

**PUBLIC NOTICE OF ADOPTION OF ORDINANCE**  
**CITY OF ARVIN**

**NOTICE IS HEREBY GIVEN** that on May 12, 2020, the City Council of the City of Arvin adopted Ordinance No. 2020-464, entitled:

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN REPEALING CHAPTER 8.12 AND 8.20, OF TITLE 8 OF THE ARVIN MUNICIPAL CODE AND REPLACING THEM WITH CHAPTER 8.12, OF TITLE 8 NUISANCES**

**WHEREAS**, the City of Arvin has the authority, under its police power, to enact regulations for the public peace, morals, and welfare of the city, Cal. Const. Art. XI, section 7; and

**WHEREAS**, the City Council of the City of Arvin finds that certain conditions constitute a public nuisance and are a threat to the public peace, safety and welfare of the City; and

**WHEREAS**, by declaring that violations of the Arvin Municipal Code constitute a public nuisance, the City Council has determined that by violating the City's laws contained in the Arvin Municipal Code, a person or entity creates a threat or danger to the public health, safety or welfare as a public nuisance; and

**WHEREAS**, Sections 36901, 38771 and 38773.5(a) of the California Government Code authorize the City of Arvin to enact ordinances declaring what constitutes a public nuisance, the procedures for abating nuisance conditions, providing for the recovery of costs and attorney fees to abate the nuisance, providing for the collection of civil penalties; and

**WHEREAS**, Section 2929.3 of the California Civil Code authorizes the City of Arvin to abate a public nuisance existing at residential properties acquired through foreclosure or a deed of trust and to charge fines for noncompliance; and

**WHEREAS**, Chapter 13 of Part 2 of Division 3 of Title 4 of the California Government Code authorizes local procedures for weed abatement; and

**WHEREAS**, the City Council finds that ensuring compliance with the Arvin Municipal Code and other regulations vital to the protection of the public's health, safety and quality of life throughout the City is an important public service; and

**WHEREAS**, the City Council desires to enhance and promote the maintenance of property and the enhancement of the livability, community appearance, and the social and economic conditions of the community; and

**WHEREAS**, the City Council finds that an effective code compliance program eliminates and prevents the spread of blight, deterioration and crime, makes neighborhoods safer and more livable, and promotes economic development and pride in the community; and

**WHEREAS**, the City Council recognizes that an effective code compliance program requires the drafting and adoption of regulations that can be effectively applied by City personnel in a fair and expedient manner; and

**WHEREAS**, the City Council has determined that it is in the public interest to adopt this ordinance which expressly declares that any and all violations of the Arvin Municipal Code constitute public nuisances, in order to facilitate the City’s ability to protect the health, safety, and general welfare of the public through the use of the nuisance abatement procedures set forth in the Arvin Municipal Code and in other applicable laws, rules and regulations; and

**WHEREAS**, the City Council finds that the Arvin Municipal Code does not provide an adequate administrative remedy for properties harboring conditions that constitute a public nuisance; and

**WHEREAS**, the City Council has an interest in maintaining the City of Arvin in an orderly and esthetically pleasing condition, to keep property values in line with neighboring communities and to improve the quality of life for its residents, businesses, and visitors; and

**WHEREAS**, the City Council has determined that the adoption of this ordinance is necessary to achieve a more comprehensive code compliance program that will permit City personnel to immediately proceed with code compliance efforts in an expedient, efficient and fair manner for purposes of effectively protecting public health and safety.

**NOW THEREFORE**, the City Council of the City of Arvin does ordain as follows:

**SECTION 1.** The above recitals are incorporated are hereby by reference.

**SECTION 2.** Chapter 8.12 and 8.20, of Title 8, of the Arvin Municipal Code are repealed in their entirety and the following provisions are adopted in their entirety to read as set forth in Attachment “A” (see <https://www.arvin.org/government/clerk/ordinance-public-records/> ) which is attached hereto and incorporated herein as if set forth in full.

**SECTION 3:** This ordinance shall take effect immediately upon its adoption. Within fifteen (15) calendar days after its adoption, the enacting ordinance shall be published once in a newspaper of general circulation.

**PASSED, APPROVED and ADOPTED** by a four-fifths (4/5) vote on this 12th day of May, 2020.

**I HEREBY CERTIFY** that the foregoing Urgency Ordinance No. 2020-464 was duly adopted at its regular meeting held on the 12<sup>th</sup> day of May 2020, by the following roll call vote (5-0):

**AYES:** CM Martinez, CM Trujillo, CM Franetovich, MPT Robles, Mayor Gurrola

/s/ \_\_\_\_\_  
Cecilia Vela, City Clerk  
City of Arvin

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