

# **AGENDA**

**Regular Meeting of the Bradbury City Council  
To be held on Tuesday, December 21, 2021  
Closed Session Immediately Following  
at the Bradbury Civic Center  
600 Winston Avenue, Bradbury, CA 91008**

*Pursuant to California Government Code section 54953(e)(1), the City is allowing Council Members, Staff and the public to participate in this City Council meeting by means of a Zoom video or telephone call. You will be able to hear the entire proceedings (other than the Closed Session) and to speak during Public Comment, Public Hearing, and other authorized times. Members of the public must maintain silence and mute their microphones and telephones except during those times. The Zoom information is <https://us02web.zoom.us/j/82366012780>, One tap mobile +16699009128, 82366012780#, or dial (669) 900-9128 and enter code 823 6601 2780#.*

## **OPEN SESSION 7:00 PM**

Each item on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Items listed as "For Information" or "For Discussion" may also be subject of an "action" taken by the Board or a Committee at the same meeting.

### **CALL TO ORDER/PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mayor Bruny, Mayor Pro-Tem Lathrop, Councilmembers Barakat, Hale and Lewis

**APPROVAL OF THE AGENDA:** Majority vote of City Council to proceed with City Business

**DISCLOSURE OF ITEMS REQUIRED BY GOVERNMENT CODE SECTION 1090 & 81000 ET. SEQ.**

### **PUBLIC COMMENT**

*Anyone wishing to address the City Council on any matter that is not on the agenda for a public hearing may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.*

*Please note that while the City Council values your comments, the City Council cannot respond nor take action until such time as the matter may appear on a forthcoming agenda.*

*Routine requests for action should be referred to City staff during normal business hours, 8:30 am - 5:00 pm, Monday through Friday, at (626) 358-3218.*

---

The City of Bradbury will gladly accommodate disabled persons wishing to communicate at a City public meeting. If you require special assistance to participate in this meeting, please call the City Manager's Office at (626) 358-3218 at least 48 hours prior to the scheduled meeting.

---

### **ACTION ITEMS\***

#### **1. CONSENT CALENDAR**

***All items on the Consent Calendar are considered by the City Council to be routine and will be enacted by one motion unless a Council Member request otherwise, in which case the item will be removed and considered by separate action. All Resolutions and Ordinances for Second Reading on the Consent Calendar, the motion will be deemed to be "to waive the reading and adopt."***

- A. Minutes: Regular Meeting of November 16, 2021
- B. Minutes: Adjourned Meeting of December 7, 2021
- C. Resolution No. 21-23: Demands & Warrants for December 2021
- D. Monthly Investment Report for the month of November 2021
- E. Resolution No. 21-24: Authorizing Submittal of Application for CalRecycle Funds

**2. Urgency Ordinance No. 380U: AN URGENCY ORDINANCE OF THE CITY OF BRADBURY, CALIFORNIA ADOPTING CHANGES TO TITLE IX OF THE BRADBURY MUNICIPAL CODE RELATING TO THE IMPLEMENTAION OF SENATE BILL 9 FOR THE CREATION OF URBAN LOT SPLITS AND TWO RESIDENTIAL UNITS PER LOT**

Governor Newsome signed SB9 into law which allows for the development of multiple units on a single-family residential lot and lot splits. Ordinance No. 380U, which goes into effect immediately, seeks to amend the Bradbury Municipal Code for the upcoming laws starting on January 1, 2022.

**3. Ordinance No. 381: AN ORDINANCE OF THE CITY OF BRADBURY ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA BUILDING CODE, 2019 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2019 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA PLUMBING CODE, 2019 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2019 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, EDITION 2019; THE CALIFORNIA HISTORICAL BUILDING CODE, EDITION 2019; MAKING AMENDMENTS TO SAID CODES; AMENDING TITLE IV, CHAPTER 3, TITLE XVII, CHAPTERS 1, 2, 3, 4, 5, 6, 7, 8, 9, 12 AND 13.**

The California Building Standards Code went into effect on April 2, 2020, but the updated Code was never adopted by the City. It is recommended that the City Council hold a public meeting and then introduce Ordinance No. 381.

**4. Discussion on Filming Policy**

Based on City Council feedback during the November meeting, Staff has updated the film policy and permit. Staff recommends that the City Council further review the updated film policy and discuss any other desired changes.

**5. Update on Annexation**

This item is a oral update on the Annexation process of the portion of Royal Oaks Drive North directly under the retirement community.

**6. Matters from the City Manager**

**7. Matters from the City Attorney**



**8. Matters from the City Council**

**Mayor Bruny**

*Duarte Community Education Council (CEC)*

**Mayor Pro-Tem Lathrop**

*League of California Cities  
Duarte Education Foundation*

**Councilmember Barakat**

*LA County Sanitation Districts  
San Gabriel Valley Council of Governments (SGVCOG)  
San Gabriel Valley Mosquito & Vector Control District  
Foothill Transit*

**Councilmember Hale**

**Councilmember Lewis**

*California JPIA  
Director of Bradbury Disaster Committee  
Area "D" Office of Disaster Management*

**9. ITEMS FOR FUTURE AGENDAS**

**CLOSED SESSION**

**CALL TO ORDER/ROLL CALL**

**PUBLIC COMMENT – REGARDING CLOSED SESSIONS ONLY**

**RECESS TO CLOSED SESSIONS REGARDING:**

**A. Public Employee Performance Evaluation**

*Government Code Section 54957 (b)(4)  
Title: City Attorney*

**ADJOURNMENT**

The City Council will adjourn to a Regular Meeting at the Bradbury Civic Center, 600 Winston Ave., Bradbury, CA 91008 on Tuesday, January 18, 2022 at 7:00 p.m.

\* *ACTION ITEMS* Regardless of a staff recommendation on any agenda item, the City Council will consider such matters, including action to approve, conditionally approve, reject or continue such item. Further information on each item may be procured from City Hall.

*"I, Claudia Saldana, City Clerk, hereby certify that I caused this agenda to be posted at the Bradbury City Hall entrance gate on Friday, December 17, 2021 at 5:00 p.m."*



**CITY CLERK - CITY OF BRADBURY**

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, NOVEMBER 16, 2021**

**EXECUTIVE ORDER NO. 25-20:**

*Pursuant to Governor Newsom's Executive Order N-25-20, the City is allowing Council Members, Staff and the public to participate in this City Council meeting by means of a Zoom video or telephone call. Participants will be able to hear the entire proceedings (other than the Closed Session) and be able to speak during Public Comment, Public Hearing, and other authorized times. Members of the public must maintain silence and mute their microphones and telephones except during those times.*

**MEETING CALLED TO ORDER:**

The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Bruny at 7:00 p.m. followed by the Pledge of Allegiance.

**ROLL CALL:**

PRESENT: Mayor Bruny, Mayor Pro-Tem Lathrop, Councilmembers Barakat, Hale and Lewis

ABSENT: None

STAFF: City Manager Kearney, City Attorney Reisman, City Clerk Saldana and Management Analyst Musa

**APPROVAL OF AGENDA:**

Councilmember Hale made a motion to approve the agenda to proceed with City business. Councilmember Barakat seconded the motion, which carried unanimously.

**DISCLOSURE OF ITEMS REQUIRED BY  
GOV. CODE SECTION 1090 & 81000  
ET SEQ.:**

In compliance with the California Political Reform Act, each City Councilmember has the responsibility to disclose direct or indirect potential for a personal financial impact as a result of participation in the decision-making process concerning agenda items.

City Attorney Reisman stated he was aware of none.

**PUBLIC COMMENT:**

Ann Armstrong, 1775 Royal Oaks Drive North, wanted to thank the City Council and Staff for their service to the City.

**CONSENT CALENDAR:**

All items on the Consent Calendar are considered by the City Council to be routine and will be enacted by one motion unless a Councilmember requests otherwise, in which case the item will be removed and considered by separate action. All Resolutions and Ordinances for Second Reading on the Consent Calendar are deemed to "waive further reading and adopt."

- A. Minutes: Regular Meeting of October 19, 2021
- B. Resolution No. 21-21: Demands & Warrants for November 2021
- C. Financial Statement for the month of October 2021
- D. Second Reading and Adoption of Ordinance No. 378:  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
BRADBURY AMENDING THE BRADBURY MUNICIPAL CODE  
RELATING TO FILMING PERMITS

**ITEM D - ORDINANCE NO. 378 -  
PULLED FOR DISCUSSION:**

Mayor Pro-Tem Lathrop wished to pull Item D from the Consent Calendar for discussion. Mayor Pro-Tem Lathrop stated that during the review of the Ordinance at the October meeting, the City Council agreed to capitalize all Definitions from Section 13.02.610. Section 13.02.620(a) needs to be corrected (Charitable Films).

**MOTION TO ADOPT  
ORDINANCE NO. 378:**

With this amendment Councilmember Barakat made a motion to approve adoption of Ordinance No 378. Councilmember Hale seconded the motion which was carried by the following roll call vote:

**APPROVED:**

AYES: Mayor Bruny, Mayor Pro-Tem Lathrop,  
Councilmembers Barakat, Hale and Lewis  
NOES: None  
ABSENT: None

Motion passed 5:0

**MOTION TO APPROVE CONSENT  
CALENDAR ITEMS A, B AND C:**

Councilmember Lathrop made a motion to approve Consent Calendar Items A, B and C. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

AYES: Mayor Bruny, Mayor Pro-Tem Lathrop,  
Councilmembers Barakat, Hale and Lewis  
NOES: None  
ABSENT: None

Motion passed 5:0

**PUBLIC HEARING TO START  
AT 7:10 PM:**

City Manager Kearney stated that the Public Hearing for Ordinance No. 379: City Council District Boundaries Final Map was advertised to start at 7:10 pm.

**ORDINANCE NO. 379: CITY COUNCIL  
DISTRICT BOUDARIES FINAL MAP:**

City Manager Kearney stated the City of Bradbury has held two public hearings prior to the publication of Draft Map Option #1 and Draft Map Option #2 on the City's website on October 12, 2021. The first public hearing was held by the City Council on September 21, 2021, and a public workshop was held by the Consultants and City Staff on October 4, 2021, prior to the publication of the Draft Map options.

After the publication of the Draft Map options, the City Council held a second public hearing on October 19, 2021 to review the Draft Map options and give further directions to staff and the consultants on changes to include in a final draft map.

**RECOMMENDTION:**

It is recommended that the City Council field a presentation by Bear Demographics & Research on the Final Map Options, open the public hearing and solicit public input on the Final Map Options, and introduce for first reading, by title only, Ordinance No. 379: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY AMENDING SECTION 2.01.040(a)(1) RELATIVE TO COUNCILMANIC DISTRICT BOUNDARIES.

**PRESENTATION BY DAVID IVY, BEAR  
DEMOGRAPHICS & RESEARCH:**

As previously discussed, due to the small population of the City of Bradbury, utilizing Census Blocks in the formation of Council Districts was not practical due to the size of Census Blocks being much larger than the ideal Bradbury City Council District population of 185 residents. Due to the same issue, it is also not practical to provide Council District information by ethnic population, voting age population, or citizen voting age population.

Bear Demographics developed a GIS map based on the parcel map of the City provided by the County of Los Angeles, and used a statistical methodology to allocate the population across the City's parcels.

Mr. Ivy stated that the Final Map keeps the core of the current Council Districts intact, while respecting the boundaries of the Bradbury Estates HOA and the Woodlyn Lane HOA, as practicable. The overall deviation of the Final Map is 9.2%, which is within the legally required 10%.

Two parcels from the Bradbury Estates HOA are moved from District 1 to District 5, while maintaining the split of the HOA between the two districts, consistent with the public comment. The Woodlyn Lane HOA remains whole in District 2 as well, as reflected in the public comment. The final map also addresses the public comments with respect to Mount Olive Drive and Mount Olive Lane, keeping both sides of Mount Olive Lane whole as it transitions from District 2 to District 4. Mount Olive Lane is also kept whole in District 4.

**PUBLIC HEARING:**

Mayor Bruny opened the public hearing and invited the public to comment on the Final Redistricting Boundary Map.

**PUBLIC HEARING CLOSED:**

There being no public input, Mayor Bruny declared the public hearing closed.

**MOTION:**

Councilmember Barakat made a motion to introduce for first reading, by title only, Ordinance No. 379: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY AMENDING SECTION 2.01.040(a)(1) RELATIVE TO COUNCILMANIC DISTRICT BOUNDARIES. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**ADJOURNED MEETING ON  
DECEMBER 7, 2021:**

City Manager Kearney stated that the City Council will hold an Adjourned Meeting on Tuesday, December 7, 2021 for Second Reading and Adoption of Ordinance No. 379 to meet the deadline for submission of the Final Map to the Los Angeles County Registrar-Recorder.

**RESOLUTION NO. 21-22:  
CEQA DOCUMENTATION AND  
EXPENDITURES FOR ANNEXATION  
OF ROYAL OAKS DRIVE NORTH:**

At the October 19, 2021 meeting, the City Council directed staff to move forward with the annexation of the portion of Royal Oaks Drive North in front of "Royal Oaks Manor" that belongs to the County of Los Angeles to make the two parts of District 3 contiguous.

City Manager Kearney stated that in order to move forward with the annexation of the County portion of Royal Oaks Drive North, the Local Agency Formation Commission (LAFCO) requires the lead agency (City of Bradbury) to file an application. Part of the application requires a Resolution of Application and a CEQA determination. There is also a processing fee of \$2,500.

LAFCO is an independent public agency with countywide jurisdiction over the boundaries of cities and certain special districts. LAFCO'S jurisdiction involves proposed boundary changes to local government boundaries involving the formation, dissolution, and expansion of cities and special districts.

The City of Bradbury's proposed annexation would be reviewed and approved by LAFCO. To initiate the LAFCO process, the City must complete an application, which includes CEQA compliance documents, maps, a governing body's approved Resolution, and fees, among other items. For this project, a Notice of Exemption is the most applicable CEQA document since there is no possibility that the annexation would have a significant effect on the environment.

**RECOMMENDATION:**

It is recommended that the City Council adopt Resolution No. 21-22 and authorize the City Manager to sign the project's CEQA Notice of Exemption. It is also recommended that the City Council authorize the \$2,500 filing fee expenditure.

**MOTION:**

Councilmember Hale made a motion to approve Resolution No. 21-22: A RESOLUTION OF APPLICATION BY THE CITY OF BRADBURY REQUESTING THE LOCAL AGENCY FORMATION COMMISSION FOR THE COUNTY OF LOS ANGELES (LAFCO) TO INITIATIVE PROCEEDINGS FOR CHANGE OF ORGANIZATION OF TERRITORY, authorize the City Manager to sign the project's CEQA Notice of Exemption and authorize the \$2,500 filing fee expenditure. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**REVIEW OF ADMINISTRATIVE  
FILM POLICY NO. 12-01:**

Management Analyst Musa stated that the City's film policy was discussed at the September City Council meeting and Staff was made aware that the language in the Municipal Code conflicts with the City's film policy. At the October City Council meeting, Ordinance No. 378 was introduced for first reading. The intention of Ordinance No. 378 is to replace the current language in the City's Municipal Code relating to filming hours and refer to the City's film policy instead. Staff recommends that the City Council review the current film policy and discuss the desired changes.

**PROPOSED NEW LANGUAGE  
FOR HOURS OF OPERATION:**

7:00 am to 10:00 pm "working hours"

- 75% approval is required from all property owners and/or tenants over the age of 18 for each parcel within 500 feet and 90% approval from all property owners and/or tenants within 100 feet of the perimeter of the property on which filming is to take place.

10:00 pm to 7:00 am Monday-Friday/Saturday and Sunday all day "extended hours"

- 90% approval is required from all property owners and/or tenants over the age of 18 for each parcel within 500 feet and 100% approval from all property owners and/or tenants within 100 feet of the perimeter of the property on which filming is to take place.

**MORE CHANGES:**

Mayor Pro-Tem Lathrop wants to add "HOA when applicable" to "Any negotiations or arrangements for filming activity on private property shall be the concern of the Production Company and the private property owners. The City, or *HOA when applicable*, disclaims any involvement in or responsibility for those negotiations or arrangements.

Mayor Bruny suggested to hear public input before discussing the City's film policy:

**PUBLIC COMMENT:**

Maria Mak, 215 Barranca Road, inquired why the Ordinance and/or amended film policy do not include the film model ordinance's language about the use of animals, gunfire, drones, etc.

City Attorney Reisman stated that this information could be part of the application. Not everything needs to be in the Ordinance. Some cities don't even have a film ordinance, only a policy.

Mrs. Mak also felt that 100% approval should be required of residents who live on adjacent properties to filming activities during "working hours." The City Council disagreed, not wanting to have one resident to have the power to stop any regular filming activity.

Mrs. Mak stated that a 5-day notice before filming is not enough. City Manager Kearney replied that film companies work very fast and 5 days have always been enough time in the past to process the application.

Ann Armstrong, 1775 Royal Oaks Drive North, inquired if the film policy includes staging properties as well. The answer was yes.

**PUBLIC COMMENT CLOSED:**

There being no further comments, Mayor Bruny closed the discussion for public input.

**DISCUSSION:**

Councilmember Barakat stated that the City Council needs to discuss the constraints of filming duration. Councilmember Hale stated that the HOA already has language in place. Councilmember Barakat also stated that the insurance liability of at least \$2 million needs to be on the application form to conform to the policy.

City Manager Kearney stated that he needs clarification on the time limits.

Mayor Pro-Tem Lathrop suggested 30 days per calendar year. Councilmember Hale felt that 30 days was not enough with set-up and strike time and suggested 60 days.

City Manager Kearney suggested to discuss time limits at the December meeting.

Mayor Bruny inquired about language that states that the City Manager can reject an application. City Attorney Reisman stated that it is in Ordinance No. 378 and that an applicant always has the option to appeal to the City Council.

Mayor Pro-Tem Lathrop stated that he would like to see the amendments to the City's film policy done by next month.

