

ORDINANCE NO. _____ (CM)

AN EMERGENCY ORDINANCE OF THE CITY OF WATSONVILLE
EXEMPTING CERTAIN BUILDINGS FROM SECTION 14-20-080
OF THE WATSONVILLE MUNICIPAL CODE GOVERNING THE
REPLACEMENT OF DAMAGED OR DESTROYED
NON-CONFORMING USES

WHEREAS, on October 18, 1989, the City Council of the City of Watsonville declared that due to a major earthquake on October 17, 1989, that a state of emergency exists throughout the City; and

WHEREAS, as a result of said earthquake over 571 residential buildings and 34 commercial/industrial buildings have suffered either minor, major or complete damage; and

WHEREAS, certain of said buildings are in immediate need of repair and rehabilitation in order to safeguard and protect the public health, safety and welfare; and

WHEREAS, the imposition of Section 14-20.080 of the Watsonville Municipal Code as to any buildings damaged more than sixty (60%) percent of its market value as a result of said earthquake would cause an undue hardship on the those individuals whose buildings suffered said damage; and

WHEREAS, it is necessary to suspend the operation of Section 14-20.080 as to any building damaged as a result of said earthquake to protect and preserve the public interest, health, safety, comfort and convenience, and preserve the public welfare by allowing the prompt repair and rehabilitation of certain said said buildings.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WATSONVILLE, DOES
ORDAIN AS FOLLOWS:**

Section 1. Those buildings in the City of Watsonville which have been damaged more than sixty (60%) percent of its market rate as a result of the major earthquake on October 17, 1989, and any of its aftershocks shall be exempt from the requirements of Section 14-20.080 of the Watsonville Municipal Code, provided that any such building is restored, reconstructed or used as before and that such be initiated within three (3) months and be substantially completed within six (6) months after such happening.

Section 2. This ordinance shall take effect and be in force immediately upon its adoption, and shall remain in effect until midnight of April 23, 1990, unless otherwise modified by Ordinance.

Section 3. This Council finds and determines that the exemption must be imposed in order to protect and preserve the public interest, health, safety, comfort and convenience, and to preserve the public welfare; that it is necessary to preserve the public health and safety against the possibility of illegal building repair or construction without the obtaining of building permits because a building has suffered damage in excess of sixty (60%) percent of its market value; that it is further necessary to protect all of the citizens of Watsonville against possible financial and economic losses resulting from said earthquake.

Section 4. Any provisions of the Watsonville Municipal Code or other Ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, is suspended during the moratorium.

Section 5. If any provision of this ordinance is held to be unconstitutional herewith, to the extent of such inconsistencies and no further, is suspended during the moratorium.

Section 6. This ordinance is declared to be an emergency measure adopted pursuant to the provisions of Section 602 of the Watsonville City Charter and is necessary to preserve the public peace, health, safety and property, and the general welfare and the urgency for its adoption is set forth in the findings above.

Section 7. The City Clerk is hereby directed to cause this ordinance to be published once in the official newspaper within fifteen (15) days after its adoption.

The foregoing emergency ordinance was introduced at a regular meeting of the Council of the City of Watsonville, held on the _____ day of _____, 1989, by Council Member _____, who moved its adoption, which motion being duly seconded by Council Member _____, was upon roll call carried and the emergency ordinance adopted by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MAYOR

ATTEST:

CITY CLERK