

URGENCY ORDINANCE NO. 318U

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY ADOPTING BY REFERENCE THE 2010 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, KNOWN BY THE CALIFORNIA CODE OF REGULATIONS (TITLE 24, PART 2 VOLUME I AND TITLE 24, PART 2.5 VOLUME 2) BASED ON THE 2009 INTERNATIONAL BUILDING CODE; THE 2010 CALIFORNIA MECHANICAL CODE (TITLE 24, PART 4), BASED ON THE 2009 UNIFORM MECHANICAL CODE; THE 2010 CALIFORNIA ELECTRICAL CODE (TITLE 24, PART 3), BASED ON THE 2008 NATIONAL ELECTRICAL CODE; THE 2010 CALIFORNIA PLUMBING CODE (TITLE 24, PART 5), BASED ON THE 2009 UNIFORM PLUMBING CODE; THE CALIFORNIA RESIDENTIAL CODE (TITLE 24, PART II), CALIFORNIA BUILDING STANDARDS COMMISSION; THE 2010 EDITION OF THE CALIFORNIA FIRE CODE (TITLE 24, PART 9); READOPTING THE 2001 BUILDING CONSERVATION CODE, THE 1997 EDITION OF THE UNIFORM HOUSING CODE, THE 1997 EDITION OF THE ADMINISTRATIVE CODE, 2000 EDITION OF THE BUILDING SECURITY CODE; AND CERTAIN AMENDMENTS, ADDITIONS & DELETIONS MADE BY LOS ANGELES COUNTY THERETO, AND MAKING THE FINDINGS ACCORDING TO LAW FOR THE ADOPTION OF ORDINANCE NO. 318U; AND AMENDING THE BRADBURY MUNICIPAL CODE, AND DECLARING THE URGENCY THEREOF.

THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 1 of Article VIII of the Bradbury Municipal Code is hereby repealed and a new Chapter 1 is hereby enacted to read as follows:

CHAPTER 1 -- BUILDING CODE

8100. Adoption of Building Code. Except as hereinafter provided, Title 26, Building Code, of the Los Angeles County Code, as amended and adopted by the Los Angeles County Board of Supervisors on November 30, 2010, adopting the California Building Code, 2010 Edition (Part 2 of Title 24 of the California Code of Regulations), is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the Building Code of the City of Bradbury.

The provisions of the Building Code applying to dwellings, lodging houses, congregate residences, hotels, motels, apartment houses, or other uses classified as a Group R Occupancy, and including Chapters 1, 2, 98 and 99 of said Code, are and may be cited as the Housing Code of the City of Bradbury.

In the event of any conflict between provisions of the California Building Code, 2010 Edition, Title 26 of the Los Angeles County Code, or any amendment to the Building Code contained in the Bradbury Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 2010 Edition, have been deposited in the office of the City Clerk of the City of Bradbury and shall be at all times maintained by the City Clerk for use and examination by the public.

8101. Definitions. Whenever any of the names or terms defined in this section are used in the Title 26, Los Angeles County Building Code, 2010 Edition, each name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"Board of Appeals" shall mean the City Council of the City of Bradbury

"Board of Supervisors" shall mean the City Council of the City of Bradbury

"Building Department" shall mean the Building Department of the City of Bradbury.

"Building Official" shall mean the Building Official of the City of Bradbury.

"City" shall mean the City of Bradbury except in Section 103 of said Building Code.

"City Council" shall mean the City Council of the City of Bradbury.

"City Treasury" shall mean the General Fund of the City of Bradbury.

"County," "County of Los Angeles," and "unincorporated territory" shall mean the City of Bradbury.

"Electrical Code" shall mean Chapter 4 of Article VIII of the Bradbury Municipal Code.

"Fire Department" shall mean the Department of Forester and Fire Warden of Los Angeles County.

"Fire Code" shall mean Chapter 3 of Title III of the Bradbury Municipal Code.

"Fire Zone" shall mean the fire zone adopted by an ordinance creating and establishing fire zones or, where no such fire zones have been adopted by the City of Bradbury, shall be considered to be in Fire Zone No. 3

"Health Code" shall mean Chapter 2 of Article V of the Bradbury Municipal Code.

"Health Officer" shall mean the health officer of the City of Bradbury.

"Mechanical Code" shall mean Chapter 2 of Article VIII of the Bradbury Municipal Code.

