

## **ORDINANCE NO. 816**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY REPEALING AND RENUMBERING ORDINANCES**

WHEREAS, it has been discovered that various ordinances have been assigned duplicate numbers;

WHEREAS, the City of Grass Valley seeks to clarify the numbering errors on the various ordinances (Exhibit A); and

WHEREAS, the duplicate numbering is a clerical error and the ordinances are to be substantively unchanged with their original effective dates.

NOW THEREFORE, the City Council of the City of Grass Valley does ordain as follows:

**SECTION 1. RENUMBERING ORDINANCE.** Ordinance No. 746-U, introduced and adopted on October 8, 2013, titled An Ordinance of the City Council of the City of Grass Valley Urgency Ordinance Adopting Chapter 2.05 Establishing the Position of City Manager is hereby renumbered as Ordinance No. 746-UA.

**SECTION 2. RENUMBERING ORDINANCE.** Ordinance No. 746-U, introduced and adopted on November 26, 2013, titled An Ordinance of the City Council of the City of Grass Valley Urgency Ordinance Updating Chapter 13.12 Sewer Service System for Industrial or Commercial Users is hereby renumbered as Ordinance No. 746-UB.

**SECTION 3. RENUMBERING ORDINANCE.** Ordinance No. 752, introduced on January 28, 2014, and adopted on February 11, 2014, titled An Ordinance of the City Council of the City of Grass Valley Amending Grass Valley Municipal Code Title 2 ("Administration and Personnel"), Chapter 2.34 ("Personnel Commission"), Section 2.34.030 ("Powers of the Commission") is hereby renumbered as Ordinance No. 752A.

**SECTION 4. RENUMBERING ORDINANCE.** Ordinance No. 752, introduced on March 11, 2014, and adopted on March 25, 2014, titled An Ordinance of the City Council

of the City of Grass Valley Approving A Zoning Map Amendment Rezoning 416 Acres of Land Within the City Sphere of Influence is hereby renumbered as Ordinance No. 752B.

**SECTION 5. RENUMBERING ORDINANCE.** Ordinance No. 764, introduced on October 13, 2015, and adopted on November 10, 2015, titled An Ordinance of the City Council of the City of Grass Valley Amending Section 8.12.050 of the Grass Valley Municipal Code Regarding Director and Assistant Director of Emergency Services is hereby renumbered as Ordinance No. 764A.

**SECTION 6. RENUMBERING ORDINANCE.** Ordinance No. 764, introduced on February 9, 2016, and adopted on February 23, 2016, titled An Ordinance of the City Council of the City of Grass Valley Adding Chapter 5.60 And Amending Chapter 17.20 of the Grass Valley Municipal Code Regarding Marijuana Delivery, Cultivation and Dispensaries and Finding the Ordinance is Exempt from Review Under the California Environmental Quality Act (CEQA) Sections 15061(b)(3), 15305, 15307, And 15308 of the CEQA Guidelines is hereby renumbered as Ordinance No. 764B.

**SECTION 7. RENUMBERING ORDINANCE.** Ordinance No. 799, introduced on October 11, 2016, and adopted on October 25, 2016, titled An Ordinance of the City Council of the City of Grass Valley Amending Portions of Chapter 13.20 Industrial Wastewater of the Grass Valley Municipal Code is hereby renumbered as Ordinance No. 779.

**SECTION 8. RENUMBERING ORDINANCE.** Ordinance No. 782, introduced on January 17, 2017, and adopted on January 25, 2017, titled An Ordinance of the City Council of the City of Grass Valley Amending Chapter 5.18 of the Grass Valley Municipal Code and Adding Chapter 5.19 Regarding State Video Franchises is hereby renumbered as Ordinance No. 782A.

**SECTION 9. RENUMBERING ORDINANCE.** Ordinance No. 782, introduced on April 11, 2017, and adopted on April 25, 2017, titled An Ordinance of the City Council of the City of Grass Valley Rescinding Ordinance No. 775 Approving a Rezone (Text Amendment) for the Whispering Pines Specific Plan SP-1A Zone to Allow SP-1B Manufacturing/Processing and Manufacturing/Small Shop Uses is hereby renumbered as Ordinance No. 782B.

**SECTION 10. RENUMBERING ORDINANCE.** Ordinance No. 788, introduced and adopted on August 8, 2017, titled An Ordinance of the City Council of the City of Grass Valley Amending Sections 10.60.010, 10.60.020, 10.60.030, and 10.80.010 and Adding Sections 10.60.040 and 10.60.050 of the Grass Valley Municipal Code Regarding Camping and Use of Automobiles, Campers, and Trailers for Human Habitation on Public and Private Property is hereby renumbered as Ordinance No. 788A.

