

1 **FLOOR SUBSTITUTE**
2 **BOARD BILL # 69** **INTRODUCED BY ALDERMEN AND ALDERWOMEN:**
3 **TERRY KENNEDY, DIONNE FLOWERS, CHARLES QUINCY TROUPE, FREEMAN**
4 **BOSLEY, SR., O.L. SHELTON, APRIL FORD GRIFFIN, LEWIS REED, MICHAEL**
5 **MCMILLAN, BENNICE JONES KING, JEFFREY BOYD, FRANK WILLIAMSON,**
6 **GREGORY CARTER**
7

8 An ordinance establishing a Civilian Review Board in the City of St. Louis, containing definitions
9 and a severability clause.

10 WHEREAS, the Missouri Legislature, pursuant to Section 590.653 Revised Code of the State of
11 Missouri, explicitly grants authority to local governments to locally establish civilian review bodies
12 to investigate incidents of police misconduct involving police officers and members of the public,
13 make findings and recommendations, and

14 WHEREAS, the principle of civilian review is only partially exemplified in the establishment of
15 the Saint Louis Board of Police Commissioners which is granted final authority over budget,
16 policy, and personnel, but is appointed by the Governor of the State of Missouri with no local input
17 thus diminishing the fullness of the spirit established by Section 590.653 RSMo. which authorizes
18 locally selected civilian review, and

19 WHEREAS, the appropriateness of non-professional civilians acting as final arbitrators in any civil
20 or criminal dispute is already established in our jury system, and

21 WHEREAS, the movement to create greater professionalism in this country's police departments
22 has also been a step toward curbing abuse of authority, increasing accountability and has been
23 enhanced by establishments of civilian review processes as affirmed by national studies, and

24 WHEREAS, complaint procedures established by police Internal Affairs Departments to detect and
25 enforce standards of conduct have proved significantly inadequate in ending police abuses, ending

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1 the appearance of impropriety or engendering public confidence in a fair and unbiased process, and
2 WHEREAS, the movement toward professionalism without a citizen overview component has had
3 the side effect of isolating police departments from the citizenry, resulting in a lack of police
4 accountability and community connections, and

5 WHEREAS, community policing which can only be reached by citizen cooperation and direct
6 citizen participation on an ongoing basis is a vital part of the St. Louis Police Department's
7 approach and where national studies have shown would only be enhanced by a citizen review
8 process directly related to allegations of police misconduct, and

9 WHEREAS, the code of a "blue wall of silence" persists among some officers throughout this
10 country and in the City of St. Louis hindering fair internal investigations and raising questions
11 whether officers themselves should be the only ones or the only level of investigation and leaving
12 litigation as the main recourse for citizens not confident in a mostly internal system, and

13 WHEREAS, a system of accountability needs to be established whereby citizens can make
14 complaints in an hospitable environment and expect their complaints to be thoroughly investigated
15 by a third and unconnected party with subsequent findings and recommendations made to the Chief
16 of Police, and the Police Commissioners, and

17 WHEREAS, lasting change results from organizational reforms greatly enhanced by third party
18 review that can impartially identify patterns of problem behavior which can best emerge from such
19 third party review in order to recommend policy changes which can prevent future incidents;

20 WHEREAS, Missouri statutes require that no body be given authority which interferes with the
21 powers granted the St. Louis Board of Police Commissioners, and where the Civilian Review
22 Board is conceived as an advisory body; and

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1 WHEREAS, the ability to show due diligence through the use of modern practices in the
2 implementation of civilian review has been shown through national studies to reduce the risk of
3 civil liability litigation while engendering benefits for all parties, and

4 WHEREAS, pursuant to Missouri Revised State Statute Chapter 590 Section 653, the Saint Louis
5 Board of Alderman does hereby establish the Saint Louis Civilian Review Board with the
6 following authority;

7 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

8 SECTION ONE Civilian Board Established

9 It is in the interest of the people of the City of St. Louis and the St. Louis Metropolitan Police
10 Department that the investigation of complaints concerning alleged misconduct by officers of a
11 department with authority to use deadly force towards members of the public be complete,
12 thorough, and impartial. These inquiries must be conducted fairly and independently, and in a
13 manner in which the public and the Police Department have confidence. It is also of benefit to the
14 citizens and the Police Department to have independent police policy review. To this end an
15 independent Civilian Review Board is hereby established, pursuant to Missouri Revised State
16 Statute Chapter 590 Section 653, as a body comprised solely of members of the public with the
17 authority to investigate allegations of police misconduct and make recommendations as provided in
18 this section.

