

**REGULAR**

**NUMBER**                   **197.11**

**TITLE:**                   **AN ORDINANCE OF THE CITY OF MILPITAS AMENDING SECTION 1.00 OF CHAPTER 3, TITLE VI OF THE MILPITAS MUNICIPAL CODE BY REORGANIZING THE BUILDING AND SAFETY DIVISION INTO A DEPARTMENT**

**HISTORY:**               This Ordinance was introduced (first reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by \_\_\_\_\_, and was adopted (second reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by \_\_\_\_\_. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Robert Livengood, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney

**RECITALS AND FINDINGS:**

**WHEREAS**, the Milpitas Municipal Code permits the City Manager to assign the work of City government functions to such departments authorized by the City Council; and

**WHEREAS**, it would promote the rational and efficient operation of City government to reorganize the Building and Safety Division into a formal City department.

**NOW THEREFORE**, the City Council of the City of Milpitas does ordain as follows:

**SECTION 1. RECORD AND BASIS FOR ACTION**

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

**SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE VI, CHAPTER 3**

Title VI, Chapter 3, Section 1.00 (“Establishment of Departments of City”) of the Milpitas Municipal Code is hereby amended with the addition of new text in the department list to read as follows:

K. Building and Safety

**SECTION 3. SEVERABILITY**

In the event any section or portion of this Ordinance shall be determined invalid or unconstitutional, such section or portion shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

**SECTION 4. EFFECTIVE DATE AND POSTING**

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.