



AGENDA

PLANNING COMMISSION

155 W. DURIAN, COALINGA, CA 93210

TUESDAY FEBRUARY 12, 2019

The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.

CALL MEETING TO ORDER (6:00 PM)

Pledge of Allegiance

CHANGES TO THE AGENDA

ROLL CALL

Commissioners:

Chairman Sailer
Vice Chairman Jacobs
Commissioner Helmar
Commissioner Garza
Commissioner Pruitt

Staff:

Sean Brewer, Community Development Director
Marissa Trejo, City Manager

PUBLIC COMMENTS

Under Government Code 54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item. State law prohibits the Planning Commission from acting on non-agenda items.

INFORMATION/CONSENT CALENDAR

1. Minutes - January 22, 2019

PUBLIC HEARINGS

1. Adoption of Resolution 019P-002 Recommending to the City Council Consideration and Approval of an Ordinance Amending the Planning and Zoning Code Related to Regulating Street Vendors (Zoning Text Amendment Application ZTA 19-01)

DISCUSSION AND/OR POTENTIAL ACTION ITEMS

DEPARTMENT REPORTS

COMMUNICATIONS

1. Staff Announcements
2. Commissioner Announcements
3. Chairman Announcements

ADJOURN



Staff Report- Chairman and Planning Commission

Subject: Minutes - January 22, 2019
Meeting Date February 12, 2019
Project Location:
Applicant:
Owner:
Prepared By: Sean Brewer, Community Development Director

I. RECOMMENDATION:

Approval of the Minutes from the January 22, 2019 Planning Commission Meeting.

II. BACKGROUND:

III. PROPOSAL AND ANALYSIS:

IV. FISCAL IMPACT:

V. REASONS FOR RECOMMENDATION:

ATTACHMENTS:

Description

☐ January 22, 2019 Minutes

MINUTES

PLANNING COMMISSION

155 W. Durian, Coalinga, CA 93210

TUESDAY, January 22, 2019

The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.

CALL MEETING TO ORDER (6:00 PM)

Pledge of Allegiance

CHANGES TO THE AGENDA

Discussion and/or Potential Action Items 1 and 2 were moved to the beginning of the Agenda just after Roll Call.

ROLL CALL

Commissioners: Chairman Sailer
 Vice Chairman, Vacant
 Commissioner Jacobs
 Commissioner Helmar
 Commissioner Garza

Staff: Community Development Director, Sean Brewer
 Councilmember Adkisson
 Shannon Jensen, City Clerk

PUBLIC COMMENTS

None.

INFORMATION/CONSENT CALENDAR

1. Approval of Minutes – December 11, 2018
2. Consideration of a one (1) year project approval extension request from AMG & Associates for Site Plan Review Application 16-09 for the Elm Ave Senior Apartments
3. Approval of the 2019 Planning Commission Meeting Calendar

*Motion by Helmar, Second by Garza to Approve Consent Calendar Items 1, 2 and 3. Motion **Approved** by a 5/0 Majority Voice Vote.*

PUBLIC HEARINGS

1. **Planning Commission Review and Approval of a Conditional Use Permit Modification Application (CUP 17-10-M) for the Approval of a Producing Microbrewery and Restaurant at 466 N. 5th Street.**

Community Development Director Sean Brewer gave an overview of the item.

Chairman Sailer opened the Public Hearing.

Comments:

Father Viktor Perez from St. Paul Catholic Church spoke in opposition of the approval of the modifications expressing concern of the location and its proximity to residents and the Church. Father Viktor also expressed concerns regarding the noise, lighting and security, environmental impacts and school and Church children and potentially intoxicated patrons of the microbrewery.

Juan Maciel, owner of the establishment, spoke to Father Viktor's concerns.

Mary Jones spoke in support of the approval of the modifications. Ms. Jones also spoke to her own experiences when she lived above a microbrewery.

Barbara Rodriguez spoke in support of the approval of the modifications.

Chairman Sailer closed the Public Hearing.

