

**CITY OF BALTIMORE  
COUNCIL BILL 10-0494  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of Housing and Community Development)  
Introduced and read first time: May 3, 2010  
Assigned to: Urban Affairs and Aging Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation, Commission on Sustainability

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Annapolis Road –**  
3 **Renewal Area Designation and Renewal Plan**

4 FOR the purpose of designating as a “Renewal Area” an area situated in Baltimore City,  
5 Maryland known as Annapolis Road, bounded generally by Indiana Avenue on the south, the  
6 alley in the rear of Sidney Avenue on the east, the Light Rail tracks on the north, and Tacoma  
7 Street/295 ROW on the west; approving a Renewal Plan for Annapolis Road; establishing the  
8 objectives of the Plan; establishing permitted land uses in the Renewal Area; providing that  
9 the provisions of the Zoning Code of Baltimore City apply to those properties in the Project  
10 Area; establishing rehabilitation and new construction standards; providing for a period of  
11 compliance with the rehabilitation and new construction standards; providing for review of  
12 all plans for new construction, exterior rehabilitation, or demolition of any property;  
13 providing for certain provisions necessary to meet the requirements of State and local laws;  
14 providing for the term of the Plan; establishing procedures for changes to the Plan; waiving  
15 certain content and procedural requirements; making the provisions of this Ordinance  
16 severable; providing for the application of this Ordinance in conjunction with certain other  
17 ordinances; and providing for a special effective date.

18 BY authority of  
19 Article 13 - Housing and Urban Renewal  
20 Section 2-6  
21 Baltimore City Code  
22 (Edition 2000)

23 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
24 area known as Annapolis Road, as more particularly described in Section 2, is established.

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Annapolis  
26 Road is adopted to read as follows:

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

## Council Bill 10-0494

### Urban Renewal Plan Annapolis Road

#### A. Project Description

##### 1. Boundary Description

Beginning at the intersection of Indiana Street and Annapolis Road; thence binding on the street centerline of Annapolis Road for ~800 feet to the intersection with Kent Street; thence binding east on Kent Street ~135 feet to the rear of 2251 Annapolis Road; thence binding north along the rear property line of 2251 Annapolis Road extended ~800 feet to the north side of 2119 Annapolis Road; thence binding west along the north side of 2119 Annapolis Road ~270 feet, crossing Annapolis Road, binding to the north side of 2128 Annapolis Road to the street centerline of the Tacoma Street-Annapolis Road Alley; thence binding south on the street centerline of Tacoma Street-Annapolis Road Alley ~660 feet, crossing Russell Street to the north side of 2257 Tacoma Street; thence binding west along the north side of 2257 Tacoma Street ~120 feet to the street centerline of Tacoma Street; thence binding south along the centerline of Tacoma Street ~250 feet to the south side of 2309 Tacoma Street; thence binding along the south side of 2309 Tacoma Street ~120 feet to the rear property line of 2312 Annapolis Road; thus binding south along the rear property line of 2251 Annapolis Road extended ~400 feet to Maisel Street; thus binding south to the rear property line of 2400 Annapolis Road ~250 feet; then heading east ~50 feet to the to the point of beginning.

##### 2. Plan Objectives

- a. To bring about a general physical improvement along Annapolis Road in Westport through the rehabilitation of existing buildings and promotion of new, mixed use development to create a main street;
- b. To eliminate deterioration and blight by repairing or replacing exterior surfaces;
- c. To increase the economic viability of the area through the increased health, safety and attractiveness of properties;
- d. To encourage harmonious redevelopment throughout the area;
- e. To provide for a process of review of all plans for properties along Annapolis Road to ensure harmonious and orderly rehabilitation and development.

#### B. Land Use Plan

##### 1. Permitted Land Uses

Only the use categories shown on the Land Use Plan and Zoning Districts map, Exhibit 1, shall be permitted within the project area. These are Office Residential, Neighborhood Business, and Community Business. Accessory uses, including landscaping and off-street parking and loading, will be permitted. In

## Council Bill 10-0494

1 addition, certain uses will be permitted to continue subject to the provisions  
2 governing non-conforming and noncomplying uses set forth in Sections B.1.d.  
3 and B.1.e. below.

