Ordinance No. 544

An Ordinance to Amend Article V Supplementary District Regulations 230-28 Off-Street Parking and Loading Requirements Section (A)(15) in a Downtown Gateway District; Subsection (a) Parking Requirements for specific uses are as follows – [5] Apartments

WHEREAS, the Council of The City of New Castle ("City Council") possesses the authority to adopt, amend, modify, or repeal The City of New Castle Municipal Code ("Code");

WHEREAS, Article V Supplementary District Regulations 230-28 (A)(15)(a)[5] being updated to remove this provision and will rely on the provision under 230-28 (A)(1) Residential structures (e) Multiple dwellings: two spaces per unit.

NOW, THEREFORE, making the express finding that the Proposed Changes outlined below enhance the health, safety, and welfare of the City of New Castle, the City Council of The City of New Castle hereby ordains and adopts the following Code changes and revisions:

Section 1.

Remove the entire section: 230-28 (A)(15)(a)[5] - Apartments: 1.5 spaces per unit; replace with "Omitted."

<u>Section 2.</u> Inconsistent Ordinances and Resolutions Repealed. All Ordinances or parts of Ordinances and all resolutions or parts of resolutions that may be in direct conflict herewith are hereby repealed.

<u>Section 3</u>. Severability. The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent

upon, the unconstitutional or void provision that it cannot be presumed that City Council would have enacted the remaining valid provisions without the unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with City Council's intent.

Section 3. Effective Date. This Ordinance shall become effective immediately upon its adoption by City Council.

First ReadingNovember 14, 2023Second ReadingFebruary 13, 2024

Signed this 13th day of February, 2024

Suzanne Souder, President of Council

Attest:

Courtaney Taylor, City Clerk

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Approved:

Valarie Leary, Mayor