19 SECTION TWO. Definitions

20 “Board” shall mean the Civilian Review Board.

21 “City” shall mean the City of St. Louis.

22 “Department” shall mean the Saint Louis Metropolitan Police Department.

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1 “Commission” shall mean the Saint Louis Board of Police Commissioners.

2 "Complaint" shall mean any request to the Board pursuant to rules and regulations established by
3 such Board to investigate alleged misconduct against members of the Department involving use of
4 excessive force, abuse of authority, discourtesy, non-responsiveness, racial profiling or use of
5 offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender,
6 sexual orientation, gender identity, immigrant status and disability.

7 “Hearing” shall mean any public and/or closed meeting held by the Board to conduct
8 investigations and/or reviews of formally submitted complaints by members of the public related to
9 allegations of misconduct by members of the Department in order to make findings and
10 recommendations.

11 “Review” shall mean that part of a joint investigation conducted by the Board which examines
12 documents pertaining to any investigation conducted by the Internal Affairs division of the
13 Department and the Board resulting from a formal complaint by any person alleging official
14 misconduct by a member of the Department.

15 “Investigation” shall mean to call and interview witnesses and examine evidence concerning a
16 complaint submitted to or coming before the Board.

17 “Joint investigation” shall mean investigations conducted by the Board and the Internal Affairs
18 division of the Department with certain authorities granted the Board by the Commission.

19 “Independent Investigation” shall mean any separately conducted investigation by the Board
20 without control or direction of the Commission, its employees or representatives.

21 SECTION THREE Civilian Review Board

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1 **The Civilian Review Board shall consist of seven (7) members who all shall be residents of the**
2 **City of St. Louis and shall reflect the diversity of the city's population. The members of the**
3 **Board shall be selected as follows:**

4 **1. Membership: There shall be seven Civilian Review Board Districts within the City of St.**
5 **Louis. Each district shall be composed of groupings of four Aldermanic wards as delineated**
6 **in this section and shall carry the numbers one through seven respectively.**

7 **The Aldermen in each Civilian Review Board District shall present to the Mayor at least one,**
8 **but not more than four, individuals who shall be a resident(s) of the respective district. From**
9 **the names presented to the Mayor by the Aldermen in each Civilian Review Board District,**
10 **the Mayor shall present the name and qualifications of one individual from each Civilian**
11 **Review Board District to the Board of Aldermen for their final approval in accordance with**
12 **the provisions of Paragraph 4 of this section.**

13 **2. Civilian Review Board Districts shall be established as follows:**

14
15 **District One: Wards 2, 3, 21, 27**

16
17 **District Two: Wards 18, 19, 6, 5**

18
19 **District Three: Wards 1, 4, 22, 26**

20
21 **District Four: Wards 7, 8, 9, 17**

22
23 **District Five: Wards 11, 12, 13, 16**

24
25 **District Six: Wards 14, 15, 20, 25**

26
27 **District Seven: Wards 10, 23, 24, 28**

28
29 **3. Term of Office: Each member of the Civilian Review Board shall serve for a four (4) year**
30 **term (except as provided herein with respect to the initial members), with terms expiring as**

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1 of December 31st of the designated year or when their successors are appointed as provided
2 herein, whichever is later.

3 **4. Initial Members and Terms:** Within thirty (30) days of the effective date of this ordinance
4 the Clerk of the Board of Aldermen shall deliver to the Office of the Mayor the names of the
5 individuals presented by the Aldermen. Within sixty (60) days of receipt of such names, the
6 Mayor shall deliver to the Board of Aldermen the names and qualifications of the seven
7 individuals he has selected. Thereafter the Board of Aldermen shall have thirty (30) days in
8 which to finally approve the individuals presented by the Mayor. Such approval shall be by a
9 majority of all the members of the Board. In the event an individual does not receive the
10 approval of the Board of Aldermen, the Mayor shall submit the name of a new individual
11 from the list of existing nominees from the same Civil Review Board District or in the event
12 that only one individual is submitted to the Mayor by the Aldermen in a Civilian Review
13 Board District the Mayor shall be presented with a new individual or individuals as
14 determined by the Aldermen in that District. The initial members shall be appointed for the
15 terms set forth as follows: members from even numbered Civilian Review Board Districts
16 shall be appointed for a term expiring December 31, 2007; members from odd numbered
17 Civilian Review Board Districts shall be appointed for a term expiring December 31, 2009;