### 4 a. Neighborhood Business

5 In the area designated as Community Business on the Land Use Plan, uses are  
6 limited to those uses permitted under the B-1 category of the Zoning Code of  
7 Baltimore City.

### 8 b. Community Business

9 In the area designated as Community Business on the Land Use Plan, uses are  
10 limited to those uses permitted under the B-2 category of the Zoning Code of  
11 Baltimore City, except for the following, which are expressly prohibited:

12 adult bookstores  
13 bail bonds offices  
14 check cashing operations  
15 community correction centers  
16 dance halls  
17 fraternity and sorority houses  
18 garages, other than accessory, for storage, repair, and servicing of motor  
19 vehicles  
20 liquor stores—package goods  
21 pawnshops  
22 rooming houses for more than three persons  
23 tattoo parlors as a principal or accessory use  
24 taverns

### 25 c. Nonconforming Use

26 A nonconforming use is any lawfully existing use of a building, structure, or  
27 of land that does not conform to the applicable use regulations of the district  
28 in which it is located, according to the Zoning Code of Baltimore City. Non-  
29 conforming uses are permitted to continue subject to the provisions of Title 13  
30 titled “Nonconformance”.

### 31 d. Noncomplying Structure

32 A noncomplying structure, as set forth in Title 13 of the Zoning Code, is any  
33 lawfully existing structure that does not comply with the bulk regulations of  
34 the zoning district in which it is located. These noncomplying structures shall  
35 be permitted to continue subject to the provisions of Title 13.

## 36 2. Zoning

37 All appropriate provisions of the Zoning Code of Baltimore City shall apply to  
38 properties in the Area. Any zoning district changes, as designated on Exhibit 1,  
39 Land Use Plan and Zoning Districts, must be approved by Ordinance.

## Council Bill 10-0494

### 1 C. Techniques Used to Achieve Plan Objectives

#### 2 1. Rehabilitation and New Construction

3 Within the Project Area, any standards listed below that are above and beyond  
4 those required by the Building Code do not apply to existing properties unless the  
5 owner applies for permits for new construction or major rehabilitation of the  
6 property. The Annapolis Road Rehabilitation Standards are as follows:

##### 7 a. Windows

8 (1) Windows not visible from the street shall be kept properly repaired or,  
9 with Fire Department approval, may be closed, in which case sills,  
10 lintels and frames must be removed and the opening properly closed to  
11 match the material, design and finish of the adjacent wall.

12 (2) All windows must be tight-fitting and have sashes of proper size and  
13 design. Sashes with rotten wood, broken joints or loose mullions or  
14 muntins must be replaced. All broken and missing windows and glass  
15 blocks must be replaced with glass or other approved glazing. All  
16 exposed wood must be repaired and painted.

17 (3) Window openings in upper floors of the front or sides of the building  
18 facing streets may not be filled or boarded up. Windows in unused  
19 areas of the upper floors may be backed by a solid surface on the  
20 inside of the glass. Window panes may not be painted. Replacement  
21 windows, frames, or sashes must fit existing or historic masonry  
22 openings.

##### 23 b. Building Fronts and Sides Abutting Streets

24 (1) All defective structural and decorative elements of building fronts and  
25 sides abutting streets must be repaired or replaced in a workmanlike  
26 manner to match as closely as possible the character of surrounding  
27 buildings and the neighborhood. All damaged, sagging, or otherwise  
28 deteriorated store fronts, show windows, or entrances must be repaired  
29 or replaced.

30 (2) All cornices, upper floor windows, and all other portions of a building  
31 containing wood trim must be made structurally sound. Rotten or  
32 weakened portions must be removed, repaired, or replaced to match as  
33 closely as possible the buildings in that block. All exposed wood must  
34 be painted or stained, or otherwise treated for protection.

##### 35 (3) Store fronts

36 (a) A store front, as a part of the building facade, includes:

37 i. the building face, windows, and the entrance area leading to  
38 the door;

## Council Bill 10-0494

1 ii. the door, sidelights, transoms, display platforms, and devices  
2 including lighting and signage designed to be viewed from the  
3 public right-of-way or visible to the public prior to entering the  
4 interior portion of the structure.