"Plumbing Code" shall mean Chapter 3 of Article VIII of the Bradbury Municipal Code.

8102. Amendments. The following sections of the Title 26, Los Angeles County Building Code, 2010 Edition, are amended as set forth below:

(A) Section 110.1.1 of the Title 26, Los Angeles County Building Code, 2007 Edition, is amended by adding a new paragraph to Subsection (a) to read as follows:

3. The Los Angeles County Flood Control District shall act as a consultant to the City Engineer in permit matters relating to flood control and flood hazard identification, avoidance and mitigation in all areas defined on maps furnished to the engineer.

The District shall provide the City Engineer with a series of maps delineating areas subject to flood, mud, and debris hazards. The maps shall be prepared by the District, shall be based on the best currently available information, and shall be updated at least annually.

The City Engineer shall consult with the District with respect to work requiring a building or grading permit in the hazard areas delineated on the maps.

The District shall prepare written reports, when requested by the City Engineer, of its examination of each building or grading permit application for work in the hazard areas as delineated on the maps.

The reports shall be considered by the City Engineer in acting upon the application. The actions upon the applications shall be supported in writing.

The District may also act as a consultant whenever the City Engineer proposes to establish by ordinance floodways and water surface evaluations regulating the locations of such proposed work."

(B) Section 6403 of Title 26 Los Angeles County Building Code, 2007 Edition, is amended by revising Subsection (b) to read as follows:

"6403.2 Roof Covering. Roof covering shall be Class A as specified in Section 1504.1. Tile roofs shall be fire stopped at the eave ends to preclude entry of flame or embers under the tile. Any repairs of an existing roof shall comply with this section.

Wood-shingle and wood-shake roofs are prohibited in Fire Zone 4 and in Very High Fire Hazard Severity Zones regardless of Classification under UBC Standard N. 15-2."

(C) Section 1504 of the Title 26 Los Angeles County Building Code, 2010 Edition, is amended by revising paragraph 1 of Section 1504.1 of the Building Code to read as follows:

"1. Any Class A, B and C roofing assembly other than treated or untreated wood shakes or shingles."

(D) Section 9906 of the Title 26 Los Angeles County Building Code, 2010 Edition, is amended to read as follows:

"Section 9906 – BUILDING REHABILITATION APPEALS BOARD. In order to hear appeals provided for in Chapter 98 and in this Chapter, there shall be and is hereby created a Building Rehabilitation Appeals Board consisting of five members who are qualified to pass on matters pertaining to substandard buildings and property. The

members of the Board shall be appointed by, and hold office at the pleasure of, the City Council of the City of Bradbury and may recommend such new legislation as deemed necessary. The Board shall adopt reasonable rules and regulations for conducting its investigations. The Building Official, as directed by the City Council, shall be an ex-officio nonvoting member and shall act as secretary. He shall keep a record of all proceedings and notify all concerned parties of the findings and decisions of the Board."

8103. Fees. For every fee established by the Title 26 Los Angeles County Building Code, 2007 Edition, the amount of such fee, including penalty fee, shall be as set forth in the Building Code, or as adopted, from time to time, by resolution of the City Council of the City of Bradbury.

8104. Certificate of Insurance. If an applicant for a building or encroachment permit is required, as a condition for the issuance of such permit, to indemnify the City from any liability or responsibility for any damage or injury to persons or property occurring as a proximate result of activities undertaken pursuant to the permit applied for, the applicant shall, prior to the issuance of such permit, submit a certificate of insurance with endorsements evidencing coverage of City of Bradbury and its agent, the County of Los Angeles, of not less than five hundred thousand (\$500,000) for bodily injury and one hundred thousand (\$100,000) for property damage liability to assure compliance with the foregoing indemnification.

8105. Violations and Penalties.

(a) **Compliance with Code.** A person shall not erect, construct, enlarge, alter, repair, move, improve, remove, covert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City or cause the same to be done, contrary to, or in violation of any of the provisions of this code.

(b) **Penalty – Failure to Obtain Permit.** Any person, firm or corporation violating any of the provisions of Section 106.1 of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of the provisions of Section 106.1 is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than \$1,000, or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

(c) **Penalty – Other Violations.** Any person, firm or corporation violating any of the provisions of this Code other than Section 106.1 shall be deemed guilty of an infraction, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code other than Section 106.1 is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by (1) a fine not exceeding \$50 for a first violation; (2) a fine not exceeding \$100 for a second violation of the same provision within one year; (3) a fine not exceeding \$250 for each additional violation of the same provision within one year.

