lot or parcel of land or combination of tracts, lots or parcels of land which is or are in one ownership or are contiguous and in diverse ownership where grading, construction or development is to be performed or where such grading, construction or development is to be performed as part of a unit, subdivision or project.

31. Stripping: Any activity which removes or significantly disturbs the vegetative surface cover including clearing and grubbing operations in preparation for development without the alteration of the prevailing topography.

32. Structural Rock Fills: Fills constructed predominantly of rock materials for the purpose of supporting structures.

33. Temporary Protection: Stabilization of erosive or sediment producing areas using methods such as planting grass or wood chip or similar material mulching.

34. Universal Soil Loss Equation: A method developed by the Agricultural Research Service, USDA, and used to estimate soil erosion based on

rainfall, soil erodibility, slope of the land, length or slope, area size, and cover characteristics.

35. **Vegetative Protection:** Stabilization of erosive or sediment producing areas by covering the soil with:

    a. Permanent seeding which produces long-term vegetative cover, or
    b. Short-term seeding which produces temporary vegetative cover, or
    c. Sodding which produces areas covered with a turf or perennial sod-forming grass, or
    d. Tree planting.

36. **Watercourse:** Any natural or artificial watercourse, stream, river, creek, channel, ditch canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, or wash in which water flows in a definite direction or course, either continuously or intermittently, and which has a definite channel, bed or banks, and shall include any area adjacent thereto subject to inundation by reason of overflow of surface water.

37. **County Health Department;** The Davidson County Health Department.

38. **Planning Commission:** The City of Lakewood Planning Commission.

39. **Board of County Commissioners:** The Metro-Davidson County Board of Commissioners.

40. **Government Agency:** Any department, commission, independent agency, or instrumentality of the United States and of the State of Tennessee, and any county, city, authority, district, or other governmental unit.

41. **Professional Architech:** An architect duly registered or otherwise authorized by the State of Tennessee to practice in the field of architecture, including licensed landscape architects.

SECTION 7: APPLICATION PROCEDURE.

The developer should consult the general development plans and detailed plans of any unit of government that affect the tract to be developed and the area surrounding it before development. He shall also become acquainted with the zoning ordinance, subdivision regulations, this ordinance, and other ordinances which regulate the development of land in the City of Lakewood.

1. **Erosion and Sediment Control Plan:** No building permit, site plan, preliminary or final subdivision plat shall be issued or approved for a site or development, as defined herein, unless an erosion and sediment control plan for said site, prepared in accordance with the criteria described in the Tennessee Erosion & Sediment Control Handbook, Tennessee Department of Health and Environment, November, 1990, or as the same may be amended, or other engineering procedures or methods adopted by the City or County, has been prepared and certified by a professional engineer or professional architect and submitted to and approved by the City of Lakewood. The submission to said City shall include an outline of design computations. Upon approval of said plan a grading permit, as hereinafter described, will be issued by the City of Lakewood. It shall be the responsibility of the property owner to implement the erosion and sediment control plan. However, with residential subdivisions, the developer shall be responsible for implementation of the entire plan, including drainage ways and erosion and sedimentation control measures that go through or across several lots in the subdivision with the homebuilder or contractor being responsible only for implementation of on lot erosion and sedimentation control measures.

   In order to insure that the developer implements these measures, the Planning Commission shall require these measures to be made a part of the performance and maintenance bonds of the subdivision. The erosion and sediment control plan shall provide for erosion and sediment control measures or procedures in contemplation of grading or development of the entire site. If the development or grading substantially or adversely deviates from the erosion and sediment control plan, the Planning Commission may require: (1) amendments to the plan; (2) implementation of the original plan by the developer; or (3)

calling of the bond of the developer to implement the plan. With residential subdivisions of less than ten (10) acres, the erosion and sediment control plan may be prepared and certified for submission by a qualified person approved by the Commissioners other than a professional engineer or professional architect. Once an erosion and sediment control plan has been approved by the Commissioners for a particular site area, construction and improvements by contractors and homebuilders may proceed within the site without any further preparation or submission of erosion and sediment control plans. However, such construction and improvements shall be done in such a manner as to minimize erosion and sedimentation and shall be in accordance with the approved erosion and sediment control plan and grading permit.