*Motion by Helmar, Second by Pruitt to Approve a Conditional Use Permit Modification Application (CUP 17-10-M) for the Approval of a Producing Microbrewery and Restaurant at 466 N. 5th Street. Motion **Approved** by a 5/0 Majority Roll-call Vote.*

DISCUSSION AND/OR POTENTIAL ACTION ITEMS

1. **Swearing in of New Planning Commissioner Sara Pruitt**

The City Clerk sworn in the new Planning Commissioner Sara Pruitt. Commissioner Pruitt took her seat at the dais.

2. **Planning Commission Reorganization**

*Motion by Helmar, Second by Jacobs to Appoint Commissioner Sailer as Chairman. Motion **Approved** by a 5/0 Majority Voice Vote.*

*Motion by Garza, Second by Helmar to Appoint Commissioner Jacobs as Vice Chairman. Motion **Approved** by a 5/0 Majority Voice Vote.*

DEPARTMENT REPORTS

None.

COMMUNICATIONS

1. Staff Announcements

Community Development Director Sean Brewer stated the Planning Commission had expressed desire to tour the Cannabis facilities. The owners of the former Claremont facility will be available in late January / early February and the owners of the Next Green Wave will be available the first or second week of February. Mr. Brewer requested the Commissioners email him if they are interested in touring one facility or both.

Mr. Brewer announced the finalization of the City's new website and anticipates unveiling the website at the February 7th City Council Meeting or the 2nd meeting in February.

Mr. Brewer reported he would be bringing a few items back to the Commission based on City Council direction as well as in accordance with some new State laws. One such item is Street Vendors / Sidewalk Vendors. There is a need to update the City's ordinance in order to be in tune with the new laws while still protecting the Community.

Mr. Brewer indicated he will also be updating the Cannabis odor regulations per the Council's direction.

Mr. informed the Commission of a few future projects. One project is the Juniper Ridge South Project. This project will have a 30-day environmental review period and the Public Hearing, which is scheduled for March will be posted tomorrow.

Mr. Brewer indicated he anticipates awarding former Commissioner Gonzales with plaque for his service on the Planning Commission at an upcoming City Council Meeting. Mr. Brewer will inform the Commission a meeting date has be scheduled.

2. Commissioner Announcements

None.

3. Chairman Announcements

Chairman Sailer welcomed newly sworn in Commissioner Sara Pruitt to the Board.

Commissioner Pruitt introduced herself.

Chairman Sailer reminded the Commissioners of their Statement of Economic Interests, Form 700s, which are due to the Fair Political Practice Commission by February 1, 2019. The Commissioners should have received an email regarding the deadline.

ADJOURN 6:55 PM

Chairman/Vice Chairman

City Clerk

Date



Staff Report- Chairman and Planning Commission

Subject: Adoption of Resolution 019P-002 Recommending to the City Council Consideration and Approval of an Ordinance Amending the Planning and Zoning Code Related to Regulating Street Vendors (Zoning Text Amendment Application ZTA 19-01)

Meeting Date February 12, 2019

Project Location:

Applicant: City of Coalinga

Owner:

Prepared By: Sean Brewer, Community Development Director

I. RECOMMENDATION:

Staff is recommending that the Planning Commission approve Resolution No. 019P-002 recommending to the City Council adoption of an ordinance amending the Planning and Zoning Code related to regulating street vendors (Zoning Text Amendment Application ZTA 19-01).

II. BACKGROUND:

On September 17, 2018, Governor Brown signed Senate Bill No. 946 (SB 946), adding sections 51036-51039 to the Government Code decriminalizing sidewalk vending and limit local regulations to those expressly provided for in the bill or are otherwise “directly related to objective health, safety, or welfare concerns”. SB 946 only applies to sidewalk vending in public rights-of-way, and private rights-of-way are still subject to private and local control. Although Coalinga’s Municipal Code does not regulate “sidewalk vendors”, as that term is defined in SB 946, it does currently regulate “mobile vendors” (CMC 9-5.116), which will be amended through this text amendment and a new section created to address sidewalk vendors.

