

**ORDINANCE NO. \_\_\_\_\_ (N.C.S.)**

**AN ORDINANCE UPDATING CHAPTER 5 OF THE SALINAS MUNICIPAL CODE  
AND RECODIFYING VARIOUS CHAPTERS AND ARTICLES THEREOF**

*City Attorney Analysis*

*The proposed Ordinance continues the comprehensive update of the City Code. This proposed Ordinance results in the recodification of several Chapters and Articles, but does not change any of the content of any of the affected Articles or Chapters. As it currently exists and is codified, Chapter 13A (“Fireworks”) is the result of an initiative approved by Salinas’s voters in 2016.*

*Chapter 13A cannot be amended without voter approval. Similarly, existing Article IV of Chapter 6 was reviewed by the State Gaming Commission and any amendments would be subject to review by the State Gaming Commission prior to their approval by the City Council. No amendments are proposed to Article IV of Chapter 6 with this proposed Ordinance.*

**BE IT ORDAINED BY THE COUNCIL OF SALINAS** as follows:

**SECTION 1.** Article II is added to Chapter 5 and shall be titled “Fireworks.”

**SECTION 2.** Chapter 13A of the Salinas Municipal Code is hereby recodified to Article II of Chapter 5 and the sections shall be consecutively numbered beginning with Section 5-02.011.

**SECTION 3.** Article III is added to Chapter 5 and shall be titled “Graffiti.”

**SECTION 4.** Chapter 14A of the Salinas Municipal Code is hereby recodified to Article III of Chapter 5 and the sections shall be consecutively numbered beginning with Section 5-03.01.

**SECTION 5.** Article IV is added to Chapter 5 and shall be titled “Regulation of Massage Businesses and Technicians.”

**SECTION 6.** Chapter 16A of the Salinas Municipal Code is hereby recodified to Article IV of Chapter 5 and the sections shall be consecutively numbered beginning with Section 5-04.01.

**SECTION 7.** Article V is added to Chapter 5 and shall be titled “Card Rooms.”

**SECTION 8.** Article IV of Chapter 6 of the Salinas Municipal Code is hereby recodified to Article V of Chapter 5 and the sections shall be consecutively numbered beginning with Section 5-05.01.

**SECTION 9.** Article VI is added to Chapter 5 and shall be titled “Bingo.”

**SECTION 10.** Article V of Chapter 6 of the Salinas Municipal Code is hereby recodified to Article VI of Chapter 5 and the sections shall be consecutively numbered beginning with Section 5-06.01.

**SECTION 11.** Article VII is added to Chapter 5 and shall be titled “Commercial Cannabis Activity.”

**SECTION 12.** Chapter 16B of the Salinas Municipal Code is hereby recodified to Article VII of Chapter 5 and the sections shall be consecutively numbered beginning with Section 5-07.01.

**SECTION 13.** Article I of Chapter 6 of the Salinas Municipal Code is hereby repealed in its entirety.

**SECTION 14.** Article II of Chapter 6 of the Salinas Municipal Code is hereby repealed in its entirety.

**SECTION 15.** Article III of Chapter 6 of the Salinas Municipal Code is hereby repealed in its entirety.

**SECTION 16.** Chapter 6 of the Salinas Municipal Code, currently titled “Amusements,” shall be reserved for future use.

**SECTION 17. Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held invalid by a court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases, be declared invalid.

**SECTION 18. Effective Date.** This Ordinance shall take effect on the thirty-first day following its adoption.

**SECTION 19. California Environmental Quality Act (CEQA).** The adoption of this Ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that the adoption of this Ordinance there is no possibility that the activity in question may have a significant effect on the environment. [CEQA Guidelines Section 15061(b)(3).]

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

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Joe Gunter, Mayor

ATTEST:

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Patricia M. Barajas, City Clerk

APPROVED AS TO FORM:

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Christopher A. Callihan, City Attorney