In commercial and industrial subdivisions, planned unit development, or planned areas containing more than one proposed commercial or industrial enterprise the long term erosion and sediment control plan shall be prepared and certified by a professional engineer or professional architect and the developer of these sites shall post a bond with the Planning Commission to insure compliance with the plan during the development of the site. For individual commercial or industrial sites, the short term or temporary erosion and sediment control plan during the construction and/or grading period shall be prepared and certified by a professional engineer or professional architect, and the developer at these sites shall post a performance bond during development of the site. Where in the professional engineering opinion of the planning commission, proposed grading or land disturbance activity on a single commercial, industrial or residential lot will be so minimal or negligible as far as the effect on erosion, drainage or sedimentation, The City of Lakewood, upon written application and administrative hearing, may grant a variance and exception to the requirement of preparation, certification and submission of an erosion and sediment control plan.

Whenever an area is to be disturbed or a subdivision plat or site plan is submitted to the City of Lakewood, a copy of an erosion and sediment control plan shall be filed with the City of Lakewood, 10 days prior to beginning any land-disturbing activity or contemporaneous with the filling of the subdivision plat or site plan. A copy of the plans shall also be on file at the job site.

If after approval of the erosion and sediment plan, the city determines, upon an inspection of the job site, that there is a failure of the plan to adequately address the erosion or sediment problems of the site due to a physical condition not disclosed on the plan or a man-made condition that alters the effectivness of the plan at the site and that this is causing a significant risk of off-site sedimentation or erosion then the city shall cause the developer, contractor, or person responsible for the activity ongoing at the site to submit a revised erosion and sediment control plan to the city commissioners or prove to the city commissioners that the original plan will alleviate the problem. Pending the preparation of the revised plan, the work shall be suspended.

An amendment to a plan may be made at any time under the same procedure as followed for the original plan.

2. **Plan Data Required:** Erosion and sediment control plans shall contain architectural and engineering drawings, maps, assumptions, calculations, and narrative statements as needed to describe adequately the proposed development of the site and the measures planned to meet the Objectives and Criteria of Section 8 and the other requirements within Section 7. Erosion and Sediment Control Plan content may vary to meet the needs of specific site conditions. The developer must submit the following information for the entire tract of land, whether or not the tract will be developed in stages:

   a. Compliance with section 8 of these regulations.

   b. A boundary line survey.

   c. Description of general soil conditions on the site available from the Soil Conservation District or acceptable soil scientist.

   d. Location and description of existing physical features on the site of importance to soil erosion and sediment production.

   e. Plans and specifications of soil erosion and sedimentation control measures for the entire site and individual building sites.

f. The engineering analysis for developing the erosion control and sediment control plan.

g. A timing schedule indicating the anticipated starting and completion dates of the development sequence and the estimated time of exposure of each disturbed area.

3. **Permits:** A valid grading permit must be issued by the City of Lakewood prior to the start of any activity which will cause an exposed or disturbed area on a site. The grading permit application must conform to and be based upon the erosion and sediment control plan for that particular parcel, lot, section, unit or site of the approved plan for that site. The erosion and sediment plan specifications and timing schedules as approved for the site shall be submitted with each application for grading permit. the city shall review such plan and permit application within ten (10) working days and issue or deny the applicant's permit. If the city fails to either issue or deny said permit within the ten (10) working days, then said permit shall be deemed approved and the applicant shall be allowed to proceed with the work as outlined upon his/her application.

Where a site plan or final subdivision plat has been approved by city or the lot or parcel is a lot of record prior to the adaptation of this Sediment and Erosion Control Ordinance, the applicant for a grading permit shall submit to the building inspector of the city a simple sketch drawing of the individual site showing the area where earth disturbing activities will take place and that sediment barriers shall be placed around the disturbed area during the construction upon the site.

