

ORDINANCE NUMBER 1039

AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO PROHIBIT THE ESTABLISHMENT OF ANY METHADONE CLINIC OR OTHER SIMILAR MEDICAL TREATMENT/SERVICE FACILITY DURING THE PENDENCY OF THIS ORDINANCE, AND DECLARING THE URGENCY THEREOF

WHEREAS, Chapter 19.10 of the Perris Municipal Code sets forth procedures for the issuance of public use permits to allow certain public uses that contribute to the orderly growth and development of the City of Perris (the "City") to be properly integrated into the overall community pattern and district; and

WHEREAS, there is significant concern that the provisions of Chapter 19.10 do not adequately or appropriately address methadone clinics or other similar medical treatment/service facility uses, or the impacts thereof on the orderly growth and development of the City, or on the public health, safety, morals and welfare; and

WHEREAS, the City finds that in light of the foregoing, the definitions, regulations and impacts of methadone clinics or other similar medical treatment/service facility uses should be reviewed in accordance with existing development, planning and legal standards; and

WHEREAS, permitting any methadone clinic or other similar medical treatment/service facility use during the pendency of the City's evaluation and review of said uses could result in the application of inconsistent standards, potentially exposing the City to various claims or litigation.

NOW, THEREFORE, the City Council of the City of Perris does ordain as follows:

Section 1. The City Council hereby finds, determines and declares that the above recitals are true and correct. The City Council incorporates said recitals herein and hereby finds that this Ordinance is required to prevent a current and immediate threat to the public health, safety and welfare. The City needs to thoroughly study the impacts of methadone clinics and other similar medical treatment/service facility uses, and how such uses will affect the public health, safety and welfare, including the economic viability, peace and morals of the community. The approval of the foregoing uses during the pendency of the City's evaluation and review could result in a threat to public health, safety or welfare.

Section 2. The City Council hereby finds that during the time this Ordinance is in effect: (1) no methadone clinic or other similar medical treatment/service facility use shall be approved or established; (2) no applications for methadone clinics or other similar medical treatment/service facility uses shall be accepted for processing or processed; and (3) no public use permit or other permit shall be issued for any methadone clinic or other similar medical treatment/service facility use.

Section 3. Following adoption of this Ordinance, the City shall evaluate and assess the current provisions of Chapter 19.10 of the Perris Municipal Code for sufficiency, review existing regulations, assess the impacts of methadone clinics and other similar medical treatment/service facility uses, review locations within the City for suitability to locate such uses, establish appropriate regulations to minimize any detrimental effects from such uses, and review appropriate ordinances from other jurisdictions.

Section 4. The City Council hereby declares this Ordinance to be an urgency measure in accordance with Government Code § 65858. This Ordinance shall take effect immediately upon its adoption by at least four-fifths (4/5) vote of the City Council, and shall remain in effect for forty-five (45) days from the date of its adoption. However, pursuant to the provisions of Government Code § 65858, the City Council, after notice pursuant to Government Code § 65090 and a public hearing, may, by four-fifths (4/5) vote, extend the time this Ordinance will be in force and effect for an additional ten (10) months and fifteen (15) days and subsequently may extend this Ordinance for an additional one (1) year, provided that at the time of extension a report shall be approved concerning the activities completed during the deferment period.

Section 5. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in this regard.

ADOPTED, SIGNED and APPROVED this 12th day of August, 1996.

MAYOR OF THE CITY OF PERRIS

Attest:

City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF PERRIS)

I, Beti An Hynes, duly elected City Clerk of the City of Perris, California, do hereby certify that the foregoing Ordinance Number 1039 was introduced at a regular meeting thereof held on 12 August 1996, and adopted by the City Council of the City of Perris at a regular meeting thereof held on the 12th day of August, 1996, by the following called vote:

Ayes: Denney, Landers, Yarbrough, Torres and Long
Noes: None
Absent: None

City Clerk