Section 2. Chapter 2 of Article VIII of the Bradbury Municipal Code is hereby repealed and a new Chapter 2 is enacted to read as follows:

CHAPTER 2 – MECHANICAL CODE

8200. Adoption of Mechanical Code. Except as hereinafter provided, Title 29, Mechanical Code, of the Los Angeles County Code, as adopted by the Los Angeles County Board of Supervisors on November 30 2010, adopting the California Mechanical Code, 2007 Edition (Part 4 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Mechanical Code of the City of Bradbury.

In the event of any conflict between provisions of the California Mechanical Code, 2010 Edition, Title 29 of the Los Angeles County Code, or any amendment to the Mechanical Code contained in the Bradbury Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 2010 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

8201. Definitions. Whenever any of the following names or terms are used in the Title 29, Los Angeles County Mechanical Code, 2010 Edition, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

(a) "Board of Appeals" of "Board of Examiners of Plumbers" shall mean the City of Bradbury Building Official established by Section 73 of the Los Angeles County Plumbing Code.

(b) "Building Department" shall mean the "Building Department of the City of Bradbury.

(c) "Building Code," "Uniform Building Code," or "Los Angeles County Building Code" shall mean Chapter 1 of Article VIII of the Bradbury Municipal Code, entitled Building Code.

(d) "Building Official" shall mean the Building Official of the City of Bradbury.

(e) "City" shall mean the City of Bradbury.

(f) "Electrical Code" shall mean Chapter 4 of Article VIII of the Bradbury Municipal Code, entitled Electrical Code.

(g) "Fire Code," or "Los Angeles County Fire Code" shall mean Chapter 4 of Article III of the Bradbury Municipal Code, entitled Fire Prevention Code.

(h) "General Fund" shall mean the City Treasury of the City of Bradbury.

(i) "Health Code," or "Los Angeles County Health Code" shall mean Chapter 2 of Article V of the Bradbury Municipal Code, an ordinance adopting the Los Angeles County Health Code.

8202. Fees. Any person applying for a permit under this Chapter shall, at the time the application is made, pay to the City Building Department the fee set forth in the Mechanical Code, or such fee or fees as may be adopted by the City Council by resolution from time to time.

8203. Violations and Penalties. It shall be unlawful for any person, firm, or corporation to erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, comfort cooling, or refrigeration equipment in the jurisdiction or cause the same to be done, contrary to or in violation of any of the provisions of this Code. Maintenance of equipment which was unlawful under this Code if installed after the effective date of this Code, shall constitute a continuing violation of this Code.

Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, and upon conviction shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

Section 3. Chapter 3 of Article VIII of the Bradbury Municipal Code is hereby repealed in its entirety, and a new Chapter 3 is enacted to read as follows:

CHAPTER 3 – PLUMBING CODE

8300. Adoption of Plumbing Code. Except as hereinafter provided, Title 28, Plumbing Code of the Los Angeles County Code, as adopted by the Los Angeles County Board of Supervisors on November 30, 2010, adopting the California Plumbing Code, 2010 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Plumbing Code of the City of Bradbury.

In the event of any conflict between provisions of the California Plumbing Code, 2010 Edition, Title 28 of the Los Angeles County Code, or any amendment to the Plumbing Code contained in the Bradbury Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 2007 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

8301. Definitions. Whenever any of the names or terms defined in this section are used in the Title 28, Los Angeles County Plumbing Code, 2010 Edition, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

(a) "Administrative Authority," "Chief Plumbing Inspector," or "Plumbing Inspector" shall mean the Building Official of the City of Bradbury.

(b) "Board of Examiners of Plumbers and Gas Fitters" or "Board of Examiners" shall mean the City Council of the City of Bradbury.

(c) "City" shall mean the City of Bradbury.

(d) "County," "County of Los Angeles" or "Unincorporated Territory" shall mean the City of Bradbury.

8302. Fees. For every fee established by Title 28 Los Angeles County Plumbing Code, 2007 Edition, the amount of such fee, including penalty fee, shall be as set forth in the Plumbing Code, or as adopted, from time to time, by resolution of the City Council of the City of Bradbury.

