

**From:** Paige Murphy [<mailto:paigepmurphy@gmail.com>]  
**Sent:** Wednesday, April 10, 2019 4:24 PM  
**To:** Michelle Danna <[mdanna@cityofcamarillo.org](mailto:mdanna@cityofcamarillo.org)>  
**Subject:** Fwd: Moratorium — California Government Code section 65858

Hello Michelle,

Can you please forward the below information to the council members for tonight's meeting? It will help the council members in their informative discussion on 5G cell towers.

Thank you very much,

Paige Nielsen

*Under California Government Code section 65858, a city or a county may adopt an interim ordinance to temporarily prohibit certain land uses, including particular types of businesses, in the community. This type of ordinance is commonly referred to as a “moratorium ordinance.” The purpose of a moratorium ordinance is to give the locality time to study the potential impact of particular activities and figure out whether and how these activities should be regulated.*

*. The rationale for an urgency ordinance that takes immediate effect is to prevent a “land rush” of applications to establish new uses before standards can be put in place. The delay in permits allows the city or county to subject all new uses to the new standards.*

*A locality can adopt an urgency ordinance without following the typical procedures that it would use to amend its municipal code, which require two approvals (called “readings”) by the City Council or Board of Supervisors and a 30-day delay between the second reading and the effective date of the new law.*

*As a result, an urgency ordinance can be passed without advance notice to the public and can be immediately effective. California law requires that an urgency ordinance be approved by a four-fifths vote of the local legislative body.*

*An urgency ordinance may remain in effect for only 45 days, unless it is extended by another four-fifths vote. After notice and a hearing, a local government can extend the ordinance for either ten months and 15 days, with the option of an additional one-year extension, or 22 months and 15 days. In other words, an urgency ordinance can be extended so that its full duration is up to two years. Any extension requires a four-fifths vote of the local legislative body.*

*California law requires that a moratorium ordinance contain findings stating why the ordinance is needed to address a current and immediate threat to public health, safety, or welfare.*

And here is the text of California Code 65858:

[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=65858](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=65858).