



## **Staff Report**

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### DISCUSSION AND DIRECTION REGARDING MUNICIPAL CODE REVISION PROCESS

Honorable Mayor and Council Members:

#### **Summary**

The table attached to this report summarizes the status of the ongoing Municipal Code update process. Staff requests direction to prioritize revisions to the remaining portions of the Municipal Code, and any new or additional ordinances to propose.

#### **Background**

Over the past several years, the City Attorney's office has been proposing revisions to the City's Municipal Code pursuant to the priority calendar schedule. Revisions to existing chapters are brought to the City Council for review approximately four times per year. Recent updates have included Motor Vehicle Weights and Routes, On Street Parking, Fortune Telling, the Animal Control Ordinance, and various clean up provisions.

In addition, the City Attorney's office has worked on introduction and adoption of ordinances and policies relating to last year's initiative ballot measure, the finance commission, pygmy goats, AB1234, noise control, and the new administrative code enforcement process.

Over the past 18 months, various staff and council members have suggested possible implementation of new ordinances as issues have arisen. For example, ordinances regarding regulation of wood burning fireplaces, signs, campaign contributions, regulation of cell towers, and disclosure of Building/Planning records in connection with residential real estate sales have all been suggested.

Staff is now requesting direction on which Municipal Code ordinances should be revised next, as well as any direction regarding study or review of new ordinances. It should be noted that changes to the Zoning or Subdivision ordinances have not been part of the Municipal Code update process, because these ordinances are within the purview of the Community Development Department. Significant staff resources from that department would be required for revisions to those ordinances. However, revisions to the Municipal Code also involve significant staff time from the affected department.

**General Plan/Vision Statement**

Updating the City's ordinances is consistent with the general plan.

**Fiscal Impact**

The City Attorney's office has not separately billed for revisions to the Municipal Code. These services are covered under the City Attorney's retainer.

**Public Contact**

Posting of City Council Agenda.

**Recommendation**

Staff recommends that the City Council discuss the priorities for next revisions to the Municipal Code, and provide any additional direction.

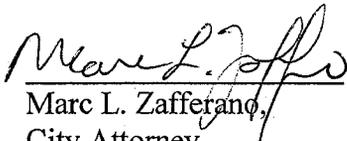
**Alternatives**

1. Instruct staff to discontinue revisions to Municipal Code.

**Attachments**

- A. Table showing chapters of Municipal Code, date last amended, and comments for discussion.

Respectfully submitted,

  
Marc L. Zafferano  
City Attorney

**ATTACHMENT A**

Table showing chapters of Municipal Code, date last amended,  
and comments for discussion.

Chapter	Title	Date Last Amended	Comments
Chapter 1	General Provisions	1961	Council call-up section revised in 1990.
Chapter 2	Administration	2002	Further clean-up revisions completed in 2006.
Chapter 3	Advertising	Reserved	
Chapter 4	Amusements	1961-1980	Dancing and Adult Entertainment revised in 1961 and 1980, respectively; Bingo revised in 1977; Mechanical Amusements revised in 1961.
Chapter 5	Animals and Fowl	2003	Additional Animal Control Ordinance adopted in 2005.
Chapter 5.5	Reserved	Reserved	
Chapter 6	Bicycles	2003	Appears current.
Chapter 7	Buildings	1961-2004	Contains 13 Chapters: Ch. 3 (Property Development), Ch. 7 (Historic Structures) may be appropriate for review.
Chapter 8	Civil Defense and Disaster Relief	1961; 1975	Civil defense shelter sections outdated from 1961; sections re city emergency services revised in 1975 and probably outdated.
Chapter 8.5	Control of Campaign Contributions	1986	There is significant 1st Amendment law in this field since last revisions.
Chapter 9	Grading	1961; 1991	Most provisions revised in 1991.
Chapter 10	Fortunetelling and Occult Practices	1961	Council reviewed in November 2005 and directed revisions for introduction.
Chapter 11	Health and Sanitation	1961; 1977	Refers to County ordinances which may have been superceded.
Chapter 12	Licences	1976-1993	Sections revised over past decades; unclear if Finance Department would prefer revisions.
Chapter 13	Massage Establishments	2003	Significant revisions; used successfully by police department.
Chapter 14	Motor Vehicles and Traffic	2006	Relevant provisions brought current.
Chapter 15	Offenses-Miscellaneous	1980-1998	Some sections may be out of date.
Chapter 15.5	Overhead Utility Facilites	2003	Complete revisions done.
Chapter 16	Parks and Recreation	1974; 1989	Review with new Director recommended.
Chapter 17	Planning	1961	Relevant provisions have been superceded and now found elsewhere.
Chapter 18	Police	1961; 1990	Most sections focus on alarm systems at residential and commercial buildings.
Chapter 19	Real Estate Dealers	1961	Requires payment of fees; possible implications for signs.
Chapter 20	Regulation of Sales	1961	Review recommended.
Chapter 20.5	Regulation of Smoking	1993	Some cities have adopted more stringent regulations.
Chapter 21	Sewers and Sewage Disposal	2000	Complete revisions done.
Chapter 22	Streets and Sidewalks	1991; 2003	Complete revisions done; section on political signs should be reviewed

Chapter 23	Taxation	1961-1978	Sections revised over past decades; unclear if Finance Department would prefer revisions.
Chapter 24	Taxicabs	1961	Liability provisions outdated.
Chapter 25	Trees	1998	Complete revisions done.
Chapter 25.5	Water Conservation	1981	Unclear if further revisions necessary.
Chapter 26	Wells	1961	Possibly inconsistent with County ordinances.
Chapter 27	Wrecked, Dismantled or Inoperable Vehicles	1977	Review with Police Department recommended.
Chapter 28	Handbills	2002	Complete revisions done.
Chapter 29	Newsracks	1998	Significant first amendment implications involved in revisions.