8303. Violations and Penalty. Every person who violates any of the provisions of this Code is guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction shall be punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

Section 4. Chapter 4 of Article VIII of the Bradbury Municipal Code is hereby repealed and a new Chapter 4 is enacted to read as follows:

CHAPTER 4 – ELECTRICAL CODE

8400. Adoption of Electrical Code. Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as adopted by the Los Angeles County Board of Supervisors on November 30 2010, adopting the California Electrical Code, 2010 Edition (Part 3 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Electrical Code of the City of Bradbury.

In the event of any conflict between provisions of the California Electrical Code, 2010 Edition, Title 27 of the Los Angeles County Code, or any amendment to the Electrical Code contained in the Bradbury Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, 2007 Edition, have been deposited in the office of the City Clerk of the City of Bradbury and shall be at all times maintained by the Clerk for use and examination by the public.

8401. Definitions. Whenever any of the following names or terms are used in the Title 27, Los Angeles County Electrical Code, 2002 Edition, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

(a) "Chief Electrical Inspector" shall mean the Building Official of the City of Bradbury, except in Section 80-4 of said Electrical Code.

(b) "County," "County of Los Angeles," or "Unincorporated Territory" shall mean the City of Bradbury.

(c) "Maintenance Electrician" shall mean a person holding a valid Certificate of Registration as Maintenance Electrician issued by the County of Los Angeles as set forth in Sections 82-4(b) and 82-4(c) of said Electrical Code.

(d) "Special Inspector" shall mean a person holding a valid Certificate of Registration as Special Inspector issued by the Los Angeles County Code as set forth in Section 84-14(a) of said Electrical Code.

8402. Fees. For every fee established by the Title 27, Los Angeles County Electrical Code, 2002 Edition, the amount of such fee, including penalty fee, shall be as set forth in the Electrical Code, or as adopted, from time to time, by resolution of the City Council of the City of Bradbury.

8403. Violations and Penalty. Every person who violates any of the provisions of this Code is guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction shall be punishable by a fine not more than one thousand dollars (\$1,000), or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

Section 5. Chapter 5 of Article VII of the Bradbury Municipal Code is hereby enacted to read as follows:

CHAPTER 5 – Green Building Code

5400. Adoption of Green Building Standards Code Code. Except as hereinafter provided in this Chapter, Title 31, Green Building Standards Code, of the Los Angeles County Code, as adopted by the Los Angeles County Board of Supervisors on November 30, 2010, adopting the California Green Building Standards Code, 2010 Edition (Part 9 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Green Building Standards Code of the City of Bradbury.

In the event of any conflict between provisions of the California Green Building Standards Code, 2010 Edition, Title 31 of the Los Angeles County Code, or any amendment to the Green Building Standards Code contained in the Bradbury Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 31 of the Los Angeles County Code, along with a copy of the California Green Building Standards Code, 2010 Edition, has been deposited in the office of the City Clerk of the City of Bradbury and shall be at all times maintained by the Clerk for use and examination by the public.

5401. Interpretation. Whenever in said Green Building Standards Code of the County Los Angeles reference is made to the unincorporated territory of the County of Los Angeles, or similar phrases refer to said unincorporated territory, these references and phrases shall be construed to refer to the incorporated territory of the City of Bradbury.

5402. Continuation of Permits. Any permit heretofore issued by the County of Los Angeles, pursuant to the Green Building Standards Code of said County, and affecting or relating to things to be done within the City of Bradbury, shall remain in full force and effect, according to its terms.

5403. Definitions. Whenever any of the names or terms defined in this section are used in the Title 31, Los Angeles County Green Building Standards Code, 2010 Edition, each name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"Board of Supervisors shall mean the City Council of the City of Bradbury

"Building Department" shall mean the Building Department of the City of Bradbury.

"Building Official" shall mean the Building Official of the City of Bradbury.

"City" shall mean the City of Bradbury except in Section 103 of said Building Code.

"City Council" shall mean the City Council of the City of Bradbury.

"City Treasury" shall mean the General Fund of the City of Bradbury.

"County," "County of Los Angeles," and "unincorporated territory" shall mean the City of Bradbury.

"Electrical Code" shall mean Chapter 4 of Article VIII of the Bradbury Municipal Code.

"Fire Department" shall mean the Department of Forester and Fire Warden of Los Angeles County.

"Fire Code" shall mean Chapter 3 of Title III of the Bradbury Municipal Code.

"Fire Zone" shall mean the fire zone adopted by an ordinance creating and establishing fire zones or, where no such fire zones have been adopted by the City of Bradbury, shall be considered to be in Fire Zone No. 3

"Health Code" shall mean Chapter 2 of Article V of the Bradbury Municipal Code.

