

ORDINANCE NO. 3251-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO AMEND CHAPTER 20.10 (CERTIFIED UNIFIED PROGRAM AGENCY PROGRAM ADMINISTRATION) OF TITLE 20 (HAZARDOUS MATERIALS) OF THE SUNNYVALE MUNICIPAL CODE

WHEREAS, the City of Sunnyvale desires to amend certain sections of the Sunnyvale Municipal Code Chapter 20.10 (Certified Unified Program Agency Program Administration).

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

SECTION 1. Section 20.10.080 Enforcement AMENDED. Section 20.10.080 of Chapter 20.10 (Certified Unified Program Agency Program Administration) of Title 20 (Hazardous Materials) of the Sunnyvale Municipal Code is hereby amended to read as follows:

Section 20.10.080. Enforcement.

(a) Any party that violates any provision of this chapter shall be liable for civil and criminal penalties, as appropriate, to the full extent provided by state law, and this chapter. Such liability may include, but shall not be limited to, liability for administrative civil penalties as provided in Health and Safety Code Section 25515.2, as may be amended. The remedies provided for under this section are in addition to any the city or any person might have under other applicable laws.

(b) [Text Unchanged]

SECTION 2. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the city of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 3. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but

shall prevail as to such provisions which are less restrictive.

SECTION 4. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15308 (Class 8) Actions by Regulatory Agencies for Protection of the Environment and Section 15305 (Class 5) Minor alterations in Land Use Limitations and Section 15061 of the CEQA Guidelines, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the changes adopted will have a significant effect on the environment.

SECTION 5. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council 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 6. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 7. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on September 30, 2025, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on March 10, 2026, by the following vote:

AYES: KLEIN, SELL, MEHLINGER, SRINIVASAN, CHANG
NOES: NONE
ABSTAIN: NONE
ABSENT: CISNEROS, LE
RECUSAL: NONE

ATTEST:

APPROVED:

DAVID CARNAHAN

City Clerk

Date of Attestation: _____

LARRY KLEIN

Mayor

(SEAL)

APPROVED AS TO FORM:

REBECCA L. MOON

City Attorney