III. PROPOSAL AND ANALYSIS:

Staff has prepared a draft ordinance for the Planning Commission to review and recommend to the the City Council approval ant their next regularly scheduled meeting. The draft ordinance has multiple sections where new definitions are added to the planning and zoning code as well as regulations directly related to sidewalk vendors.

- **Definitions:** The new definitions added within the ordinance are related to stationary sidewalk vendors and roaming sidewalk vendors. The definitions are derived directly from the statute. Staff also amended the definitions to mobile vendors to differentiate mobile vendors from sidewalk vendors.

Permit Requirement: The new sidewalk ordinance is structured to ensure the public health, safety and welfare of the community as a whole. Therefore, staff is recommending a permitting process for all sidewalk vendors. There will also be permit exemptions such as recognized non-profits, freedom of speech issues and businesses that are exempt under federal or state statute. Permits will be issued by the Finance Department through the Business Licensee approval process. When a business license application is submitted to the finance department for approval, it will be immediately routed to the Police Department for a live scan and once it has been cleared, it will be routed back to the finance department for business licenses issuance.

- **Regulations:** The draft ordinance includes both general requirements and specific requirements. The general requirements are related to public awareness and safety such as preventing food borne illness, maintaining paths of travel for accessibility, preventing distractions, and provisions for properly displaying permits and certificates. The specific requirements relate directly to hours of operation, location of vending, separation from sensitive uses (ie. public schools), and other prohibitions on vending near particular public events.

- **Penalties:** The last two sections of the ordinance are directly from the state statute as they relate to penalties for operating without a permit as well as a process for acknowledging situations where a vendor may not be able to pay the fine.

A copy of the ordinance is included with this report.

- **Environmental Review:** Staff finds and determines that there is no possibility the adoption of a sidewalk vending ordinance and the amendment to its mobile vending ordinance will have a significant effect on the environment. Accordingly, under the provisions of § 15061 (b)(3) and § 15378(b)(5) of Division 6 of Title 14 of the California Code of Regulations, the CEQA Guidelines, the adoption of this ordinance is not subject to the requirements of the California Environmental Quality Act.

- **Public Notification:** A public hearing notice was prepared and circulated in accordance with State and Local law as it relates to zoning text amendments. The Public hearing notice was posted at City Hall, the Police Department, Fire Department, Coalinga Library, Coalinga Area Chamber of Commerce, City's Website and it ran in the Coalinga Press.

IV. FISCAL IMPACT:

None determined at this time.

V. REASONS FOR RECOMMENDATION:

When a zoning text amendment is brought before the Planning Commission and City Council the following standard findings must be made for each Zoning Ordinance amendment. Specific findings may also be required by the decision-making body on a case-by-case basis.

(1) The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

(2) The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.

(3) If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.

(4) The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

ATTACHMENTS:

Description

- ▣ Resolution 019P-002 (Street Vendors)
- ▣ Exhibit A - Draft Street Vendor Ordinance

RESOLUTION 019P-002

A RESOLUTION OF THE CITY OF COALINGA PLANNING COMMISSION RECOMMENDING APPROVAL OF A ZONING TEXT AMENDMENT TO AMEND THE PLANNING AND ZONING CODE ESTABLISHING REGUALTIONS FOR STREET VENDORS

WHEREAS, on September 17, 2018, Governor Brown signed Senate Bill No. 946 ("SB 946), adding sections 51036-51039 to the Government Code; and

WHEREAS, SB 946 decriminalizes sidewalk vending and limits local regulations to those expressly provided for in the bill or are otherwise "directly related to objective health, safety, or welfare concerns"; and

WHEREAS, SB 946 only applies to sidewalk vending in public rights-of-way, and private rights-of-way are still subject to private and local control; and

WHEREAS, the City desires to adopt a sidewalk vending ordinance to address sidewalk vendors and amend its mobile vendor ordinance to ensure compliance with state law; and