"Health Officer" shall mean the health officer of the City of Bradbury.

"Mechanical Code" shall mean Chapter 2 of Article VIII of the Bradbury Municipal Code.

"Plumbing Code" shall mean Chapter 3 of Article VIII of the Bradbury Municipal Code.

5404. Amendments. The following sections of the Title 31, Los Angeles County Building Code, 2010 Edition, are amended as set forth below:

(A) Section 4.408 of Title 31 Los Angeles County Green Building Standards Code, 2010 Edition, is amended by revising Subsection (b) to read as follows:

4.408.1 Construction waste reduction of at least 50 percent.

Recycle and/or salvage for reuse a minimum of 50 percent of the non-hazardous construction and demolition debris, or meet a local construction and demolition waste management ordinance, whichever is more stringent.

Exceptions:

1. Excavated soil and land-clearing debris.
2. Alternate waste reduction methods developed by working with local agencies if diversion or recycle facilities capable of compliance with this item do not exist or are not located reasonably close to the jobsite.

4.408.2 Construction waste management plan.

Where a local jurisdiction does not have a construction and demolition waste management ordinance, a construction waste management plan shall be submitted for approval to the enforcing agency that:

1. Identifies the materials to be diverted from disposal by recycling, reuse on the project or salvage for future use or sale.
2. Specifies if materials will be sorted on-site or mixed for transportation to a diversion facility.
3. Identifies the diversion facility where the material collected will be taken.
4. Identifies construction methods employed to reduce the amount of waste generated.
5. Specifies that the amount of materials diverted shall be calculated by weight or volume, but not by both.

4.408.2.1 Documentation.

Documentation shall be provided to the enforcing agency which demonstrates compliance with Section 4.408.2, Items 1 through 5. The waste management plan shall be updated as necessary and shall be accessible during construction for examination by the enforcing agency.

4.408.2.2 Isolated jobsites.

The enforcing agency may make exceptions to the requirements of this section when jobsites are located in areas beyond the haul boundaries of the diversion facility.

(B) Appendix A4, Residential Voluntary Measures, of the Title 31 Los Angeles County Green Building Standards Code, 2010 Edition, is hereby repealed.

(C) Appendix A5, Non-Residential Voluntary Measures, of the Title 31 Los Angeles County Green Building Standards Code, 2010 Edition, is hereby repealed.

5405. Violations and Penalties.

(a) Compliance with Code. A person shall not erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City or cause the same to be done, contrary to, or in violation of any of the provisions of this code.

(b) Penalty – Failure to Obtain Permit. Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of the provisions of Section 106.1 is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than \$1,000, or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

(c) Penalty – Other Violations. Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of an infraction, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by (1) a fine not exceeding \$50 for a first violation; (2) a fine not exceeding \$100 for a second violation of the same provision within one year; (3) a fine not exceeding \$250 for each additional violation of the same provision within one year.

Section 6. Chapter 6 of Article VII of the Bradbury Municipal Code is hereby enacted to read as follows:

CHAPTER 6 – Residential Code

6400. Adoption of Green Building Standards Code. Except as hereinafter provided in this Chapter, Title 30, Residential Code, of the Los Angeles County Code, as adopted by the Los Angeles County Board of Supervisors on November 30, 2010, adopting the California Residential Code, 2010 Edition (Part 2 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Green Building Standards Code of the City of Bradbury.

In the event of any conflict between provisions of the California Residential Code, 2010 Edition, Title 30 of the Los Angeles County Code, or any amendment to the Residential Code contained in the Bradbury Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 30 of the Los Angeles County Code, along with a copy of the California Residential Code, 2010 Edition, has been deposited in the office of the City Clerk of the City of Bradbury and shall be at all times maintained by the Clerk for use and examination by the public.

6401. Interpretation. Whenever in said Residential Code of the County Los Angeles reference is made to the unincorporated territory of the County of Los Angeles, or similar phrases refer to said unincorporated territory, these references and phrases shall be construed to refer to the incorporated territory of the City of Bradbury.

6402. Continuation of Permits. Any permit heretofore issued by the County of Los Angeles, pursuant to the Residential Code of said County, and affecting or relating to things to be done within the City of Bradbury, shall remain in full force and effect, according to its terms.