**DISCUSSION TO BE CONTINUED  
AT DECEMBER MEETING:**

City Manager Kearney stated that Film Ordinance No. 378 was adopted by the City Council tonight and will be in effect 30 days from today. The discussion of the City's film policy will continue at the December 21, 2021 City Council meeting.

**MATTERS FROM THE CITY MANAGER:**

City Manager Kearney reminded that City Council that there is an Adjourned Meeting on Tuesday, December 7, 2021 to adopt the Redistricting Ordinance No. 379. The City Council stated that they would prefer an online meeting.

City Manager Kearney reported that a large portion of the white rail fencing on Mount Olive Drive was broken. A resident of Mount Olive took responsibility for the damage caused by a driver in this family. The fence will be repaired at the driver's expense.

City Manager Kearney stated that the Superintendent of the Duarte Unified School District would like to give a presentation at the January 2022 City Council meeting.

**MATTERS FROM THE CITY ATTORNEY:**

Nothing to report

**MATTERS FROM THE CITY COUNCIL:**

**MAYOR:** Nothing to report

**MAYOR PRO-TEM LATHROP:** Nothing to report

**COUNCILMEMBER BARAKAT:** Nothing to report

**COUNCILMEMBER HALE:** Nothing to report

**COUNCILMEMBER LEWIS:** Nothing to report

**ITEMS FOR FUTURE AGENDAS:** Mayor Pro-Tem Lathrop suggested that the City Council adopt an Urgency Ordinance in response to SB 9 (and impose maximum restrictions) at the December meeting and not wait until January 2022.

**ADJOURNMENT:** At 8:11 p.m. Mayor Bruny adjourned the meeting to an Adjourned Meeting on Tuesday, December 7, 2021 at 7:00 p.m.

---

**MAYOR – CITY OF BRADBURY**

ATTEST:

---

**CITY CLERK – CITY OF BRADBURY**



**MINUTES OF AN ADJOURNED MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, DECEMBER 7, 2021  
VIA VIRTUAL ZOOM CONFERENCE**

**EXECUTIVE ORDER NO. 25-20:**

*Pursuant to Governor Newsom's Executive Order N-25-20, the City is allowing Council Members, Staff and the public to participate in this City Council meeting by means of a Zoom video or telephone call. Participants will be able to hear the entire proceedings (other than the Closed Session) and be able to speak during Public Comment, Public Hearing, and other authorized times. Members of the public must maintain silence and mute their microphones and telephones except during those times.*

**MEETING CALLED TO ORDER:**

The Adjourned Meeting of the City Council of the City of Bradbury was called to order by Mayor Bruny at 7:00 p.m.

**ROLL CALL:**

PRESENT: Mayor Bruny, Mayor Pro-Tem Lathrop, and Councilmember Hale

ABSENT: Councilmembers Barakat and Lewis

STAFF: City Manager Kearney, City Attorney Reisman

**PUBLIC COMMENT:**

None

**ADOPTION OF ORDINANCE NO. 378:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY AMENDIGN SECTION 201.040(a)(1) RELATIVE TO COUNCILMANIC DISTRICT BOUDARIES

**RECOMMENDATION:**

It is recommended that the City Council waive reading in full, authorize reading by title only, and adopt Ordinance No 378.

**MOTION:**

Councilmember Hale made a motion to adopt Ordinance No. 378. Mayor Pro-Tem Lathrop seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 3:0

**ADJOURNMENT:**

At 7:03 p.m. Mayor Bruny adjourned the meeting to a Regular Meeting on Tuesday, December 21, 2021 at 7:00 p.m.

---

**MAYOR – CITY OF BRADBURY**

ATTEST:

---

**CITY CLERK – CITY OF BRADBURY**

**RESOLUTION NO. 21-23**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA,  
APPROVING DEMANDS AND WARRANTS NO. 16706 THROUGH NO. 16724  
(PRE-RELEASED CHECKS)  
AND DEMANDS AND WARRANTS NO. 16725 THROUGH NO. 16749  
(REGULAR CHECKS)**

The City Council of the City of Bradbury does hereby resolve as follows:

**Section 1.** That the demands as set forth hereinafter are approved and warrants authorized to be drawn for payment from said demands in the amount of \$6,836.94 pre-released Checks) and \$67,709.96 at December 21, 2021 from the General Checking Account

**PRE-RELEASED CHECKS (due before City Council Meeting):**

<u>Check</u>	<u>Name and (Due Date)</u>	<u>Description</u>	<u>Amount</u>
16706	Burrtec Waste Industries, Inc. (8/11/21)	Aug 2021 Street Sweeping <i>Acct. 200-48-7290</i>	\$313.14
16707	Burrtec Waste Industries, Inc. (9/30/21)	Sep 2021 Street Sweeping <i>Acct. 200-48-7290</i>	\$313.14
16708	Burrtec Waste Industries, Inc. (10/31/21)	Oct 2021 Street Sweeping <i>Acct. 200-48-7290</i>	\$313.14
16709	California American Water (11/30/21)	<u>Service Address:</u> 600 Winston Ave (City Hall) <i>Acct. 101-16-6400</i>	\$286.64
16710	California American Water (11/30/21)	<u>Service Address:</u> 1775 Woodlyn (Royal Oaks Trail) <i>Acct. 200-48-6400</i>	\$808.86
16711	California American Water (12/3/21)	<u>Service Address:</u> 301 Mt Olive Drive Irrigation 2410 Mt Olive Lane Irrigation 2256 Gardi Street <i>Acct. 200-48-6400</i>	\$128.03 \$47.53 <u>\$51.24</u> \$226.80
16712	VOID	VOID	\$0.00
16713	Post Alarm Systems (11/22/21)	<u>11/22/2021 Service Call:</u> 12V, 7AMP BATT – Ticket 343571 Initial Comm Call – Ticket 343571 <i>Acct. 101-23-7420</i>	\$203.33

<u>Check</u>	<u>Name and (Due Date)</u>	<u>Description</u>	<u>Amount</u>
16714	Local Agency Formation Commission (LAFCO) (11/23/21)	Application Fee for Annexation of Royal Oaks Drive North <i>Acct. 101-16-7435</i>	\$2,500.00
16715	Delta Dental (12/1/21)	<u>Dental Insurance:</u> City Manager (family) <i>Acct. 101-12-5100</i> City Clerk <i>Acct. 101-13-5100</i> Management Analyst <i>Acct. 101-16-5100</i>	\$131.43  \$42.88  <u>\$42.88</u> \$217.19
16716	Vision Service Plan (12/1/21)	<u>Vision Insurance:</u> City Manager (family) <i>Acct. 101-12-5100</i> City Clerk <i>Acct. 101-13-5100</i> Management Analyst <i>Acct. 101-13-5100</i>	\$61.07  \$23.66  <u>\$23.66</u> \$108.39
16717	The Standard (12/1/21)	<u>Basic Life and AD&amp;D:</u> City Manager <i>Acct. 101-12-5100</i> City Clerk <i>Acct. 101-13-5100</i> Management Analyst <i>Acct. 101-13-5100</i>	\$9.25  \$9.25  <u>\$9.25</u> \$27.75
16718	Spectrum (12/10/21)	Business Internet <i>Acct. 101-16-6230</i>	\$149.98
16719	Southern California Edison (12/13/21)	Street Lights for Mt. Olive/Gardi <i>Acct. 200-48-6400</i>	\$41.75
16720	Southern California Edison (12/13/21)	City Hall Utilities <i>Acct. 101-16-6400</i>	\$220.52
16721	The Gas Company (12/17/21)	City Hall Utilities <i>Acct. 101-16-6400</i>	\$15.78
16722	Frontier (12/16/21)	Fire Alarm Line Aug and Sep 2021 <i>Acct. 101-23-7420</i>	\$110.86
16723	T-Mobile (12/18/21)	Mobile Internet (Hot Spot) <i>Acct. 113-20-8120</i>	\$32.00

<u>Check</u>	<u>Name and (Due Date)</u>	<u>Description</u>	<u>Amount</u>
16724	Southern California Edison (20/21/21)	Street Sweeping <i>Acct. 100-48-6410</i>	\$947.67
16725	V O I D	V O I D	\$0.00
Total Pre-Released Checks			<b>\$6,836.94</b>

**REGULAR CHECKS:**

16726	Best Best & Krieger (11/13 & 12/521)	Rio Hondo-San Gabriel Watershed Advocacy Oct 2021 Professional Services Nov 2021 Profession Services <i>Acct. 102-42-7630 (UUT)</i>	\$943.59 <u>\$943.59</u>	\$1,887.18
16727	Burrtec Waste Industries (11/30/21)	Nov 2021 Street Sweeping <i>Acct. 200-48-7290</i>		\$313.14
16728	California American Water (12/9/21)	<u>Service Address:</u> 600 Winston Ave (City Hall) <i>Acct. 101-16-6400</i> 1774 Woodlyn (Royal Oaks Trail) <i>Acct. 200-48-6400</i>	\$411.18 <u>\$572.10</u>	\$983.28
16729	County Clerk County of Los Angeles (11/29/21)	Documentary Handling Fee for Annexation of an island portion of Royal Oaks Drive North <i>Acct. 101-16-7435</i>		\$75.00
16730	DENRAM Graphics & Printing	Business Cards for Mark Handler Building Inspector <i>Acct. 101-16-6210</i>		\$260.92
16731	DUDEK (12/10/21)	Fire Related GIS Services <i>Acct. 101-16-6210</i>		\$732.50
16732	Jones & Mayer (11/30/21)	<u>City Attorney:</u> November Retainer <i>Acct. 101-15-7020</i> 243 Barranca Road <i>Acct. 101-15-7070</i> Chadwick Ranch <i>Acct. 103-00-2039</i> Redistricting <i>Acct. 101-16-7435</i> Zoning/General Plan <i>Acct. 101-15-7075</i>	\$2,650.00 \$910.00 \$1,430.00 \$175.00 <u>\$1,025.00</u>	\$6,190.00

<u>Check</u>	<u>Name and (Due Date)</u>	<u>Description</u>	<u>Amount</u>
16733	Kevin Kearney (Nov 2021)	Monthly Cell Phone Allowance <i>Acct. 101-12-6440</i>	\$75.00
16734	LDM Associates, Inc. (12/6/21)	Planning Services Monthly Retainer for Nov 2021 <i>Acct. 101-20-7210</i>	\$2,500.00
16735	Molly Maid (12/15/21)	Cleaning Services for City Hall Nov 3 to Dec 15, 2021 <i>Acct. 101-16-6460</i>	\$420.00
16736	City of Monrovia (12/7/21)	Transportation Services for Nov 2021 <i>Acct. 204-40-7325 (Prop C)</i>	\$704.07
16737	Pasadena Humane Society (11/30/21)	Animal Control Services for Nov 2021 <i>Acct. 101-25-7000</i>	\$954.17
16738	Post Alarm Systems (12/3/21)	City Hall Monitoring for Jan 2022 Fire & Intrusion Systems <i>Acct. 101-23-7420</i>	\$128.46
16739	Priority (12/01/21)	<u>Dec 2021 Landscape Services:</u> Bradbury Civic Center \$204.12 <i>Acct. 101-21-7020</i> Royal Oaks Drive North \$402.40 <i>Acct. 101-21-7015</i> Lemon Trail \$134.14 <i>Acct. 101-21-7045</i> Mt. Olive Drive Entryway & Trail <u>\$542.38</u> <i>Acct. 101-21-7035</i>	\$1,283.04
16740	RKA Consulting Group (11/15/21) (11/16/21) (9/20/21)	Bradbury/Wild Rose Street Widening \$15,347.90 <i>Acct. 204-48-7750 (Prop C)</i> City Engineering Services \$551.25 <i>Acct. 101-19-7230</i> Development Projects \$2,016.00 <i>Acct. 101-19-7230</i> NPDES Coordination <u>\$560.00</u> <i>Acct. 102-42-7630 (UUT)</i>	\$18,475.15
16741	LA County Public Works (12/6/21)	Sign Posting No Parking Sign on Royal Oaks Drive North <i>Acct. 200-48-7000</i>	\$319.26

<u>Check</u>	<u>Name and (Due Date)</u>	<u>Description</u>	<u>Amount</u>
16742	LA County Sheriff's Dept. (11/23/21)	Oct 2021 Law Enforcement Services <i>Acct. 101-23-7410</i>	\$10,578.30
16743	LA County Sheriff's Dept. (12/8/21)	Nov 2021 Law Enforcement Services <i>Acct. 101-23-7410</i>	\$10,578.30
16744	State Water Resources Control Board (SWRCB) (12/8/21)	Annual Permit Fee Facility ID: 4SSO10371 <i>Acct. 102-42-7630 (UUT)</i>	\$3,326.00
16745	TeamLogic IT (11/1/21)	Computer Services <i>Acct. 113-20-8120</i>	\$595.00
16746	U.S. Bank (11/30/21)	Custody Charges for Nov 2021 Safekeeping Fees <i>Acct. 101-14-7010</i>	\$26.50
16747	U.S. Bank Corporate Payment Systems (11/22/21)	<u>Kevin Kearney Visa Card:</u> CCCA City Managers' Summit <i>Acct. 101-12-6020</i>	<u>\$65.00</u> <b>\$65.00</b>
16747	U.S. Bank Corporate Payment Systems (11/22/21)	<u>Claudia Saldana Visa Card:</u> MyFax <i>Acct. 101-16-6230</i> Big Lots! (City Hall supplies) <i>Acct. 101-16-6450</i>	\$10.00 <u>\$7.50</u> <b>\$17.50</b>
16747	U.S. Bank Corporate Payment Systems (11/22/21)	<u>Sophia Musa Visa Card:</u> MMASC Membership <i>Acct. 101-30-6030</i> Wall Street Journal Subscription <i>Acct. 101-16-6210</i> Broadvoice (City Hall Telephone) <i>Acct. 101-16-6440</i>	\$90.00 \$4.00 <u>\$169.19</u> <b>\$263.19</b>
			\$345.69
16748	Western Fence Co. (11/16/21)	Repair Fence Damage on Mount Olive Drive <i>Acct. 101-21-7035</i>	\$6,264.00
16749	Western Fence Co. (12/13/21)	Replaced 16" of damaged 2-rail fence on Mount Olive Drive <i>Acct. 101-21-7035</i>	\$695.00
<b>Total Regular Checks</b>			<b><u>\$67,709.96</u></b>

**DECEMBER 2021 PAYROLL:**

ACH	Kevin Kearney (Dec 2021)	Salary: City Manager <i>Acct. 101-12-5010</i>	\$10,560.00	
		Withholdings <i>Acct. 101-00-2011</i>	<u>(2,464.90)</u>	\$8,095.10
ACH	Claudia Saldana (Dec 2021)	Salary: City Clerk <i>Acct. 101-13-5010</i>	\$5,583.33	
		Withholdings <i>Acct. 101-00-2011</i>	<u>(1,476.09)</u>	\$4,107.24
ACH	Sophia Freyre (Dec 2021)	Salary: Management Analyst <i>Acct. 101-16-5010</i>	\$4,633.75	
		Withholdings <i>Acct. 101-00-2011</i>	(890.87)	
		PERS Employee Share <i>Acct. 101-16-5100</i>	<u>(312.78)</u>	\$3,430.10
<b>Total December Payroll</b>				<b>\$15,632.44</b>

**ELECTRONIC FUND TRANSFER (EFT) PAYMENTS FOR DECEMBER 2021:**

EFT	Aetna (Dec 2021)	<u>Health Insurance for Dec 2021:</u>		
		City Manager <i>Acct. 101-12-5100</i>	\$1,452.43	
		City Clerk <i>Acct. 101-13-5100</i>	\$929.38	
		Management Analyst <i>Acct. 101-16-5100</i>	<u>\$373.50</u>	\$2,755.31
EFT	EDD (Dec 2021)	State Tax Withholdings	\$872.22	
		SDI <i>Acct. 101-00-2011</i>	<u>\$249.33</u>	\$1,121.55
EFT	Dept. of Treasury Internal Revenue Service (Dec 2021)	Federal Tax Withholdings	\$2,120.86	
		Social Security	\$2,576.36	
		Medicare (Employee's portion of Social Security and Medicare is matched by the City) <i>Acct. 101-00-2011</i>	<u>\$602.54</u>	\$5,299.76
EFT	California PERS (Dec 2021)	City Manager <i>Acct. 101-12-5100</i>	\$1,643.31	
		City Clerk <i>Acct. 101-13-5100</i>	\$864.46	
		Management Analyst <i>Acct. 101-16-5100</i>	<u>\$664.48</u>	\$3,172.25



EFT	California PERS (Dec 2021)	Unfunded Accrued Liability		
		UAL Payment (Classic)	\$783.75	
		UAL Payment (PEPRA)	<u>\$16.08</u>	\$799.83
		Acct. 101-16-6240		

---

**MAYOR – CITY OF BRADBURY**

ATTEST:

---

**CITY CLERK – CITY OF BRADBURY**

"I, Claudia Saldana, City Clerk, hereby certify that the foregoing Resolution, being Resolution No. 21-23, was duly adopted by the City Council of the City of Bradbury, California, at a regular meeting held on the 21st day December, 2021 by the following roll call vote:"

AYES:

NOES:

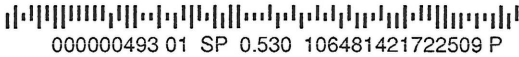
ABSENT:

---

**CITY CLERK – CITY OF BRADBURY**

P.O. BOX 6343  
FARGO ND 58125-6343

ACCOUNT NUMBER 4246 0445 5575 6224  
STATEMENT DATE 11-22-2021  
AMOUNT DUE \$2,905.05  
NEW BALANCE \$2,905.05  
PAYMENT DUE ON RECEIPT



000000493 01 SP 0.530 106481421722509 P  
CITY OF BRADBURY  
ATTN CLAUDIA SALDANA  
600 WINSTON AVE.  
BRADBURY CA 91008-1123

AMOUNT ENCLOSED  
\$ 345.69

Please make check payable to "U.S. Bank"

U.S. BANK CORPORATE PAYMENT SYSTEMS  
P.O. BOX 790428  
ST. LOUIS, MO 63179-0428

4246044555756224 000290505 000290505

lease tear payment coupon at perforation.