WHEREAS, a Public Hearing has been advertised and conducted pursuant to Public Resources Code Section 21092 and 21092.3, and public comment has been solicited, and;

WHEREAS, a Notice of Public Hearing was provided to the Coalinga Press, posted at City Hall, Police Department bulletin board, Fire Department Bulletin Board, Coalinga District Library, and Chamber of Commerce on January 31, 2019, and;

WHEREAS, the Planning Commission held the noticed Public Hearing on February 12, 2019 to take testimony with regard to the proposed Zoning Text Amendments and;

WHEREAS, the Planning Commission completed its review of the proposed Zoning Text Amendment and details in the Staff Report and has considered the testimony received during the public hearing process, and;

WHEREAS, the Planning Commission has made the following findings based on the Zoning Text Amendment proposal:

- The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.
- If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of

physical constraints) for the requested zoning designations and anticipated land uses/developments.

- The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission recommends approval to the City Council adoption of a draft ordinance (Exhibit "A") to amend the planning and zoning code related to permitting sidewalk vendors in accordance with State Law.

PASSED AND ADOPTED, by the City of Coalinga Planning Commission at a regular meeting held on the 12th day of February 2019.

AYES:

NOES:

ABSTAIN:

ABSENT:

Planning Commission Chairman/Vice Chairman

ATTEST:

City Clerk/Deputy City Clerk

Exhibit "A"

Draft Street Vendor Ordinance

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA, CALIFORNIA ADDING COALINGA MUNICIPAL CODE SECTION 9-5.130 "SIDEWALK VENDORS" AND AMENDING ARTICLE 2 CHAPTER 1 OF TITLE 9 "DEFINITIONS" RELATED TO SIDEWALK VENDORS AND MOBILE VENDING.

WHEREAS, on September 17, 2018, Governor Brown signed Senate Bill No. 946 ("SB 946), adding sections 51036-51039 to the Government Code; and

WHEREAS, SB 946 decriminalizes sidewalk vending and limits local regulations to those expressly provided for in the bill or are otherwise "directly related to objective health, safety, or welfare concerns"; and

WHEREAS, SB 946 only applies to sidewalk vending in public rights-of-way, and private rights-of-way are still subject to private and local control; and

WHEREAS, although Coalinga's Municipal Code does not regulate "sidewalk vendors", as that term is defined in SB 946, it does regulate "mobile vendors" (CMC 9-5.116), which will be amended and a new section created to address sidewalk vendors; and

WHEREAS, the City desires to adopt a sidewalk vending ordinance to address sidewalk vendors and amend its mobile vendor ordinance to ensure compliance with state law; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COALINGA DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that all the facts, findings, and conclusions set forth above in this Ordinance are true and correct.

SECTION 2. The Council hereby finds and determines that there is no possibility the adoption of a sidewalk vending ordinance and the amendment to its peddling ordinance will have a significant effect on the environment. Accordingly, under the provisions of § 15061 (b)(3) and § 15378(b)(5) of Division 6 of Title 14 of the California Code of Regulations, the CEQA Guidelines, the adoption of this ordinance is not subject to the requirements of the California Environmental Quality Act.

SECTION 3. The City Council hereby amends the following definition in Article 2 of Chapter 1 in Title 9 the Coalinga Municipal Code to read as follows:

Mobile vendor. Any person that sells, or causes or allows another, whether as an employee or as an independent contractor leasing or renting equipment, to sell any food, drinks or merchandise on any street, or alley, by means of automobile, truck or any other registered vehicle or vessel. This does not include vendors vending from a public sidewalk (See Sidewalk Vendors Section 9-5.130). Mobile vendors must obtain a business license from the City of Coalinga prior to the start of business operations. Mobile Vendor shall not mean any person operating under a concession agreement or other agreement with the city as a party to the agreement. A mobile vendor is different from a peddler, who visits private residences to sell goods, as defined and regulated in Title 5, Chapter 9 of the Coalinga Municipal Code.