4. **Exclusions:** No grading permit or erosion and sediment control plan shall be required for:

a. Nursery operations, such as the removal and/or transplanting of cultivated sod, shrubs and trees;

b. Garden plots and/or lawn preparation or landscaping activities on existing lots or parcels (unless the possibility for erosion and

sedimentation or alteration of drainage is such to necessitate a grading permit as determined by the city);

c. Agricultural land management practices such as plowing or cultivation;

d. Strip and surface mining regulated by State statutes;

e. Sanitary landfills operated and conducted in accordance with the requirements, rules, and ordinances adopted by the City of Lakewood and the State of Tennessee.

SECTION 8: OBJECTIVES AND CRITERIA FOR EROSION AND/OR SEDIMENT CONTROL PLANNING.

Persons engaged in land disturbing activities shall take all reasonable measures to protect all public and private property from damage by such activities. The intent of these criteria is to provide the developer and the architect or engineer with a wide range of acceptable control measures for meeting the needs of each unique situation and for allowing a maximum opportunity for professional design judgment.

1. **Basic Control Objectives:** The basic control objectives which are to be considered in developing and implementing an erosion and sedimentation control plan are to:

   a. **Identify Critical Areas:** On-site areas which are subject to severe erosion, and off-site areas which are especially vulnerable to damage from erosion and/or sedimentation, are to be identified and receive special attention.

   b. **Limit Time of Exposure:** All land-disturbing activities are to be planned and conducted to limit exposure to the shortest feasible time.

   c. **Limit Exposed Areas:** All land-disturbing activities are to be planned and conducted to minimize the size of the area to be exposed at any one time.

d. **Control Upgrade Surface Water:** Surface water runoff originating upgrade of exposed areas should be controlled to reduce downgrade erosion and sediment loss during the period of exposure.

e. **Control Sedimentation:** All land-disturbing activities are to be planned and conducted so as to minimize both on-site and off-site sedimentation damage.

f. **Manage Storm Water Runoff:** When the increase in the peak rates and velocity of stormwater runoff resulting from a land-disturbing activity is sufficient to cause accelerated erosion of the receiving stream, plans are to include measures to control both the velocity and rate of release so as to minimize accelerated erosion and increased sedimentation of the stream.

2. **Criteria for Erosion and Sediment Control Practices.**

a. **Performance Criteria:** Erosion sedimentation control measures, structures, and devices shall be planned, designed,, constructed, operated and maintained as to provide effective soil erosion control from the calculated peak runoff rates using as least a ten-year frequency storm, or where warranted by local controlling factors, based on engineering judgment a different storm frequency. Runoff rates shall be calculated using procedures in the USDA Soil Conservation Service National Engineering Handbook, Section 4, Hydrology (NEH-4), USDA Technical Paper No. 149. A Method for Estimating Volume and Rate of Runoff in Small Watersheds, USDA Technical Release No. 55, Urban Hydrology for Small Watersheds, or other generally accepted calculation or engineering procedures. Runoff computations shall be based on rainfall data published by the National Weather Service for the Lakewood Area, criteria from the Department of Environment and Conservation, and other references. The foregoing publication shall also apply as same may be amended.

b. **Retention of Existing Natural Vegetation:** Existing natural vegetation on any site forms a high degree of erosion control during and after construction activities. Therefore, it is the intent of this ordinance that any grading plan formulated pursuant to this

ordinance retain existing natural vegetation to the maximum extent permitted by erosion control principles. At the least there shall be within a buffer zone a natural barrier of vegetation which shall be left adjacent to all streams, rivers and water courses. This natural barrier of vegetation shall be at least 25 feet wide measured from the top of bank to the stream, river or water course and no cuts, fills or construction shall be allowed within this area.

