

351

CITY OF HAWAIIAN GARDENS
ORDINANCE NO. 351

AN INTERIM ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS EXTENDING SUSPENDING AND PROHIBITING THE PROCESSING OR ISSUANCE OF APPLICATIONS, OR BUSINESS LICENSES FOR ANY ACUPRESSURE, ACUPUNCTURE, OR MASSAGE PARLOR USES IN THE C-4 ZONE IN THE CITY OF HAWAIIAN GARDENS, DECLARING THE URGENCY THEREOF AND THAT IT SHALL TAKE EFFECT IMMEDIATELY PURSUANT SECTIONS 65858 AND 36937 OF THE GOVERNMENT CODE OF CALIFORNIA.

THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS DOES ORDAIN AS FOLLOWS:

SECTION 1: The City Council hereby declares that the processing or issuance of applications or the granting of business licenses for use of acupressure, acupuncture, or massage parlor uses on property in the C-4 Zone is hereby suspended and prohibited.

SECTION 2: The City Council hereby finds, determines, and declares that to protect the public health, safety and welfare it is necessary to adopt this ordinance as an urgency measure. The facts constituting its urgency are declared as follows:

(1) The Zoning Ordinance, Title 18 of the Hawaiian Gardens Municipal Code is presently composed, in part, from the Los Angeles County Zoning Ordinance of 1961 and amendments thereto adopted by the City since incorporation.

(2) The City Council has commissioned consultants to study, revise, prepare and recommend a comprehensive Zoning Ordinance for the City. Such task is presently at the final drafting stage with the consultant and the Planning Commission has recommended amendments relative to such use.

(3) The allowance of these types of uses in the C-4 Zone properties may lead to detrimental and adverse impacts to the City if allowed without regulations and conditions as provided in Conditional Use Permits.

(4) The City Council further finds that the granting of Business Licenses prior to the adoption of zoning ordinance amendments would seriously interfere and may be in conflict with the hearings and processings of the objectives of the revisions and amendments to the zoning ordinance and its orderly adoption, all to the detriment of the public peace, health, safety, and welfare of the City of Hawaiian Gardens and it is necessary that this Ordinance take effect immediately upon its adoption pursuant to the provisions of the planning and zoning law of the State of California, Government Code Sections 65858 & 36937.

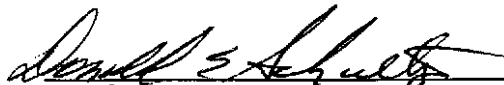
SECTION 3: The City Council hereby directs and authorizes the City Administrator to issue the written report required by Government Code Section 65858(d) on behalf of the City Council.

SECTION 4: Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person, firm, corporation or circumstance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not effect the validity of the remaining portion thereof. The City Council of the City of Hawaiian Gardens hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 5: Effective Immediately. By reason of the foregoing this Ordinance shall take effect immediately upon its adoption and shall remain in effect until August 31, 1989, at which time an ordinance allowing acupuncture, acupressure, and massage parlor uses in the C-4 zone with a conditional use permit. The City Clerk shall certify to the adoption of this Ordinance and shall cause same to be published as required by law.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS THIS 13TH DAY OF JUNE, 1989.

ATTEST:


MAYOR


CITY CLERK

I, Evelyn M. Thissell, Deputy City Clerk of the City of Hawaiian Gardens, do hereby certify that Ordinance No. 351 was duly and regularly passed and adopted by the City Council of the City of Hawaiian Gardens on the 13th day of June, 1989 by the following roll call vote as the same appears on file and of record in the office of the City Clerk.

AYES: Furgeson, Navejas, Wagner, Sher, Schultze
NOES: None
ABSENT: None
ABSTAIN: None


Evelyn M. Thissell
Deputy City Clerk

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Long Beach Press-Telegram, a newspaper of general circulation, printed and published 7 times each week in the City of Long Beach, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of March 21, 1934.

Case Number 370512; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

June 21,

all in the year 19 89.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Long Beach, California, this _____

21st day of

June, 1989

E. M. Brown
Signature

PRESS-TELEGRAM
Legal Advertising Department
604 Pine Avenue, Long Beach, CA 90844
(213) 499-1236

This space is for the County Clerk's Filing Stamp

Proof of Publication of

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2-30-40

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DONALD E. SCHULTZE
Mayor

ATTEST:
CAROL J. DORFMEYER
City Clerk

I, Evelyn M. Thissell, Deputy City Clerk of the City of Hawaiian Gardens, do hereby certify that Ordinance No. 351 was duly and regularly passed and adopted by the City Council of the City of Hawaiian Gardens on the 13th day of June, 1989, by the following roll call vote as the same appears on file and of record in the office of the City Clerk.

AYES: Furgeson, Navejas, Wagner, Sher, Schultze
NOES: None
ABSENT: None
ABSTAIN: None

EVELYN M. THISSELL
Deputy City Clerk

Pub. July 21, 1989 (10) PT (600373-Govt.)