

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

**AN UNCODIFIED ORDINANCE
RESCINDING INTERIM ORDINANCE NO.
964-2021 THAT PLACED A
MORATORIUM ON THE APPROVAL OF
APPLICATIONS FOR FORMULA
BUSINESS IN THE INLAND ZONING
AREA**

ORDINANCE NO. 974-2021

WHEREAS, on April 12, 2021, the City Council adopted Urgency Ordinance No. 964-2021 (“Moratorium”), which established a forty-five (45) day moratorium on approval of applications for Formula Businesses, as defined in Ordinance No. 964-2021, in the Inland Zoning Area; and

WHEREAS, the City Council extended the Moratorium on approval of applications for Formula Businesses for an additional 315 days on May 24, 2021 to provide for sufficient time to adopt Formula Business regulations; and

WHEREAS, on September 13, 2021 the City Council approved Ordinance No. 970-2021 adopting regulations on formula businesses in the Inland Zoning Area; and

WHEREAS, the City Council now desires to terminate the Moratorium; and

WHEREAS, this Ordinance is exempt pursuant to the California Environmental Quality Act (“CEQA”) and Title 14 of the California Code of Regulations (“CEQA Guidelines”) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

The City Council ordains as follows:

Section 1. The above findings are true and correct and incorporated into this Ordinance.

Section 2. Ordinance No. 964-2021 is hereby rescinded, and the Moratorium terminated.

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Fort Bragg hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

Section 4. Effective Date and Publication. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

The foregoing Ordinance was introduced by Councilmember Peters at a regular meeting of the City Council of the City of Fort Bragg held on October 25, 2021 and adopted at a regular meeting of the City of Fort Bragg held on November 8, 2021 by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**
- RECUSED:**

Bernie Norvell
Mayor

ATTEST:

June Lemos, CMC
City Clerk

PUBLISH: **October 28, 2021 and November 18, 2021 (by summary).**
EFFECTIVE DATE: **December 8, 2021.**