

ORDINANCE NO. 5189

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

AMENDING CHAPTER 18 HEALTH AND SANITATION OF THE SANTA BARBARA COUNTY CODE TO REPEAL SECTIONS 18-41 THROUGH 18-44 AND SECTION 18-49.

**WHEREAS**, periodically, an administrative clean-up of current Santa Barbara County Code is required to ensure that both County staff and the public have easy and logical access to current code regulations; and

**WHEREAS**, Santa Barbara County Code Chapter 18, Health and Sanitation, Article VI, Reporting Requirements, sections 18-41 through 18-44, are more appropriately located in Chapter 18C as hazardous materials release reporting that is mandated by existing State laws and regulations is under the authority of the County Environmental Health Services as the administering agency for the Certified Unified Program Agency designated by Chapter 18C; and

**WHEREAS**, Santa Barbara County Code, Chapter 18, Health and Sanitation, Article VII, Monitoring section 18-49, is more appropriately located in Chapter 18C because when evidence of soil or groundwater contamination exist, the County Director of Environmental Health Services is authorized by State law to require hazardous waste facilities or properties with known waste releases to take specific actions, to investigate the extent of hazardous waste contamination, and to require a contamination cleanup plan to be developed and implemented; and

**WHEREAS**, County Environmental Health Services proposes that outdated language in Santa Barbara County Code Chapter 18, Article VI and Article VII is repealed.

**NOW THEREFORE**, the Board of Supervisors of the County of Santa Barbara ordains as follows:

**SECTION 1. ORDINANCE AMENDMENT TO CHAPTER 18, ARTICLE VI.**

Santa Barbara County Code Chapter 18, titled Health and Sanitation, Article VI Reporting Requirements, sections 18-41 through 18-44 is hereby repealed on the effective date of this ordinance.

The repeal of Santa Barbara County Code Chapter 18, Article VI, sections 18-41 through 18-44 shall not have any effect on any criminal or civil litigation or claims, including claims

for fees, arising under said Article and shall not operate as an abatement of any criminal or civil action or proceeding, whether pending before or filed after the effective date of this ordinance.

**SECTION 2. ORDINANCE AMENDMENT TO CHAPTER 18, ARTICLE VII.**

Santa Barbara County Code Chapter 18, titled Health and Sanitation, Article VII Monitoring, section 18-49 is hereby repealed on the effective date of this ordinance.

The repeal of Chapter 18, Article VII, section 18-49 shall not have any effect on any criminal or civil litigation or claims, including claims for fees, arising under said Article and shall not operate as an abatement of any criminal or civil action or proceeding, whether pending before or filed after the effective date of this ordinance.

**SECTION 3: PARTS NOT AFFECTED**

Except as amended by this Ordinance the Santa Barbara County Code shall remain unchanged and shall continue in full force and effect. Those sections of Chapter 18, titled Health and Sanitation, not set forth in this Ordinance shall remain in full force and effect.

**SECTION 4. SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 5. PUBLICATION AND EFFECTIVE DATE.**

This Ordinance shall take effect and become operative 30 days from the date of its adoption by the Board of Supervisors. Before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the *Santa Barbara NewsPress*, a newspaper of general circulation published in the County of Santa Barbara in compliance with Government Code section 25124.

**PASSED, APPROVED, AND ADOPTED** by the Board of Supervisors of the County Santa Barbara, State of California, on this 19th day of September, 2023 by the following vote:


**AYES:** Supervisors Williams, Capps, Hartmann, Nelson and Lavagnino

**NAYS:** None

**ABSENT:** None

**ABSTAIN:** None

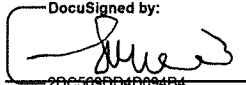
ATTEST:  
MONA MIYASATO  
COUNTY EXECUTIVE OFFICE  
CLERK OF THE BOARD

By:   
Deputy Clerk

COUNTY OF SANTA BARBARA

By:   
Das Williams, Chair  
Board of Supervisors

APPROVED AS TO FORM:  
Rachel Van Mullem  
COUNTY COUNSEL

DocuSigned by:  
  
By: \_\_\_\_\_  
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Deputy County Counsel