Mobile vendor vehicle. An automobile, truck or any other registered vehicle or vessel used by mobile vendors to sell their food, drinks or merchandise. Mobile vendor vehicle shall not include delivery vehicles used to transport food or drink from a store having a valid food permit to a customer's home or a vehicle transporting food or drink from a wholesale establishment to a retail outlet.

SECTION 4. The City Council hereby adds the following terms to Article 2 of Chapter 1 in Title 9 of the Coalinga Municipal Code to read as follows:

"Sidewalk vendor" means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path.

"Sidewalk vendor, roaming" means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

"Sidewalk vendor, stationary" means a sidewalk vendor who vends from a fixed location.

SECTION 5. The City Council hereby adds Section 9-5.130 to Article 2 of Chapter 1 in Title 9 of the Coalinga Municipal Code to read as follows:

9-5.130. - Sidewalk Vendors

- (a). Only sidewalk vendors with a valid sidewalk vending permit issued by the Finance Department may vend upon the city's public right-of-way. To apply for a sidewalk vending permit, the applicant must submit an application and associated fee(s) as determined by the City Council by resolution, containing the following information:
- a. Their name and mailing address;
 - b. Description of the merchandise offered for sale or exchange;
 - c. If the sidewalk vendor is an agent of an individual, company, partnership, or corporation, the name and business address of the principal and any owners of the company, partnership, or corporation; and
 - d. Certification that the information is true to his or her knowledge and belief.
 - e. A copy of a California's driver's license or identification number, an individual taxpayer identification number, or a social security number. Such information is not a public record and will remain confidential as required by Government Code section 51038(c)(4).
 - f. A copy of a valid California Department of Tax and Fee Administration seller's permit, as required.
 - g. A copy of a valid Mobile Food Permit issued by the Fresno County Department of Public Health, as required.
 - h. *Background (fingerprinting)*. To ensure the safety of residents and the merchantability of products sold by vendors without a fixed place of business, the city requires all sidewalk vending applicants to undergo a fingerprinting background check and to submit the results to the city as an attachment to their application.
 - i. The sidewalk vending permit application shall require the applicant to agree, in writing, to comply with all the provisions of this chapter and all applicable provisions of the Coalinga Municipal Code.

(b). Permit Exemption - The following persons, entities or activities are exempt from the permit requirement of this chapter:

- a. Any vendor or person engaged solely in artistic performances, free speech and/or petitioning activities;
- b. Nonprofit educational institutions, fraternal and service clubs, bona fide religious organizations and agencies of any federal, state or local governments;
- c. Nonprofit private clubs where a basic membership fee covers the cost of the use of the facilities;
- d. Community organizations/events not otherwise regulated by the Coalinga Municipal Code, upon approval of the City Manager or designee;
- e. Businesses and trades that are exempt from licensing and tax regulations under federal and state statutes;
- f. Any organization, society, association or corporation desiring to solicit or have solicited in its name money, donations of money or property or financial assistance of any kind or desiring to sell or distribute any item of literature or merchandise to persons other than members of such organization upon the streets, in office or business buildings, by house-to-house canvass or in public places for charitable, religious, patriotic or philanthropic purpose exclusively.

