

REGULAR

NUMBER: 279

TITLE: AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS REPEALING OUTDATED AND UNUSED SECTIONS OF THE MILPITAS MUNICIPAL CODE

HISTORY: This Ordinance was introduced (first reading) by the City Council of the City of Milpitas at its meeting of January 19, 2010, upon motion by Vice Mayor McHugh, and was adopted (second reading) by the City Council at its meeting of _____, upon motion by _____. The Ordinance was duly passed 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WHEREAS, certain provisions of the Milpitas Municipal Code have become outdated and unused, due to changes in state and federal law, technology, and other developments.

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. REPEALED SECTIONS

The following chapters and/or sections of the Milpitas Municipal Code are hereby repealed in their entirety: Chapter 100 of Title I (Administration); Chapters 100, 110, 130 and 140 of Title II (Building Regulations); and Chapters 11, 15 and 201 of Title V (Public Health, Safety and Welfare). However, all other sections of the Milpitas Municipal Code not mentioned herein are preserved and remain in full force and effect.

SECTION 3. SEVERABILITY

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

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.