6403. Definitions. Whenever any of the names or terms defined in this section are used in the Title 30, Los Angeles County Residential Code, 2010 Edition, each name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"Board of Supervisors shall mean the City Council of the City of Bradbury

"Building Department" shall mean the Building Department of the City of Bradbury.

"Building Official" shall mean the Building Official of the City of Bradbury.

"City" shall mean the City of Bradbury except in Section 103 of said Building Code.

"City Council" shall mean the City Council of the City of Bradbury.

"City Treasury" shall mean the General Fund of the City of Bradbury.

"County," "County of Los Angeles," and "unincorporated territory" shall mean the City of Bradbury.

"Electrical Code" shall mean Chapter 4 of Article VIII of the Bradbury Municipal Code.

"Fire Department" shall mean the Department of Forester and Fire Warden of Los Angeles County.

"Fire Code" shall mean Chapter 3 of Title III of the Bradbury Municipal Code.

"Fire Zone" shall mean the fire zone adopted by an ordinance creating and establishing fire zones or, where no such fire zones have been adopted by the City of Bradbury, shall be considered to be in Fire Zone No. 3

"Health Code" shall mean Chapter 2 of Article V of the Bradbury Municipal Code.

"Health Officer" shall mean the health officer of the City of Bradbury.

"Mechanical Code" shall mean Chapter 2 of Article VIII of the Bradbury Municipal Code.

"Plumbing Code" shall mean Chapter 3 of Article VIII of the Bradbury Municipal Code.

6404. Violations and Penalties.

(a) Compliance with Code. A person shall not erect, construct, enlarge, alter, repair, move, improve, remove, covert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City or cause the same to be done, contrary to, or in violation of any of the provisions of this code.

(b) Penalty – Failure to Obtain Permit. Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of the provisions of Chapter 6 of this code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than \$1,000, or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

(c) Penalty – Other Violations. Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of an infraction, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code other than Section 106.1 is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by (1) a fine not exceeding \$50 for a first violation; (2) a fine not exceeding \$100 for a second violation of the same provision within one year; (3) a fine not exceeding \$250 for each additional violation of the same provision within one year.

Section 7. Chapter 3 of Article III of the Bradbury Municipal Code is repealed in its entirety, and a new Chapter 3 is hereby enacted to read as follows:

CHAPTER 3 – FIRE CODE

3400. Adoption of Fire Code. Except as hereinafter provided in this Chapter, Title 32, Fire Code, of the Los Angeles County Code, as adopted by the Los Angeles County Board of Supervisors on November 30, 2010, adopting the California Fire Code, 2010 Edition (Part 9 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Fire Code of the City of Bradbury.

In the event of any conflict between provisions of the California Fire Code, 2010 Edition, Title 32 of the Los Angeles County Code, or any amendment to the Fire Code

contained in the Bradbury Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 32 of the Los Angeles County Code, along with a copy of the California Fire Code, 2010 Edition, has been deposited in the office of the City Clerk of the City of Bradbury and shall be at all times maintained by the Clerk for use and examination by the public.

3401. Interpretation. Whenever in said Fire Code of the County Los Angeles reference is made to the unincorporated territory of the County of Los Angeles, or similar phrases refer to said unincorporated territory, these references and phrases shall be construed to refer to the incorporated territory of the City of Bradbury.

3402. Continuation of Permits. Any permit heretofore issued by the County of Los Angeles, pursuant to the Fire Code of said County, and affecting or relating to things to be done within the City of Bradbury, shall remain in full force and effect, according to its terms.

3403. Declaration of Fire Hazard. The City of Bradbury, by reason of its location in the foothills, the density of growth, both wild and cultivated, the character and nature of the activities carried on within the City and the limited water facilities within the area, is readily subject to brush fires and other types of uncontrolled conflagrations dangerous to life and property. In order to protect against such danger as much as possible, it is necessary that accumulations of waste paper, hay, grass, straw, weeds, not be permitted to remain in any building or on any premises, yard, vacant lot, lot or open space – all weeds, grass, vines or other growth within a distance of thirty (30) feet of any building, or improvement, when the same endangers property or is liable to combust, shall be cut down and/or removed by the owner or occupant of the property. Further, in order to protect against such danger of brush fires or uncontrolled conflagrations dangerous to life and property any flammable vegetation, flammable rubbish, trash or refuse shall be cleared away from fences or other combustible structures, patios, terraces, porches, swimming pool areas and the like where people tend to congregate, and from public and private roadways within the City, and such regulations as are hereinafter set forth in Sections 3404, 3405 and 3406 are necessary for the preservation of the peace, health, safety and general welfare of the citizens of Bradbury.

