



Legislation Text

File #: 17-296, **Version:** 1

ORDINANCE Amending Title 1, Chapter 12 of the San Leandro Municipal Code Relating to “Citation - Violations” and Title 3, Chapter 2 of the San Leandro Municipal Code Relating to Weed Abatement (Modifications are recommended to the City’s Code Enforcement and Weed Abatement Ordinances in order to improve and streamline the enforcement process)

WHEREAS, the City of San Leandro (the “City”) adopted a Code Enforcement Ordinance to provide the City with criminal, civil, and administrative remedies for violations of the City’s Municipal Code, Zoning Code, Administrative Code, all incorporated Uniform Codes, and any applicable state laws and regulations (collectively the “Codes”); and

WHEREAS, the City Council has determined that enforcement of the Codes throughout the City is an important public service and is vital to the protection of the public’s health, safety, and welfare; and

WHEREAS, the Code Enforcement Ordinance provides for administrative enforcement of the Codes; and

WHEREAS, certain aspects of the Code Enforcement Ordinance are outdated and require clarification; and

WHEREAS, the City seeks to streamline the process for administrative enforcement of the Code Enforcement Ordinance while still providing individuals with due process; and

WHEREAS, the City of San Leandro desires to modify the provisions in the Code Enforcement Ordinance and the Weed Abatement Ordinance and revise existing provisions in order to streamline the process for administrative enforcement of the Codes and in order to streamline the process for enforcement of the Codes; and

WHEREAS, the amendments to the Municipal Code propose to amend Chapter 1-12 and amend Chapter 3-2 as shown in Exhibit A and in red-line in Exhibit B for reference, which exhibits are attached and incorporated herein by reference.

Now, therefore, the City Council of the City of San Leandro does ordain as follows:

SECTION 1. Recitals. The above recitals are true and correct and made a part of this ordinance.

SECTION 2. CEQA. Approval of the amendments is exempt from further environmental review under the general rule in California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) that CEQA only applies to projects that have the potential for causing a significant effect on the environment. As a series of text amendments and additions, it can be seen with certainty that

there is no possibility that the ordinance will have a significant effect on the environment.

SECTION 3: Approval. The City Council hereby approves the amendments to the Municipal Code, more particularly, amending Chapter 1-12 and Chapter 3-2, as shown in attached Exhibit A, which is incorporated herein by reference and available for review in the City Clerk's office during normal business hours.

SECTION 4: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of San Leandro hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof is declared invalid or unenforceable.

SECTION 5: Publication and Effective Date. This Ordinance shall take effect thirty (30) days after adoption. The title thereof shall be published once and a complete copy thereof shall be posted on the City Council Chamber bulletin board for five (5) days prior to adoption.

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