c. **Operations in Lakes or Natural Watercourses:** Land-disturbing activity in connection with construction in, on, over, or under a lake or natural watercourse shall be planned and conducted in such a manner as to minimize the extent and duration of disturbance of the lake or stream channel. The relocation of a stream shall be avoided, but where relocation is the only feasible alternative or where relocation is proven to reduce a hazardous condition and if the relocation is be planned and executed so as to minimize changes in the stream flow characteristics then relocation may be allowed,

d. **Borrow and Waste Areas:** When the person conducting the land-disturbing activity is also the person conducting the borrow or disposal activity, areas from which borrow is obtained and which are not regulated by state statutes and waste areas for surplus materials other than sanitary landfills regulated by Lakewood and the State of Tennessee shall be considered as part of the land-disturbing activity where the borrow material is being used or from which the waste material originated. When the person conducting the land-disturbing activity is not the person obtaining the borrow and/or disposing of the waste, these areas shall be considered a separate land-disturbing activity. Such separate borrow or waste areas may require separate permits.

e. **Access and Haul Roads:** Temporary access and haul roads, and planned streets, accesses, drives or roads, constructed or used in connection with any land-disturbing activity shall be considered a part of such activity.

f. **Requirements:** Any land-disturbing activity subject to this ordinance shall be undertaken in accordance with the following requirements:

1. No land-disturbing activity shall be permitted in proximity to a lake or watercourse unless a buffer zone is provided along the margin of the watercourse of sufficient width to confine visible siltation or sediment deposit. At a minimum this buffer shall be twenty five (25) feet wide and contain natural undisturbed vegetation. This subsection (1) shall not apply to a land-disturbing activity in connection with the construction of facilities to be located on, over, or under a lake or natural watercourse.

2. The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures. In any event, slopes left exposed will, within thirty (30) working days of completion of any phase of grading, be planted or otherwise provided with a ground cover, devices, or structures sufficient to restrain erosion.

3. Whenever land-disturbing activity is undertaken, a ground-cover sufficient to restrain erosion must be planted or otherwise provided within 30 working days on that portion of the land upon which further active construction is not being undertaken, including the watershed and drainage basin of a functioning sediment control basin. Provided that this subsection (3) shall not apply to cleared land forming the basin of a reservoir later to be inundated.

4. A sediment basin or basins properly located and of adequate size to control soil erosion shall be constructed and maintained in accordance with the criteria develop by Department of Environment and Conservation on all grading sites subject to this ordinance except where the applicant can show in the grading plan that equal or better performance can result from other control techniques.

   (i) No sediment basin or similar control shall be removed until all disturbed areas of the site in the watershed of the basin have been protected or permanently stabilized.

(ii) All fill not located in the watershed of a sediment basin shall be protected by a sediment barrier left at the edge of the fill after each working day. The sediment barrier shall be of sufficient height so that no runoff water from the surface areas above will spill over the edge of the fill. Water retained by the barrier shall be diverted on a gentle grade to the nearest sediment basin or allowed to evaporate or percolate prior to the removal of the barriers. All cuts shall be protected from erosion effects of runoff from watersheds above them. The sediment barrier may consist of earthen material, straw bales, stakes and silt fence (fabric) or other such effective materials.

g. **Responsibility for Maintenance:** The person, firm or entity engaged in or conducting the land-disturbing activity shall be responsible for maintaining all temporary and permanent erosion and sedimentation measures and facilities during development of the site and for a period of one (1) year thereafter. If during the one (1) year repairs or maintenance are required to said measures and facilities, then there shall be a further period of responsibility of one (1) year for maintenance or repairs following such repairs of maintenance during the one (1) year period. Thereafter, such responsibility shall lie with the landowner, except those improvements which have been accepted by City Council or County Commission on the recommendation of the City/County Engineer.