5 (b) Store front windows, entrances, signs, lighting, sun protection,  
6 security grilles, etc., must be compatible, harmonious, and  
7 consistent with the scale and character of the surrounding  
8 properties. All store front elements must be located below the  
9 second floor window sills.

10 (c) Solid or permanently enclosed or covered store fronts are not  
11 permitted. New storefronts must provide a minimum of 30%  
12 window openings.

13 (d) Enclosures and housings for security grilles and screens must be as  
14 inconspicuous as possible and compatible with other elements of  
15 the facade. All screens and grilles protecting entrances and store  
16 front windows must be constructed so they can be opened or  
17 removed. Screens and grilles must be opened or removed during  
18 the normal business hours of that business.

19 (e) No temporary or permanent sign affixed or placed against the  
20 inside surface of a store front window may exceed 25% of the area  
21 of that store front window.

### 22 (4) Awnings

23 (a) Soft awnings of appropriate material are encouraged over the first  
24 floor. They must be appropriately scaled and located to  
25 complement the building facade.

26 (b) Signage applied to awnings is restricted to business name or logo  
27 and street numbers. Lettering must be sized and located to  
28 complement the awning.

29 (c) Awning colors and lighting must complement the colors of the  
30 building facade.

31 (5) Adjoining buildings used by the same occupant must be rehabilitated  
32 in a unified and harmonious manner.

33 (6) All exterior front or side walls that have not been wholly or partially  
34 resurfaced or built over must be repaired and cleaned or painted in an  
35 acceptable manner. Brick walls must be pointed where necessary.  
36 Painted masonry walls must have loose material removed and be  
37 painted a single color except for trim, which may be other colors.  
38 Day-glo and fluorescent colors are not permitted. Patched walls must  
39 match the existing adjacent surfaces as to materials, color, bond, and  
40 joining.

## Council Bill 10-0494

1 (7) Any applied facing material or resurfacing materials are not permitted  
2 on the front of the building. Examples are siding, formstone, stucco,  
3 or wood paneling. No brick facades shall be resurfaced with other  
4 materials.

5 (8) Existing miscellaneous elements on the building fronts, such as empty  
6 electrical or other conduits, unused sign brackets, etc., must be  
7 removed.

### 8 c. Rear and Side Walls

9 Rear and side walls, whether new or existing, must be repaired and  
10 painted or cleaned and repainted to present a neat and fresh appearance.  
11 Walls must be painted to cover evenly all miscellaneous patched and filled  
12 areas or be stuccoed to present an even and uniform surface.

### 13 d. Roofs

14 (1) Chimneys, elevator penthouses, or any other auxiliary structures on  
15 the roofs must be repaired and cleaned as required for rear and side  
16 walls. Any construction visible from the street or from other buildings  
17 must be finished so as to be consistent with other visible building  
18 walls.

19 (2) Any new mechanical equipment placed on a roof must be located so as  
20 to be hidden from view from the streets and to be as inconspicuous as  
21 possible from all viewpoints. New equipment must be screened with  
22 suitable elements of a permanent nature and finished so as to  
23 harmonize with the rest of the building. Where screening is infeasible,  
24 equipment must be installed in a neat, presentable manner and must be  
25 painted in such a manner as to minimize its visibility.

26 (3) Television and radio antennae must be located so as to be as  
27 inconspicuous as possible.

28 (4) Roofs must be kept free of trash, debris, or any other element that is  
29 not a permanent part of the building or a functioning element of its  
30 mechanical or electrical system.

### 31 e. Auxiliary Structures

32 Structures at the rear of buildings, attached or unattached to the principal  
33 structure, that are structurally deficient, must be properly repaired or  
34 demolished.

### 35 f. Rear Yards

36 Where a rear yard exists, the owner must condition the open area in one of  
37 two ways:

38 (1) Enclosure of yards:

## Council Bill 10-0494

1 A rear yard may be enclosed along side and rear property lines by  
2 a finished masonry wall, wood or picket fence, or coated chain-  
3 linked fence. Solid doors or solid gates may be used to the extent  
4 necessary for access and delivery. Walls or fences may not be  
5 more than 6 feet in height. Use of barbed wire or broken glass on  
6 top of walls is not permitted.

