

**ORDINANCE NO. \_\_\_\_\_**

**ONE YEAR EXTENSION OF ORDINANCE NO. 1111 BEING AN INTERIM URGENCY ORDINANCE OF THE CITY OF BEAUMONT, ENACTING A TEMPORARY MORATORIUM PROHIBITING PUBLIC STORAGE FACILITIES, MOVING AND STORAGE ESTABLISHMENTS, AUTOMOBILE PARKING FACILITIES (INCLUDING RECREATIONAL VEHICLES), TRUCK STOPS AND TERMINALS AND BUILDING STORAGE YARDS, PURSUANT TO GOVERNMENT CODE SECTION 65858.**

**THE CITY COUNCIL OF THE CITY OF BEAUMONT DOES ORDAIN  
AS FOLLOWS:**

**WHEREAS**, on October 15, 2019, the City Council of the City of Beaumont adopted as an urgency measure Interim Ordinance No. 1111 temporarily restricting the granting of any building permit, business permit, conditional use permit, or any entitlement for establishing or expanding any public storage facilities, moving and storage establishments, automobile parking facilities, truck stops and terminals and building material yards anywhere in the City of Beaumont; and

**WHEREAS**, pursuant to Government Code section 65858(a), Interim Ordinance No. 1111 shall be of no further force and effect 45 days from its date of adoption, November 29, 2019, unless otherwise extended after notice and public hearing pursuant to Government Code section 65090; and

**WHEREAS**, on November 8, 2019, staff published notice of a public meeting to consider an extension of Interim Ordinance No. 1111(Ordinance No. 1114) in accordance with Government Code Section 65090;

**WHEREAS**, on November 19, 2019, the City Council of the City of Beaumont adopted urgency measure Interim Ordinance No. 1114 to extend the temporary restriction of granting of any building permit, business permit, conditional use permit, or any entitlement or expanding any public storage facilities, moving and storage establishments, automobile parking facilities, truck stops and terminals, a building material yards in the City of Beaumont for an additional ten (10) months and fifteen (15) days, commencing on November 29, 2019; and

**WHEREAS**, on September 25, 2020, the staff published notice of a public hearing to consider an extension of Interim Ordinance 1111 in accordance with Government Code Section 65090;

**WHEREAS**, on October 6, 2020, the City Council received a report from staff dated October 6, 2020 requesting that the City Council extend the term of Interim Ordinance No. 1111 beyond November 29, 2019 for one (1) year and describing the measures taken to alleviate the condition which led to the adoption of Interim Ordinance No. 1111; and

**WHEREAS**, on October 6, 2020, the City Council held a duly noticed public hearing and took testimony regarding Interim Ordinance No. 1111; and

**WHEREAS**, after considering the report from staff and hearing public comments, the City Council finds that the causes for adopting the interim ordinance have not been alleviated, and that there is a current and immediate threat to the public health, safety, and welfare of the City to justify an extension of Interim Ordinance No. 1111 for an additional year, commencing on October 15, 2020; and

**WHEREAS**, an extension of Interim Ordinance No. 1111 requires a four-fifths vote of the City Council for adoption.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BEAUMONT DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council finds and determines the foregoing recitals to be true and correct and hereby incorporates them into this ordinance.

**SECTION 2.** Interim Ordinance No. 1111, adopted by the City Council on October 15, 2019, and Interim Ordinance No. 1114, adopted on November 19, 2019, is hereby extended for an additional one (1) year period, commencing from October 15, 2020, and ending on October 15, 2021.

**SECTION 3.** This Ordinance, extending Interim Ordinance No. 1111, shall be introduced, passed and adopted at one and the same meeting and shall become effective immediately.

**SECTION 4.** 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 Beaumont 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 be declared invalid or unenforceable.

**SECTION 5.** The City Clerk shall certify that this Interim Ordinance was passed, approved and adopted by the City Council of the City of Beaumont at a regular meeting thereof held October 6, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Rey Santos, Mayor

Attest: \_\_\_\_\_

Deputy City Clerk

Approved as to form:

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John O. Pinkney, City Attorney