18 **5. Vacancies:** Vacancies on the Civilian Review Board, occasioned by resignation, expiration
19 of term, or otherwise, shall be reported in writing to the Mayor by the members of the
20 Civilian Review Board. The vacancy shall be filled in like manner as an original appointment
21 no later than thirty (30) days after the date of said report to the Mayor. Individuals
22 considered for appointment to fill the vacancy shall be from the same Civilian Review Board

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1 **District as the individual being replaced. Appointments to fill vacancies shall be for the**
2 **unexpired portion of a term only.**

3 **6. No member of the Board shall hold any other public office or employment. No more than**
4 **one member of the Board shall have experience as a law enforcement professional. For the**
5 **purposes of this section, experience as law enforcement professionals shall include experience**
6 **as police officer, criminal investigator, special agent, or a managerial or supervisory**
7 **employee who exercised substantial policy discretion on law enforcement matters, in a**
8 **federal, state, or local law enforcement agency. No person may be appointed if such person**
9 **has been convicted of any State or Federal criminal offense constituting a felony. Every**
10 **person appointed must be a resident of the City of St. Louis prior to appointment. Every**
11 **person appointed must submit to mandatory drug testing and attend the Citizen Police**
12 **Academy.**

13 **7. Compensation: The members of the Civilian Review Board shall serve without**
14 **compensation of any kind.**

15 SECTION FOUR. Powers and duties of the Board.

16 1. The Board shall have the power to receive, investigate, hear, make findings and recommend
17 disciplinary action upon complaints by members of the public against members of the Department
18 that allege misconduct involving excessive use of force, abuse of authority, discourtesy, non-
19 responsiveness, racial profiling or use of offensive language, including, but not limited to, slurs
20 relating to race, ethnicity, religion, gender, sexual orientation, gender identity, immigration status
21 and disability. The findings and recommendations of the Board, and the basis therefore, shall be
22 submitted to the Chief of Police. No finding or recommendation shall be based solely upon an

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1 unsworn complaint or statement, nor shall prior unsubstantiated, unfounded, or withdrawn
2 complaints be the basis for any such findings or recommendations. The Board's findings may
3 include recommendations regarding policy and procedures based on a pattern of complaints. The
4 Board's findings may also include a recommendation that a specific complaint be resolved through
5 a process of voluntary mediation between the parties.

6 2. The Board may conduct audits regarding the implementation of its policy and procedures.

7 3. The Board shall have the power to see all records, policy statements and manuals necessary to
8 determine current standards and practices of the Department.

9 4. The Board shall promulgate rules of procedures including rules that prescribe the manner in
10 which it will conduct joint and independent investigations, make recommendations to the Chief of
11 Police and the manner by which a member of the public is to be informed of the status of his or her
12 complaint.

13 5. The Board shall adopt and/or establish a system of internal controls for the development of a
14 case management system. Timelines shall be established for each stage of the complaint process
15 such as intake, classifying, investigating, and disposition of cases.

16 6. It shall be the duty of the Board to implement a training program for members and hired
17 personnel in cooperation with the Department in the areas of, but not limited to, investigative
18 techniques, proper knowledge of the workings of the Department, field safety, the responsibilities
19 of Board membership, human rights, constitutional rights, rights during police stops, and search
20 warrant law.

21 7. Any changes in Missouri statutes related to Civilian Review shall be incorporated hereto. Until
22 such time as subpoena powers are granted by Missouri statute, the Commission shall use its

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1 subpoena power on the Board's behalf upon a majority vote of the Board's members to compel the
2 attendance of witnesses and/or require the production of such records and other materials as are
3 necessary for the investigation of complaints. The Commission shall act to execute this subpoena
4 request.

