

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY AMENDING
SECTIONS 4.2.208(c) and 6.2.102(c)(4) OF THE OAKLEY MUNICIPAL CODE,
DEALING WITH UNREASONABLE NOISES AND ENCROACHMENTS**

The City Council of the City of Oakley does ordain as follows:

Section 1. Section 4.2.208(c) of the Oakley Municipal Code is hereby amended to read as follows:

(c) Operate a lawn mower or leaf blower between sunset and 8:00 a.m., or operate other machinery between the hours of 10:00 p.m. and 8:00 a.m. in a manner causing excessive noise to nearby residents.

Section 2. Section 6.2.102(c)(4) is hereby amended to read as follows:

(c)(4) Placing or leaving on the right-of-way any rubbish, brush, leaves, earth or any material;

Section 3. California Environmental Quality Act (CEQA) Finding.

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

Section 4. Severability.

In the event any section or portion of this ordinance shall be determined to be invalid or unconstitutional, such section or portions shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 5. Effective Date and Publication.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2015 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Doug Hardcastle, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date