### 7 (2) Provision of parking area:

8 An unenclosed rear yard may be used as a parking or loading area  
9 if it is properly paved, illuminated, and maintained. A sign not  
10 exceeding 6 square feet may be used to identify and control  
11 parking and loading. The building occupant is responsible for  
12 maintenance of the parking area in a neat and clean manner. No  
13 storage of trash containers is allowed in this area, except when  
14 housed in permanent structures of acceptable design.

### 15 g. Exterior Signs

- 16 (1) All lighting and electrical elements such as wires, conduits, junction  
17 boxes, transformers, ballasts, switches, and panel boxes must be  
18 concealed from view as much as possible.
- 19 (2) One overhanging sign, up to 8 square feet in size, is permitted per  
20 building. It may not project more than 4 feet from the building face.  
21 The sign must be mounted lower than the second floor window sills or  
22 13 feet above grade, whichever is lower. Discreet spotlighting is  
23 permitted, but internal illumination and neon are prohibited.
- 24 (3) Flat signs must be placed parallel to the building face, may not project  
25 more than 12 inches from the surface of the building, and may not  
26 exceed in area 3 times the width in feet of the frontage of the building.  
27 In the case of corner properties, each facade is to be calculated  
28 separately as to size allowed for each. Flat signs must be placed no  
29 higher than the bottom of the second story window where windows  
30 exist or 13 feet above grade level, whichever is lower.
- 31 (4) Signs painted on vertical building surfaces or use of separate cutout  
32 letters are permitted in accordance with the above limits for flat signs.  
33 Existing signs may remain.
- 34 (5) Non-illuminated secondary signs are permitted for the tenants  
35 occupying the upper floors of a building. These signs may not exceed  
36 2 square feet in area, may not project more than one (1) inch beyond  
37 the surface of the building, and may not be placed higher than 13 feet  
38 above grade level.
- 39 (6) Roof top signs, signs above the parapet of a building, billboards, or  
40 outdoor advertising signs painted or mounted on structures other than  
41 billboards are not permitted.

## Council Bill 10-0494

1 (7) Painted or inlaid signs on cloth awnings are permitted, as per  
2 subsection b.(4)(c) of this section.

3 (8) Flashing or moving signs other than barber poles are not permitted.

4 (9) All temporary signs, including streamers, banners, pennants, bunting,  
5 etc., are not permitted except as provided in this Plan or as otherwise  
6 authorized by the Department of Housing and Community  
7 Development for temporary purposes not exceeding 30 days.

8 (10) No free standing signs are permitted.

### 9 h. Outdoor Seating

10 Outdoor table service, when accessory to a principal use, is a conditional  
11 use in the B-2 Zoning District requiring the review and approval of the  
12 Board of Municipal and Zoning Appeals (BMZA). A minor privilege  
13 permit may also be required. The BMZA has the authority to impose  
14 certain conditions for the approval of such seating. For the purposes of  
15 this Plan, the following guidelines and criteria must be used to evaluate all  
16 conditional use and minor privilege applications as to their conformance  
17 with the objectives of this Plan.

18 (1) A plan and elevation showing the layout and design of the seating  
19 area must be submitted to the Department of Housing and  
20 Community Development and the Department of General Services  
21 along with all applications for permits.

22 (2) A 6-foot public walkway must be maintained, and all tables and  
23 chairs must be at sidewalk level.

24 (3) Sight lines to adjoining properties must be preserved.

### 25 i. Walk-up Windows

26 Walk-up windows are not permitted unless otherwise authorized by the  
27 Department of Housing and Community Development.

### 28 j. Screening of Private Parking Lots

29 If the parking area is greater than 4 spaces, the area must be effectively  
30 screened with fencing, landscaping or a combination thereof. Uncoated  
31 chain link fencing is not acceptable. The height of the screening must be  
32 between 2 and 4 feet.

### 33 k. Period of Compliance

34 (1) After enactment of this Plan, no work, alterations, or improvements  
35 may be undertaken that do not conform to its requirements. However,  
36 the Commissioner of the Department of Housing and Community  
37 Development ("The Commissioner") may waive compliance with one



## Council Bill 10-0494

1 or more of the standards if the waiver is determined by the  
2 Commissioner not to adversely affect the Plan objectives for  
3 Annapolis Road.