**SECTION 11. RENUMBERING ORDINANCE.** Ordinance No. 788, introduced on January 23, 2018, and adopted on February 13, 2018, titled An Ordinance of the City Council of the City of Grass Valley Amending Sections 10.48.030 and 10.48.110 Regarding Parking Penalties is hereby renumbered as Ordinance No. 788B.

**SECTION 12. RENUMBERING ORDINANCE.** Ordinance No. 793, introduced on May 22, 2018, and adopted on June 12, 2018, titled An Ordinance of the City Council of the City of Grass Valley Amending Sections 12.32.110 and 12.32.120 and Adding Section 12.32.130 Regarding Park and Recreational Area Regulations is hereby renumbered as Ordinance No. 793A.

**SECTION 13. RENUMBERING ORDINANCE.** Ordinance No. 793, introduced and adopted on April 9, 2019, titled An Ordinance of the City Council of the City of Grass Valley Urgency Ordinance Amending 17.46 Regarding Telecommunications Facilities Applications and Amending the Definition of Telecommunication Facilities in Section 17.100.020 is hereby renumbered as Ordinance No. 793B.

**SECTION 14. RENUMBERING ORDINANCE.** Ordinance No. 794, introduced on June 26, 2018, and adopted on July 10, 2018, titled An Ordinance of the City Council of the City of Grass Valley Amending Chapter 9.10 of Title 9 Allowing Massage Establishment Hours of Operations Between Seven AM and Nine PM is hereby renumbered as Ordinance No. 794A.

**SECTION 15. RENUMBERING ORDINANCE.** Ordinance No. 794, introduced and adopted on May 14, 2019, titled An Ordinance of the City Council of the City of Grass Valley Extension of Telecommunications Urgency Ordinance is hereby renumbered as Ordinance No. 794B.

**SECTION 16. RENUMBERING ORDINANCE.** Ordinance No. 795, introduced on July 10, 2018 and adopted on July 24, 2018, titled An Ordinance of the City Council of the City of Grass Valley Repealing Ordinance No. 740 Effective September 30, 2018 and Enacting General Transactions and Use Tax to be Administered by the California Department of Tax and Fee Administrations Adopted by the Electorate on June 5, 2018 is hereby renumbered as Ordinance No. 795A.

**SECTION 17. RENUMBERING ORDINANCE.** Ordinance No. 795, introduced on September 10, 2019, and adopted on September 24, 2019, titled An Ordinance of the City Council of the City of Grass Valley Amending the Grass Valley Zoning Map Rezoning Scotten and Lyman Gilmore Schools and a Portion of Town Talk Road to be Deeded to River Valley Bank is hereby renumbered as Ordinance No. 795B.

**SECTION 18. CEQA FINDINGS.** This Ordinance is not a project within the meaning of Section 15378 of the CEQA (California Environmental Quality Act) Guidelines because it has no potential to result in physical change in the environment, directly or indirectly. This Ordinance is also exempt under CEQA Guideline 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

**SECTION 19. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person or circumstance is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons and circumstances. The City Council of the City of Grass Valley declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

**SECTION 20. EFFECTIVE DATE.** This Ordinance shall be in full force and effect 30 days after its adoption under Article VII, § 2 of the Grass Valley City Charter.

**SECTION 21. PUBLICATION.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published once in *The Union*, a newspaper of general circulation printed, published, and circulated within the City.

**INTRODUCED** and first read at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_ 2022.

**FINAL PASSAGE AND ADOPTION** by the City Council was at a meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINING:**

\_\_\_\_\_  
Ben Aguilar, Mayor

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
Michael G. Colantuono, City Attorney

