

ORDINANCE NO. 18 – 04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN
AUTHORIZING BUSINESS LICENSE REVOCATION

THE CITY COUNCIL OF THE CITY OF AUBURN DOES ORDAIN AS
FOLLOWS:

Section One: Ordinance Repeal. Interim Ordinance No. 18 –
03- U is hereby repealed and replaced by this regular Ordinance.

Section Two: Code Amendment. Section 33.012 of Chapter
33 of Title III of the Auburn Municipal Code entitled “Revocation” is
hereby added to read as follows:

33.012 REVOCATION

(A) Should the City Manager at any time determine that the
premises in which any business is conducted are in unsanitary
condition, dangerous to adjacent property, or that the business is
being operated in such a way as to injure, offend, or affect the public
health, peace, safety, morals, or welfare, the City Manager or his or
her designee may revoke the license for such business, and no further
license for any business conducted at the premises may be issued
without the written authorization of the City Manager or his or her
designee.

(B) The revocation of a license pursuant to this section shall be
effective 10 days after:

(1) written notice thereof is deposited in the U.S. Mail, postage prepaid, return receipt requested, addressed to the licensee at the address of the business; or

(2) written notice thereof is personally delivered to or received by the licensee.

(C) The revocation of a license pursuant to this section shall be appealable to the City Council within 10 days after mailing or receipt of the written notice thereof. An appeal shall be filed in writing with the City Clerk. A timely filed appeal shall thereafter be set for hearing before the City Council which may affirm or reverse the revocation.

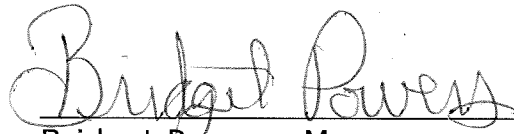
Section Three: California Environmental Quality Act. The City Council has considered all of the evidence in the record, including the staff reports, the testimony received during the meeting on the matter held by the City Council, and hereby determines that that the adoption of this Ordinance will not have a significant effect on the environment. This Ordinance is therefore exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations.

Section Four: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance or the rules adopted hereby. The City Council of the City of Auburn hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence,

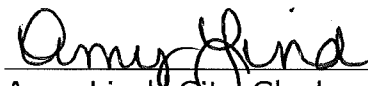
clause or phrase hereof, irrespective of the fact that any one or more other remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section Five: Publication and Effective Date. This ordinance shall take effect 30 days after final adoption. The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting of the entire text.

DATED: April 23, 2018


Bridget Powers, Mayor

ATTEST:


Amy Lind, City Clerk

I, Amy Lind, City Clerk of the City of Auburn, hereby certify that the foregoing ordinance was duly passed at a regular meeting of the City Council of the City of Auburn held on the 23rd day of April, 2018 by the following vote on roll call:

Ayes: Spokely, Berlant, Maki, Powers
Noes:
Absent: Kirby
Abstain:


Amy Lind, City Clerk