### CORPORATE ACCOUNT SUMMARY

CITY OF BRADBURY 4246 0445 5575 6224	Previous Balance	Purchases And Other + Charges	Cash Advances +	Cash Advance Fees +	Late Payment Charges	- Credits	- Payments	= New Balance
Company Total	\$2,619.22	\$719.49	\$0.00	\$0.00	\$0.00	\$0.00	\$433.66	\$2,905.05

### CORPORATE ACCOUNT ACTIVITY

CITY OF BRADBURY  
4246-0445-5575-6224

TOTAL CORPORATE ACTIVITY  
\$433.66 CR

Post Date	Tran Date	Reference Number	Transaction Description	Amount
10-27	10-25	74798261300000000000188	PAYMENT - THANK YOU 00000 C	433.66 PY

### NEW ACTIVITY

KEVIN KEARNEY 4246-0446-0277-2711 CREDITS \$0.00 PURCHASES \$438.80 CASH ADV \$0.00 TOTAL ACTIVITY \$438.80

Post Date	Tran Date	Reference Number	Transaction Description	Amount
10-25	10-22	24492151296852027529562	PAYPAL *CCCA 402-935-7733 CA	65.00
11-08	11-08	242912910120092301157437	BELLACOR.COM, INC MINNEAPOLIS MN	373.80

### CUSTOMER SERVICE CALL

800-344-5696

### ACCOUNT NUMBER

4246-0445-5575-6224

### STATEMENT DATE

11/22/21

### DISPUTED AMOUNT

.00

### ACCOUNT SUMMARY

PREVIOUS BALANCE	2,619.22
PURCHASES & OTHER CHARGES	719.49
CASH ADVANCES	.00
CASH ADVANCE FEES	.00
LATE PAYMENT CHARGES	.00
CREDITS	.00
PAYMENTS	433.66
ACCOUNT BALANCE	2,905.05

### SEND BILLING INQUIRIES TO:

U.S. Bank National Association  
C/O U.S. Bancorp Purchasing Card Program  
P.O. Box 6335  
Fargo, ND 58125-6335

### AMOUNT DUE

2,905.05

NOV 30 2021



Company Name: CITY OF BRADBURY
Corporate Account Number: 4246 0445 5575 6224
Statement Date: 11-22-2021

*see Check # 16747*

**NEW ACTIVITY**

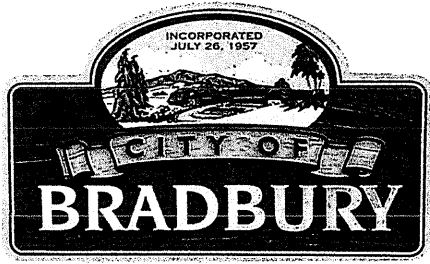
<b>SOPHIA MUSA</b>	<b>CREDITS</b>	<b>PURCHASES</b>	<b>CASH ADV</b>	<b>TOTAL ACTIVITY</b>
4246-0446-5320-2600	\$0.00	\$263.19	\$0.00	\$263.19

Post Date	Tran Date	Reference Number	Transaction Description	Amount
11-11	11-10	24207851314175400432173	MUNICIPAL MANAGEMENT ASSO 877-3147080 CA	90.00
11-11	11-11	24692161315100770163781	WSJ/BARRONS SUBSCRIPTI 800-568-7625 NJ	4.00
11-15	11-14	24453511318017076365195	BROADVOICE 888-325-5875 CA	169.19

<b>CLAUDIA A SALDANA</b>	<b>CREDITS</b>	<b>PURCHASES</b>	<b>CASH ADV</b>	<b>TOTAL ACTIVITY</b>
4246-0470-0126-4883	\$0.00	\$17.50	\$0.00	\$17.50

Post Date	Tran Date	Reference Number	Transaction Description	Amount
10-25	10-23	24692161296100067433601	MYFAX *PROTUS IP SOLN 866-563-9212 CA	10.00
11-11	11-10	24137461314300627104859	BIG LOTS STORES - #4170 DUARTE CA	7.50

Department: 00000 Total:	\$719.49
Division: 00000 Total:	\$719.49



*Bruce Lathrop, Mayor (District 4)*  
*Richard Pycz, Mayor Pro Tem (District 5)*  
*Richard Hale, Council Member (District 1)*  
*Monte Lewis, Council Member (District 2)*  
*Richard Barakat, Council Member (District 3)*

## City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Sophia Musa, Management Analyst

DATE: December 21, 2021

SUBJECT: **APPROVAL OF RESOLUTION NO. 21-24: AUTHORIZING  
SUBMITTAL OF APPLICATION FOR CAL RECYCLE FUNDS**

ATTACHMENTS: 1) Resolution No. 21-24

---

### SUMMARY

The City of Bradbury is applying for the Cal Recycle Beverage Container Recycling City/County Payment Program. Each year, the City of Bradbury is eligible to receive \$5,000 from Cal Recycle. Part of the application process involves adopting a resolution to accept funding from CalRecycle. The Council can decide what to do with the grant funds at a later date.

In order to receive funds, it is recommended that the City Council adopt Resolution No. 21-24.

### DISCUSSION

The California Beverage Container Recycling and Litter Reduction Act provides funding to cities and counties for beverage container recycling programs. The funding source is the California Redemption Value (CRV) premium that is paid when consumers purchase beverages in glass bottles, cans and plastic containers. Funding is distributed on an annual basis based on a per capita formula. Bradbury is entitled to receive \$5,000 each year, and receiving the funds is as simple as completing an on-line form.

Staff has discussed two options for the use of funds: 1) To install water fountains along the City's recreational trails or 2) to release an RFP to solicit proposed projects from surrounding cities, educational institutions or nonprofits. Council has expressed interest in both options and will decide the use of funds at a later date.

**FINANCIAL ANALYSIS**

Each year, the City of Bradbury typically receives \$5,000 from Cal Recycle. These are restricted funds and cannot be used for General Fund purposes. As a result, the City has a surplus of these restricted funds in the amount of \$6,275.

**STAFF RECOMMENDATION**

It is recommended that the City Council adopt Resolution No. 21-24.

**RESOLUTION NO. 21-24**

**RESOLUTION OF THE CITY OF BRADBURY AUTHORIZING SUBMITTAL OF  
APPLICATION(S) FOR ALL CALRECYCLE GRANTS FOR WHICH THE CITY OF  
BRADBURY IS ELIGIBLE**

**WHEREAS**, Public Resources Code sections 48000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs (grants) in furtherance of the State of California's (state) efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

**WHEREAS**, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

**WHEREAS**, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Bradbury authorizes the submittal of application(s) to CalRecycle for all grants for which the City of Bradbury is eligible; and

**BE IT FURTHER RESOLVED** that the City Manager, or his/her designee, is hereby authorized and empowered to execute in the name of the City of Bradbury all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

**BE IT FURTHER RESOLVED** that these authorizations are effective for five (5) years from the date of adoption of this resolution.

**PASSED, APPROVED, AND ADOPTED ON** this 21<sup>st</sup> day of December, 2021 by the City Council of the City of Bradbury, State of California, by the following vote:

---

MAYOR – CITY OF BRADBURY

ATTEST:

---

CITY CLERK – CITY OF BRADBURY

"I, Claudia Saldana, City Clerk, hereby certify that the foregoing Resolution, being Resolution No. 21-24, was duly adopted by the City Council of the City of Bradbury, California, at a regular meeting held on the 21<sup>st</sup> day of December, 2021 by the following roll call vote:"

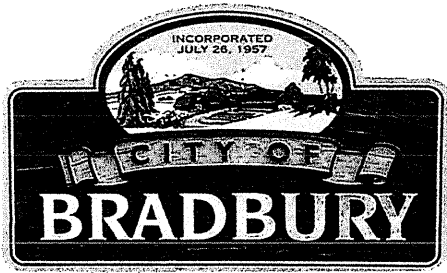
AYES:

NOES:

ABSENT:

---

CITY CLERK – CITY OF BRADBURY



*Elizabeth Bruny, Mayor (District 5)*  
*Bruce Lathrop, Mayor Pro Tem (District 4)*  
*Richard T. Hale, Council Member (District 1)*  
*Monte Lewis, Council Member (District 2)*  
*Richard Barakat, Council Member (District 3)*

## City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Kearney, City Manager

DATE: December 21, 2021

SUBJECT: **URGENCY ORDINANCE NO. 380U: AN URGENCY ORDINANCE OF THE CITY OF BRADBURY, CALIFORNIA ADOPTING CHANGES TO TITLE IX OF THE BRADBURY MUNICIPAL CODE RELATING TO THE IMPLEMENTATION OF SENATE BILL 9 FOR THE CREATION OF URBAN LOT SPLITS AND TWO RESIDENTIAL UNITS PER LOT**

ATTACHMENTS: 1) Urgency Ordinance No. 380U  
2) Senate Bill 9

---

### **BACKGROUND**

On September 16, 2021, Governor Newsom signed SB 9 into law which adds two new sections to the Government Code relating to the development of multiple units on a single-family residential lot and lot splits. Section 65852.21 requires a local agency to ministerially approve a housing development of no more than 2 residential units (either 2 new or 1 new in addition to an existing unit) within a single-family residential zone without discretionary review or a hearing when the proposed development meets all of the listed requirements. Similarly, § 66411.7 requires a local agency to ministerially approve a parcel map for a lot split in the single-family zone when the map meets all of the listed requirements. The effect of SB 9 is to allow up to four units on a lot where there once was one in single-family residential zones.

Despite these provisions, it is expected that SB 9 will have little, if any, impact in the City. Because of how houses are situated on existing lots, it would be difficult to split a lot and have four units on a developed lot without demolition of the existing structure. Many people will be hesitant to destroy their existing single-family home, and SB 9 prohibits



demolition or alteration of a structure if it has been rented out within the last three years, and allows the City to limit demolition of more than 25 percent of existing exterior structural walls in other circumstances. SB 9 also prohibits owners from repeatedly subdividing property and prohibits developers or owners from acting in concert with others to successively split and develop adjacent properties.

If an application for a two-unit development or a lot split meets the listed requirements, the only way that the application can be denied is if the building official finds by a preponderance of the evidence (more than 50%) that the project would have a specific, adverse impact on the public health or safety or the physical environment and there is no feasible method to satisfactorily mitigate or avoid the impact. A “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

### **OBJECTIVE STANDARDS**

Flag lots are not permitted.

A flag lot is a lot behind another lot with a long segment extending along one side of the front lot to connect the rear lot to the street. Typically, the extension is only as wide as a driveway, which gives the resulting lot the appearance of a flag on a flagpole when it is mapped. Since the purpose of the extension is to connect the rear lot to the street for vehicular access, the base of the “pole” will have a curb cut and apron built in the public right-of-way. In situations where land allows, an urban lot split including in a flag lot will likely result in two driveways with curb cuts where previously there was only one. Each new curb cut removes at least one street parking space available to the neighborhood, so Staff recommends prohibiting flag lots in favor of requiring subdividers to create an access easement over the front property’s driveway for the rear property to access the street.

Landlocked parcels created by an urban lot split shall have an access easement over the other parcel on the same map. The easement shall be not less than 10 feet in width and must connect to the same curb cut and apron as the other parcel on the same map.

As stated above, this is preferred to flag lots as a means to preserve as many existing street parking spaces as possible.

The front setback shall be 20 feet on a lot that fronts on a street, except on lots where the street-facing side (width) is longer than the depth, in such case the setback from the street-facing lot line shall be 10 feet.

This rule is intended for lot splits of what are formerly corner lots. In those cases, prior to the lot split the front yard is defined as the shorter side of the two facing streets. If the lot is split roughly in half so that the rear half has a property line along the side street, it ends

up with its front lot line often wider than its side lot lines. In that case if a 20-foot setback is applied there will be almost no room left to build on. Therefore, this rule allows 10-foot front setback in those circumstances.

For landlocked parcels side yard setbacks shall apply to all property lines.

For lots that have no direct access to a street except by easement over another lot (landlocked), this rule states that all property lines are treated as side property lines. This is more practical than trying to make rules to declare which way is front or rear.

On landlocked lots, a residential structure shall maintain a separation of 8 feet to all other habitable structures from its front-facing facade. Front-facing facade shall be defined for this purpose as the building side most closely parallel to the plane of the main entrance doorway.

This standard is designed to provide some semblance of open space like a front yard without declaring exactly where that is on the lot, but instead aligning it to the residential main entrances.

Lot coverage shall not exceed 75 percent.

This is more generous than the lot coverage of the R-1 zone generally, which is 50 percent. It was thought that 50 percent would inevitably be identified as an impediment to achieving the minimum allowed units required by SB 9. Since the front setbacks for lots facing the street will remain 20 feet, this additional lot coverage should have little visual impact to the neighborhood, and may not even be attainable where there was an urban lot split.

## **RECOMMENDATION**

Staff recommends the City Council to:

- 1) Open the public hearing;
- 2) Receive testimony from the public; and
- 3) Adopt Urgency Ordinance No. 380U, which immediately amends Title IX of the Bradbury Municipal Code relating to urban lot splits and two-unit housing developments.

# **ATTACHMENT #1**

## **URGENCY ORDINANCE NO. 380U**

### **AN URGENCY ORDINANCE OF THE CITY OF BRADBURY, CALIFORNIA ADOPTING CHANGES TO TITLE IX OF THE BRADBURY MUNICIPAL CODE RELATING TO THE IMPLEMENTAION OF SENATE BILL 9 FOR THE CREATION OF URBAN LOT SPLITS AND TWO RESIDENTIAL UNITS PER LOT**

**WHEREAS**, on September 16, 2021 Governor Gavin Newsom approved Senate Bill 9 (SB 9, Chapter 162) relating to the creation of residential units, which requires local agencies to ministerially approve housing developments containing no more than two residential units per lot and to ministerially approve an urban lot split; and

**WHEREAS**, SB 9 takes effect on January 1, 2022; and

**WHEREAS**, SB 9 allows local agencies to impose objective zoning, subdivision, and development standards; and

**WHEREAS**, given that SB 9 was not signed into law until mid-September, there was insufficient time to process this Ordinance through noticed hearings before the Planning Commission and City Council so as to have the Ordinance in place by January 1, 2022; and

**WHEREAS**, the public is already beginning to express interest in developing under this new law and it is necessary to have standards in place by the time SB 9 becomes effective.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BRADBURY DOES  
HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Chapter 75 is hereby added to Part V of Title IX of the Bradbury Municipal Code to read as follows:

#### **Chapter 75. Two-unit Housing Development**

##### **Sec. 9.75.010 – Definitions.**

For purposes of this Chapter, the following definitions shall apply:

- (a) “Housing development” shall mean no more than two residential units on a lot within a single-family zone that meets the requirements of this section. The two units may consist of two new units or one new unit and one existing unit.
- (b) “Single-family residential zone” shall mean the R-7,500 Single-Family Residential Zoning District, the R-20,000 Single-Family Residential Zoning District, the A-1 Agriculture Residential Estate Zoning District, the A-2 Agriculture Residential Estate Zoning District, and the A-5 Agriculture Residential Estate Zoning District.

- (c) "Unit" shall mean any dwelling unit, including but not limited to a primary dwelling unit, an accessory dwelling unit, a junior accessory dwelling unit, or any unit created pursuant to this section.
- (d) "Urban lot split" means a lot split of a single-family residential lot into two parcels that meets the requirements of Chapter 164 of Part VII of Title IX.

#### **Sec. 9.75.020 – Housing Development Approval**

The City shall ministerially approve a housing development containing no more than two residential units if it meets the following requirements:

- (a) The parcel is located within a single-family residential zone.
- (b) The parcel is not located in any of the following areas and does not fall within any of the following categories:
  - 1. A historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
  - 2. Wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
  - 3. A very high fire hazard severity zone as further defined in Government Code section 65913.4(a)(6)(D). This does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
  - 4. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
  - 5. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for ministerial approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that

is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

- i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or
    - ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);
  6. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
  7. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I).
  8. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
  9. Lands under a conservation easement.
- (c) The proposed housing development would not require demolition or alteration of any of the following types of housing:
1. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
  2. Housing that has been occupied by a tenant in the last three years.
- (d) Unless demolition or alteration is prohibited pursuant to subsection (c) above, up to 25 percent of the existing exterior structural walls may be demolished.

### **Sec. 9.75.030 – Standards and Requirements.**

The following requirements shall apply in addition to all other objective standards pertaining to the underlying zone. In cases of conflict, the requirements set forth in this section shall prevail:

- (a) No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.
- (b) Except for those circumstances described in subsection (a) above, the setback for side and rear lot lines shall not be less than four feet. The front setback shall be as set forth in the single-family residential zone.
- (c) The applicant shall provide easements for the provision of public services and facilities as required.
- (d) Driveways shall be provided in accordance with Chapter 103 of Title IX. Easements shall be provided as required to ensure pedestrian and vehicular access across lots.
- (e) Required off-street parking shall be limited to one space per unit, except that no parking shall be required if the parcel is located within one-half mile walking distance of either a high-quality transit corridor or a major transit stop, or there is a car share vehicle located within one block of the parcel. Parking spaces shall meet the following requirements:
  - 1. Parking spaces may be covered or uncovered, but must be provided in the paved portions of setback areas.
  - 2. Tandem parking between units shall be prohibited.
- (f) For residential units connected to an onsite wastewater treatment system (septic tank), the applicant provides a percolation test completed within the last 5 years, or if the percolation test has been recertified, within the last 10 years, which shows that the system meets acceptable infiltration rates.
- (g) The number of units allowed on a lot shall not exceed two.
- (h) Square footage. The square footage of any new unit built under the provisions of SB 9 shall not exceed 800 square feet.
- (i) Height. The height of a new unit shall not exceed 16 feet unless the unit is built in a previously existing permitted space above a permitted ground floor area or garage.
- (j) Secondary Living Quarters. Guest houses or bunk houses shall only be allowed in accordance with Section 9.85.030 based on the actual size of the lot,

regardless of the zone. No single-room occupancy unit shall be located on any lot developed under the provisions of this Chapter or Chapter 9.164.