h. **Failure of Protective Practices:** If the City of Lakewood, determines that significant erosion or related problems are occurring on a graded site despite application and maintenance of the approved protective practices, he/she shall require the permit holder to cease any land distrubing activities, to take immediate additional corrective actions to protect the distrubed area, and prepare an amended erosion and sediment plan which will be presented to the next planning meeting for their approval, disapproval, modification, or decision to allow the former plan to stand. The permit holder may not proceed except in accordance with the decision of the city as to work that may be undertaken that does not distrub soil, create additional erosion or sediment, or that is corrective in nature. In the event that the permit is no longer in effect and the surety, if any, has been released, or there is no responsibility

under g., above, the city, shall give written notice to the property owner stating the conditions that are not in conformance with this ordinance and that such must be corrected. The property owner shall have thirty (30) calendar days after the date of issuance of notice to present a plan for corrective action to bring the property into conformance. Upon approval of the plan by the city, a development permit shall be issued for a period not to exceed sixty (60) days. Failure of the property owner to present such a plan within thirty (30) calendar days after the date of issuance shall constitute a violation of this ordinance.

i. **Existing Uncovered Areas:**

1. All uncovered areas, existing on the effective date of this Ordinance, which resulted from land-disturbing activities and are experiencing continued accelerated erosion, and are causing off-site damage from sedimentation shall be provided with a ground cover or other protective measures, structures, or devices sufficient to restrain accelerated erosion and control off-site sedimentation.

2. The Lakewood Planning Commission shall serve upon the landowner, by certified mail, written notice to comply. The notice shall set forth the measures needed to comply. In determining the measures required, the Commission shall take into consideration the technology and quantity of work required. Within thirty (30) days after such notice, the Planning Commission shall hold a public hearing, during which the landowner shall be allowed to participate, to determine whether and to what extent corrective measures are necessary. Upon such a finding by the Planning Commission, the landowner shall develop and submit a plan for such correction within thirty (30) days thereafter. Upon approval of the plan by the city, the landowner shall have forty-five (45) days to implement the plan. Failure to submit a plan as required shall constitute a violation of this ordinance.

3. This section shall not require that ground cover be provided on cleared land forming the basin of a reservoir later to be inundated.

SECTION 9 INSPECTION AND ENFORCEMENT.

The requirements of this Ordinance shall be enforced by the codes inspector, who shall inspect all such work, grading or construction so involved. If the inspector finds any person., firm or entity engaged in land-disturbing activities who fails to file a plan in accordance with this Ordinance, or who conducts land-disturbing activity in violation of these Regulations or any approved plan, he may refuse to approve further work or issue a stop order, pending a hearing before the City Planning Commission.

SECTION 10 PENALTIES.

Any person who violates any provision of this ordinance, or rule or order adopted or issued pursuant to this ordinance, or who knowingly or willfully initiates or continues a land-disturbing activity for which an erosion control plan is required except in accordance with the terms, conditions, and provision of an approved plan, shall upon conviction thereof by a court of competent jurisdiction be subject to a fine of fifty dollars ($50) together with the cost of the action. Every day of violation shall constitute a separate offense. Compliance therewith may also be enforced by injunctive process.

SECTION 11 PERFORMANCE BONDS.

Where erosion and sediment control techniques are required by the standards of this ordinance the City of Lakewood shall require that sufficient security be posted with the city as will insure the construction and maintenance of such erosion and sediment control devices within the period set forth by the timing schedule of the plan. The security may be in the form of a performance and maintenance or surety bond guaranteed by a bonding company licensed to do business in the State of Tennessee, a cash deposit to be held in escrow by the developer, or a letter of credit. All such forms of security shall be in an amount not less than 100 percent of the estimated cost of the control devices required with said estimates to be determined by said City Manager.

SECTION 12 SEVERANCE PROVISIONS.

FIRST READING: June 13, 2002

SECOND READING: Feb. 13, 2003

APPROVED:

Thom H. Fauck

ATTEST:

Virginia Jones
CITY RECORDER

APPROVED AS TO FORM:

Louis W. Oliver
LOUIS W. OLIVER, III
CITY ATTORNEY