5 8. The Board shall issue to the Chief of Police, the Mayor, the Board of Aldermen, and the
6 Commission an annual report which describes its activities and summarizes its actions. This report
7 shall identify systemic problems, give reports of any audits regarding implementation of previous
8 policy and procedures, make analysis based upon collected data from the year's complaints,
9 analyze responses given on its feedback forms and may make policy and procedures. This report
10 shall contain the number of complaints received by the Board, the type and/or category of such
11 complaints including a breakdown of outcomes, the number of interviews and investigations
12 conducted by the Board, the number of mediations and their success rate and the number of
13 complaints for which the Board made a recommendation to the Chief of Police. This report shall
14 also include statistics related to the Chief's response and actions taken related to the Board's
15 recommendations. Statistics shall be broken down by police district and shall include number of
16 officers with three or more complaints for the year. It shall also include a breakdown by race,
17 ethnicity, religion, gender, sexual orientation, gender identity, immigrant status and disability for
18 each type and category of complaint as well as a similar breakdown by outcome. Other statistics
19 may be included if deemed appropriate by the Board. This report shall be made available to the
20 public and will be presented to the public at an annual meeting as prescribed and adopted by the
21 Board. Such annual meeting shall be published in the City Journal and in publications representing
22 the diversity of the City.

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1 9. The Board shall have the responsibility of informing the public about the Board and its duties,
2 and shall develop and administer an ongoing program for the education of the public regarding the
3 provisions of this ordinance. Informational publications are to be published in each language
4 spoken by one percent (3,430) of the citizens of the City of St. Louis. The Board shall institute
5 regular audits of intake procedures, investigations, timeliness, and disposition of complaints to
6 ensure that the review mechanism of the Board is functioning according to its standards. Survey
7 forms shall be distributed to all complainants and subject officers to obtain feedback concerning the
8 operation of the review mechanism of the Board.

9 10. When authorized by Missouri statutes, the Board shall review the statistics compiled by the
10 State, any of its officers, offices, commissions or boards regarding racial profiling data, and shall
11 determine if any officer or the Department as a whole shows a pattern of discrimination in this
12 regard. The Board may recommend discipline or policy changes it deems appropriate.

13 11. The provisions of this ordinance shall not be construed to permit the Board to accept or
14 investigate a complaint from a police officer or member of the Commission which pertains to
15 another police officer or member of the Commission for which the City personnel rules or police
16 general orders provide a grievance or appeal procedure.

17 12. No member of the Board or the Police Department shall make any public comments about a
18 complaint which imply guilt or innocence of any party involved before final resolution of the
19 review process.

20 13. The Board shall have the authority to create by majority vote volunteer committees composed
21 of as many St. Louis citizens as needed to assist in the compiling of data and/or to research

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1 specific aspects of policy and procedures to be reported to the Board. No volunteer committee
2 member shall be directly involved in any case review process.

3 SECTION FIVE. Investigation and Review Procedures

4 1. The Board and the Department shall create a joint civilian complaint form that shall be used by
5 the Board and the Department and shall be visible and readily available at all times at all
6 Department Stations and Board offices and be administered and accepted in established and
7 prescribed Board and Department procedure and etiquette. The Department or the Board may
8 waive the necessity of signing a complaint based upon unusual circumstances. Such waiver may
9 allow for the initiation of the complaint process but no such complaint may be considered evidence
10 in an investigation.

11 2.. A copy of all properly completed and received complaints prepared by the Board shall be
12 forwarded to the Internal Affairs Division of the Department within 24 hours.

13 3. A copy of all properly completed and received complaints prepared by the Department shall be
14 forwarded to the Board within 24 hours.

15 4. All complaints officially accepted by the Board or the Department shall be jointly investigated
16 by the Board and the Department's Internal Affairs Division. Neither agency shall conduct a
17 separate investigation until after the joint investigation. If both the complainant and the Department
18 staff member whom a citizen complaint was made against agree, the case may be referred to
19 mediation. The Department and the Board shall coordinate the calling of witnesses and coordinate
20 the time and place of such interviews. Representatives of the Board as determined by the Board and
21 representatives of the Department as determined by the Department may call complainants,
22 witnesses and representative employees of the Department, attend all interviews, ask questions and

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1 take sworn testimony. The Department and the Board shall coordinate their representation with
2 each other. Both the Department and the Board shall have access to all documents, tapes and
3 recordings relevant to the joint investigation.

