

*Read in full
8/19*

ORDINANCE NO. 440

AN ORDINANCE AMENDING ORDINANCE NO. 182, COMMONLY KNOWN AS THE SIDEWALK REGULATION ORDINANCE, BY PROVIDING FOR VARIANCES IN CERTAIN CASES FROM THE STRICT AND TECHNICAL REQUIREMENTS OF SAID ORDINANCE NO. 182

SECTION 1. A new section, designated as Section 10A is hereby added to Ordinance No. 182 reading as follows:

10A. Any property owner may apply to the City Council for a permit, granting a variance from the strict and technical requirements of this ordinance which said application shall show all of the following:

- (a) That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings, and/or uses in the same district.
- (b) That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner.
- (c) That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

The CITY COUNCIL may grant a variance upon finding that the foregoing conditions exist in the particular case and that public health, safety, and welfare will be promoted by granting

the requested variance.

SECTION 2. This ordinance shall be published once in full within fifteen (15) days after final passage and adoption in the Ross Valley Times, a weekly newspaper printed, published and circulated in said City and hereby designated for that purpose, and shall be in full force and effect thirty (30) days from and after final passage.

The foregoing Ordinance was duly and regularly introduced at a regular ^{and governed} meeting of the City Council of the City of San Anselmo, held in said City on the ¹⁹ 12th day of August, 1958, and was thereafter on the 26th day of August, 1958, at a regular meeting of the City Council of the City of San Anselmo held in said City, duly passed and adopted by the following vote:

AYES: COUNCILMEN: *Booth, Franchini, Smith*

NOES: COUNCILMEN: *Little*

ABSENT: COUNCILMEN: *none*

Arthur W. Smith
ARTHUR W. SMITH,
Mayor of the City of San Anselmo.

ATTEST:

Anita Gannon
ANITA GANNON, City Clerk.