

ORDINANCE NO. 2016

**AN ORDINANCE OF THE CITY OF SANTA CLARA,
CALIFORNIA, AMENDING CHAPTERS 5.75 ("BINGO") AND
10.20 ("FUNERAL ESCORT SERVICES") OF "THE CODE
OF THE CITY OF SANTA CLARA, CALIFORNIA"**

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City Council adopted Ordinance No. 2007 on November 19, 2019 Amending Chapters 2.115 ("General Characteristics of License or Permit - Suspension Procedure"), 3.25 ("Transient Occupancy Tax"), 3.40 ("Business Tax"), 5.05 ("Solicitors and Peddlers"), 5.30 ("Pawnbrokers and Secondhand Dealers"), 5.35 ("Taxicabs and Pedicabs), 5.61 ("Public Entertainment Generally"), 5.75 ("Bingo"), and 13.10 ("Sewers") of "The Code of the City of Santa Clara, California" to streamline the appeal procedures for City of Santa Clara licenses and permits;

WHEREAS, correlating changes are needed to two further sections of the SCCC to ensure consistency with the new numbering.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

SECTION 1: That Section 5.75.280 of Chapter 5.75 (entitled "Bingo") of Title 5 (entitled "Business Licenses and Regulations") of "The Code of the City of Santa Clara, California" is amended to read as follows:

"5.75.280 Notice and hearing on suspension and revocation.

Whenever the Chief of Police, or designee, has cause to believe that grounds for the

suspension or revocation of a permit exists, he/she shall give the holder of the bingo permit written notice stating the alleged grounds for the suspension or revocation and the effective date of the suspension or revocation. This notice will be sent by certified mail, return receipt requested, to the address shown on the last application or renewal, or by personal service. If the return receipt is not returned within one week after the City mails the notice, service will be deemed completed seven calendar days after notice is mailed by the City. The decision of the Chief of Police, or designee, to suspend or revoke a bingo permit may be appealed in accordance with the procedures set forth in SCCC Chapter 2.115."

SECTION 2: That Subsection (c) of Section 10.20.030 of Chapter 10.20 ("Funeral Escort Services") of Title 10 (entitled "Vehicles and Traffic") of "The Code of the City of Santa Clara, California" is amended to read as follows:

"(c) The Chief of Police may order the revocation of a funeral escort permit if the permittee has directed traffic in a manner contrary to that specified in this section."

SECTION 3: That Section 10.20.090 of Chapter 10.20 ("Funeral Escort Services") of Title 10 (entitled "Vehicles and Traffic") of "The Code of the City of Santa Clara, California" is amended to read as follows:

"10.20.090 Procedure for permit denial and revocation; Appeals.

(a) The Chief of Police may refuse to issue or renew, or may revoke, a funeral escort service permit only after providing the applicant or permittee with written notice specifying the grounds for the proposed action. This written notice will be sent by certified mail, return receipt requested, to the address shown on the last application or renewal, or by personal

service. If the return receipt is not returned within one week after the City mails the notice, service will be deemed completed seven calendar days after notice is mailed by the City.

(b) An applicant or permittee may appeal the decision of the Chief of Police in accordance with SCCC Chapter 2.115. Issuance of a written notice of cancellation by an insurance company shall be conclusive proof at the hearing of the effective cancellation of an insurance policy.”

SECTION 4: Ordinances Repealed. With exception of the provisions protected by the savings clause, all ordinances (or parts of ordinances) in conflict with or inconsistent with this ordinance are hereby repealed.

SECTION 5: Savings clause. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

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SECTION 6: Effective date. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of "The Charter of the City of Santa Clara, California."

PASSED FOR THE PURPOSE OF PUBLICATION this 7TH day of APRIL, 2020, by the following vote:

AYES: COUNCILORS: Chahal, Davis, Hardy, O'Neill, and Watanabe and Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: None

ABSTAINED: COUNCILORS: None

ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

FINALLY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA this 28TH day of APRIL, 2020, by the following vote:

AYES: COUNCILORS: Chahal, Davis, Hardy, O'Neill, and Watanabe, and Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: None

ABSTAINED: COUNCILORS: None

ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None