- 4 (2) With regard to waiver decisions affecting business properties within  
5 the Plan's boundaries, the Commissioner may be advised by the  
6 Westport Business Association or its successor. In making decisions  
7 regarding the granting of waivers for residential properties within the  
8 Plan's boundaries, the Commissioner may be advised by the  
9 appropriate neighborhood organizations in the area. All  
10 recommendations to the Commissioner must be made within 30 days  
11 of the filing of the waiver request with the Department of Housing and  
12 Community Development.
- 13 (3) Nothing in the Plan may be construed to permit any sign, construction,  
14 alteration, change, repair, use, or any other matter otherwise forbidden  
15 or restricted or controlled by any other public law.
- 16 (4) Any person violating the provisions of this Plan is subject to a fine to  
17 be determined by the Commissioner, and each day's violation  
18 constitutes a separate offense.

### 19 1. Design Review and Approval

- 20 (1) Designs for all building improvements, modifications, repair,  
21 rehabilitation, or painting concerning the exterior of the existing  
22 buildings, their yards, their store fronts, or their outside seating, and  
23 for all signs and awnings, must be submitted to the Director of the  
24 Department of Planning and the Commissioner of the Department of  
25 Housing and Community Development, and issuance of a permit by  
26 the Department of Housing and Community Development is required  
27 before proceeding with the work.
- 28 (2) The Commissioner or his/her designee may submit to the Westport  
29 Business Association, or its successor or assignee, for its review and  
30 comment, the plans for any storefront property not to be acquired. The  
31 Westport Business Association, or its successor or assignee, must  
32 advise the Department of its recommendation regarding the  
33 acceptability and/or priority of all plans and proposals. The written  
34 comments must be transmitted to the Department no later than 30 days  
35 after the proposals and/or plans have been transmitted to the Westport  
36 Business Association, or its successor or assignee; otherwise it is  
37 presumed that the proposals/plans are acceptable. The Commissioner  
38 retains the final authority to approve or disapprove all plans and to  
39 grant or withhold development priorities.
- 40 (3) The Commissioner of the Department of Housing and Community  
41 Development and the Director of the Department of Planning shall be  
42 concerned with all aspects of the designs affecting exterior appearance  
43 and in particular with the following:

## Council Bill 10-0494

- 1 (a) Design of porch front or store front and entrance area,  
2 including choice of materials and types of security devices;
  - 3 (b) Design of signs, methods of illumination, colors, materials,  
4 methods of suspension;
  - 5 (c) Conditioning of rear yard spaces; location of delivery signs;
  - 6 (d) Design of awnings, canopies, and outside seating;
  - 7 (e) All other exterior materials and colors; and
  - 8 (f) Compatibility of new construction as to scale, color, materials,  
9 and signing.
- 10 (4) The Commissioner's review must be guided by the property  
11 rehabilitation standards which, in general, provide that the original  
12 design of buildings must be retained or restored, and that new  
13 elements must be harmonious with existing elements of the same  
14 property and with adjacent properties.

### 15 2. New Construction

16 All plans for new construction on any property within the project area must be  
17 submitted to the Department of Housing and Community Development and the  
18 Department of Planning for review, which may include presentations before the  
19 Department's Urban Design and Architectural Review Panel. Upon finding that  
20 the proposed plans are consistent with the objectives of the Urban Renewal Plan,  
21 the Commissioner of the Department of Housing and Community Development  
22 must authorize the processing of the plans for issuance of a building permit. The  
23 provisions of this section are in addition to, and not in lieu of, all other applicable  
24 laws and ordinances relating to new construction.

25 The minimum building height for new construction is 20 feet.

### 26 3. Demolition

27 All applications for demolition permits shall be submitted to the Department of  
28 Housing and Community Development for review and approval. If the proposed  
29 demolition is found to be consistent with the objectives of the Urban Renewal  
30 Plan, the Commissioner of the Department of Housing and Community  
31 Development shall authorize the issuance of the necessary permit.

### 32 D. Other Provisions Necessary to Meet Requirements of State and Local Laws

- 33 1. In selling or otherwise disposing of property in Annapolis Road, the Department  
34 of Housing and Community Development must require that developers agree in  
35 writing not to discriminate in the sale, lease, use, or occupancy of the property  
36 developed by them against any person on the basis of race, religion, color, sex, or  
37 national origin.