(c). *General Regulations.*

- a. To maintain accessibility standards for the city's disabled residents, every sidewalk vendor operating on any sidewalk or public right-of-way must ensure that no obstruction is placed in the sidewalk or public right-of-way that would reduce the width of the sidewalk to less than forty-eight (48) inches, exclusive of the top of the curb. No obstruction shall be located in a sidewalk or public right-of-way less than (6) feet in width when the sidewalk is adjacent to the curb.
- b. To prevent food-borne illness and protect the health and safety of the city's residents, every sidewalk vendor selling any food or beverage is required to wear a hairnet and food service gloves.
- c. To prevent dangerous distractions and promote the general welfare of the city's residents, sidewalk vendors shall not emit any loud, unnecessary and unusual noises beyond that of a typical use in the surrounding area.
- d. A sidewalk vending permit does not provide an exclusive right to operate within any specific portion of the public right-of-way.
- e. No equipment or objects used for sidewalk vending purposes may be left or maintained in public spaces or in any portion of the public right-of-way from 10:00 p.m. to 8:00 a.m. Any equipment or objects left overnight in public spaces or in any portion of the public right-of-way will be considered discarded and may be seized or disposed of by the city.
- f. To facilitate the enforcement of this chapter, every sidewalk vendor must display their city-issued sidewalk vending permit on the street-side portion of their pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance when operating in the public right-of-way.

- g. To prevent unintended rolling or slipping, a sidewalk vendor is prohibited from operating a pushcart, pedal-driven cart, wagon, or other non-motorized conveyance on a public-right-of-way with a slope greater than five percent.

(d). Specific Regulations.

- a. Sidewalk vending hours limitations in areas zoned for nonresidential use will be as restrictive as any limitations on hours of operation imposed on other businesses or uses on the same street, excluding those permitted to operate 24 hours.
- b. Roaming sidewalk vendors are limited to the hours of 9:00 a.m. through 5:00 p.m. for areas that are zoned exclusively residential. Stationary sidewalk vendors are strictly prohibited in areas zoned exclusively residential.
- c. A sidewalk vendor is prohibited from operating within five-hundred (500) feet of a permitted certified farmers' market, a permitted swap meet, or any area subject to a temporary use permit for the duration of the permit.
- d. Vending within 500 feet of any public school is prohibited from 7:00 a.m. through 4:00 p.m. on the days the public school is in session.

(e). Violation Penalty.

- a. If a permitted street vendor is in violation of any provision of this chapter is guilty of an administrative violation punishable by an administrative fine not to exceed:
 - i. One hundred dollars (\$100.00) for a first violation; or
 - ii. Two hundred dollars (\$200.00) for a second violation within one year of the first violation; or
 - iii. Five hundred dollars (\$500.00) for each additional violation within one year of the first violation.
- b. Any person vending without a sidewalk vending permit is guilty of an administrative violation punishable by an administrative fine not to exceed:
 - i. Two hundred fifty dollars (\$250.00) for a first violation; or
 - ii. Five hundred dollars (\$500.00) for a second violation within one year of the first violation; or
 - iii. One thousand dollars (\$1,000.00) for each additional violation within one year of the first violation.
 - iv. Upon proof of a valid permit issued by the City, the administrative fine in Section 9-5.130(d)(a) will be reduced to the corresponding administrative fine in Section 9-5.130(d)(b).
- c. The City may rescind a sidewalk vendor permit for the remaining term of the permit upon a fourth or subsequent violation of this chapter.
- d. Failure to pay an administrative fine is not punishable as an infraction or misdemeanor. Additional fines, fees, assessments, or any other financial conditions beyond those authorized will not be assessed. However, the City may levy a lien on the violator's real or personal property, including the vehicle used for vending purposes.
- e. An administrative violation constitutes a separate and distinct violation for each day that it exist and each such violation may be subject to the maximum fine permitted under this chapter.

(f). Ability to Pay Determination.

- a. Any fine issued under Section 9-5.130 will be accompanied with a notice of and instruction regarding the right to request an ability-to-pay determination.
- b. If the requestor is receiving public benefits under Government Code section 68632, subdivision (a), or has a monthly income which is 125 percent or less than the current poverty guidelines updated periodically in the Federal Register by the United States Department of Health and Human Services, the City will limit the total amount of the requestor's administrative fine to 20 percent of the total.

SECTION 6. Severability Clause:

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION 7. Effective Date:

This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Coalinga ordinance.

SECTION 8. Certification:

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2019.

Ron Lander, Mayor

ATTEST:

Shannon Jensen, City Clerk

APPROVED AS TO FORM:

Mario U. Zamora, City Attorney