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ORDINANCE NO. 456

AN ORDINANCE OF THE CITY OF SAN ANSELMO, CALIFORNIA, ADOPTING THE SAN ANSELMO MUNICIPAL CODE, TOGETHER WITH THE FOLLOWING SECONDARY CODES THEREIN ADOPTED BY REFERENCE, TO WIT: THAT CERTAIN CODE ENTITLED, "UNIFORM BUILDING CODE 1958 EDITION", PUBLISHED BY THE PACIFIC COAST BUILDING OFFICIALS' CONFERENCE, SAVE AND EXCEPT SUCH PORTIONS THEREOF AS ARE DELETED, MODIFIED OR AMENDED BY THE PROVISIONS OF THE SAN ANSELMO MUNICIPAL CODE; PRESCRIBING CERTAIN PENALTIES FOR THE VIOLATION OF THE PROVISIONS THEREOF; AND REPEALING CERTAIN ORDINANCES AS SPECIFIED THEREIN.

The Council of the City of San Anselmo does ordain as follows:

SECTION 1. ADOPTION OF THE SAN ANSELMO MUNICIPAL CODE. That certain document entitled, "San Anselmo Municipal Code", including the Appendix thereto, three (3) copies of which have been filed and are on file in the office of the City Clerk for public inspection, together with the secondary codes therein adopted by reference, is hereby adopted as a comprehensive ordinance code for the City of San Anselmo, pursuant to the provisions of Sections 50022.1 through 50022.7 of the Government Code of the State of California. Each and all of the provisions, terms and penalties of said Code on file in the office of the City Clerk are hereby referred to, adopted, incorporated herein, and hereby made a part hereof as if fully set forth in this ordinance.

SECTION 2. REPEAL OF ORDINANCES. Except as otherwise provided in this ordinance and in the San Anselmo Municipal Code, all ordinances of the City of San Anselmo in force upon the effective date of this ordinance are hereby repealed.

SECTION 3. CERTAIN ORDINANCES TO REMAIN IN EFFECT. Those certain ordinances of the City of San Anselmo which are listed in Tables 2, 3 and 4 of the Appendix to the San Anselmo Municipal Code shall not be repealed by this ordinance, but shall remain in full force and effect.

SECTION 4. EXCEPTIONS TO REPEALS. No rights, obligations, duties, privileges or encumbrances arising from any ordinance which is repealed by this ordinance and which said ordinance relates to any of the following matters shall be affected by the repealing provisions of this ordinance or of the San Anselmo Municipal Code.

- (a) The public debt or the public credit;
- (b) The establishment, naming, width, grade, construction, improvement or vacation of a public street, sidewalk, alley or other public property or facility;
- (c) The annexation of territory;
- (d) Any contract to which the City is a party or any contract inuring to the City's benefit;
- (e) The acquisition or disposition of any interest in real or personal property;
- (f) A municipal election;
- (g) Any appropriation or expenditure of public funds;
- (h) The levy or imposition of property taxes or fixing the tax rate;
- (i) Levying of a special benefit assessment or creating a lien or debt against the owner of any property or said property; or
- (j) The granting of any franchise, license or right by the City, which license, grant, power or franchise is legally in force and effect upon the effective date of this ordinance. Every such license, grant and power or franchise shall expire as originally provided.

SECTION 5. SAVINGS PROVISIONS. The repealing provisions of this ordinance or of the San Anselmo Municipal Code shall not affect or impair any act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution had or commenced shall remain in full force and effect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code, shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded

with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

SECTION 6. VIOLATION OF CODE. It shall be unlawful for any person to violate any provision, or fail to comply with any requirement of said Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of said Code shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of said Code shall be punishable by a fine of not more than Five Hundred and no/100ths (\$500.00) Dollars, or by imprisonment in the City Jail or the County Jail for a period not exceeding six (6) months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of said Code is committed, continued or permitted by such person and shall be punishable accordingly.

In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of said Code shall be deemed a public nuisance and may be, by this City, summarily abated, and each day such condition continues shall be regarded as a new and separate offense.

SECTION 7. PUBLICATION AND EFFECTIVE DATE. This ordinance shall be published once in the Ross Valley Times within fifteen (15) days from and after its adoption and shall take effect and be in force thirty (30) days from and after its adoption.

The foregoing ordinance was regularly introduced at a regular meeting of the City Council of the City of San Anselmo, held in said city on the 12th day of May, 1959, and was thereafter on the 9th day of June, 1959, at a regular meeting of the City Council of the City of San Anselmo held in said city duly passed and adopted by the following vote:

AYES: Councilmen: Little, Franchini, Smith
NOES: Councilmen: none
ABSENT: Councilmen: Booth, Martinelli

Mayor of the City of San Anselmo

ATTEST: Arute Gannon
(SEAL) City Clerk of the City of San Anselmo