

DRAFT

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
SECTION 25.03.510 OF CHAPTER 25.03 OF TITLE 25
(AIRPORT) OF THE SAN JOSE MUNICIPAL CODE TO
PROVIDE FOR SENDING NOTICES ELECTRONICALLY**

WHEREAS, pursuant to the provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines and Title 21 of the San José Municipal Code (collectively, "CEQA"), the Director of Planning, Building and Code Enforcement has determined that the provisions of this Ordinance do not constitute a project, under File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment; and

WHEREAS, the City Council of the City of San José is the decision-making body for this Ordinance; and

WHEREAS, this Council has reviewed and considered the "not a project" determination under CEQA prior to taking any approval actions on this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Section 25.03.510 of Chapter 25.03 of Title 25 of the San José Municipal Code is amended to read as follows:

25.03.510 Notices

- A. Whenever a notice is required to be given under this chapter, such notice may be given ~~either~~ by personal delivery thereof or via electronic transmission to the person to be notified or by deposit in the United States Mail, in a sealed envelope postage prepaid, addressed to such person to be notified at his or her last known business or residence address as the same appears in the public records or other records pertaining to the matter to which such notice is directed. Service by electronic transmission is effective when sent to the person to be notified utilizing electronic contact information provided by the person to be notified. Service by mail shall be deemed to have been completed at the time of deposit in the post office.
- B. Failure to receive any notice specified in this chapter does not affect the validity of proceedings conducted hereunder.

PASSED FOR PUBLICATION of title this _____ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk