

## **CHAPTER ONE: ORGANIZATION, FUNCTIONS, AND GENERAL PROVISIONS**

### **Subchapter 1.01: General**

#### **1.01.010 Title**

This code of ordinances of the Town of Colma shall be known as the Town of Colma Municipal Code.

*[History: formerly § 1.101, ORD. 205, 12/8/76; ORD. 620, 9/8/04]*

*[Reference: GOV'T CODE § 36933.1]*

#### **1.01.020 Incorporation**

The Town of Colma is a general law city, duly incorporated on August 5, 1924, under and by virtue of the laws of the State of California. The City changed its name to the Town of Colma on November 24, 1941.

*[History: formerly § 1.102, ORD. 101, 12/21/60; ORD. 205, 12/8/76; ORD. 620, 9/8/04]*

*[Reference: GOV'T CODE § 34302]*

#### **1.01.030 Chapters.**

This Code shall be divided into eight (8) chapters, numbered consecutively and entitled respectively: (1) Organization, Functions and General Provisions; (2) Prohibited Activities; (3) Environmental Protections; (4) Business Activities; (5) Planning, Zoning, Use, Development of Land and Improvements; (6) Vehicle and Traffic Code; (7) Revenue and Taxation; (8) Animals.

*[History: formerly § 1.103, ORD. 205, 12/8/76; ORD. 620, 9/8/04]*

#### **1.01.040 Number System.**

Each section of the Code shall be numbered as follows: each section shall be numbered separately, such number to consist of three parts: the first part shall be the chapter number; the second part, which shall follow a period after the first part, shall be a two-digit number referring to the subchapter number; and the third part, following a period after the second part, shall be a three-digit number referring to the section number. Section numbers may be spaced in increments of ten digits, e.g., 010, 020, 030, so that, in the future, section numbers may be inserted in the Code. Subsections shall be numbered thusly: (a), (b), (c), and so on. Subsections shall be numbered (1), (2), (3), (4), and so on.

*[History: formerly § 1.104, ORD. 205, 12/8/76; ORD. 533, 7/8/98; ORD. 620, 9/8/04; ORD. 638, 11/9/05]*

**1.01.050     Holidays.**

(a)     The Town observes and will be closed for business on the following holidays, except for the continuance of essential public services such as police services:

- (1)        New Year's Day,
- (2)        Martin Luther King, Jr. Day,
- (3)        Lincoln's Birthday,
- (4)        President's Day,
- (5)        Memorial Day,
- (6)        Independence Day,
- (7)        Labor Day,
- (8)        Columbus Day,
- (9)        Veteran's Day,
- (10)       Thanksgiving Day,
- (11)       Day After Thanksgiving,
- (12)       December 24,
- (13)       December 25, and
- (14)       Any day specially proclaimed by the City Council as a city holiday.

(b)     If any of the foregoing holidays except a special holiday proclaimed by the City Council falls on a Saturday, the Town will observe and be closed for business on the preceding Friday.

(c)     If any of the foregoing holidays except a special holiday proclaimed by the City Council falls on a Sunday, the Town will observe and be closed for business on the following Monday.

[Reference: Gov't Code § 6700 *et seq.*]

[*History*: Re-numbered as 1.01.100 by ORD. 643, 4/12/2006, ORD. 653, 2/21/07]

**1.01.055     Saturdays and Sundays.**

Town offices will be closed for the transaction of business on Saturdays and Sundays, except for the continuance of essential public services such as police services.

[Reference: Gov't Code § 6704]

**1.01.060 Bulletin Boards.**

Three official bulletin boards are hereby designated, upon which shall be posted all ordinances and other documents and papers required by law or the City Council to be posted, and shall be located at the following places: one at the Town Hall, situated on the northwest corner of El Camino Real and Serramonte Boulevard; one at the entrance to Sterling Park Community Center located at 427 F Street; and one on the east side of Clark Street at the intersection with E Street.

