

**ADOPTING ORDINANCE
NO. 82-1**

The City Council of the City of Ridgecrest, has caused its ordinances of a general and permanent nature to be compiled and revised and embodied in a revision and codification known as the "Ridgecrest Municipal Code, 1980."

This revision has reorganized and edited the source ordinances, not to effect substantive changes but intended to eliminate word duplications and overlapping and to effect uniformity of expression.

SECTION 1. The ordinances of the City of Ridgecrest, in the County of Kern, California, of a general and permanent nature, as codified, Chapters I to XIX are hereby ordained as the "Ridgecrest Municipal Code, 1980".

SECTION 2. All of the provisions of the "Ridgecrest Municipal Code, 1980", shall be in force and effect on and after the effective date of this ordinance.

SECTION 3. All ordinances of a general and permanent nature, adopted by the City Council (hereafter referred to as the "Council") and in force on August 16, 1980 and not contained in the "Ridgecrest Municipal Code, 1980", are hereby repealed from and after the effective date of this ordinance except as hereinafter provided in Section 4.

SECTION 4. The repeal provided for in Section 3 of this ordinance shall not affect:

a. Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance.

b. Any prosecution, action, suit or other proceeding pending or any judgment rendered on or prior to the effective date of this ordinance;

c. Any right of franchise conferred by the Council;

d. Any right, right-of-way or easement acquired or established in any street, road, highway or other public place within the City;

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e. Any ordinance of the City providing for laying out, opening, altering, widening, relocating, straightening, acceptance or vacation of any street, road or highway within the City.

f. Any ordinance or resolution of the City promising or guaranteeing the payment of money by or for the City or authorizing the issuing of bonds or other evidence of the City's indebtedness, or any contract of or obligation assumed by the City;

g. The annual budget appropriation ordinances or resolutions, and all ordinances and resolutions appropriating or transferring funds;

h. The administrative ordinances or resolutions of the Council not in conflict or inconsistent with the provisions of the Municipal Code;

i. Any ordinance or resolution of the Council fixing the compensation or salaries of the City officials and employees or the pay and compensation of positions and clerical employments which are not provided for in the Municipal Code, and which are not in conflict or inconsistent therewith;

j. Any ordinance or resolution of the Council creating employments, positions or offices and fixing duties therefor which are not provided for in the Municipal Code and which are not in conflict or inconsistent therewith;

k. Ord. #80, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST, CALIFORNIA, ESTABLISHING LAND USE DISTRICTS OR ZONES, A ZONE PLAN DESIGNATING BOUNDARIES AND ADOPTING REGULATIONS CONTROLLING THE USES OF LAND, THE DENSITY OF POPULATION, THE LOCATIONS, AND USES OF ALL STRUCTURES, THE AREAS AND DIMENSIONS OF SITES AND THE EXTERNAL APPEARANCE OF CERTAIN USES AND STRUCTURES; REQUIRING THE PROVISION OF OFF-STREET PARKING AND LOADING; OFF-STREET LOADING FACILITIES; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE REGULATIONS AND PRESCRIBING PENALTIES FOR THE AMENDMENT OF THE DISTRICT BOUNDARIES AND REGULATIONS", adopted on February 1, 1968, and all amendments thereto.

l. Any ordinance of the City Council adopted upon final passage after the 16th day of August, 1980.

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SECTION 5. The effect of proposed changes contained in the revision is listed below:

Chapter I - General Provisions. Section 1-1 shall contain the Adopting Ordinance after adoption by the City Council. This chapter shall also contain the title of the code, (subsection 1-2.1), the effective date is established (subsection 1-2.3, and the severability clause (subsection 1-2.4). Section 1-3 shall contain rules of construction used for the entire Code, and Section 1-4 shall contain definitions for use in the entire Code. Section 1-5 shall contain the general penalty clause for the entire code. Subsection 1-5.1a shall establish a maximum fine of five hundred (\$500.00) dollars or six (6) months in jail for conviction on charges of a misdemeanor. Subsection 1-5.1b shall establish a fine for committing an infraction which is a fine up to fifty (\$50.00) dollars for the first violation, up to one hundred (\$100.00) dollars for the second violation within one (1) year, and a fine of up to two hundred and fifty (\$250.00) dollars for the third violation within one (1) year. Every day a violation continues shall constitute a separate offense. This section shall also contain regulations concerning a violation of a promise to appear before a magistrate.

Section 1-6 shall establish the official seal of the City and establishes a penalty for its misuse.

Chapter II - Administration. This chapter shall contain the administration ordinances of the City.

Chapter III - Police Regulations. This chapter shall contain all regulations controlled by the Ridgecrest Police Department.

