

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Planning and Development Department will implement the moratorium, with support from the Public Works Department.

FISCAL IMPACT

There will not be an immediate fiscal impact as a result of this extension of the temporary moratorium.

ENVIRONMENTAL DETERMINATION

Prior to first reading, Council is being asked to find that the extension of Ordinance No. 7226 is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA). CEQA Guidelines Section 15060 (C)(2) states that projects which will not result in a direct or reasonably foreseeable indirect physical change in the environment are not subject to CEQA. The exemptions from CEQA pursuant to Section 15262 apply to projects that involve only feasibility or planning studies for possible future actions which the City has not approved, adopted, or funded, and does not involve adoption of a plan that will have a legally binding effect on later activities.

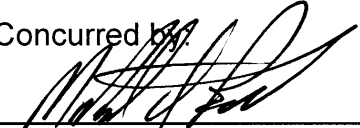
Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:


Theresa E. Fuentes
Assistant City Attorney

Concurred by:


Michael J. Beck
City Manager

Introduced by: _____

ORDINANCE NO. _____

AN EXTENSION OF INTERIM URGENCY ORDINANCE NO. 7226 OF THE CITY OF PASADENA TEMPORARILY PROHIBITING THE APPROVAL OF NEW RECYCLING FACILITIES, THE EXPANSION OR MODIFICATION OF EXISTING FACILITIES, AND THE RESUMPTION OF DISCONTINUED LEGAL NONCONFORMING STATUS FOR RECYCLING FACILITIES

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and corresponding cost of publication, will be published by title and summary as permitted in Section 508 of the Pasadena City Charter. The approved summary of this ordinance is as follows:

“Summary

“Ordinance No. _____ extends for 10 months and 15 days the provisions of Ordinance No. 7226, which temporarily prohibits the approval of new recycling facilities, the expansion or modification of existing recycling facilities, and the resumption of discontinued legal nonconforming recycling facilities. During that time, the City will undertake a review of state law, including but not limited to the California Beverage Container Recycling and Litter Reduction Act, to determine the extent to which the City can further regulate, or even prohibit, recycling facilities, and will conduct outreach and discussion with affected communities. This ordinance may be further extended after a duly noticed public hearing.

Ordinance No. _____ shall take effect upon publication.”

SECTION 2. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 3. This ordinance shall take effect upon publication, and shall remain in effect for a period of 10 months and 15 days from the date of adoption, in accordance with California Government Code Section 65858.

Signed and approved this _____ day of _____, 2013.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____ 2013, by the following vote:

AYES:

NOES:

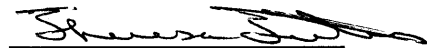
ABSENT:

ABSTAIN:

Date Published:

Mark Jomsky, CMC
City Clerk

Approved as to form:



Theresa E. Fuentes
Assistant City Attorney

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