

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
AMENDING SECTION 1.04.090 OF THE GARDEN GROVE MUNICIPAL CODE TO CLARIFY THAT
VIOLATIONS OF STATE LAW CONSTITUTE A NUISANCE

City Attorney's Summary

This Ordinance clarifies the penalty provisions of the Garden Grove Municipal Code to specify that violations of state law constitute a nuisance subject to City enforcement and abatement actions.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION 1. Code Amendment. Section 1.04.090 of the Garden Grove Municipal Code shall be amended to read as follows:

"Section 1.04.090: Injunctive and Other Relief

Any continuing or repetitive violation of this code or any state law or regulation is declared to be a public nuisance and the City Attorney or authorized legal representative may with approval of the City Council commence an action for abatement thereof or other enforcement relating thereto in the manner provided by law. A civil action may be filed, whether or not criminal proceedings have been commenced for the same conduct."

SECTION 2. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, 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. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 3. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the ____ day of _____.

ATTEST:

MAYOR

CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced and presented on June 14, 2011, with a vote as follows:

AYES:	COUNCIL MEMBERS:	(5)	BEARD, BROADWATER, JONES, NGUYEN, DALTON
NOES:	COUNCIL MEMBERS:	(0)	NONE
ABSENT:	COUNCIL MEMBERS:	(0)	NONE