- (k) If there is no existing unit on the original parcel prior to any lot split allowed pursuant to Chapter 9.164, one of the four allowed units may be built to the standards of the applicable zone

**Sec. 9.75.040 – Denials.**

- (a) The city shall not deny an application solely because it proposes adjacent or connected structures provided that all building code safety standards are met and they are sufficient to allow a separate conveyance.
- (b) The city may deny the housing development if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

**Sec. 9.75.050 – Affidavit Required.**

An applicant for an urban lot split shall be required to sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the following:

- (a) That the uses shall be limited to residential uses.
- (b) That the rental of any unit created pursuant to this section shall be for a minimum of thirty-one days.
- (c) That the maximum number of units to be allowed on the parcels is two, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, junior accessory dwelling units, and units allowed pursuant to this Chapter.

**Sec. 9.75.060 – Other Municipal Code Provisions**

- (a) Unless contrary to the provisions of this Chapter, all other applicable objective provisions of Title IX, including the provisions of the underlying zone, shall apply.
- (b) Notwithstanding the above, the city shall not impose any zoning or design standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels under an urban lot split or that would result in a unit size of less than 800 square feet.

**SECTION 2.** Table 28-1 in Section 9.28.020 of the Bradbury Municipal Code is hereby amended by adding a new row to read as follows:



Type of Application	City Planner	Planning Commission	City Council
Two-unit Housing Development	Approval	Not Applicable	Not Applicable

**SECTION 3.** Chapter 164 is hereby added to Part VII of Title IX of the Bradbury Municipal Code to read as follows:

## **CHAPTER 164 – URBAN LOT SPLITS**

### **Sec. 9.164.010 – Definitions.**

Definitions. For purposes of this Section, the following definition shall apply:

- (a) “Urban lot split” means a lot split of a single-family residential lot into two parcels that meets the requirements of this section.

### **Sec. 9.164.020 – Urban Lot Split Approval**

The City shall ministerially approve a parcel map for a lot split that meets the following requirements:

- (a) The parcel is located within a single-family residential zone.
- (b) The parcel is located at least partially in an urbanized area or urban cluster as designated by the United States Census Bureau.
- (c) The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area, provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel.
- (d) Both newly created parcels are no smaller than 1,200 square feet.
- (e) The parcel is not located in any of the following areas and does not fall within any of the following categories:
  1. A historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
  2. Wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
  3. A very high fire hazard severity zone as further defined in Government Code section 65913.4(a)(6)(D). This does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision

(b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

4. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
5. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:
  - i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or
  - ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);
6. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the City shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
7. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I).
8. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or

species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

9. Lands under a conservation easement.
- (f) The proposed lot split would not require demolition or alteration of any of the following types of housing:
1. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
  2. A parcel or parcels on which an owner of residential real property exercised rights under Government Code section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application; or
  3. Housing that has been occupied by a tenant in the last three years.
- (g) The lot split does not create more than two units as defined in Section 9.75.010 on a parcel, including any accessory dwelling units or junior accessory dwelling.

#### **Sec. 9.164.030 – Standards and Requirements.**

The following requirements shall apply:

- (a) The lot split conforms to all applicable objective requirements of the Subdivision Map Act and Part VII of Title IX of the Bradbury Municipal Code, except as the same are modified by this section.
- (b) No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.
- (c) Except for those circumstances described in subsection (b) above, the setback for side and rear lot lines shall not be less than four feet. The front setback shall be as set forth in the single-family residential zone.
- (d) The applicant shall provide easements for the provision of public services and facilities as required.
- (e) If a lot does not have direct access to a street, appropriate access easements meeting the minimum size of the driveway requirements set forth in Chapter 103 of Title IX shall be provided on the tentative and parcel map.

- (f) Development of the lots shall be in accordance with Chapter 75 of Part V of Title IX of this Code.

#### **Sec. 9.164.040 – Denials**

- (a) The City shall not:
  - 1. Require dedications of rights-of-way or the construction of offsite improvements for the parcels being created as a condition of issuing a parcel map.
  - 2. Impose any objective subdivision standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.
  - 3. Require the correction of nonconforming zoning provisions as a condition for the lot split.
  - 4. Deny an application solely because it proposes an adjacent or connected structure provided that all building code safety standards are met and they are sufficient to allow a separate conveyance.
- (b) The city may deny the lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

#### **Sec. 9.164.050 – Affidavit**

An applicant for an urban lot split shall be required to sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the following:

- (a) That applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval. This requirement does not apply when the applicant is a “community land trust” or a “qualified nonprofit corporation” as the same are defined in the Revenue and Taxation Code.
- (b) That the uses shall be limited to residential uses.
- (c) That any rental of any unit created by the lot split shall be for a minimum of thirty-one days.
- (d) That the maximum number of units, as defined in Section 9.75.010, to be allowed on the parcels is two, including but not limited to units otherwise allowed

pursuant to density bonus provisions, accessory dwelling units, junior accessory dwelling units, or units allowed pursuant to Chapter 75 of Part V of Title IX.

**Sec. 9.164.060 – Inapplicability of Chapter**

This Chapter shall not apply to:

- (a) Any parcel which has been established pursuant to a lot split in accordance with this section; or
- (b) Any parcel where the owner of the parcel being subdivided or any person acting in concert with the owner has previously subdivided an adjacent parcel in accordance with this section. For purposes of this section, “acting in concert” shall include, but not be limited to, where the owner of a property proposed for an urban lot split is the same, related to, or connected by partnership to the owner, buyer or seller (if transferred within the previous three years) of an adjacent lot.

**SECTION 4.** The adoption of this Ordinance is not a project under CEQA as specified in SB 9.

**SECTION 5.** In accordance with Government Code section 36937, this Ordinance shall take effect immediately because of the need for the preservation of the public peace, health and safety as set forth in the Whereas clauses in the beginning of this Ordinance.

**PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.**

\_\_\_\_\_  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

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

I, Claudia Saldana, City Clerk of the City of Bradbury, do hereby certify that the foregoing ordinance, being Urgency Ordinance No. 380U 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 \_\_\_\_\_ day of \_\_\_\_\_, 2021, that it was duly posted, and that the same was passed and adopted by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

---

Claudia Saldana  
City Clerk  
City of Bradbury

# **ATTACHMENT #2**



**SB-9 Housing development: approvals.** (2021-2022)

SHARE THIS:



Date Published: 09/17/2021 09:00 PM

**Senate Bill No. 9**

**CHAPTER 162**

An act to amend Section 66452.6 of, and to add Sections 65852.21 and 66411.7 to, the Government Code, relating to land use.

[ Approved by Governor September 16, 2021. Filed with Secretary of State September 16, 2021. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 9, Atkins. Housing development: approvals.

The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions.

This bill, among other things, would require a proposed housing development containing no more than 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

The bill would set forth what a local agency can and cannot require in approving the construction of 2 residential units, including, but not limited to, authorizing a local agency to impose objective zoning standards, objective subdivision standards, and objective design standards, as defined, unless those standards would have the effect of physically precluding the construction of up to 2 units or physically precluding either of the 2 units from being at least 800 square feet in floor area, prohibiting the imposition of setback requirements under certain circumstances, and setting maximum setback requirements under all other circumstances.

The Subdivision Map Act vests the authority to regulate and control the design and improvement of subdivisions in the legislative body of a local agency and sets forth procedures governing the local agency's processing, approval, conditional approval or disapproval, and filing of tentative, final, and parcel maps, and the modification of those maps. Under the Subdivision Map Act, an approved or conditionally approved tentative map expires 24 months after its approval or conditional approval or after any additional period of time as prescribed by local ordinance, not to exceed an additional 12 months, except as provided.



This bill, among other things, would require a local agency to ministerially approve a parcel map for an urban lot split that meets certain requirements, including, but not limited to, that the urban lot split would not require the demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the parcel is located within a single-family residential zone, and that the parcel is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

The bill would set forth what a local agency can and cannot require in approving an urban lot split, including, but not limited to, authorizing a local agency to impose objective zoning standards, objective subdivision standards, and objective design standards, as defined, unless those standards would have the effect of physically precluding the construction of 2 units, as defined, on either of the resulting parcels or physically precluding either of the 2 units from being at least 800 square feet in floor area, prohibiting the imposition of setback requirements under certain circumstances, and setting maximum setback requirements under all other circumstances. The bill would require an applicant to sign an affidavit stating that they intend to occupy one of the housing units as their principal residence for a minimum of 3 years from the date of the approval of the urban lot split, unless the applicant is a community land trust or a qualified nonprofit corporation, as specified. The bill would prohibit a local agency from imposing any additional owner occupancy standards on applicants. By requiring applicants to sign affidavits, thereby expanding the crime of perjury, the bill would impose a state-mandated local program.

The bill would also extend the limit on the additional period that may be provided by ordinance, as described above, from 12 months to 24 months and would make other conforming or nonsubstantive changes.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment. CEQA does not apply to the approval of ministerial projects.

This bill, by establishing the ministerial review processes described above, would thereby exempt the approval of projects subject to those processes from CEQA.

The California Coastal Act of 1976 provides for the planning and regulation of development, under a coastal development permit process, within the coastal zone, as defined, that shall be based on various coastal resources planning and management policies set forth in the act.

This bill would exempt a local agency from being required to hold public hearings for coastal development permit applications for housing developments and urban lot splits pursuant to the above provisions.

By increasing the duties of local agencies with respect to land use regulations, the bill would impose a state-mandated local program.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 65852.21 is added to the Government Code, to read:

**65852.21.** (a) A proposed housing development containing no more than two residential units within a single-family residential zone shall be considered ministerially, without discretionary review or a hearing, if the proposed housing development meets all of the following requirements:

(1) The parcel subject to the proposed housing development is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(2) The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(3) Notwithstanding any provision of this section or any local law, the proposed housing development would not require demolition or alteration of any of the following types of housing:

(A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(B) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(C) Housing that has been occupied by a tenant in the last three years.

(4) The parcel subject to the proposed housing development is not a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(5) The proposed housing development does not allow the demolition of more than 25 percent of the existing exterior structural walls, unless the housing development meets at least one of the following conditions:

(A) If a local ordinance so allows.

(B) The site has not been occupied by a tenant in the last three years.

(6) The development is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

(b) (1) Notwithstanding any local law and except as provided in paragraph (2), a local agency may impose objective zoning standards, objective subdivision standards, and objective design review standards that do not conflict with this section.

(2) (A) The local agency shall not impose objective zoning standards, objective subdivision standards, and objective design standards that would have the effect of physically precluding the construction of up to two units or that would physically preclude either of the two units from being at least 800 square feet in floor area.

(B) (i) Notwithstanding subparagraph (A), no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(ii) Notwithstanding subparagraph (A), in all other circumstances not described in clause (i), a local agency may require a setback of up to four feet from the side and rear lot lines.

(c) In addition to any conditions established in accordance with subdivision (b), a local agency may require any of the following conditions when considering an application for two residential units as provided for in this section:

(1) Off-street parking of up to one space per unit, except that a local agency shall not impose parking requirements in either of the following instances:

(A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.

(B) There is a car share vehicle located within one block of the parcel.

(2) For residential units connected to an onsite wastewater treatment system, a percolation test completed within the last 5 years, or, if the percolation test has been recertified, within the last 10 years.

(d) Notwithstanding subdivision (a), a local agency may deny a proposed housing development project if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(e) A local agency shall require that a rental of any unit created pursuant to this section be for a term longer than 30 days.

(f) Notwithstanding Section 65852.2 or 65852.22, a local agency shall not be required to permit an accessory dwelling unit or a junior accessory dwelling unit on parcels that use both the authority contained within this section and the authority contained in Section 66411.7.

(g) Notwithstanding subparagraph (B) of paragraph (2) of subdivision (b), an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.

(h) Local agencies shall include units constructed pursuant to this section in the annual housing element report as required by subparagraph (I) of paragraph (2) of subdivision (a) of Section 65400.

(i) For purposes of this section, all of the following apply:

(1) A housing development contains two residential units if the development proposes no more than two new units or if it proposes to add one new unit to one existing unit.

(2) The terms "objective zoning standards," "objective subdivision standards," and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a local agency, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

(3) "Local agency" means a city, county, or city and county, whether general law or chartered.

(j) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(k) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for a housing development pursuant to this section.

**SEC. 2.** Section 66411.7 is added to the Government Code, to read:

**66411.7.** (a) Notwithstanding any other provision of this division and any local law, a local agency shall ministerially approve, as set forth in this section, a parcel map for an urban lot split only if the local agency determines that the parcel map for the urban lot split meets all the following requirements:

(1) The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.

(2) (A) Except as provided in subparagraph (B), both newly created parcels are no smaller than 1,200 square feet.

(B) A local agency may by ordinance adopt a smaller minimum lot size subject to ministerial approval under this subdivision.

(3) The parcel being subdivided meets all the following requirements:

(A) The parcel is located within a single-family residential zone.

(B) The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(C) The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(D) The proposed urban lot split would not require demolition or alteration of any of the following types of housing:

(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(iii) A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(iv) Housing that has been occupied by a tenant in the last three years.

(E) The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

(F) The parcel has not been established through prior exercise of an urban lot split as provided for in this section.

(G) Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split as provided for in this section.

(b) An application for a parcel map for an urban lot split shall be approved in accordance with the following requirements:

(1) A local agency shall approve or deny an application for a parcel map for an urban lot split ministerially without discretionary review.

(2) A local agency shall approve an urban lot split only if it conforms to all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)), except as otherwise expressly provided in this section.

(3) Notwithstanding Section 66411.1, a local agency shall not impose regulations that require dedications of rights-of-way or the construction of offsite improvements for the parcels being created as a condition of issuing a parcel map for an urban lot split pursuant to this section.

(c) (1) Except as provided in paragraph (2), notwithstanding any local law, a local agency may impose objective zoning standards, objective subdivision standards, and objective design review standards applicable to a parcel created by an urban lot split that do not conflict with this section.

(2) A local agency shall not impose objective zoning standards, objective subdivision standards, and objective design review standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.

(3) (A) Notwithstanding paragraph (2), no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(B) Notwithstanding paragraph (2), in all other circumstances not described in subparagraph (A), a local agency may require a setback of up to four feet from the side and rear lot lines.

(d) Notwithstanding subdivision (a), a local agency may deny an urban lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(e) In addition to any conditions established in accordance with this section, a local agency may require any of the following conditions when considering an application for a parcel map for an urban lot split:

(1) Easements required for the provision of public services and facilities.

(2) A requirement that the parcels have access to, provide access to, or adjoin the public right-of-way.

(3) Off-street parking of up to one space per unit, except that a local agency shall not impose parking requirements in either of the following instances:

(A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop as defined in Section 21064.3 of the Public Resources Code.

(B) There is a car share vehicle located within one block of the parcel.

(f) A local agency shall require that the uses allowed on a lot created by this section be limited to residential uses.

(g) (1) A local agency shall require an applicant for an urban lot split to sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.

(2) This subdivision shall not apply to an applicant that is a "community land trust," as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code, or is a "qualified nonprofit corporation" as described in Section 214.15 of the Revenue and Taxation Code.

(3) A local agency shall not impose additional owner occupancy standards, other than provided for in this subdivision, on an urban lot split pursuant to this section.

(h) A local agency shall require that a rental of any unit created pursuant to this section be for a term longer than 30 days.

(i) A local agency shall not require, as a condition for ministerial approval of a parcel map application for the creation of an urban lot split, the correction of nonconforming zoning conditions.

(j) (1) Notwithstanding any provision of Section 65852.2, 65852.21, 65852.22, 65915, or this section, a local agency shall not be required to permit more than two units on a parcel created through the exercise of the authority contained within this section.

(2) For the purposes of this section, "unit" means any dwelling unit, including, but not limited to, a unit or units created pursuant to Section 65852.21, a primary dwelling, an accessory dwelling unit as defined in Section 65852.2, or a junior accessory dwelling unit as defined in Section 65852.22.

(k) Notwithstanding paragraph (3) of subdivision (c), an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.

(l) Local agencies shall include the number of applications for parcel maps for urban lot splits pursuant to this section in the annual housing element report as required by subparagraph (I) of paragraph (2) of subdivision (a) of Section 65400.

(m) For purposes of this section, both of the following shall apply:

(1) "Objective zoning standards," "objective subdivision standards," and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a local agency, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

(2) "Local agency" means a city, county, or city and county, whether general law or chartered.

(n) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(o) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for urban lot splits pursuant to this section.

**SEC. 3.** Section 66452.6 of the Government Code is amended to read:

**66452.6.** (a) (1) An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 24 months. However, if the subdivider is required to expend two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the tentative map, excluding improvements of public rights-of-way that abut the boundary of the property to be subdivided and that are reasonably related to the development of that property, each filing of a final map authorized by Section 66456.1 shall extend the expiration of the approved or conditionally approved tentative map by 48 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the tentative map more than 10 years from its approval or conditional approval. However, a tentative map on property subject to a development agreement authorized by Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement. The number of phased final maps that may be filed shall be determined by the advisory agency at the time of the approval or conditional approval of the tentative map.

(2) Commencing January 1, 2012, and each calendar year thereafter, the amount of two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) shall be annually increased by operation of law according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting. The effective date of each annual adjustment shall be March 1. The adjusted amount shall apply to tentative and vesting tentative maps whose applications were received after the effective date of the adjustment.

(3) "Public improvements," as used in this subdivision, include traffic controls, streets, roads, highways, freeways, bridges, overcrossings, street interchanges, flood control or storm drain facilities, sewer facilities, water facilities, and lighting facilities.