\_\_\_\_\_  
Taylor Day, Deputy City Clerk

## EXHIBIT A

| Previous Ord No. | Current Ord. No. | Intro Date | Adoption Date | Ordinance Title                                                                                                                                                                                                                                                                                                                                                                      |
|------------------|------------------|------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 746-U            | 746-UA           |            | 10/8/2013     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY URGENCY ORDINANCE ADOPTING CHAPTER 2.05 ESTABLISHING THE POSITION OF CITY MANAGER                                                                                                                                                                                                                                       |
| 746-U            | 746-UB           |            | 11/26/2013    | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY URGENCY ORDINANCE UPDATING CHAPTER 13.12 SEWER SERVICE SYSTEM FOR INDUSTRIAL OR COMMERCIAL USERS                                                                                                                                                                                                                        |
| 752              | 752A             | 1/28/2014  | 2/11/2014     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING GRASS VALLEY MUNICIPAL CODE TITLE 2 ("ADMINISTRATION AND PERSONNEL"), CHAPTER 2.34 ("PERSONNEL COMMISSION"), SECTION 2.34.030 ("POWERS OF THE COMMISSION")                                                                                                                                                     |
| 752              | 752B             | 3/11/2014  | 3/25/2014     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY APPROVING A ZONING MAP AMENDMENT PREZONING 416 ACRES OF LAND WITHIN THE CITY SPHERE OF INFLUENCE                                                                                                                                                                                                                        |
| 764              | 764A             | 10/13/2015 | 11/10/2015    | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING SECTION 8.12.050 OF THE GRASS VALLEY MUNICIPAL CODE REGARDING DIRECTOR AND ASSISTANT DIRECTOR OF EMERGENCY SERVICES                                                                                                                                                                                            |
| 764              | 764B             | 2/9/2016   | 2/23/2016     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY ADDING CHAPTER 5.60 AND AMENDING CHAPTER 17.20 OF THE GRASS VALLEY MUNICIPAL CODE REGARDING MARIJUANA DELIVERY, CULTIVATION AND DISPENSARIES AND FINDING THE ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) SECTIONS 15061(b)(3), 15305, 15307, AND 15308 OF THE CEQA GUIDELINES |
| 779              | 779              | 10/11/2016 | 10/25/2016    | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING PORTIONS OF CHAPTER 13.20 INDUSTRIAL WASTEWATER OF THE GRASS VALLEY MUNICIPAL CODE                                                                                                                                                                                                                             |
| 785              | 785              | 8/8/2017   | 9/26/2017     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES, RETIREMENT SYSTEM (CalPERS)                                                                                                                                          |
| 782              | 782A             | 1/17/2017  | 1/25/2017     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING CHAPTER 5.18 OF THE GRASS VALLEY MUNICIPAL CODE AND ADDING CHAPTER 5.1.9 REGARDING STATE VIDEO FRANCHISEES                                                                                                                                                                                                     |
| 782              | 782B             | 4/11/2017  | 4/25/2017     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY RESCIND ORDINANCE NO. 775 APPROVING A REZONE (TEXT AMENDMENT) FOR THE WHISPERING PINES SPECIFIC PLAN SP - 1A ZONE TO ALLOW SP - 1B MANUFACTURING/PROCESSING AND MANUFACTURING - SMALL SHOP USES.                                                                                                                        |
| 788              | 788A             | 8/8/2017   | 8/8/2017      | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING SECTIONS 10.60.010, 10.60.020, 10.60.030, AND 10.80.010 AND ADDING SECTIONS 10.60.040 AND 10.60.050 OF THE GRASS VALLEY MUNICIPAL CODE REGARDING CAMPING AND USE OF AUTOMOBILES, CAMPERS, AND TRAILERS FOR HUMAN HABITATION ON PUBLIC AND PRIVATE PROPERTY                                                     |
| 788              | 788B             | 1/23/2018  | 2/13/2018     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING SECTIONS 10.48.030 AND 10.48.110 REGARDING PARKING PENALTIES                                                                                                                                                                                                                                                   |
| 793              | 793A             | 5/22/2018  | 6/12/2018     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING SECTION 12.32.110 AND ADDING SECTION 12.32.130 REGARDING PARK AND RECREATIONAL AREA REGULATIONS                                                                                                                                                                                                                |
| 793              | 793B             |            | 4/9/2019      | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY URGENCY ORDINANCE AMENDING 17.46 REGARDING TELECOMMUNICATIONS FACILITIES APPLICATIONS AND AMENDING THE DEFINITION OF TELECOMMUNICATION FACILITIES IN 17.100.020                                                                                                                                                         |
| 794              | 794A             | 6/26/2018  | 7/10/2018     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING CHAPTER 9.10 OF TITLE 9 ALLOWING MASSAGE ESTABLISHMENT HOURS OF OPERATIONS BETWEEN SEVEN AM AND NINE PM                                                                                                                                                                                                        |
| 794              | 794B             |            | 5/14/2019     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY EXTENSION OF TELECOMMUNICATIONS URGENCY ORDINANCE                                                                                                                                                                                                                                                                       |
| 795              | 795A             | 7/10/2018  | 7/24/2018     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY REPEALING ORDINANCE NO. 740 EFFECTIVE SEPTEMBER 30, 2018 AND ENACTING A GENERAL TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATIONS ADOPTED BY THE ELECTORATE ON JUNE 5, 2018                                                                                       |
| 795              | 795B             | 9/10/2019  | 9/24/2019     | AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING THE GRASS VALLEY ZONING MAP PREZONING SCOTTEN AND LYMAN GILMORE SCHOOLS AND A PORTION OF TOWN TALK ROAD TO BE DEEDED TO RIVER VALLEY BANK                                                                                                                                                                      |