[History: formerly § 1.106, ORD. 205, 12/8/76; ORD. 412, 4/11/90; ORD. 468, 7/13/94; ORD. 620, 9/8/04; ORD. 629, 5/11/05]

[Reference: Gov't Code §36933]

**1.01.070 Severability.**

If any chapter, subchapter, section, subsection, clause, sentence, or phrase of this Code is, for any reason, held to be invalid, such invalidity shall not affect the validity of the entire Code or any of the remaining portions thereof.

[History: formerly § 1.107, ORD. 205, 12/8/76; ORD. 620, 9/8/04]

**1.01.080 CEQA Guidelines.**

The City Council shall adopt, by resolution, local procedures to evaluate proposed projects and administer the city's responsibilities under the California Environmental Quality Act.

[History: ORD. 645, 6/14/06]

**1.01.090 General Municipal Election.**

The general municipal election for the Town of Colma shall be regularly held on the same day as the statewide general election in November of even-numbered years.

[History: formerly § 1.109, ORD. 527, 4/14/98; ORD. 620, 9/8/04]

**1.01.100 Definitions**

(a) Except where the context otherwise dictates, the following words and phrases shall have the respective meanings ascribed thereto whenever such words and phrases are used in this Code or in any amendments thereto hereinafter enacted:

*Administrative Hearing Officer* or *Hearing Officer* means the person designated to conduct an administrative hearing under Chapter One, Subchapter Twelve of the Colma Municipal Code.

*Building* means any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or property.

*Building Codes* shall mean and refer to the provisions of the California Building Code, California Electrical Code, California Energy Code, California Existing Buildings Code, California Fire Code, California Green Building Code, California Historic Building Code, California Mechanical Code, California Plumbing Code, California Reference Standards, Uniform Abatement of Dangerous Buildings Code and the Uniform Housing Code.

*City* shall mean and refer to the incorporated Town of Colma.

*City Council* means the city council of the Town of Colma.

*City Manager* means the city manager or his or her duly authorized representative.

*Code* shall mean and refer to the Town of Colma Municipal Code.

*Code Enforcement Officer* means the City Manager or any person or persons designated by the City Manager to monitor compliance with or enforce the provisions of the Colma Municipal Code.

*County* shall mean and refer to the County of San Mateo.

*Department* means one of the functional departments of the Town, as described in section 1.03.010 of this Code.

*Department Director* means the chief administrative officer in charge of one of the functional departments of the Town, which are set forth in section 1.03.010 of this Code.

*Emergency* means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of or damage to life, health, property or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as occurrences as riot, accident or sabotage.

*Environment* means the physical conditions in an area, including land, air, water, minerals, flora, fauna, ambient noise, objects of historic or aesthetic significance.

*Environmental Impact Report* means a detailed statement setting forth the environmental effects and considerations pertaining to a project as specified in section 21100 of the California Environmental Quality Act, and may be either a draft EIR or a final EIR.

*Person* means any natural person, firm, association, organization, partnership, business, trust, corporation, or company.

*State EIR Guidelines* means those regulations adopted by the California Resources Agency, as amended from time to time, pursuant to the California Environmental Quality Act, entitled, *Guidelines for Implementation of the California Environmental Quality Act of 1970*, and published in Title 14, California Administrative Code, Chapter 3, sections 15000 et seq.

*Town* means the Town of Colma.

(b) Words used in the present tense include the future; words used in the singular number include the plural; words used in the plural number include the singular. The word "shall" is mandatory and not directory.

[*History:* formerly § 1.105, ORD. 209, 6/8/77; ORD. 205, 12/8/76; ORD. 209, 6/8/77; ORD. 214, 7/13/77; ORD. 620, 9/8/04; ORD. 643, 4/12/2006; ORD. 666, 2/13/08]

[*Reference:* 14 CAC § 15025; PUB. RES. §§ 21060.5, 21061, 21066; SMC 8110]