

ORDINANCE NO. 16-288

AN ORDINANCE AMENDING SEVERAL PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF LAKESIDE, READOPTING 15-285 AND REPEALING CONFLICTING ORDINANCES INCLUDING ORDINANCE NO. 14-281

The City of Lakeside does ordain as follows:

Section 1. Amendments to Title 9 of the Code of Ordinances for the City of Lakeside

**A) Section 94.04 is amended to read:
§ 94.04 RIGHT-OF-WAY.**

It shall be the sole responsibility of the adjacent property owner(s) to maintain the right-of-way in a safe condition. Placement of any item or structure, excluding mail or newspaper boxes, in a right-of-way is prohibited. Weeds and grasses shall be controlled or cut to eliminate fire and other hazards. Unless otherwise posted, temporary automobile/motorcycle parking is allowed in the right-of-way. In no case, however, will motor homes, trailers or disabled vehicles or objects be parked or placed in the right-of-way except for a reasonable time for loading or unloading same. (Ord. 154, passed 3-17-1993 as amended)

**B) Section 94.06 is amended to read:
§ 94.06 REMEDIAL ACTION.**

Where noncompliance with this subchapter is brought to the attention of the city, the noncompliance may be treated as a nuisance. The provisions of §§ 93.07 to 93.12 shall apply to abatement of violations of this section. As provided in §§ 93.07 to 93.12, remedial action may, in the city's discretion, be initiated without the city assuming any liability for the noncomplying condition. The city may undertake such remediation as is necessary to alleviate the noncomplying condition and the responsible party owner shall pay the city for all reasonable expenses incurred in remediation of the noncomplying condition. (Ord. 154, passed 3-17-1993, as amended)

Section 2. Amendment to Title 10 of the Code of Ordinances for the City of Lakeside

A) Subsection (B)(2) of Section 110.08 is amended to read:

(2) The license may not be granted if:

(a) The activity or device to be licensed would not comply with city ordinances or state or federal laws, except, where an activity is specifically allowed by state law but prohibited by federal law, the activity may be licensed as long as it is in compliance with state law and city ordinances;

(b) The licensed activity or device would endanger property or the public's health or safety;

(c) The applicant's violation of law or ordinance represents a reasonable doubt about the applicant's ability to perform the licensed activity without endangering property or the public's health or safety;

(d) The applicant fails to supply information required, or submits misleading or false information, or submitted misleading or false information on a previous application; or

(e) The premises to be used by the business do not fully comply with all city ordinances and requirements.

Section 3. Code of Ordinances of the City of Lakeside Re-Adopted

The general ordinances of the City of Lakeside, as revised, amended restated, codified and compiled in book form are hereby adopted, as further amended by this Ordinance, and shall constitute the Code of Ordinances of the City of Lakeside. The Code of Ordinances shall continue to have the structure of Titles as set forth in Ordinance 15-285, which, except as amended, is incorporated into this Ordinance as if fully set forth herein. All actions taken pursuant to Ordinance 15-285 are hereby acknowledged and accepted as being consistent with the prior ordinances of the City of Lakeside.

Section 4. General Repeal of Conflicting Ordinances

As set forth in Ordinance 15-285, all prior ordinances pertaining to the subjects treated in the adopted Code of Ordinances, or which might in any way conflict with the adopted provisions of the Code of Ordinances shall be deemed to be and shall be repealed because they have been superseded and replaced by the incorporation, as amended or revised into the adopted Code of Ordinances. Such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this Ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat of dedications of land to public use, vacating or setting boundaries of streets or other public places, nor shall such repeal affect any other ordinances of temporary or special nature pertaining to subjects not contained in or covered by the Code.

Section 5. Repeal of Ordinance No. 14-281 An Ordinance Establishing a Tax on the Sale of Marijuana and Marijuana Infused Products.

Ordinance No 14-281 is hereby repealed.

Therefore, this Ordinance shall become effective 30 days upon its passage by the City Council and approval by the mayor.

FIRST READ to the Council on the 8th day of September, 2016.

PASSED by the Council this 13 day of October, 2016.

SIGNED by the Mayor this 24 day of Oct., 2016.

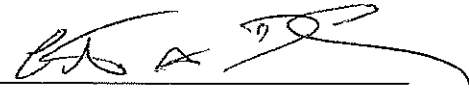
Effective this 25 day of November, 2016.

APPROVED:



Dean Warner, Mayor

ATTEST:


Curtis Kelling, City Recorder/Manager