3404. Nuisances Declared. No person shall, and it is declared a nuisance for any person to:

1. Allow or permit the accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste or house demolition debris or rubbish of any kind to remain in any building or on any premises, yard, vacant lot or open space.

2. Allow or permit flammable vegetation to grow, remain or collect, or to allow or permit flammable rubbish, trash or refuse to be, remain or collect within:

(a) Ten (10) feet from any fence constructed of combustible material.

(b) Thirty (30) feet from any structure other than a fence, lanai, patio, terrace, porch, or swimming pool; provided that the Fire Chief may require such clearance to be as great as 200 feet where such clearance is found by him to be necessary to the public safety.

(c) Fifteen (15) feet from any public or private thoroughfare, road (except any private road regularly and continuously closed from use by barricade, gate or other similar means), trail, or right-of-way, including any private driveway, which clearance shall otherwise conform with all requirements of the Los Angeles County Fire Code.

(d) Thirty (30) feet from the centerline of the traveled portion of any vehicular easement serving two or more properties under separate ownership.

No person shall, and it is hereby declared a nuisance for any person to, permit any flammable vegetation to grow, remain, or collect upon any vertical embankment abutting a public road or private vehicular easement serving two or more properties under separate ownership within fifteen (15) feet of the existing road bed and, in the event there is such a vertical embankment, abutting any public road or such private vehicular easement, which embankment is in excess of ten (10) feet in height, then the provisions of subparagraphs (c) and (d) shall not be applicable.

No person shall, and it hereby is declared a nuisance for any person to, permit or allow any tree limb or branch to remain or extend over a public roadway, or such private vehicular easement if such limb or branch is less than ten (10) feet above such roadbed.

No Person shall, and it is hereby declared a nuisance for any person to permit or allow any building to remain on any lot or parcel of ground (however legally described) in violation of Section 9300 of the Title 32 Los Angeles County Fire Code.

3405. Notice to Correct. In the event any of the conditions prohibited by Section 3404 exist, the City Council, by Resolution, may instruct the Street Superintendent or other designee to give notice to the owner of the property upon which such condition exists, to correct such prohibited condition, and if the owner fails to correct such condition, the City may cause the same to be done and make the expense of such correction a lien upon the property upon which such condition exists.

3406. Procedure. The notice provided for in Section 3405 for correcting the condition, the manner of assessing the cost for doing the work, the method of imposing the lien and enforcing the lien and the collection of the cost of doing the work in the event it is done by the City, and all procedures in connection therewith, shall be as provided in Chapter 13 of Part 2, Division 3, Title 4 of the Government Code of the State of California, or otherwise as provided by law.

3407. Enforcement. The City Council hereby delegates authority to enforce the Fire Code, including the more restrictive building standards contained in the Fire Code, to the District Fire Chief, pursuant to Health and Safety Code section 13869.7,

3408. Fire Zone No. 4.

1. There is hereby established in the City of Bradbury "Fire Zone No. 4" which shall be subject to the restrictions set forth in Section 6403 of the Title Los Angeles County Building Code, adopted by the City of Bradbury in Section 8100 of the Bradbury Municipal Code.

2. The boundaries of Fire Zone No. 4 are hereby described as set forth in Exhibit "A" of this Section attached hereto and made a part hereof.

3409. Penalties. Every person who violates any of the provisions of this Code is guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction shall be punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

Section 8. The City Council hereby finds that changes and modifications to the California Building Code and Fire Codes that have been enacted by this Ordinance are merely a continuation of similar changes and modifications made to earlier editions of such uniform codes, and all of such changes and modifications, whether previously enacted or enacted in this Ordinance, are reasonably necessary because of local climatic, geologic, and topographic conditions. In particular, the modifications to this code are reasonably necessary because of the local climate which is characterized by hot, dry summers, followed by strong Santa Ana winds and heavy winter rains which make structures particularly vulnerable to rapidly spreading, wind-driven fires and earth movement. Furthermore, the City is located near and over historic and active earthquake faults which require that special safety precautions be taken. Third, much of the City is located among steeply sloping, hilly areas which can create hazardous building conditions. Finally, the City's zoning ordinances and General Plan promote the preservation of natural shrubbery in addition to a great deal of landscaping. Canyon fires and other brush fires are a frequent and natural part of the Southern California ecosystem. Structures located in the City require additional protection against ignition from flying embers.

