

Court Opinions Ignored by Santa Cruz
County Counsel, Board of Supervisors, CAO and Planning Department

"If the governing body does not make the express finding required by Health and Safety Code section 17958.7, the governing body's legislation **does not comply with state law and is void.**"

"Under the police power granted by the Constitution, counties and cities have plenary authority to govern, subject only to the limitation that they exercise this power within their territorial limits and **subordinate to state law.**"

"An ordinance is legislative and not adjudicatory action. Adjudicatory action involves actual application. The adoption of an ordinance is a legislative act. It does not stamp the function with an adjudicative character."

"A finding of reasonable necessity is required."

State Constitution Article XI, section 7: "A county or city may make and enforce within its limits all local police, sanitary, and other ordinances and regulations not in conflict with general law." State law preempts local Santa Cruz County ordinances that are in conflict.