## Council Bill 10-0494

- 1           2. If the Annapolis Road Urban Renewal Plan fails to meet the statutory  
2           requirements for the content of a renewal plan or for the procedures for the  
3           preparation, adoption, and approval of a renewal plan, those requirements are  
4           waived, and the Urban Renewal Plan is exempted from them.
  
- 5           3. If a provision of this Urban Renewal Plan concerns the same subject as a  
6           provision of any zoning, building, electrical, plumbing, health, fire, or safety law  
7           or regulation, the applicable provisions must be construed to give effect to each.  
8           However, if the provisions are found to be in irreconcilable conflict, the one that  
9           establishes the higher standard for the protection of the public health and safety  
10          prevails. If a provision of this Urban Renewal Plan is found to be in conflict with  
11          an existing provision of any other law or regulation that establishes a lower  
12          standard for the protection of the public health and safety, the provision of this  
13          Urban Renewal Plan prevails, and the other conflicting provision is repealed to  
14          the extent of the conflict.

### 15          E. Duration of Provisions and Requirements

16           The Annapolis Road Urban Renewal Plan, as it may be amended from time to time,  
17           shall be in effect for a period of 10 years following the date of original adoption by  
18           the Mayor and City Council of Baltimore.

### 19          F. Procedures for Changes in Approved Plan

- 20          1. The Urban Renewal Plan may be amended from time to time, upon compliance  
21          with the requirements of law, provided that, prior to the passage of any ordinance  
22          amending the Urban Renewal Plan, a public hearing is held.
  
- 23          2. The Department of Housing and Community Development must submit to the  
24          Westport Business Association, or its successor, for its review and comments, all  
25          proposed amendments presented to the City Planning Commission by the  
26          Department of Housing and Community Development. Written comments must  
27          be submitted to the Department no later than 30 days after the amendments have  
28          been submitted to the Westport Business Association, or its successor; otherwise,  
29          it is presumed the proposed changes are satisfactory. Prior to the passage of any  
30          ordinance amending the urban renewal plan, a public hearing must be held and  
31          the Westport Business Association, or its successor, must receive written notice,  
32          at least 10 days before the hearing, of the time and place of the hearing.

### 33          G. Separability

34           In the event it be judicially determined that any word, phrase, clause, sentence,  
35           paragraph, section or part in or of this Plan, or the application thereof to any person or  
36           circumstances is invalid, the remaining provisions and the application of such  
37           provisions to other persons or circumstances shall not be affected thereby, it being  
38           hereby declared that the remaining provision of this Plan without the word, phrase,  
39           clause, sentence, paragraph, section or part, or the application thereof, so held invalid  
40           would have been adopted and approved.

41           **SECTION 3. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Annapolis  
42           Road, identified as “Urban Renewal Plan, Annapolis Road”, including Exhibit 1, “Land Use/

**Council Bill 10-0494**

1 Zoning”, dated September 3, 2009, is approved, and the Clerk of the City Council is directed to  
2 file a copy of the Renewal Plan with the Department of Legislative Reference as a permanent  
3 public record and to make the same available for public inspection and information.

4 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan  
5 approved by this Ordinance in any way fails to meet the statutory requirements for the content of  
6 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal  
7 plan, those requirements are waived and the amended Urban Renewal Plan approved by this  
8 Ordinance is exempted from them.

9 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the  
10 application of this Ordinance to any person or circumstance is held invalid for any reason, the  
11 invalidity does not affect any other provision or any other application of this Ordinance, and for  
12 this purpose the provisions of this Ordinance are declared severable.

13 **SECTION 6. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns  
14 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or  
15 safety law or regulation, the applicable provisions shall be construed to give effect to each.  
16 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the  
17 higher standard for the protection of the public health and safety prevails. If a provision of this  
18 Ordinance is found to be in conflict with an existing provision of any other law or regulation that  
19 establishes a lower standard for the protection of the public health and safety, the provision of  
20 this Ordinance prevails and the other conflicting provision is repealed to the extent of the  
21 conflict.

22 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it  
23 is enacted.