(b) (1) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence. However, the length of the moratorium shall not exceed five years.

(2) The length of time specified in paragraph (1) shall be extended for up to three years, but in no event beyond January 1, 1992, during the pendency of any lawsuit in which the subdivider asserts, and the local agency that approved or conditionally approved the tentative map denies, the existence or application of a development moratorium to the tentative map.

(3) Once a development moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of the moratorium.

(c) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the local agency pursuant to this section. After service of the initial petition or complaint in the lawsuit upon the local agency, the subdivider may apply to the local agency for a stay pursuant to the local agency's adopted procedures. Within 40 days after receiving the application, the local agency shall either stay the time period for up to five years or deny the requested stay. The local agency may, by ordinance, establish procedures for reviewing the requests, including, but not limited to, notice and hearing requirements, appeal procedures, and other administrative requirements.

(d) The expiration of the approved or conditionally approved tentative map shall terminate all proceedings and no final map or parcel map of all or any portion of the real property included within the tentative map shall be filed with the legislative body without first processing a new tentative map. Once a timely filing is made, subsequent actions of the local agency, including, but not limited to, processing, approving, and recording, may lawfully occur after the date of expiration of the tentative map. Delivery to the county surveyor or city engineer shall be deemed a timely filing for purposes of this section.

(e) Upon application of the subdivider filed before the expiration of the approved or conditionally approved tentative map, the time at which the map expires pursuant to subdivision (a) may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or

periods not exceeding a total of six years. The period of extension specified in this subdivision shall be in addition to the period of time provided by subdivision (a). Before the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. If the advisory agency denies a subdivider's application for an extension, the subdivider may appeal to the legislative body within 15 days after the advisory agency has denied the extension.

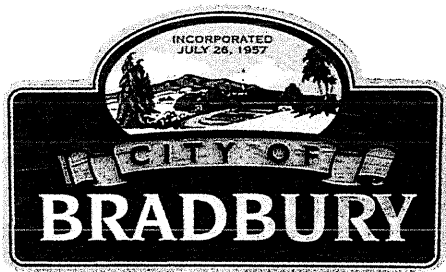
(f) For purposes of this section, a development moratorium includes a water or sewer moratorium, or a water and sewer moratorium, as well as other actions of public agencies that regulate land use, development, or the provision of services to the land, including the public agency with the authority to approve or conditionally approve the tentative map, which thereafter prevents, prohibits, or delays the approval of a final or parcel map. A development moratorium shall also be deemed to exist for purposes of this section for any period of time during which a condition imposed by the city or county could not be satisfied because of either of the following:

(1) The condition was one that, by its nature, necessitated action by the city or county, and the city or county either did not take the necessary action or by its own action or inaction was prevented or delayed in taking the necessary action before expiration of the tentative map.

(2) The condition necessitates acquisition of real property or any interest in real property from a public agency, other than the city or county that approved or conditionally approved the tentative map, and that other public agency fails or refuses to convey the property interest necessary to satisfy the condition. However, nothing in this subdivision shall be construed to require any public agency to convey any interest in real property owned by it. A development moratorium specified in this paragraph shall be deemed to have been imposed either on the date of approval or conditional approval of the tentative map, if evidence was included in the public record that the public agency that owns or controls the real property or any interest therein may refuse to convey that property or interest, or on the date that the public agency that owns or controls the real property or any interest therein receives an offer by the subdivider to purchase that property or interest for fair market value, whichever is later. A development moratorium specified in this paragraph shall extend the tentative map up to the maximum period as set forth in subdivision (b), but not later than January 1, 1992, so long as the public agency that owns or controls the real property or any interest therein fails or refuses to convey the necessary property interest, regardless of the reason for the failure or refusal, except that the development moratorium shall be deemed to terminate 60 days after the public agency has officially made, and communicated to the subdivider, a written offer or commitment binding on the agency to convey the necessary property interest for a fair market value, paid in a reasonable time and manner.

**SEC. 4.** The Legislature finds and declares that ensuring access to affordable housing is a matter of statewide concern and not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Sections 1 and 2 of this act adding Sections 65852.21 and 66411.7 to the Government Code and Section 3 of this act amending Section 66452.6 of the Government Code apply to all cities, including charter cities.

**SEC. 5.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act or because costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.



*Elizabeth Brum, Mayor (District 5)*  
*Bruce Lathrop, Mayor Pro Tem (District 4)*  
*Richard T. Hale, Council Member (District 1)*  
*Monte Lewis, Council Member (District 2)*  
*Richard Barakat, Council Member (District 3)*

## City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Kearney, City Manager

DATE: December 21, 2021

SUBJECT: **URGENCY ORDINANCE NO. 381U: AN URGENCY ORDINANCE OF THE CITY OF BRADBURY, CALIFORNIA ADOPTING CHANGES TO TITLE IX OF THE BRADBURY MUNICIPAL CODE RELATING TO THE IMPLEMENTATION OF SENATE BILL 9 FOR THE CREATION OF URBAN LOT SPLITS AND TWO RESIDENTIAL UNITS PER LOT**

ATTACHMENTS: 1) Urgency Ordinance No. 381U  
2) Senate Bill 9

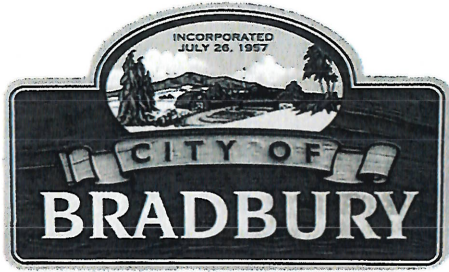
---

### **BACKGROUND**

On September 16, 2021, Governor Newsom signed SB 9 into law which adds two new sections to the Government Code relating to the development of multiple units on a single-family residential lot and lot splits. Section 65852.21 requires a local agency to ministerially approve a housing development of no more than 2 residential units (either 2 new or 1 new in addition to an existing unit) within a single-family residential zone without discretionary review or a hearing when the proposed development meets all of the listed requirements. Similarly, § 66411.7 requires a local agency to ministerially approve a parcel map for a lot split in the single-family zone when the map meets all of the listed requirements. The effect of SB 9 is to allow up to four units on a lot where there once was one in single-family residential zones.

Despite these provisions, it is expected that SB 9 will have little, if any, impact in the City. Because of how houses are situated on existing lots, it would be difficult to split a lot and have four units on a developed lot without demolition of the existing structure. Many people will be hesitant to destroy their existing single-family home, and SB 9 prohibits





*Elizabeth Bruny, Mayor (District 5)*  
*Bruce Lathrop, Mayor Pro Tem (District 4)*  
*Richard T. Hale, Council Member (District 1)*  
*Monte Lewis, Council Member (District 2)*  
*Richard Barakat, Council Member (District 3)*

## City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Kearney, City Manager

DATE: December 21, 2021

SUBJECT: **ORDINANCE NO. 381: AN ORDINANCE OF THE CITY OF BRADBURY ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA BUILDING CODE, 2019 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2019 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA PLUMBING CODE, 2019 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2019 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, EDITION 2019; THE CALIFORNIA HISTORICAL BUILDING CODE, EDITION 2019; MAKING AMENDMENTS TO SAID CODES; AMENDING TITLE IV, CHAPTER 3, TITLE XVII, CHAPTERS 1, 2, 3, 4, 5, 6, 7, 8, 9, 12 AND 13.**

ATTACHMENTS: 1) Ordinance No. 381  
2) 'Redline' of current municipal code vs. Ordinance No. 381

---

## **SUMMARY**

It is recommended that the City Council hold a public meeting and then introduce Ordinance No. 381.

## **BACKGROUND**

The California Health and Safety Code requires that the City adopt the same building standards as those contained in the California Building Standards Code with the exception that the City may establish more restrictive building standards as reasonably necessary because of local climatic, geological, and/or topographic conditions. Health and Safety Code Section 18941.5 requires that all City amendments, together with the State Building Standards Code, become effective 180 days after the publication of the State Building Standards Code, or at a later date established by the Building Standards Commission (Commission). The Code went into effect on April 2, 2020, but the updated Code was never adopted by the City. Because the City contracts with the Los Angeles County Fire Department, the City is required to adopt the same Code as the County.

The proposed ordinance adopts by reference, with certain changes and amendments, the 2019 California Fire Code, and adopts as Title 32, the Fire Code for the District. The ordinance includes specific building codes that are more stringent than those adopted by the State Fire Marshal as contained in the California Building Standards Code, and makes the required findings necessary due to local climatic, geological, and/or topographical conditions in Los Angeles County, including the City of Bradbury. It is important to note that, no new fees have been established, nor have any fees been raised as a result of this proposed ordinance.

## **RECOMMENDATION**

It is recommended that the City Council hold a public meeting and then introduce Ordinance No. 381.

# **ATTACHMENT #1**

ORDINANCE NO. 381

AN ORDINANCE OF THE CITY OF BRADBURY ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA BUILDING CODE, 2019 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2019 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA PLUMBING CODE, 2019 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2019 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, EDITION 2019; THE CALIFORNIA HISTORICAL BUILDING CODE, EDITION 2019; MAKING AMENDMENTS TO SAID CODES; AMENDING TITLE IV, CHAPTER 3, TITLE XVII, CHAPTERS 1, 2, 3, 4, 5, 6, 7, 8, 9, 12 AND 13.

THE CITY COUNCIL OF THE CITY OF BRADBURY DOES ORDAIN AS FOLLOWS:

Section 1. The following sections of Chapter 1 (Building Code) of Title XVII (Buildings and Construction) of the City of Bradbury Municipal Code are amended to read as follows:

Chapter 1

BUILDING CODE

**17.01.010 Adoption of Building Code.**

A. Except as hereinafter provided, Title 26, Building Code, of the 2020 Los Angeles County Code, as amended and in effect on January 1, 2020 adopting the 2019 Edition California Building Code, (Part 2 of Title 24 of the California Code of Regulations), including Subsections 119.1.2 through 119.1.14 of Chapter 1; Chapters 2 through 35; Chapters 65 through, 69; Chapters 94,95,96,98 and 99; including the following divisions and appendices:

- a. Division II, Scope and Administration to the California Building Code;
- b. Appendix C, Agricultural Buildings
- c. Appendix F, Rodent-proofing;
- d. Appendix H, Signs;
- e. Appendix I, Patio Covers;
- f. Appendix J, Grading.

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.

B. In the event of any conflict between provisions of the 2019 California Building Code, 2020 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.

C. A copy of Title 26 of the 2020 Los Angeles County Code and the 2019 California Building Code, have been deposited in the office of the City Clerk of the City of Bradbury and shall be always maintained by the City Clerk for use and examination by the public.

(Ord. No. 347U, § 1, 3-21-2017, 2020 ; Ord. No. 347, § 1, 6-20-2017, 2020 )

#### **17.01.020 Definitions.**

Notwithstanding the provisions of Section 17.01.010, whenever any of the following names or terms are used in the Building Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Board of Appeals" shall mean the board of appeals established in Section 105 of the Bradbury Building Code.
- 2) "Building Department" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 3) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.
- 4) "City Council or Board of Supervisors" shall mean the City Council of the City of Bradbury unless the context requires otherwise.
- 5) "County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" shall mean the City of Bradbury.
- 6) "County Engineer" shall mean the Building Official of the City of Bradbury or his/her duly appointed representative.
- 7) "Fire Code" shall mean the Fire Code of the City of Bradbury.
- 8) "General fund" shall mean the city treasury of the City of Bradbury.
- 9) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of Bradbury.
- 10) "Health Officer" shall mean the Health Officer of Los Angeles County.
- 11) "Jurisdiction" shall mean the City of Bradbury.
- 12) "Mechanical Code" shall mean the Mechanical Code of the City of Bradbury.
- 13) "Plumbing Code" shall mean the Plumbing Code of the City of Bradbury.
- 14) "Electrical Code" shall mean the Electrical Code of the City of Bradbury.
- 15) "Residential Code" shall mean the Residential Code of the City of Bradbury.
- 16) "Green Building Standards Code" shall mean the Green Building Code of the City of Bradbury.
- 17) "Existing Building Code" shall mean the Existing Building Code of the City of Bradbury.
- 18) "Historical Building Code" shall mean the Historical Code of the City of Bradbury.
- 19) "Special inspector" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 108.6 of the Building Code, or a person otherwise determined to be qualified by the building official.

#### **17.01.030 Subsection 105.1.1 Amended - General.**

Notwithstanding the provisions of Section 17.01.010, subsection 105.1.1 of the Building Code is amended to read as follows:

**105.1.1 General.** To conduct the hearing provided for in this chapter and the hearings provided for in Chapter 98 and 99, the City Council shall act as the board of appeals.

**17.01.040 Subsection 106.4.3.1 Added - Construction Debris Control.**

Notwithstanding the provisions of Section 17.01.010, the Building Code is amended by adding subsection 106.4.3.1 to read as follows:

**106.4.3.1 Construction Debris Control.** The Federal Clean Water Act prohibits the discharge of any material other than storm runoff to the storm sewer system. The City streets adjacent to or serving all properties in Bradbury are part of the storm sewer system. It shall be the responsibility of the owner of property upon which construction work, of any type, takes place to provide a plan for controlling discharges of construction debris to prevent the discharge of such debris to the storm sewer system. No construction work shall take place until such plan is approved by the Director of Public Works or his/her designee. Where feasible, the area for containment of debris shall be located upon the same lot where the construction is to take place. Due to the topographic nature of the city, certain on-site locations may not be feasible. In such cases as determined by the Director of Public Works or his/her designee, the owner or contractor may obtain an encroachment permit to establish the area of containment in the street in front of the property, subject to all conditions imposed as part of the permit. For the purposes of this section, construction debris shall be considered to include liquid, cementitious, organic, or earth materials. The plan for controlling construction debris shall establish a work area for trades which require water to produce their work. Such area shall be dike or excavated to prevent water borne debris from leaving the construction site. Products of such activity shall be properly disposed of in accordance with all applicable laws prior to final approval of the building permit. These products include without limitation, brick dust, concrete spoil, stucco spoil, and similar materials.

**17.01.050 Subsection 106.4.1 Amended - Application for Permits.**

Notwithstanding the provisions of Section 17.01.010, subsection 106.4.1 is amended by adding a new paragraph to read as follows:

9. Contain adequate evidence as required by the Director of Community Development or his/her designee that the proposed construction fully complies with all applicable provisions of the zoning ordinance.

**17.01.060 Section 113.2 Amended - Scope.**

Notwithstanding the provisions of Section 17.01.010, Section 113.2 of the Building Code is amended to read as follows:

**113.2 Scope.** The provisions of this section shall apply only to permits for buildings or structures on individual lots or parcels and are not intended to be supplementary to geologic investigations required to qualify divisions of land as set forth in Title XVII of the Bradbury Municipal Code.

**17.01.070 Section 113.5 Amended - Construction Limitations.**

Notwithstanding the provisions of Section 17.01.010, the fifth paragraph of Section 113.5 of the Building Code is amended to read as follows:

The Building Official may require a more extensive investigation by a professional geologist as to the absence of a known active earthquake fault prior to the issuance of a permit for Groups A, B, E, F, H, M, R-I, R-2, and I occupancies; and S Occupancies over one story in height.

**17.01.080 Relocation permits**

Notwithstanding the provisions of Section 17.01.010, the Building Code is amended by adding the following:

**RELOCATION PERMITS**

**A. Relocation Building Permit Required.** A person shall not move onto any premises, a building or structure until such person first secures a relocation building permit as hereinafter provided.

**B. Relocation Building Permit Not Required.** A permit is not required where the only relocation involved is that of moving a building temporarily to the regularly occupied business premises of a house mover, nor, for a contractor's tool house, construction building or similar structure which is moved as construction requires.

**C. Application.** Every application to the Building Official for a relocation building permit shall be in writing on a form furnished by the Building Official and shall set forth such information as the Building Official may reasonably require to carry out the purpose of this Chapter.

**D. Investigation Required.** Every application to the Building Official for a relocation building permit shall be accompanied by a rendering, perspective drawing or other illustration acceptable to the Building Official showing, in color, the appearance of the completed building on the proposed site. If there is to be no substantial change of the exterior of the building in its new location, and if a photograph or photographs taken at the existing site will adequately represent the appearance of the completed building on the proposed site, the Building Official may waive the requirement of a rendering or equivalent drawing.

In addition, the Building Official may require the submission about a relocation building permit application, of such plan, photographs and other substantiating data, and may cause to be made any investigation which the Building Official deems necessary and helpful in determining any matters presented by the application.

**E. Application Fees.** The applicant for a relocation building permit shall pay an application and investigation fee in an amount determined by resolution of the City Council to the Building Official for inspection of building at its present location and investigation of the proposed site.

**F. Permit Fees.** Relocation building permit fees for repairs or alterations to the relocated building shall be required in an amount determined by resolution of the City Council.

**G. Issuance of Permit.** If the condition of the building or structure, in the judgment of the Building Official, admits of practicable and effective repair, the Building Official may issue a relocation building permit to the owner of the property where the building or structure is to be located upon conditions as hereinafter provided; otherwise the permit shall be denied.

**H. Prohibited Buildings.** Except as otherwise provided in this Chapter, the Building Official shall not issue a relocation building permit for any building or structure which:

1 - is so constructed or in such condition as to be dangerous.

2 - is infested with pests or is unsanitary.

3 - if it be a dwelling or habitation, is unfit for such use.

4- is so dilapidated, defective, unsightly or in such a condition of deterioration or disrepair that its relocation at the proposed site would cause appreciable harm to or be materially detrimental to the property or improvements in the district within a radius of 1,000 feet from the proposed site.

5 - if the proposed use is prohibited by the City of Bradbury Zoning Ordinance.

6 - if the structure is of a type prohibited at the proposed location by this or any other law or ordinance.

7 - because of age, size, design or architectural treatment, does not substantially conform to the design, plan and construction of the buildings located in the district within a radius of 1,000 feet from the proposed site so that its relocation would be detrimental to the property or improvements in said district.

