

ORDINANCE NO. _____

**TEN MONTH AND FIFTEEN DAY EXTENSION OF
ORDINANCE NO. 1121 BEING AN INTERIM URGENCY
ORDINANCE OF THE CITY OF BEAUMONT, ENACTING
A TEMPORARY MORATORIUM PROHIBITING TIRE
SALES AND TIRE REPAIR ESTABLISHMENTS,
PURSUANT TO GOVERNMENT CODE SECTION 65858.**

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

WHEREAS, on March 3, 2020, the City Council of the City of Beaumont adopted as an urgency measure Interim Ordinance No. 1121 temporarily restricting the granting of any building permit, business permit, conditional use permit, or any entitlement for establishing or expanding any tire sales or tire repair establishments anywhere in the City of Beaumont; and

WHEREAS, pursuant to Government Code section 65858(a), Interim Ordinance No. 1121 shall be of no further force and effect 45 days from its date of adoption, March 3, 2020, unless otherwise extended after notice and public hearing pursuant to Government Code section 65090; and

WHEREAS, on March 27, 2020 the staff published notice of a public meeting to consider an extension of Interim Ordinance 1121 in accordance with Government Code Section 65090; and

WHEREAS, on April 7, 2020, the City Council received a report from staff dated April 7, 2020 requesting that the City Council extend the term of Interim Ordinance No. 1121 beyond April 17, 2020 for ten (10) months and fifteen (15) days and describing the measures taken to alleviate the condition which led to the adoption of Interim Ordinance No. 1121; and

WHEREAS, on April 7, 2020, the City Council held a duly noticed public hearing and took testimony regarding Interim Ordinance No. 1121; 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. 1121 for an additional ten (10) months and fifteen (15) days, commencing on April 17, 2020; and

WHEREAS, an extension of Interim Ordinance No. 1121 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. 1121, adopted by the City Council on March 3, 2020, is hereby extended for an additional ten (10) months and fifteen (15) days, commencing from April 17, 2020 and ending on March 3, 2021.

SECTION 3. This Ordinance, extending Interim Ordinance No. 1121, 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 April 7, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Rey Santos, Mayor

Attest: _____
Deputy City Clerk

Approved as to form:

John O. Pinkney, City Attorney