

**ORDINANCE NO. 19-1927**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, REPEALING SECTION 3 OF ORDINANCE NO. 83-647, REPEALING ORDINANCE NOS. 94-1048U AND 94-1048, AND AMENDING ARTICLE IX (PLANNING AND ZONING), CHAPTER 2 (SUBDIVISION REGULATIONS), PART 7 (FEES – DEPOSITS – BONDS) TO DELETE SECTION 9207.19 (PARK AND RECREATIONAL FACILITIES).**

**WHEREAS**, on March 15, 1983, the City Council of the City of Carson (“the City Council”) adopted Ordinance No. 83-647, Section 3 of which amended the Carson Municipal Code to add Section 9207.19 requiring subdividers to dedicate land or pay a fee for the purpose of developing or improving park or recreational facilities; and

**WHEREAS**, on December 6, 1994, the City Council adopted Ordinance No. 94-1048U to amend Section 9207.19 of the Carson Municipal Code to accurately determine land dedication or fee requirements for park and recreation facilities as authorized by The Quimby Act (Government Code Section 66477), and to declare the urgency thereof; and

**WHEREAS**, on December 20, 1994, the City Council adopted Ordinance No. 94-1048 affirming the Carson Municipal Code amendments approved in Ordinance No. 94-1048U; and

**WHEREAS**, the City Council wishes to repeal Ordinance Nos. 94-1048, 94-1048U, and Section 3 of Ordinance No. 83-647, to effectuate the repeal of parks and recreation facilities fees and dedications authorized by The Quimby Act; and

**WHEREAS**, the City Council wishes to amend the Carson Municipal Code to delete Section 9207.19, which authorized the parks and recreational facilities fees and dedications pursuant to The Quimby Act; and

**WHEREAS**, the City Council intends to use interim development impact fees, rather than fees and dedications pursuant to The Quimby Act, as a funding mechanism for public facilities needs resulting from development.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The forgoing recitals are true and correct and are incorporated herein by this reference.

**SECTION 2.** Section 9207.19, Park and Recreational Facilities, of Part 7 (Fees – Deposits – Bonds), Chapter 2 (Subdivision Regulations), Article IX (Planning and Zoning) is hereby deleted in its entirety.

**SECTION 3.** Section 3 of Ordinance No. 83-647 is repealed.

**SECTION 4.** Ordinance Nos. 94-1048U and 94-1048 are repealed in their entirety.

**SECTION 5.** The City shall expend or distribute “Quimby fees” previously collected pursuant to Carson Municipal Code Section 9207.19 in a manner compliant with Government Code Section 66477 (The Quimby Act), or as otherwise authorized by law.

**SECTION 6.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

**SECTION 7.** This Ordinance shall be in full force and effect thirty (30) days after its adoption.

**SECTION 8.** The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted and codified in the manner required by law.

**PASSED, APPROVED and ADOPTED** at a regular meeting of the City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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MAYOR ALBERT ROBLES

ATTEST:

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CITY CLERK DONESIA GAUSE-ALDANA

APPROVED AS TO FORM:

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CITY ATTORNEY SUNNY K. SOLTANI