Chapter IV - Personnel. This chapter shall contain all personnel ordinances.

Chapter V - Animal Control. This chapter shall contain all ordinances regarding animal control.

Chapter VI - Business Licenses. This chapter shall contain general regulations regarding business licensing; the regulations of adult entertainment businesses; itinerant produce vendors; regulations for dealing or playing cards; hours permitted for gambling; and Bingo games for charitable purposes.

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Chapter VII - Taxation. This chapter shall contain the Sales and Use Tax (Section 7-1); Real Property Transfer Tax (Section 7-2); and the Transient Occupancy Tax (Section 7-3).

Chapter VIII - Traffic. This chapter shall contain all ordinances regarding traffic control and parking control.

Chapter IX - Building and Housing. This chapter shall include the adoption by reference as amended of the Uniform Building Code, the Uniform Mechanical Code, the Uniform Housing Code, the Uniform Code for the Abatement of Dangerous Buildings, the Uniform Sign Code, the Uniform Plumbing Code, the Uniform Solar Energy Code, construction of fences and walls, and the adoption of the National Electrical Code.

Chapter X - Reserved for Future Use.

Chapter XI - Swimming Pools and Artificial Bodies of Water. This chapter requires fences around artificial bodies of water.

Chapter XII - Sewer and Water. This chapter shall contain regulations concerning sewer and water use.

Chapter XIII - Sanitation. This chapter shall contain regulations for garbage and rubbish collection.

Chapter XIV - Streets. This chapter shall contain the street address numbering system and the regulation of street improvements and encroachments of the public right-of-way.

Chapter XV - Cable Television. This chapter shall contain the cable television ordinance.

Chapter XVI - Soil and Soil Removal. This chapter shall contain the regulations for soil erosion control.

Chapter XVII - Fire Prevention. This chapter shall contain regulations of fire hazards and the adoption of the Uniform Fire Code.

Chapter XVIII - Underground Utility Districts. This chapter shall contain regulations concerning underground utility districts.

Chapter XIX - Subdivision. The present Subdivision Ordinance is codified in this chapter in toto.

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Chapter XX - Zoning. This chapter is reserved for codification of the new Zoning Ordinance.

In cases where provisions of the source ordinances have not been included in the revision, it is the intent of the Council to repeal such provisions by implication.

SECTION 6. A copy of the "Ridgecrest Municipal Code, 1980" has been filed in the City Clerk's office and shall remain there for the use and examination of the public until final action is taken on this ordinance, and if this ordinance shall be adopted such copies shall be certified to by the City Clerk of the City of Ridgecrest by impressing thereupon the seal of the City as provided by law and such certified copy shall remain on file in the office of the City Clerk of the City of Ridgecrest to be made available to persons desiring to examine same during all times while the revision is in effect.

SECTION 7. Amendments to Code. Any and all additions, amendments, or supplements to the Code when passed and adopted in such form as to indicate the intent of the Council to make them a part thereof, shall be deemed to be incorporated into such revisions so that reference to the "Ridgecrest Municipal Code" shall be understood and intended to include such additions/amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed, and as provided hereunder, inserted in the book containing the Code as amended and supplemented thereto.

SECTION 8. It shall be the duty of the City Clerk to keep current the certified copy of the book containing the "Ridgecrest Municipal Code, 1980" required to be filed in the Clerk's office for use by the public. All changes in the Code and all ordinances adopted subsequent to the effective date of this codification shall be adopted specifically as part of the Code and shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to the Code, at which time such supplements shall be inserted therein.

SECTION 9. The City Clerk of the City of Ridgecrest, pursuant to law, shall cause to be published in the manner

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required, a copy of this adopting ordinance in a newspaper of general circulation in the City. Sufficient copies of the Code shall be maintained in the office of the City Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this adopting ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

SECTION 10. Copies of the Code book containing the "Ridgecrest Municipal Code, 1980" may be purchased from the City Clerk upon the payment of the actual cost of obtaining such copy.

SECTION 11. Each section of the "Ridgecrest Municipal Code, 1980" and every part of each section is an independent section or part of a section and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to effect the validity or constitutionality of any other sections or parts thereof.

SECTION 12. This ordinance shall take effect upon final passage and publication thereof according to law.

APPROVED AND ADOPTED this 6th day of January, 1982, by the following roll call vote:

AYES: Mayor Hockett, Vice-Mayor Bergens, Councilmen Cheshire and Grossman

NOES: None

ABSENT: None

ABSTAIN: None

(Ord. No. 82-1)

/s/ _____
HAROLD J. HOCKETT, MAYOR

ATTEST:

/s/ _____
JACQUELINE C. REED, City Clerk