**I. Appeals.** If the Board of Appeals deems it necessary or expedient to do so, it may set any such application for hearing before a member of the Board or representative thereof and cause such notice of the time, place and purpose thereof to be given as the Board may deem appropriate. Thereafter, the findings of said hearing shall be reported to the Board for its consideration along with any other information before it.

**J. Conditions of Permit.** The Building Official, in granting any relocation building permit may impose thereon such terms and conditions as he or she deems



reasonable and proper. These terms and conditions shall include, but are not limited to, compliance with provisions of this Code for new buildings or structures to the extent that is reasonable and practical for the period of time required to complete all work; the requirement of changes, alterations, additions or repairs to be made to or upon the building or structures, to the end that the relocation thereof will not be materially detrimental or injurious to public safety, public welfare or to the property and improvements, or either in the district, as hereinabove limited, to which it is to be relocated.

**K. Unfinished Relocated Buildings or Structures.** Where the work required to be done pursuant to the terms and conditions of a relocation building permit has not been performed within the period allowed by such permit, nor within the extension of time granted thereto in writing by the Building Official, the building or structure shall be deemed and is hereby found to be substandard and the nuisance shall be abated in accordance with provisions of Chapter 99 of this Code.

#### **17.01.090 Building Rehabilitation Appeals Board.**

Notwithstanding the provisions of Section 17.01.010, the Building Code is amended by amending Section 9906 to read as follows:

**Building Rehabilitation Appeals Board.** To hear appeals provided for in Chapter 98 and in this Chapter, the City Council shall act as the Building Rehabilitation Appeals Board.

#### **17.01.100 Order, Substandard Property.**

Notwithstanding the provisions of Section 17.01.010, the Building Code is amended by amending Section 17.01.010 to read:

When the Board finds that any property is substandard property, it is hereby declared a public nuisance and based upon its findings, the Board shall order the abatement of the nuisance by such means as the Board deems most feasible. If such means includes the removal of any vehicle or any part thereof, such order shall include a description of such vehicle and the correct identification number and license number, if available at the site. The Board shall further order that a fee in an amount determined by resolution of the City Council be assessed against the property owner to reimburse the City for costs incurred in investigation, processing and administrative expenses to be collected pursuant to City ordinance.

#### **17.01.110 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to 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 of Bradbury, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building 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 the Building 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.01.120 Building Code Fees.**

Notwithstanding the provisions of Section 17.01.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 2. Chapter 2 (Mechanical Code) of Title XVII (Buildings and Construction) of the City of Bradbury Municipal Code is amended to read as follows:

### **Chapter 2**

### **MECHANICAL CODE**

#### **17.02.010 Adoption of Mechanical Code.**

Except as hereinafter provided, Title 29, Mechanical Code of the Los Angeles County Code, as amended and in effect on January 01, 2020, adopting the California Mechanical Code, 2019 Edition (Part 4 of Title 24 of the California Code of Regulations), including Subsections 119.1.2.0 through 119.1.14.0 of Chapter 1; Chapters 2 through 17; and Appendices B, C and D, 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, 2019 Edition, and Title 29 of the 2020 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.

Copies of Title 29 of the 2020 Los Angeles County Code and the 2019 California Mechanical Code, have been deposited in the office of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

#### **17.02.020 Definitions.**

Notwithstanding the provisions of Section 17.02.010, whenever any of the following names or terms are used in the Los Angeles County Mechanical Code, each

such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Building Code," "Uniform Building Code" or "Los Angeles County Building Code" shall mean the Building Code of the City of Bradbury as contained in Chapter 1 of this code.
- 2) "Building Department" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 3) "Building Official" shall mean the Building Official of the City of Bradbury.
- 4) "City" shall mean the City of Bradbury.
- 5) "Electrical Code" shall mean the Electrical Code of the City of Bradbury.
- 6) "Fire Code" shall mean the Fire Code of the City of Bradbury.
- 7) "General fund" shall mean the city treasury of the City of Bradbury.
- 8) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of Bradbury.
- 9) "Plumbing Code" shall mean the Plumbing Code of the City of Bradbury.
- 10) "Administrative Authority," "Chief Mechanical Inspector," "Authority Having Jurisdiction" or "Mechanical Inspector" shall mean the Building Official of the City of Bradbury.

#### **17.02.030 Amendments to Mechanical Code.**

Notwithstanding the provisions of Section 17.02.010 of this code, the Mechanical Code is amended as follows:

- a. Section 104 of the Mechanical Code is amended to read as follows:

**104. Building Official.** The office of Building Official exists in the Building and Safety Division of the City of Bradbury. The Building Official shall administer the provisions of this Code and shall be well versed in accepted mechanical engineering practices and techniques, construction and installation methods, and in the statutes of the State of California and the ordinances of the City of Bradbury relating to heating, ventilating, comfort cooling, refrigeration systems, and other miscellaneous heat-producing equipment.

- b. Section 105 of the Mechanical Code is amended to read as follows:

**105. Use of Terms.** Whenever the term "Chief Mechanical Inspector," "Mechanical Inspector," "Authority Having Jurisdiction" or "Administrative Authority" is used in this Code, other than in Section 104, such term shall be construed to mean the "Building Official" of the City of Bradbury or his/her authorized representative.

- c. Section 109 of the Mechanical Code is amended to read as follows:

**109. Board of Appeals.** To hear and decide appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction relative to the application and interpretations of this Code, the Board of Appeals as established in Section 17.01.010 of the Bradbury Municipal Code shall act as a Board of Appeals. The Board shall adopt reasonable rules and regulations for conducting its investigations.

**17.02.040 Violations and Penalties.**

No person, firm or corporation shall erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, comfort cooling, or refrigeration equipment in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Mechanical Code. Maintenance of equipment which was unlawful at the time it was installed, and which would be unlawful under said Mechanical Code, shall constitute a continuing violation of said Mechanical Code.

Penalty. Any person, firm or corporation violating any of the provisions of the Mechanical 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 the Mechanical 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

**17.02.050 Fees.**

Notwithstanding the provisions of Section 17.02.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 3. Chapter 3 (Plumbing Code) of Title XVII (Buildings and Construction) of the City of Bradbury Municipal Code is amended to read as follows:

**Chapter 3**

**PLUMBING CODE**

**17.03.010 Adoption of Plumbing Code.**

Except as hereinafter provided, Title 28, Plumbing Code of the Los Angeles County Code, as amended and in effect on January 01, 2020, adopting the California Plumbing Code, 2019 Edition (Part 5 of Title 24 of the California Code of Regulations), including Subsections 119.1.2.0 through 119.1.14.0, of Chapter 1; Chapters 2 through 17; and the following appendices:

- a. Appendix A, Recommended Rules for the Sizing of Water Piping System;
- b. Appendix B, Explanatory Notes on Combination Waste and Vent Systems;
- c. Appendix D, Sizing of Storm Water Drainage Systems;

d. Appendix G, Sizing of Vent System;  
e. Appendix I, Installation Standard for PEX Tubing Systems for Hot and Cold Water Distribution;  
f. Appendix J, Combination of Indoor and Outdoor Combustion; and Ventilation Opening Design,  
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, 2019 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.

Copies of Title 28 of the 2020 Los Angeles County Code and the California Plumbing Code, 2019 Edition, have been deposited in the office of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

#### **17.03.020 Definitions.**

Notwithstanding the provisions of Section 17.03.010, whenever any of the following names or terms are used in the Plumbing Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Administrative Authority," "Chief Plumbing Inspector", "Authority Having Jurisdiction" or "Plumbing Inspector" shall mean the Building Official of the City of Bradbury.
- 2) "Board of Examiners of Plumbers and Gas Fitters" or "Board of Examiners" shall mean the Board of Examiners of Plumbers and Gas Fitters, of the County of Los Angeles established by Section 105.3 of the Plumbing Code.
- 3) "City" shall mean the City of Bradbury.
- 4) "County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" shall mean the City of Bradbury.
- 5) "Gas Fitting Contractor," "Journeyman Gas Fitter," "Journeyman Plumber" or "Plumbing Contractor" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 105.2.2 of the Plumbing Code.

#### **17.03.030 Amendments to Plumbing Code.**

Notwithstanding the provisions of Section 17.03.010 of this code, the Plumbing Code is amended as follows:

- a. Section 101.4 of the Plumbing Code is amended to read as follows:

**101.4 Building Official.** The office of Building Official exists in the Building and Safety Division of the City of Bradbury. The Building Official shall administer the

provisions of this ordinance and shall be well versed in accepted sanitary engineering practices and techniques, plumbing construction and installation methods, and the statutes of the State of California relating to such matters.

- b. Section 101.5 of the Plumbing Code is amended to read as follows:

**101.5 Use of Terms.** Whenever the term "Chief Plumbing Inspector," "Plumbing Inspector", "Authority Having Jurisdiction" or "Administrative Authority" is used in this Code, other than in Section 101.4, such term shall be construed to mean the "Building Official" of the City of Bradbury or his or her authorized representative.

- c. Section 101.9 of the Plumbing Code is amended to read as follows:

**101.9 Board of Appeals.** The Board of Appeals as established in Section 13.04.030 of the Bradbury Municipal Code shall act as a Board of Appeals for appeals arising from actions of the Administrative Authority.

- d. Subsection 104.1.1 of the Plumbing Code is amended to read as follows:

**104.1.1 Scope.** All new plumbing work, and such portions of existing systems as may be affected by new work, or any changes, shall be inspected by the Administrative Authority to insure compliance with all the requirements of this Code and to assure that the installation and construction of the plumbing system is in accordance with approved plans. Special construction and inspection may be required on work involving special hazards or conditions and on work requiring extensive, unusual or constant inspection. Special inspections, when necessary, shall be accomplished by the means set forth in Section 17.01.010 of the Bradbury Municipal Code except that the Special Inspector shall be a qualified person approved and registered by, and reporting to, the Building Official.

- e. Section 218.0 of the Plumbing Code is amended to read as follows:

***Person*** - Person is an individual human being, a firm, partnership or corporation, his or their heirs, executors, administrators, assigns, officers or agents; the County of Los Angeles, and any local agency as defined in Section 53090 of the Government Code, or officers thereof. Singular includes plural, male includes female.

- f. Section 301.2 of the Plumbing Code is amended by amending Section 301.2.5 and adding subsections 301.2.6 and 301.2.7 to read as follows:

**301.2.5** In existing buildings or premises in which plumbing installations are to be altered, repaired, or renovated, deviations from the provisions of this Code are permitted, provided such deviations are found to be necessary and are first approved by the Administrative Authority.

Any plumbing system may have its existing use, maintenance, or repair continued when the Administrative Authority determines that its use, maintenance or repair is in accordance with the original design and no hazard to the public health, safety, or welfare has been created by such system.

**301.2.6** Existing building sewers and building drains may be used about new buildings or new plumbing and drainage work only when they are found on examination and test to conform in all respects to the requirements governing new work, and the proper Administrative Authority shall notify the owner to make any changes necessary to conform to this Code. No building or part thereof, shall be constructed of materials other than those approved elsewhere in this Code for use under a building.

Existing building sewers and building drains may be used about plumbing alternations or repairs if such sewers or drains have been properly maintained in a good and safe condition, are working properly and were installed in accordance with the applicable laws in effect at the time of installation.

**301.2.7** All openings into a drainage or vent system, excepting those openings to which plumbing fixtures are properly connected or which constitutes vent terminals shall be permanently plugged or capped in an approved manner, using the appropriate materials required by the Code.

g. Subsection 903.1(2) of the Plumbing Code is amended to read as follows:

**903.1(2)** ABS and PVC DMV piping installation shall be limited to residential construction, not more than two (2) stories in height.

#### **17.03.040 Seismic Gas Shutoff Valves.**

Notwithstanding the provisions of Section 17.03.010 of this code, the Plumbing Code is amended by adding Section 1218 to read as follows:

#### **1218.0 Seismic Gas Shutoff Valves**

**1218.1 Scope.** A seismic gas shutoff valve shall be installed in compliance with the requirements of this section on each gas fuel line in:

**1218.1.1** Any building or structure for which a building permit was first issued on or after February 15, 2001.

**1218.1.2** Any building or structure which is altered or expanded under a building permit first issued on or after February 15, 2001, when such alteration or addition is valued at more than \$10,000.

**1218.1.3** Any building or structure that is sold to a new owner on or after February 15, 2001, where no less than 12 months have passed since the date of sale. However, when an individual condominium unit is sold in a building that has multiple gas lines, then the requirements of this section shall apply only to the line or lines serving the condominium unit that has been sold.

**1218.2 Maintenance.** Where the installation of a seismic gas shutoff valve is required by this section in any building or structure, that seismic gas shutoff valve shall be maintained for the life of that building or structure or shall be replaced with a valve complying with the requirements of this section.

**1218.3 General Requirements.** Where the installation of a seismic gas shutoff valve on a fuel line is required by this section, that valve must:

**1218.3.1** Be mounted rigidly to the exterior of the building or structure containing the fuel line unless the building official determines that the seismic gas shutoff valve has been tested and listed for an alternate method of installation.

**1218.3.2** Be installed downstream of the gas utility meter, except that a valve may be installed upstream of the gas utility meter at the discretion of the gas utility if the valve would otherwise meet the requirements of this section.

**1218.3.3** Be listed by an approved testing laboratory and certified by the Office of the State Architect.

**1218.3.4** Have a thirty-year warranty which warrants that the valve is free from defects and will continue to properly operate for thirty years from the date of installation.

**1218.4 Critical Facilities.** The requirements of this Section shall not apply to any building that is used by any public agency for the provision of emergency services, including fire, police, and similar public safety services.

**1218.5 Definitions.** For purposes of this section, certain terms shall be defined as follows:

**1218.5.1** Downstream of the Gas Utility Meter shall refer to all customer owned gas piping.

**1218.5.2** Seismic Gas Shutoff Valve shall mean a system consisting of a seismic sensing means and actuating means designed to automatically actuate a companion gas shutoff means installed in a gas piping system to shut off the gas downstream of the location of the gas shutoff means in the event of a severe seismic disturbance. The system may consist of separable components or may incorporate all functions in a single body. The terms "seismically activated gas shutoff valves" and "earthquake sensitive gas shutoff valves", are synonymous.

**1218.5.3** Upstream of the Gas Utility Meter shall refer to all gas piping installed by the utility up to and including the meter and the utility's bypass tee at the connection to the customer owned piping.

#### **17.03.050 Violations and Penalties.**

Penalty. Any person, firm or corporation violating any of the provisions of the Plumbing 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 the Plumbing 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.



#### **17.03.060 Plumbing Code Fees.**

Notwithstanding the provisions of Section 17.03.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 4. Chapter 4 (Electrical Code) of Title XVII (Buildings and Construction) of the City of Bradbury Municipal Code is amended to read as follows:

### **Chapter 4**

### **ELECTRICAL CODE**

#### **17.04.010 Adoption of Electrical Code.**

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 01, 2020, adopting the California Electrical Code, 2019 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, 2019 Edition, Title 27 of the 2020 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.

Copies of Title 27 of the 2020 Los Angeles County Code and the California Electrical Code, 2019 Edition, have been deposited in the office of the City Clerk of the City of Bradbury and shall be always maintained by the Clerk for use and examination by the public.

#### **17.04.020 Definitions.**

Notwithstanding the provisions of Section 17.04.010, whenever any of the following names or terms are used in the Electrical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Building and Safety Division of the Department of County Engineer - Facilities" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 2) "Chief Electrical Inspector" shall mean the Building Official of the City of Bradbury.
- 3) "County," "County of Los Angeles" or "unincorporated area of the County of Los Angeles" shall mean the City of Bradbury.

- 4) "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) of Title 27, or a person otherwise determined to be qualified by the Building Official.
- 5) "Special Inspector" shall mean a person holding a valid Certificate of Registration as Special Inspector issued by the County of Los Angeles as set forth in Sections 8214(a) of the Los Angeles County Electrical Code, or a person otherwise determined to be qualified by the Building Official.

#### **17.04.030 Amendments to Electrical Code.**

Notwithstanding the provisions of Section 17.04.010 of this code, the Electrical Code is amended as follows:

- a. Section 80-4 of the Electrical Code is amended to read as follows:

**80-4 Building Official.** The office of the Building Official exists in the Building and Safety Division of the City of Bradbury. The Building Official shall administer the provisions of this ordinance and shall be well versed in approved methods of electrical construction for safety to life and property, the statutes of the State of California relating to electrical work, the ordinances of the City of Bradbury relative thereto, and the National Electrical Code as amended from time to time.

- b. Section 80-5 of the Electrical Code is amended to read as follows:

**80-5 Use of Terms.** Whenever the term "Chief Electrical Inspector" is used in any section of this Code, other than Section 80-4, such term shall be construed to mean the Building Official or his/her authorized representative.

- c. Section 82-5 of the Electrical Code is amended to read as follows:

**82-5 Plans.** Each application for an electrical permit shall be accompanied by plans, specifications, diagrams, or calculations, as required by the Building Official. When a plan checking fee or other fees are required by this or any related ordinance or statute, such fees shall be collected at the time plans are filed. Plans may be filed by a registered electrical engineer, licensed contractor, maintenance electrical, government representative or authorized owner's representative. The plans shall bear the designer's signature as required by State of California Regulations.

#### **17.04.040 Violations and Penalties**

- a. **Penalty.** Any person, firm or corporation violating any of the provisions of the Electrical 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 the Electrical 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.04.050 Electrical Code Fees.**

Notwithstanding the provisions of Section 17.01.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 5. Chapter 5 (Residential Code) of Article XVII, (Buildings and Construction) of the recodified City of Bradbury Municipal Code is amended to read as follows:

### **Chapter 5**

#### **RESIDENTIAL CODE**

#### **17.05.010 Adoption of Residential Code.**

(a) Except as hereinafter provided, Title 30, Residential Code of the Los Angeles County Code, as amended and in effect on January 01, 2020, adopting the 2020 California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations), incorporating Sections 102 through 119 of Chapter 1, Section 1207 of Chapter 12, Chapters 67, 68,69,98,99, and Appendix J of Title 26 of the 2020 Los Angeles County Code, Chapters 2 through 10, Chapter 44, and the following appendices:

- a. Division II, Scope and Administration to the California Residential Building Code;
- b. Appendix H, Patio Covers;
- c. Appendix J, Existing Buildings and Structures;
- d. Appendix K, Sound Transmission;
- e. Appendix O, Automatic Vehicular Gate;
- f. Appendix V, Swimming Pool Safety Act,

is hereby adopted by reference and shall constitute and may be cited as the Residential Code of the City of Bradbury.

