

ORDINANCE NO. 3510 C.S.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY

REPEAL MONTEREY CITY CODE SECTION 20-86.3, WHICH ADOPTS A CALIFORNIA VEHICLE CODE SECTION THAT IS NO LONGER IN EFFECT, TO BRING MONTEREY'S PARKING ENFORCEMENT CODES CURRENT

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

SECTION 1:

WHEREAS, City Code section 20-86.3 references California Vehicle Code section 41102, which has itself been repealed by the California Legislature and has been inoperative since July 1993; and

WHEREAS, the City of Monterey determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CCR, Title 14, Chapter 3 ("CEQA Guidelines), Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY

SECTION 2: Monterey City Code Chapter 20, Section 86.3 is hereby repealed and deleted.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 3rd day of February, 2015, by the following vote:

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| AYES: | 5 | COUNCILMEMBERS: | Barrett, Downey, Haffa, Smith, Roberson |
| NOES: | 0 | COUNCILMEMBERS: | None |
| ABSENT: | 0 | COUNCILMEMBERS: | None |
| ABSTAIN: | 0 | COUNCILMEMBERS: | None |

APPROVED:

ATTEST:



Mayor of said City



City Clerk thereof