4 5. Within ninety days of receiving the complaint from the Board or directly receiving a complaint
5 from a citizen, the Internal Affairs Division shall forward a copy of its findings, recommendations
6 and basis thereto to the Board for review. The Chief of Police may authorize additional time for the
7 Internal Affairs Division to respond to a specific complaint as warranted. No complaint
8 investigation process shall exceed a total of one hundred twenty days. Within the same ninety days,
9 Board investigators shall forward a copy of their findings, recommendations and basis therefore to
10 the Board for review. The Board may authorize additional time for the Board investigators to
11 respond to a specific complaint as warranted, not to exceed one hundred twenty days total.

12 6. The Department and the Board investigators shall each make a determination and
13 recommendation to the Board of the merit of the complaint after the completion of their inquiry as
14 a part of the joint investigation. This shall mean when either the Board or the Department has
15 completed its inquiry. The completion of questioning by the Board or the Department shall not
16 constitute the completion of the joint investigation or the questioning of the other.

17 7. The Board shall review findings and recommendations made by the Department and Board
18 investigators after the joint investigation, determine if additional information is needed, or
19 additional witnesses should be interviewed, [or] accept the report of the Department, **accept the**
20 **report of the Board investigators, or accept a combination of the two. The Board shall make**
21 **recommendations concerning discipline. If the Board findings differ from the report received**
22 **by Department investigators, representatives of the Board and the Department shall confer to**

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1 **discover if any reconciliation of differences is possible. A report of said meeting shall be given**
2 **to the Board at its next meeting. The Board shall then vote to amend or retain its findings and**
3 **recommendations. Final findings and recommendations shall be submitted to the Chief.**

4 [and make recommendations to be submitted to the Chief of Police.]

5 8. The Board shall review the findings and recommendations of the Internal Affairs Division of the
6 Department and the Board investigators at the next scheduled Board meeting following the Board
7 receiving such findings and recommendations.

8 9. If the Board determines by majority vote that additional information is needed it may submit
9 additional questions to the Department and the Board investigators. The joint investigators shall
10 attempt to acquire this additional information or interview additional witnesses, and submit new
11 findings and recommendations to the Board. All rules pertaining to a joint investigation apply to
12 this additional fact finding. This process may be repeated as necessary.

13 10. If the Board is not satisfied after the additional fact finding it may by majority vote conduct an
14 independent investigation as prescribed in this ordinance and make findings and recommendations
15 upon its completion to be submitted to the Chief of the Police. The Board investigators shall be
16 permitted to call complainants, witnesses, and representative employees of the Department, ask
17 questions, take sworn testimony as part of these interviews and have access to all documents, tapes
18 and recordings acquired and relevant to the joint investigation. The Board shall assign an
19 investigator previously uninvolved with the joint investigation to any independent investigation.

20 Hearings for such independent investigations shall be held in a closed session of the Board attended
21 by board members, **witnesses** and staff designated by the Board.

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1 11. A complainant at any time may agree to or request mediation in lieu of an investigation. The
2 Board or the Department may also recommend mediation. Mediation may only take place if the
3 complainant and subject of the complaint so agree.

4 12. After completion of all investigations, a majority of all of the members of the Board shall
5 determine, based on a preponderance of the evidence, its findings and recommendations. A written
6 statement indicating such findings and recommendations shall be forwarded to the Chief of
7 Police and the complainant. The Chief shall not act on this report for a ten day period to allow for
8 the filing of an appeal by the complainant.

9 13. The Chief of Police shall refrain from any [final] disposition of the case or disciplinary action
10 until after studying the Board's review process, findings and recommendations unless such
11 disciplinary action is deemed necessary for the temporary protection of the public welfare. A final
12 action by the Chief shall not take place until after the Board's recommendation.

13 14. Board independent investigation of any complaint shall be postponed, if grand jury
14 proceedings are initiated against the subject officer, until the conclusion of all criminal proceedings
15 relating to an officer's conduct in the incident or complaint.

16 15. Complainants may appeal the Board's decision during a ten day period following official
17 notification of the Board's decision. Grounds for appeal must consist of the presentation of new
18 evidence or a showing of inadequate investigative work. An investigator different from the original
19 investigator on the case as selected by the Board and/or set forth in Board rules and procedures will
20 examine the appeal and present that information to the Board for reevaluation.