(b) In the event of any conflict between provisions of the California Residential Code, 2019 Edition, and Titles 26 and 30 of the 2020 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.

(c) A copy of Title 30 of the Los Angeles County Code and the California Residential Code, 2019 Edition, have been deposited in the office of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

#### **17.05.020 Definitions.**

Notwithstanding the provisions of Section 17.05.010, whenever any of the following names or terms are used in the Residential Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Board of Appeals" shall mean the board of appeals established in Section 105 of the Bradbury Building Code.
- 2) "Building Department" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 3) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.
- 4) "City Council or Board of Supervisors" shall mean the City Council of the City of Bradbury unless the context requires otherwise.
- 5) "County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" shall mean the City of Bradbury.
- 6) "County Engineer" shall mean the Building Official of the City of Bradbury or his/her duly appointed representative.
- 7) "Fire Code" shall mean the Fire Code of the City of Bradbury.
- 8) "General fund" shall mean the city treasury of the City of Bradbury.
- 9) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of Bradbury as adopted by the Bradbury Municipal Code.
- 10) "Health Officer" shall mean the Health Officer of Los Angeles County.
- 11) "Jurisdiction" shall mean the City of Bradbury.
- 12) "Mechanical Code" shall mean the Mechanical Code of the City of Bradbury.
- 13) "Plumbing Code" shall mean the Plumbing Code of the City of Bradbury.
- 14) "Electrical Code" shall mean the Electrical Code of the City of Bradbury.
- 15) "Residential Code" shall mean the Residential Code of the City of Bradbury.
- 16) "Green Building Standards Code" shall mean the Green Building Code of the City of Bradbury.
- 17) "Existing Building Code" shall mean the Existing Building Code of the City of Bradbury.
- 18) "Historical Building Code" shall mean the Historical Building Code of the City of Bradbury.
- 19) "Special inspector" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 108.6 of the Building Code, or a person otherwise determined to be qualified by the Building Official.

**17.05.030 Subsection R112.1 Amended - General.**

Notwithstanding the provisions of Section 17.05.010, subsection R112.1 of the Residential Code is amended to read as follows:

R112.1 General. To conduct the hearing provided for in this chapter and the hearings provided for in Chapter 98 and 99, the City Council shall act as the board of appeals.

**17.05.040 Subsection R106.2.1 Added - Construction Debris Control.**

Notwithstanding the provisions of Section 17.05.010, the Residential Code is amended by adding subsection 106.2.1 to read as follows:

R106.2.1 Construction Debris Control. The Federal Clean Water Act prohibits the discharge of any material other than storm runoff to the storm sewer system. The City streets adjacent to or serving all properties in Bradbury are part of the storm sewer system. It shall be the responsibility of the owner of property upon which construction work, of any type, takes place to provide a plan for controlling discharges of construction debris to prevent the discharge of such debris to the storm sewer system. No

construction work shall take place until such plan is approved by the Director of Public Works or his/her designee. Where feasible, the area for containment of debris shall be located upon the same lot where the construction is to take place. Due to the topographic nature of the city, certain on-site locations may not be feasible. In such cases as determined by the Director of Public Works or his/her designee, the owner or contractor may obtain an encroachment permit to establish the area of containment in the street in front of the property, subject to all conditions imposed as part of the permit. For the purposes of this section, construction debris shall be considered to include liquid, cementitious, organic, or earth materials. The plan for controlling construction debris shall establish a work area for trades which require water to produce their work. Such area shall be dike or excavated to prevent water borne debris from leaving the construction site. Products of such activity shall be properly disposed of in accordance with all applicable laws prior to final approval of the building permit. These products include without limitation, brick dust, concrete spoil, stucco spoil, and similar materials.

**17.05.050 Subsection R105.3 Amended - Application for Permits.**

Notwithstanding the provisions of Section 17.05.010, subsection R105.3 is amended by adding a new paragraph to read as follows:

8. Contain adequate evidence as required by the Director of Community Development or his/her designee that the proposed construction fully complies with all applicable provisions of the zoning ordinance.

**17.05.060 Section R101.3 Amended - Scope.**

Notwithstanding the provisions of Section 17.05.010, Section R101.3 of the Residential Code is amended to read as follows:

R101.3 Scope. The provisions of this section shall apply only to permits for buildings or structures on individual lots or parcels and are not intended to be supplementary to geologic investigations required to qualify divisions of land as set forth in Title XVII of the Bradbury Municipal Code.

**17.05.070 Subsection 106.6.6 Added - Construction Limitations.**

Notwithstanding the provisions of Section 17.05.010, the Residential Code is amended by adding subsection 106.6.6 to read as follows:

The Building Official may require a more extensive investigation by a professional geologist as to the absence of a known active earthquake fault prior to the issuance of a permit.

**17.05.080 Violations and Penalties.**

- a. Compliance with Code. It shall be unlawful for any person to 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 of

Bradbury, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building 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 the Building 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.05.090 Residential Code Fees.**

Notwithstanding the provisions of Section 13.20.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 6. Chapter 9 (Green Building Standards Code) of Title XVII (Buildings and Construction) of the recodified City of Bradbury Municipal Code is amended to read as follows:

### **Chapter 9 GREEN BUILDING STANDARDS CODE**

#### **17.09.010 Adoption of Green Building Standards Code.**

Except as hereinafter provided, Title 31, 2020 Green Building Standards Code of the Los Angeles County Code, as amended and in effect on January 01, 2020, adopting the California Green Building Standards Code, 2019 Edition (Part 11 of Title 24 of the California Code of Regulations), incorporating Sections 102 through 119 of Chapter 1, of Title 26 of the Los Angeles County Code. Chapters 2 through 8, Appendix A4 and Appendix A5, is hereby adopted by reference and shall constitute and may be cited as the Green Building Code of the City of Bradbury.

In the event of any conflict between provisions of the California Green Building Standards Code, 2019 Edition, and Title 26, 27, 28, 29, or 30 of the 2020 Los Angeles County Code, Title XVII of the Bradbury Municipal Code or any amendment to the Green Building Code contained in this Chapter, the most restrictive requirements shall prevail.

Copies of Title 31 of the 2020 Los Angeles County Code and the California Green Building Standards Code, 2019 Edition, have been deposited in the office of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

#### **17.09.020 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to 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 of Bradbury, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building 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 the Building 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.09.030 Green Building Code Fees.**

Notwithstanding the provisions of Section 17.09.0, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule as approved by resolution of the City Council.

Section 7. Section 4.03.010 of Chapter 3 (Fire Code) of Title IV (Public Safety) of the City of Bradbury Municipal Code is hereby amended to read as follows:

### **Article IV, Chapter 3**

#### **Fire CODE**

#### **4.03.010 Adoption of Fire Code.**

(a) Except as hereinafter provided in this Chapter, Title 32, Fire Code, of the Los Angeles County Code, as amended and in effect on February 18, 2020, which constitutes an amended version of the California Fire Code, 2019 Edition (Part 9 of Title 24 of the California Code of Regulations), Chapters 1 through 80, and Appendix B, Appendix BB, Appendix C, Appendix CC of the 2019 Edition of the California Fire Code, including errata and supplements, published by the California Building Standards Commission, and Chapter 1 through 7, Chapters 9 and 10, Chapters 20 through 36, Chapter 50 through 55, Chapters 57 through 67, Chapter 80, Appendix D and Appendix N of the 2018 Edition of the International Fire Code, sections not adopted as part of the 2019 California Fire Code are hereby adopted by reference and incorporated into this Title 32 of the 2020 Los Angeles County Code and amended to include Chapter 81-83 and Appendices O and P, shall be known as Chapter 1 through 83, Appendix B, Appendix BB, Appendix C, Appendix CC, Appendix D, Appendix N, Appendix O and

Appendix P of Title 32 of the 2020 Los Angeles County Code, is hereby adopted by reference and shall constitute and may be cited as the Fire Code of the City of Bradbury.

(b) In the event of any conflict between provisions of the California Fire Code, 2019 Edition, International Fire Code 2015 Edition, Title 32 of the Los Angeles County Code, or any amendment to the Fire Code contained in the West Hollywood Municipal Code, the provision contained in the later listed document shall control.

(c) Copies of Title 32 of the 2020 Los Angeles County Code, the California Fire Code, 2019 Edition, and the International Fire Code 2015 Edition have been deposited in the office of the City Clerk of the City of Bradbury and shall be always maintained by the Clerk for use and examination by the public.

#### **4.03.020 Violations**

a. Any person, firm or corporation violating any of the provisions of the Fire 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 the Fire 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

b. Every violation determined to be an infraction hereunder is punishable in such manner and to such extent as is provided by Section 1.08.010 of this Code.

c. For the purposes of this Section, a forfeiture of bail shall be equivalent to a conviction.

#### **4.03.030 Responsibility.**

Section 1. Any person who personally or through another willfully, negligently, or in violation of law sets a fire, allows a fire to be set, allows a fire kindled or attended by such person to escape from his or her control, allows any hazardous material to be handled, stored or transported in a manner not in accordance with the Fire Code or with nationally recognized standards, allows any hazardous material to escape from his or her control, neglects to properly comply with any written notice of the Fire Chief, or willfully or negligently allows the continuation of a violation of the Fire Code and the amendments thereto shall be liable for the expense of fighting the fire, or for all costs associated with the control and mitigation of a hazardous materials incident, or for the expenses incurred while obtaining compliance with the written order of the Fire Chief, or for the expenses incurred in obtaining compliance with the continuing violation of the Fire Code. Such expenses shall be a charge against that person and shall constitute a debt of such person and is collectible by the public agency incurring such expenses in the same manner as in the case of an obligation under a contract, expressed or implied.

Section 2. All inconsistencies between the Fire Code as adopted by this ordinance and Part 9 of the California Code of Regulations are changes, modifications, amendments, additions or deletions thereto authorized by California Health and Safety Code Sections 17958 and 17958.7.



Section 3. The City Council hereby finds that the changes and modifications to the California Fire Code that have been enacted by this ordinance are reasonably necessary because of the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; location in Southern California; and the relatively flat topography of the City.

Section 8. Chapter 12 (Existing Building Code) of Title XVII (Buildings and Construction) of the Bradbury Municipal Code is hereby amended to read as follows:

## **CHAPTER 12**

### **EXISTING BUILDING CODE**

#### **17.12.010 Adoption of Existing Building Code.**

- (a) Except as hereinafter provided, Title 33, Existing Building Code of the 2020 Los Angeles County Code, as amended and in effect on January 01, 2020 , adopting the 2019 California Existing Building Code, (Part 10 of Title 24 of the 2019 California Code of Regulations), incorporating Sections 102 through 119 of Chapter 1, of Title 26 of the 2020 Los Angeles County Code, Chapters 2 through 4, 15, 16 and Appendix A, Guidelines For Retrofit of Existing Buildings, is hereby adopted by reference and shall constitute and may be cited as the Existing Building Code of the City of Bradbury.
- (b) In the event of any conflict between provisions of the California Existing Building Code, 2019 Edition, Title 26, 27, 28, 29, 30, 31 or 32 of the 2020 Los Angeles County Code, Title XVII of the Bradbury Municipal Code or any amendment to the Existing Building Code contained in this Chapter, the most restrictive requirements shall prevail.
- (c) Copies of Title 33 of the 2020 Los Angeles County Code and the California Existing Building Code, 2019 Edition, have been deposited in the office of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

#### **17.12.020 Definitions.**

Notwithstanding the provisions of Section 17.09.0, whenever any of the following names or terms are used in the Existing Building Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Board of Appeals" shall mean the board of appeals established in Section 105 of the Bradbury Building Code.
- 2) "Building Department" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 3) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.

- 4) "City Council or Board of Supervisors" shall mean the City Council of the City of Bradbury unless the context requires otherwise.
- 5) "County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" shall mean the City of Bradbury.
- 6) "County Engineer" shall mean the Building Official of the City of Bradbury or his/her duly appointed representative.
- 7) "Fire Code" shall mean the Fire Code of the City of Bradbury.
- 8) "General fund" shall mean the city treasury of the City of Bradbury.
- 9) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of Bradbury.
- 10) "Health Officer" shall mean the Health Officer of Los Angeles County.
- 11) "Jurisdiction" shall mean the City of Bradbury.
- 12) "Mechanical Code" shall mean the Mechanical Code of the City of Bradbury.
- 13) "Plumbing Code" shall mean the Plumbing Code of the City of Bradbury.
- 14) "Electrical Code" shall mean the Electrical Code of the City of Bradbury.
- 15) "Residential Code" shall mean the Residential Code of the City of Bradbury.
- 16) "Green Building Standards Code" shall mean the Green Building Code of the City of Bradbury.
- 17) "Existing Building Code" shall mean the Existing Building Code of the City of Bradbury.
- 18) "Special inspector" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 108.6 of the Building Code, or a person otherwise determined to be qualified by the building official.

**17.12.030 Subsection 112.1 Amended - General.**

Notwithstanding the provisions of Section 13.26.010, subsection 112.1 of the Building Code is amended to read as follows:

**105.1.1 General.** To conduct the hearing provided for in this chapter and the hearings provided for in Chapter 98 and 99, the City Council shall act as the board of appeals.

**17.12.040 Subsection 106.7 Added - Construction Debris Control.**

Notwithstanding the provisions of Section 13.26.010, the Building Code is amended by adding subsection 106.7 to read as follows:

**106.2.1 Construction Debris Control.** The Federal Clean Water Act prohibits the discharge of any material other than storm runoff to the storm sewer system. The City streets adjacent to or serving all properties in Bradbury are part of the storm sewer system. It shall be the responsibility of the owner of property upon which construction work, of any type, takes place to provide a plan for controlling discharges of construction debris to prevent the discharge of such debris to the storm sewer system. No construction work shall take place until such plan is approved by the Director of Public Works or his/her designee. Where feasible, the area for containment of debris shall be located upon the same lot where the construction is to take place. Due to the topographic nature of the city, certain on-site locations may not be feasible. In such cases as determined by the Director of Public Works or his/her designee, the owner or contractor may obtain an encroachment permit to establish the area of containment in the street in front of the property, subject to all conditions imposed as part of the permit. For the purposes of this section, construction debris shall be considered to include liquid, cementitious, organic, or earth materials. The plan for controlling construction debris

shall establish a work area for trades which require water to produce their work. Such area shall be dike or excavated to prevent water borne debris from leaving the construction site. Products of such activity shall be properly disposed of in accordance with all applicable laws prior to final approval of the building permit. These products include without limitation, brick dust, concrete spoil, stucco spoil, and similar materials.

**17.12.050 Subsection 105.3 Amended - Application for Permits.**

Notwithstanding the provisions of Section 17.09.0, subsection 105.3 is amended by adding a new paragraph 8 to read as follows:

Contain adequate evidence as required by the Director of Community Development or his/her designee that the proposed construction fully complies with all applicable provisions of the zoning ordinance.

**17.12.060 Section 101.2 Amended - Scope.**

Notwithstanding the provisions of Section 13.26.010, Section 101.2 of the Building Code is amended to read as follows:

**101.2 Scope.** The provisions of this section shall apply only to permits for buildings or structures on individual lots or parcels and are not intended to be supplementary to geologic investigations required to qualify divisions of land as set forth in Title XVII of the Bradbury Municipal Code.

**17.12.070 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to 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 of Bradbury, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building 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 the Building 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

**17.12.080 Existing Building Code Fees.**

Notwithstanding the provisions of Section 17.09.0, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 9. Chapter 13 (Historical Building Code) is of Title XVII (Buildings and Construction) of the City of Bradbury Municipal Code is hereby amended to read as follows:

## **CHAPTER 13**

### **HISTORICAL BUILDING CODE**

#### **17.13.010 Adoption of Historical Building Code.**

Except as hereinafter provided, adopting Part 8, California Historical Building Code, 2019 Edition (Part 8 of Title 24 of the California Code of Regulations), as amended and in effect on January 01, 2020, amending Section 8-201 of Chapter 8-2, Chapters 8-1, 8-3 through 8-10 adopted by the State of California, and all and Appendices, are hereby adopted by reference and shall constitute and may be cited as the Historical Building Code of the City of Bradbury.

A copy the California Historical Building Code, 2019 Edition, has been deposited in the office of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

#### **17.13.020 Definitions.**

Notwithstanding the provisions of Section 8130, whenever any of the following names or terms are used in the Historical Building Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Building Department" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 2) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.
- 3) "Fire Code" shall mean the Fire Code of the City of Bradbury.
- 4) "Jurisdiction" shall mean the City of Bradbury.
- 5) "Mechanical Code" shall mean the Mechanical Code of the City of Bradbury.
- 6) "Plumbing Code" shall mean the Plumbing Code of the City of Bradbury.
- 7) "Electrical Code" shall mean the Electrical Code of the City of Bradbury.
- 8) "Residential Code" shall mean the Residential Code of the City of Bradbury.
- 9) "Green Building Standards Code" shall mean the Green Building Code of the City of Bradbury.
- 10) "Existing Building Code" shall mean the Existing Building Code of the City of Bradbury.

