

ORDINANCE NO. 346

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, ADOPTING AND ENACTING A NEW MUNICIPAL CODE FOR THE CITY, PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, PROVIDING FOR THE MANNER OF AMENDING SUCH CODE, AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIORNIA, THAT:

Section 1. The Code entitled "The Code of the City of Bradbury, California," published by Municipal Code Corporation, consisting of Title 1 through Title 17, each inclusive, is hereby adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before December 20, 2016, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. The repeal provided for in section 2 hereof shall not be construed to repeal section 4140, Peddlers and Solicitors, of the prior Municipal Code. Said section shall continue in full force and effect, shall be codified as section 6.04.010 of this Municipal Code, and shall continue to read as follows:

Sec. 6.04.010. Peddlers and Solicitors.

No person shall go upon any private premises within the City for the purpose of selling any goods, wares, merchandise, services or other thing of value for the purpose of soliciting or taking orders for any goods, wares, merchandise, services or other thing of value, unless the occupant of said premises specifically has requested the presence of such person upon such premises for such purpose.

Section 5. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished as follows:

(a) Unless otherwise specifically provided in this code, any person convicted of a misdemeanor under the provisions of this code shall be punished by a fine of not more than One Thousand and no/100th (\$1,000.00) Dollars or by imprisonment in the city jail or county jail for a period not exceeding six (6) months, or by both such fine and imprisonment.

(b) Notwithstanding the foregoing, if any section of this code is specifically deemed to be an infraction, as specified in the applicable section, chapter or title, it shall be treated as an infraction. In addition, unless otherwise specifically provided in this code, and as prescribed by Section 42001 of the Vehicle Code of the State, every person convicted of an infraction involving a vehicle shall be punished by a fine not exceeding One Hundred and no/100ths (\$100.00) Dollars, and for a second conviction within a period of one year, by a fine not exceeding Two Hundred and no/100ths (\$200) Dollars, and for a third or any subsequent conviction within a period of one year, by a fine not exceeding Two Hundred Fifty five hundred and no/100ths (\$250.00) Dollars. A pedestrian convicted of an infraction for a violation of this code as adopted pursuant to the Vehicle Code of the State, shall be punished by a fine not exceeding Fifty Dollars (\$50.00).

(c) Notwithstanding anything contained in this code, the prosecutor, in his or her sound discretion, may prosecute a violation of this code as an infraction, rather than a misdemeanor. The prosecutor may also reduce or agree to the reduction of a previously filed misdemeanor to an infraction. Every person, firm partnership, association, or corporation convicted of an infraction for violation of any provision of this chapter other than one covered in subdivision

(b) hereof, shall be punished by a fine not exceeding \$100 for a first violation, a fine not exceeding \$200 for a second violation of the same section within a year, and a fine not exceeding \$500 for each additional violation of the same section within one year.

(d) Notwithstanding any other provision of law, a violation of local building and safety codes determined to be an infraction is punishable by (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding five hundred dollars (\$500) for a second violation of the same ordinance within one year; (3) a fine not exceeding one thousand dollars (\$1,000) for each additional violation of the same ordinance within one year of the first violation.

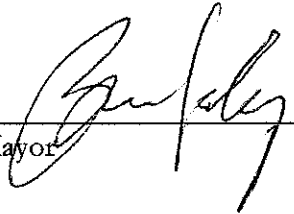
Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 6. Additions or amendments to the Code when passed in such form as to indicate the intention of the City to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 7. Ordinances adopted after December 20, 2016 that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 8. This ordinance shall become effective thirty (30) days after adoption.

Passed and adopted by the City Council this 18th day of April, 2017.

Mayor 

ATTEST:
Claudia Saldana
City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF BRADBURY)

I, Claudia Saldana, City Clerk of the City of Bradbury, do hereby certify that the foregoing ordinance, being Ordinance No. 346, was duly passed by the City Council of the City of Bradbury, signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of the City Council held on the 18th day of April, 2017, that it was duly posted and that the same was passed and adopted by the following vote, to wit:

AYES: Mayor Lathrop, MPT Pyczy, Councilmembers Barakat,
Hale and Lewis

NAYS: None

ABSENT: None

Claudia Saldana
Claudia Saldana
City Clerk
City of Bradbury