

City of Garden Grove
INTER-DEPARTMENT MEMORANDUM

To:	Matthew J. Fertal	From:	John D.R. Clark
Dept:	City Manager	Dept:	Human Resources
Subj:	REVISION OF MUNICIPAL CODE: TITLE 1 AND TITLE 18	Date:	September 27, 2011

OBJECTIVE:

To secure City Council approval of an ordinance revising Titles 1 and 18 of the Municipal Code, pursuant to staff's omnibus revision of the code.

BACKGROUND:

As indicated in the City Council Study Session on August 23rd, staff from the City Clerk's Office and the City Attorney's Office are reviewing and revising the entire Municipal Code, a task last done in 1969. In the intervening 42 years, a great many statutory and organizational references have become out-of-date. Additionally, there are some instances when operational processes have changed, or where greater efficiency and efficacy would suggest process changes.

Because of the size of the code, staff will be bringing one or two titles at a time for City Council consideration. Each time, the staff report will highlight any substantive changes contained in the draft. In general, the vast majority of changes are "housekeeping" or stylistic in nature: e.g., changing the '60s-era "he/she" to the singular pronoun, and changing outdated names like Controller to Finance Department and Personnel to Human Resources, to name a few.

Each time a revision is agendized, it will be listed as a public hearing. Although most of the revisions can be accomplished through a normal ordinance process, there is the occasional section that requires a public hearing for statutory reasons, to be on the safe side and obviate the need to return in later meetings to "fix" an issue, all revisions will be set as public hearings.

DISCUSSION: TITLE 1 AND TITLE 18

Title 1

Title 1 sets some of the overall rules for the rest of the code, such as how an ordinance is constructed. It also contains a section on tax-setting rates that is superseded by Proposition 13, but should remain in the (unlikely) event that future legislative or judicial action makes changes to Prop. 13. Title 1 also contains the recently-revised chapter on administrative citations.

Substantive change:

In Chapter 22 (Administrative Citations), references to "City Clerk" have been replaced with "Finance Department" to correctly reflect the unit responsible for administration of the citation program.

Title 18


Title 18 is the building code for the City. The Building Division staff amends this title on a regular basis to reflect new codes published by the International Code Council. There are no substantive changes proposed in the revision.

FINANCIAL IMPACT:

None.

RECOMMENDED ACTIONS:

- Conduct the public hearing; and
- Introduce and conduct the first reading of the attached Ordinance amending Title 1 and Title 18 of the Garden Grove Municipal Code.



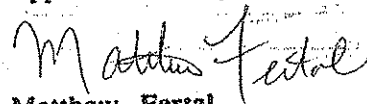
KATHY BAILOR, CMC
City Clerk



JOHN D.R. CLARK
Human Resources Director

Attachment: Proposed ordinance
"Redline" versions of Titles 1 and 18

Approved for Agenda Listing



**Matthew Fertal
City Manager**

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING TITLES 1 AND 18 OF THE GARDEN GROVE MUNICIPAL CODE TO REMOVE OBSOLETE REFERENCES, TO CONFORM REFERENCES TO CURRENT CITY ORGANIZATION AND PRACTICES, TO MAKE CONSISTENT WITH RECENT CHANGES IN STATE AND FEDERAL LAWS, AND TO MAKE OTHER NON-SUBSTANTIVE CHANGES.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the City of Garden Grove proposes amendments to Titles 1 and 18 of the Garden Grove Municipal Code to remove obsolete references, to conform references to current city organization and practices, to make consistent with recent changes in state and federal law, and to make other non-substantive changes;

WHEREAS, pursuant to a legal notice, a Public Hearing was scheduled on September 27, 2011, conducted by the City Council and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter.

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

Section 1. Code Amendment. Title 1 of the Garden Grove Municipal Code is hereby amended as shown in Exhibit "A" (new text in color/underline; deleted text in color/strikeout).

Section 2. Code Amendment. Title 18 of the Garden Grove Municipal Code is hereby amended as shown in Exhibit "B" (new text in color/underline; deleted text in color/strikeout).

Section 3. 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 4. 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.

REFERENCE TO ATTACHMENT FOR ITEM 5.A.

'REDLINE' VERSION OF TITLES 1 AND 18 ARE AVAILABLE
FOR REVIEW IN THE CITY CLERK'S OFFICE.