

03-5-13  
12-A

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CODE SECTION 8.52.030 TO MAKE VIOLATIONS OF APPROVED CITY PERMITS A NUISANCE FOR MUNICIPAL CODE ENFORCEMENT

**WHEREAS**, on September 18, 2012, the City Council initiated amendment to Title 8 of the Municipal Code to give staff new tools to enforce City permit violations that are more efficient and less punitive than current options, limited to permit revocation procedures; and

**WHEREAS**, the permit revocation process is often a long, arduous, costly process; and

**WHEREAS**, this ordinance allows the City to issue corrective notices and administrative citations. This is not possible under current code. In providing new enforcement options, it is likely for violations to be addressed quicker with less financial impacts; and

**WHEREAS**, staff reviewed other City municipal codes to understand how other Cities address permit violations, and determined the Municipal Code should be amended as proposed; and

**WHEREAS**, the proposed code amendments are not defined as a project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 21065, therefore the request is not subject to CEQA; and

**WHEREAS**, on February 19, 2013, the City Council held a duly noticed public hearing on the subject application, and considered evidence presented by City staff; and

**NOW, THEREFORE**, the City Council of the City of San Clemente, California, hereby ordains as follows:

**Section 1:** Subsection (Y) is hereby added to Section 8.52.030 of San Clemente Municipal Code as follows:

- Y. A structure, improvement, property, and/or land use not in compliance with terms and/or conditions of any City of San Clemente issued permit or approval.

**Section 2:** The City Clerk shall certify to the passage of this ordinance and cause the same to be published as required by law, and the same shall take effect as provided by law.

12-A-1

APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

STATE OF CALIFORNIA            )  
COUNTY OF ORANGE            ) ss.  
CITY OF SAN CLEMENTE         )

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. \_\_\_\_\_ having been regularly introduced at the meeting of \_\_\_\_\_, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and said ordinance was adopted by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CITY CLERK of the City of  
San Clemente, California

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

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