The City Council further finds that the modifications to the State Building Code in Title 26 of the Los Angeles County Code are reasonably necessary because of the local climatic, geological, and topographical conditions indicated in Exhibit "A" to this ordinance, attached hereto and incorporated herein by this reference.

The City Council further finds that the modifications to the State Plumbing Code in Title 28 of the Los Angeles County Code are reasonably necessary because of the local climatic and topographical conditions indicated in Exhibit "B" of this ordinance, attached hereto and incorporated herein by this reference.

The City Council further finds that the modifications to the State Building, Electrical, Mechanical, Plumbing, Green Building Standards and Residential Codes in Title 26, 27, 28, 29, 30 and 31 of the Los Angeles County Code regarding administrative provisions are necessary to allow the uniform application of the codes by procedures suited to the size and nature of the City's staff and administrative agencies by means suited to the City's experience with local climatic, geological, and topographical conditions and to provide sufficient staff support for the time-consuming inspections and analysis required by the City's fire and geological hazards.

The City Council further finds that the more restrictive building standards contained in Title 32, Fire Code, of the Los Angeles County Code are reasonably necessary due to local climatic, geological, or topographical conditions in the City and adopts by reference the specific findings made in section 166 of the Ordinance adopted by the Board of Supervisors regarding these local conditions, a copy of which is attached hereto as Exhibit 1.

Accordingly, the Council finds the modifications in this Ordinance to the California Building Code, Electrical Code, Mechanical Code, Plumbing, Fire Code, Green Building Standards Code and Residential Code to be necessary for the protection of the public health, safety, and welfare.

Section 9. Instructs the City Clerk to send a copy of this resolution to the California Department of Housing and Community Development, Division of Codes and Standards, 1803 3rd Street, Room 260, Sacramento, California 95811 and a copy to the Consolidated Fire Protection District of Los Angeles County, Attn: Chief Roy Dull, Fire Marshall, 5823 Rickenbacker Road, Commerce, California 90040.

Section 10. To the extent the provisions of this Ordinance are substantially the same as previous provisions of the Bradbury Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments.

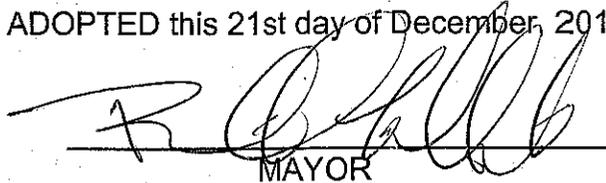
Section 11. This Ordinance shall take effect on January 1, 2011, and shall apply to all projects submitted for plan check on or after that date.

Section 12. Upon the effective date of this Ordinance, Ordinance No. 300U shall be deemed repealed and of no further force or effect.

Section 13. Urgency Findings. State Law requires localities to adopt the 2010 California Building, Plumbing, Mechanical, Electrical Fire, Green Building Standards and Residential Codes and any amendments thereto, by December 31, 2010. It is essential that the City adopt the above stated Codes and modifications necessitated by local topographical, geological, and climatic conditions by that date. In the absence of legislation effective by that date, technical codes adequate to meet the City's special circumstances will not be in effect by that date and hazards will be posed which would immediately threaten the public health and safety. Accordingly, this ordinance shall be an Urgency Ordinance and shall take effect immediately and become operative January 1, 2011.

Section 14. The City Council hereby declares that, should any provision, section, paragraph, sentence or words of this Ordinance or the Codes adopted hereby be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Ordinance and the Codes adopted hereby shall remain in full force and effect.

PASSED, APPROVED, AND ADOPTED this 21st day of December, 2010.


MAYOR

ATTEST:

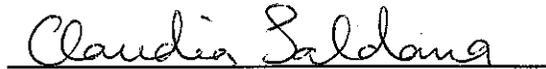

CITY CLERK

I, Claudia Saldana, City Clerk for the City of Bradbury, hereby certify that the foregoing ordinance, being Ordinance No. 318U, was duly passed, approved and adopted by the City Council of the City of Bradbury at a regular meeting held on the 21st day of December 2010 by the following roll call vote:

AYES: Mayor Hale, Mayor Pro-Tem Lewis,
Councilmembers Lathrop, Pycz and Barakat

NOES: None

ABSENT: None


CITY CLERK

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