

STAFF REPORT
City of Lancaster, California

NB 4
10/14/08
MVB

Date: October 14, 2008

To: Mayor Parris and City Council Members

From: David R. McEwen, City Attorney

Subject: **Introduce Ordinance No. 909, Amending the Lancaster Municipal Code to Make Certain Technical Changes to Chapter 2.34, relating to the Architectural and Design Planning Commission and Chapter 2.30, relating to the Criminal Justice Commission**

Recommendation:

Introduce Ordinance No. 909, an ordinance of the City Council of the City of Lancaster, amending the Lancaster Municipal Code to make certain technical changes to Chapter 2.34, relating to the Architectural and Design Planning Commission and Chapter 2.30, relating to the Criminal Justice Commission.

Fiscal Impact:

None

Background:

The City Council has previously adopted Chapter 2.34 of the Lancaster Municipal Code establishing the Architectural and Design Planning Commission and Chapter 2.30 of the Lancaster Municipal Code establishing the Criminal Justice Commission.

Attachment(s):

Ordinance No. 909

ORDINANCE NO. 909

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, AMENDING CHAPTERS 2.34 AND 2.30 OF THE LANCASTER MUNICIPAL CODE TO MAKE CERTAIN TECHNICAL CORRECTIONS THERETO.

WHEREAS, the City Council has previously adopted Chapter 2.34 of the Lancaster Municipal Code establishing the Architectural and Design Planning Commission;

WHEREAS, the City Council has previously adopted Chapter 2.30 of the Lancaster Municipal Code establishing the Criminal Justice Commission;

WHEREAS, the City Council desires to make certain technical corrects to such chapters.

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

Section 1. Section 2.34.030 of Chapter 2.34 of the Lancaster Municipal Code is hereby amended to read as follows:

All Commissioners of the architectural and design planning commission shall be appointed by the mayor, subject to approval of a majority of the city council. Each Commissioner's term shall be one year commencing on January 1 of each year and shall end on the following December 31; provided that the term of the first commissioners appointed shall end on December 31, 2008. Nothing contained in this section is intended to preclude the reappointment of any architectural and design planning commissioner upon the expiration of his or her term and all commissioners of the architectural and design planning commission shall serve at the will of the mayor and city council.

Section 2. Section 2.34.040 of Chapter 2.34 of the Lancaster Municipal Code is hereby amended to read as follows:

"The Mayor shall appoint one of the commissioners of the Lancaster architectural and design planning commission as chairman to preside over the meetings and another commissioner to serve as vice-chairman, to preside in the absence of the chairman."

Section 3. Section 2.34.100 is hereby added to Chapter 2.34 of the Lancaster Municipal Code to read as follows:

"Sunset. This Chapter shall terminate and be of no further force and effect on July 1, 2010 unless the City Council adopts an ordinance prior thereto to extend or eliminate such termination date."

Section 4. Section 2.30.030 of Chapter 2.30 of the Lancaster Municipal Code is hereby amended to read as follows:

All Commissioners of the criminal justice commission shall be appointed by the mayor, subject to approval of a majority of the city council. Each Commissioner's term shall be one year commencing on January 1 of each year and shall end on the following December 31; provided that the term of the first commissioners appointed shall end on December 31, 2008. Nothing contained in this section is intended to preclude the reappointment of any criminal justice commissioner upon the expiration of his or her term and all commissioners of the criminal justice commission shall serve at the will of the mayor and city council.

Section 5. Section 2.30.040 of Chapter 2.30 of the Lancaster Municipal Code is hereby amended to read as follows:

The Mayor shall appoint one of the commissioners of the Lancaster criminal justice commission as chairman to preside over the meetings and another commissioner to serve as vice-chairman, to preside in the absence of the chairman.

Section 6. Section 2.30.100 is hereby added to Chapter 2.30 of the Lancaster Municipal Code to read as follows:

Sunset. This Chapter shall terminate and be of no further force and effect on July 1, 2010 unless the City Council adopts an ordinance prior thereto to extend or eliminate such termination date.

Section 7. That any provision of the Lancaster Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

Section 8. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held for any reason to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Lancaster hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 9. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect 30 days after its final passage.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the _____ day of _____, 2008, and placed upon its second reading and adopted at a regular meeting of the City Council on the _____ day of _____, 2008 by the vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss
CITY OF LANCASTER }

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. 909, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)