21 SECTION SIX. Cooperation of Department

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- 1 1. It shall be the duty of the Department to provide such assistance as the Board may reasonably
2 request, to cooperate fully with investigations by the Board, and to provide to the Board, upon
3 request, records and other materials which are necessary for the investigation of complaints
4 submitted pursuant to this section. Cooperation of subject officers will be a condition of
5 employment with the Department.
- 6 2. The Chief of Police shall ensure that officers and employees of the Department appear before
7 and respond to inquiries of the Board and its civilian investigators in connection with the
8 investigation of complaints submitted pursuant to this section, provided that such inquiries are
9 conducted in accordance with department procedures for interrogation of members.
- 10 3. The Chief of Police shall report, in writing to the Board and to the Commission any actions taken
11 in cases in which the Board submitted a finding or recommendation to the Chief of Police with
12 respect to a complaint or police policy recommendation. If the Chief's actions related to a
13 complaint are contrary to the Board's recommendations the Chief shall provide an explanation to
14 the Board.
- 15 4. The provisions of this section or these articles shall not be construed to limit, interfere, or impair
16 the authority or duties of the Chief of Police and Commission to discipline members of the
17 Department. The provisions of this section or these articles shall not be construed to limit or impair
18 the rights of members of the Department with respect to disciplinary action, including, but not
19 limited to the right of notice and hearing, which may be established by any provision of law or
20 otherwise.

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1 5. The provisions of this section shall not be construed to prevent or hinder the investigation or
2 prosecution of members of the Department for violations of law by any court of competent
3 jurisdiction, a grand jury, circuit attorney, or other authorized officer, agency, or body.

4 SECTION SEVEN. Administrative Structure

5 The Board shall be authorized to employ a director, who shall have professional experience related
6 to investigations and office management and who does not have prior law enforcement experience.

7 The director shall appoint such administrative personnel as needed to effectively administer the
8 duties of the Board. This shall include both office staff and investigators. No employee engaged in
9 investigation of any complaint may be or have been an employee of any law enforcement agency.

10 Personnel shall be hired in conformity with the rules and regulations of the Personnel Department
11 of the City. [The salaries of such administrative personnel and all expenses incurred by the Board
12 in fulfilling the duties prescribed by this ordinance shall be paid directly from the general revenue
13 of the City as provided for in Section 590.653 RSMo.] The salaries of the administrative employees
14 shall be commensurate with the duties and responsibilities of the respective positions. The Board
15 may accept grants gifts or bequests, public or private, to help finance its activities. The Board may
16 incur such expenses, sufficient to allow fulfillment of Board responsibilities under this ordinance,
17 as are approved by the normal budgetary procedures of the City of St. Louis.

18 SECTION EIGHT. Confidentiality

19 1. The Department shall when submitting information to the Board place identifying marks on any
20 confidential information.

21 2. The Board shall be subject to the provisions of Chapter 610 of the Revised Code of the State of
22 Missouri.

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1 3. The Board in reviewing or investigating any complaint which contains references to personnel
2 records or any records which are protected from disclosure by law shall hold closed meetings in
3 compliance with Section 610.021 RSMo. The confidentiality of any file, record, or other data
4 received by the Board in its review or investigation of an incident or a complaint shall be strictly
5 maintained by every member of the Board and its employees.

6 4. It shall be a violation of this ordinance for any Board member to disclose confidential
7 information to anyone other than another Board member, its hired employees, a member of the
8 Commission, **authorized police personnel** or as compelled testimony in a court proceeding. Any
9 Board member or employee who is found guilty of such unlawful disclosure shall be subject to
10 sanctions as set forth in rules and regulations of the Board. As defined in Chapter 610 RSMo., the
11 members of the Board shall not be deemed the custodian of any records reviewed or prepared by
12 the St. Louis Metropolitan Police Department in response to a complaint.

13 SECTION NINE. Severability Clause

14 The provisions of this ordinance shall be severable. In the event that any provision of this
15 ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining
16 provisions of this ordinance are valid unless the court finds the valid provisions of this ordinance
17 are so essentially and inseparably connected with, and so dependent upon, the void provision that it
18 cannot be presumed that the Board of Aldermen would have enacted the valid provisions without
19 the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and
20 incapable of being executed in accordance with the legislative intent.

21 SECTION TEN. Effective date

22 **The provisions of this ordinance shall become effective upon the approval, by a**

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1 majority of the members of the Commission, of a resolution specifically citing this ordinance
2 and adopting such provisions without amendment, and shall remain in effect until such time
3 as a majority of the members of the Commissioner shall, by resolution, rescind it's adoption
4 of such provisions.

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