

ORDINANCE NO. ____-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE REPEALING SECTION 19.42.080
(SURVEILLANCE CAMERAS - RESTRICTIONS) OF
CHAPTER 19.42 (OPERATING STANDARDS) OF TITLE 19
(ZONING) OF THE SUNNYVALE MUNICIPAL CODE

WHEREAS, Section 19.42.080 (Surveillance cameras – Restrictions) was adopted to balance the need for property owners to discourage crime in and around their properties against the need to protect the privacy of the adjacent property owners; and

WHEREAS, the existing section 19.42.080 has proved to be too restrictive to effectively provide a sense of security for those wishing to install security camera systems in order to deter criminal activity; and

WHEREAS, existing state law makes it unlawful to film a person without their consent in a location where there is a reasonable expectation of privacy, and provides civil and criminal remedies for persons who are unlawfully filmed in such locations; and

WHEREAS, the City of Sunnyvale therefore desires to repeal Section 19.42.080 (Surveillance cameras – Restrictions) of Chapter 19.42 (Operating Standards) of the Sunnyvale Municipal Code relating to surveillance cameras.

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

SECTION 1. SECTION 19.42.080 REPEALED. Section 19.42.080 (Surveillance cameras – Restrictions) Chapter 19.42 (Operating Standards) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby repealed.

~~19.42.080. — Surveillance cameras — Restrictions.~~

~~Exterior surveillance cameras located on private property must be placed and aimed so that there is no field of vision intrusion onto adjacent residential properties. If a surveillance camera is mounted on a building, it must be placed so that it does not exceed the height of the property line fence or wall at its lowest point.~~

SECTION 2. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project which has the potential for causing a significant effect on the environment.

SECTION 3. 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 4. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 5. 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 _____, 2015, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney