

ORDINANCE NO. \_\_

**AN ORDINANCE OF THE CITY OF BEAUMONT AMENDING THE BEAUMONT MUNICIPAL CODE TO AMEND CHAPTER 1.16 ENTITLED “GENERAL PENALTY” AND MAKING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

THE CITY COUNCIL OF THE CITY OF BEAUMONT HEREBY ORDAINS AS FOLLOWS:

**Section 1. Findings.**

(a) In March 2002, a municipal code ordinance was enacted governing the penalties for failing to comply with any of the mandatory requirements of the ordinances of the City of Beaumont (“City”).

(b) City desires to add section 1.16.030.C to the Beaumont Municipal Code to add penalties for the possession or use of illegal fireworks in the City consistent with the City’s efforts to enforce the City’s ordinances regarding possession and or use of illegal fireworks in the City.

(c) The City desires to amend the Beaumont Municipal Code to repeal and replace chapter 1.16, to enforce and ensure compliance with the Beaumont Municipal Code chapter 9.41, Fireworks.

**Section 2. CEQA.** The City Council hereby finds and determines that adoption of this ordinance is not a project within the meaning of section 15378 of the Guidelines for Implementation of the California Environmental Quality Act (“CEQA Guidelines”) because it has no potential for resulting in physical change in the environment, either directly or ultimately. The City Council also finds the approval of this ordinance is exempt under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the adoption of this ordinance may have a significant effect on the environment

**Section 3. Repeal and Replace Chapter 5.64.** The City Council hereby repeals Chapter 1.16 of the Municipal Code, General Penalty, in its entirety, and replaces with a new Chapter 1.16 of the Municipal Code, General Penalty as set forth in Exhibit “A” attached hereto and made a part hereof by this reference.

**Section 4. Severability.** If any sentence, word, phrase, section or provision of this ordinance is held invalid by a court of competent jurisdiction, such provision shall be considered a separate, distinct and independent provision and such holding shall not affect the validity and enforceability of the other provisions of this ordinance.

**Section 5. Publication and Certification.** The City Clerk shall cause this ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this ordinance, and shall cause this ordinance and certification,

together with proof of publication, to be entered in the book of ordinances of the Council of this City.

**Section 6. Effective Date.** This ordinance shall take effect thirty-one days after its adoption.

**NOW, THEREFORE, BE IT ORDAINED** that the City Council of the City of Beaumont, California, approves an amendment to the City Code.

**INTRODUCED AND READ** for the first time and ordered posted at a regular meeting of the City Council of the City of Beaumont, California, held on the \_\_\_\_ day of \_\_\_\_\_ 2022, by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Beaumont, California, held on the \_\_\_\_ day of \_\_\_\_\_, 2022.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Lloyd White, Mayor

Attest: \_\_\_\_\_  
Nicole Wheelwright, Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
John O. Pinkney, City Attorney