#### **17.13.030 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to 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 of Bradbury, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building 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 the Building 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.13.040 Historical Building Code Fees.**

Notwithstanding the provisions of Section 8130, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 10. All inconsistencies between the Building Code, Electrical Code, Mechanical Code, Plumbing Code, Residential Code, Green Building Code, Existing Building Code and Historical Building Code as adopted by this ordinance and Parts 2, 2.5, 3, 4, 5, 8, 10 and 11 of the California Code of Regulations are changes, modifications, amendments, additions or deletions thereto authorized by California Health and Safety Code Sections 17958 and 17958.7.

Section 11. The City Council hereby finds that the changes and modifications to the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Residential Code, Green Building Standards Code, Existing Building Code, Fire Code and Historical Building Code that have been enacted by this ordinance are reasonably necessary because of the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; location in Southern California; and the relatively flat topography of the City.

The City Council hereby finds that the modifications to the State Building Code in Titles 26, 27, 28, 29, 30, 31 and 33 of the Los Angeles County Code are reasonably necessary because of the local climatic, geological, and topographical conditions within the City of Bradbury.

The City Council hereby further finds that the modifications to the State Building Code in Titles 26, 30 and 33 of the Los Angeles County Code regarding Construction Debris Control, Construction Limitations, Relocation Permits and Fire Safety Standards (Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, of the Bradbury Municipal Code), are reasonably necessary for the health, safety and general welfare of the residents of the City resulting from the relatively flat topography of the City, the present street and storm drain design, and the climatic characteristics of the City, including periods of heavy rainfall, which together require additional steps to protect against storm water runoff pollution; the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; and its location in Southern California.

The City Council hereby 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 within the City of Bradbury.

The City Council hereby further finds that the modifications to the State Mechanical Code in Title 29 of the Los Angeles County Code are reasonably necessary because of the local climatic and topographical conditions within the City of Bradbury.

The City Council hereby further finds that the modifications to the State Building, Electrical, Mechanical, Plumbing Codes in Titles 26, 27, 28, 29, 30, 31 and 33 of the Los Angeles County Code and Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 hereof, are administrative in nature and 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.

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

Section 16. 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 17. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part hereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Bradbury hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
MAYOR

ATTEST

\_\_\_\_\_  
CITY CLERK

I, Claudia Saldana, City Clerk of the City of Bradbury, California, hereby certify that the foregoing Ordinance No. \_\_\_\_\_ was duly passed, approved and adopted at the regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
CITY CLERK

# **ATTACHMENT #2**



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF BRADBURY ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA BUILDING CODE, 2019 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2019 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA PLUMBING CODE, 2019 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2019 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, EDITION 2019; THE CALIFORNIA HISTORICAL BUILDING CODE, EDITION 2019; MAKING AMENDMENTS TO SAID CODES; AMENDING TITLE IV, CHAPTER 3, TITLE XVII, CHAPTERS 1, 2, 3, 4, 5, 6, 7, 8, 9, 12 AND 13.

THE CITY COUNCIL OF THE CITY OF BRADBURY DOES ORDAIN AS FOLLOWS:

Section 1. The following sections of Chapter 1 (Building Code) of Title XVII (Buildings and Construction) of the City of Bradbury Municipal Code isare amended to read as follows:

Chapter 1

BUILDING CODE

17.01.010 Adoption of Building Code.

—A. Except as hereinafter provided, Title 26, Building Code, of the 2020 Los Angeles County Code, as amended and in effect on January 1, 2017,2020 adopting the 2019 Edition California Building Code, 2016 Edition (Part 2 of Title 24 of the California Code of Regulations), including Subsections 119.1.2 through 119.1.14 of Chapter 1; Chapters 2 through 35; Chapters 65 through, 69; Chapters 94,95,96,98 and 99; Appendices C, I and J; 65 through, 69; Chapters 94,95,96,98 and 99; including the following divisions and appendices:

a. Division II, Scope and Administration to the California Building Code;

- b. Appendix C, Agricultural Buildings
- c. Appendix F, Rodent-proofing;
- d. Appendix H, Signs;
- e. Appendix I, Patio Covers;
- f. Appendix J, Grading.

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.

———B. In the event of any conflict between provisions of the 2019 California Building Code, ~~2016 Edition~~, 2020 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.

———C. A copy of Title 26 of the 2020 Los Angeles County Code and the 2019 California Building Code, ~~2016 Edition~~, have been deposited in the office of the City Clerk of the City of Bradbury and shall be always maintained by the City Clerk for use and examination by the public.

(Ord. No. 347U , § 1, 3-21-2017, 2020 ; Ord. No. 347 , § 1, 6-20-2017, 2020 )

#### **17.01.020 Definitions.**

Notwithstanding the provisions of Section 17.01.010, whenever any of the following names or terms are used in the Building Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Board of Appeals" shall mean the board of appeals established in Section 105 of the Bradbury Building Code.
- 2) "Building Department" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 3) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.
- 4) "City Council or Board of Supervisors" shall mean the City Council of the City of Bradbury unless the context requires otherwise.
- 5) "County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" shall mean the City of Bradbury.
- 6) "County Engineer" shall mean the Building Official of the City of Bradbury or his/her duly appointed representative.
- 7) "Fire Code" shall mean the Fire Code of the City of Bradbury.
- 8) "General fund" shall mean the city treasury of the City of Bradbury.
- 9) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of Bradbury.
- 10) "Health Officer" shall mean the Health Officer of Los Angeles County.
- 11) "Jurisdiction" shall mean the City of Bradbury.

- 12) "Mechanical Code" shall mean the Mechanical Code of the City of Bradbury.
- 13) "Plumbing Code" shall mean the Plumbing Code of the City of Bradbury.
- 14) "Electrical Code" shall mean the Electrical Code of the City of Bradbury.
- 15) "Residential Code" shall mean the Residential Code of the City of Bradbury.
- 16) "Green Building Standards Code" shall mean the Green Building Code of the City of Bradbury.
- 17) "Existing Building Code" shall mean the Existing Building Code of the City of Bradbury.
- 18) "Historical Building Code" shall mean the Historical Code of the City of Bradbury.
- 19) "Special inspector" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 108.6 of the Building Code, or a person otherwise determined to be qualified by the building official.

**17.01.030 Subsection 105.1.1 Amended - General.**

Notwithstanding the provisions of Section 17.01.010, subsection 105.1.1 of the Building Code is amended to read as follows:

**105.1.1 General.** To conduct the hearing provided for in this chapter and the hearings provided for in Chapter 98 and 99, the City Council shall act as the board of appeals.

**17.01.040 Subsection 106.4.3.1 Added - Construction Debris Control.**

Notwithstanding the provisions of Section 17.01.010, the Building Code is amended by adding subsection 106.4.3.1 to read as follows:

**106.4.3.1 Construction Debris Control.** The Federal Clean Water Act prohibits the discharge of any material other than storm runoff to the storm sewer system. The City streets adjacent to or serving all properties in Bradbury are part of the storm sewer system. It shall be the responsibility of the owner of property upon which construction work, of any type, takes place to provide a plan for controlling discharges of construction debris to prevent the discharge of such debris to the storm sewer system. No construction work shall take place until such plan is approved by the Director of Public Works or his/her designee. Where feasible, the area for containment of debris shall be located upon the same lot where the construction is to take place. Due to the topographic nature of the city, certain on-site locations may not be feasible. In such cases as determined by the Director of Public Works or his/her designee, the owner or contractor may obtain an encroachment permit to establish the area of containment in the street in front of the property, subject to all conditions imposed as part of the permit. For the purposes of this section, construction debris shall

be considered to include liquid, cementitious, organic, or earth materials. The plan for controlling construction debris shall establish a work area for trades which require water to produce their work. Such area shall be dike or excavated to prevent water borne debris from leaving the construction site. Products of such activity shall be properly disposed of in accordance with all applicable laws prior to final approval of the building permit. These products include without limitation, brick dust, concrete spoil, stucco spoil, and similar materials.

**17.01.050 Subsection 106.4.1 Amended - Application for Permits.**

Notwithstanding the provisions of Section 17.01.010, subsection 106.4.1 is amended by adding a new paragraph to read as follows:

9. Contain adequate evidence as required by the Director of Community Development or his/her designee that the proposed construction fully complies with all applicable provisions of the zoning ordinance.

**17.01.060 Section 113.2 Amended - Scope.**

Notwithstanding the provisions of Section 17.01.010, Section 113.2 of the Building Code is amended to read as follows:

**113.2 Scope.** The provisions of this section shall apply only to permits for buildings or structures on individual lots or parcels and are not intended to be supplementary to geologic investigations required to qualify divisions of land as set forth in Title ~~49~~XVII of the Bradbury Municipal Code.

**17.01.070 Section 113.5 Amended - Construction Limitations.**

Notwithstanding the provisions of Section 17.01.010, the fifth paragraph of Section 113.5 of the Building Code is amended to read as follows:

The Building Official may require a more extensive investigation by a professional geologist as to the absence of a known active earthquake fault prior to the issuance of a permit for Groups A, B, E, F, H, M, R-I, R-2, and I occupancies; and S Occupancies over one story in height.

**17.01.080 Relocation permits**

Notwithstanding the provisions of Section 17.01.010, the Building Code is amended by adding the following:

## RELOCATION PERMITS

**A. Relocation Building Permit Required.** A person shall not move onto any premises, a building or structure until such person first secures a relocation building permit as hereinafter provided.

**B. Relocation Building Permit Not Required.** A permit is not required where the only relocation involved is that of moving a building temporarily to the regularly occupied business premises of a house mover, nor, for a contractor's tool house, construction building or similar structure which is moved as construction requires.

**C. Application.** Every application to the Building Official for a relocation building permit shall be in writing on a form furnished by the Building Official and shall set forth such information as the Building Official may reasonably require to carry out the purpose of this Chapter.

**D. Investigation Required.** Every application to the Building Official for a relocation building permit shall be accompanied by a rendering, perspective drawing or other illustration acceptable to the Building Official showing, in color, the appearance of the completed building on the proposed site. If there is to be no substantial change of the exterior of the building in its new location, and if a photograph or photographs taken at the existing site will adequately represent the appearance of the completed building on the proposed site, the Building Official may waive the requirement of a rendering or equivalent drawing.

In addition, the Building Official may require the submission about a relocation building permit application, of such plan, photographs and other substantiating data, and may cause to be made any investigation which the Building Official deems necessary and helpful in determining any matters presented by the application.

**E. Application Fees.** The applicant for a relocation building permit shall pay an application and investigation fee in an amount determined by resolution of the City Council to the Building Official for inspection of building at its present location and investigation of the proposed site.

**F. Permit Fees.** Relocation building permit fees for repairs or alterations to the relocated building shall be required in an amount determined by resolution of the City Council.

**G. Issuance of Permit.** If the condition of the building or structure, in the judgment of the Building Official, admits of practicable and effective repair, the Building Official may issue a relocation building permit to the owner of the



property where the building or structure is to be located upon conditions as hereinafter provided; otherwise the permit shall be denied.

**H. Prohibited Buildings.** Except as otherwise provided in this Chapter, the Building Official shall not issue a relocation building permit for any building or structure which:

1 - is so constructed or in such condition as to be dangerous.

2 - is infested with pests or is unsanitary.

3 - if it be a dwelling or habitation, is unfit for such use.

4 - is so dilapidated, defective, unsightly or in such a condition of deterioration or disrepair that its relocation at the proposed site would cause appreciable harm to or be materially detrimental to the property or improvements in the district within a radius of 1,000 feet from the proposed site.

5 - if the proposed use is prohibited by the City of Bradbury Zoning Ordinance.

6 - if the structure is of a type prohibited at the proposed location by this or any other law or ordinance.

7 - because of age, size, design or architectural treatment, does not substantially conform to the design, plan and construction of the buildings located in the district within a radius of 1,000 feet from the proposed site so that its relocation would be detrimental to the property or improvements in said district.

**I. Appeals.** If the Board of Appeals deems it necessary or expedient to do so, it may set any such application for hearing before a member of the Board or representative thereof and cause such notice of the time, place and purpose thereof to be given as the Board may deem appropriate. Thereafter, the findings of said hearing shall be reported to the Board for its consideration along with any other information before it.

**J. Conditions of Permit.** The Building Official, in granting any relocation building permit may impose thereon such terms and conditions as he or she deems reasonable and proper. These terms and conditions shall include, but are not limited to, compliance with provisions of this Code for new buildings or structures to the extent that is reasonable and practical for the period of time required to complete all work; the requirement of changes, alterations, additions or repairs to be made to or upon the building or structures, to the end that the relocation thereof will not be materially detrimental or injurious to public safety,

public welfare or to the property and improvements, or either in the district, as hereinabove limited, to which it is to be relocated.

**K. Unfinished Relocated Buildings or Structures.** Where the work required to be done pursuant to the terms and conditions of a relocation building permit has not been performed within the period allowed by such permit, nor within the extension of time granted thereto in writing by the Building Official, the building or structure shall be deemed and is hereby found to be substandard and the nuisance shall be abated in accordance with provisions of Chapter 99 of this Code.

#### **17.01.090 Building Rehabilitation Appeals Board.**

Notwithstanding the provisions of Section 17.01.010, the Building Code is amended by amending Section 9906 to read as follows:

**Building Rehabilitation Appeals Board.** To hear appeals provided for in Chapter 98 and in this Chapter, the City Council shall act as the Building Rehabilitation Appeals Board.

#### **17.01.100 Order, Substandard Property.**

Notwithstanding the provisions of Section 17.01.010, the Building Code is amended by amending Section 17.01.010 to read:

When the Board finds that any property is substandard property, it is hereby declared a public nuisance and based upon its findings, the Board shall order the abatement of the nuisance by such means as the Board deems most feasible. If such means includes the removal of any vehicle or any part thereof, such order shall include a description of such vehicle and the correct identification number and license number, if available at the site. The Board shall further order that a fee in an amount determined by resolution of the City Council be assessed against the property owner to reimburse the City for costs incurred in investigation, processing and administrative expenses to be collected pursuant to City ordinance.

#### **17.01.110 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to 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 of Bradbury

, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building 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 the Building 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.01.120 Building Code Fees.**

Notwithstanding the provisions of Section 17.01.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 2. Chapter 2 (Mechanical Code) of Title XVII (Buildings and Construction) of the City of Bradbury Municipal Code is amended to read as follows:

### **Chapter 2**

### **MECHANICAL CODE**

#### **17.02.010 Adoption of Mechanical Code.**

Except as hereinafter provided, Title 29, Mechanical Code of the Los Angeles County Code, as amended and in effect on January 01, ~~2017~~2020, adopting the California Mechanical Code, ~~2016~~2019 Edition (Part 4 of Title 24 of the California Code of Regulations), including Subsections 119.1.2.0 through 119.1.14.0 of Chapter 1; Chapters 2 through 17; and Appendices B, C and D, 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, ~~2016~~2019 Edition, and Title 29 of the 2020 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~~Copies of Title 29 of the 2020 Los Angeles County Code and the 2019 California Mechanical Code, ~~2016 Edition~~, have been deposited in the office of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

#### **17.02.020 Definitions.**

Notwithstanding the provisions of Section 17.02.010, whenever any of the following names or terms are used in the Los Angeles County Mechanical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Building Code," "Uniform Building Code" or "Los Angeles County Building Code" shall mean the Building Code of the City of Bradbury as contained in Chapter 1 of this code.
- 2) "Building Department" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 3) "Building Official" shall mean the Building Official of the City of Bradbury.
- 4) "City" shall mean the City of Bradbury.
- 5) "Electrical Code" shall mean the Electrical Code of the City of Bradbury.
- 6) "Fire Code" shall mean the Fire Code of the City of Bradbury.
- 7) "General fund" shall mean the city treasury of the City of Bradbury.
- 8) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of Bradbury.
- 9) "Plumbing Code" shall mean the Plumbing Code of the City of Bradbury.
- 10) "Administrative Authority," "Chief Mechanical Inspector", "Authority Having Jurisdiction" or "Mechanical Inspector" shall mean the Building Official of the City of Bradbury.

#### **17.02.030 Amendments to Mechanical Code.**

Notwithstanding the provisions of Section 17.02.010 of this code, the Mechanical Code is amended as follows:

- a. Section 104 of the Mechanical Code is amended to read as follows:

**104. Building Official.** The office of Building Official exists in the Building and Safety Division of the City of Bradbury. The Building Official shall administer the provisions of this Code and shall be well versed in accepted mechanical engineering practices and techniques, construction and installation methods, and in the statutes of the State of California and the ordinances of the City of Bradbury relating to heating, ventilating, comfort cooling, refrigeration systems, and other miscellaneous heat-producing equipment.

b. Section 105 of the Mechanical Code is amended to read as follows:

**105. Use of Terms.** Whenever the term "Chief Mechanical Inspector," "Mechanical Inspector," "Authority Having Jurisdiction" or "Administrative Authority" is used in this Code, other than in Section 104, such term shall be construed to mean the "Building Official" of the City of Bradbury or his/her authorized representative.

c. Section 109 of the Mechanical Code is amended to read as follows:

**109. Board of Appeals.** To hear and decide appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction relative to the application and interpretations of this Code, the Board of Appeals as established in Section 17.01.010 of the Bradbury Municipal Code shall act as a Board of Appeals. The Board shall adopt reasonable rules and regulations for conducting its investigations.

#### **17.02.040 Violations and Penalties.**

No person, firm or corporation shall erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, comfort cooling, or refrigeration equipment in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Mechanical Code. Maintenance of equipment which was unlawful at the time it was installed, and which would be unlawful under said Mechanical Code, shall constitute a continuing violation of said Mechanical Code.

Penalty. Any person, firm or corporation violating any of the provisions of the Mechanical 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 the Mechanical 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.02.050 Fees.**

Notwithstanding the provisions of Section 17.02.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 3. Chapter 3 (Plumbing Code) of Title XVII (Buildings and Construction) of the City of Bradbury Municipal Code is amended to read as follows:

### **Chapter 3**

### **PLUMBING CODE**

#### **17.03.010 Adoption of Plumbing Code.**

Except as hereinafter provided, Title 28, Plumbing Code of the Los Angeles County Code, as amended and in effect on January 01, ~~2017~~2020, adopting the California Plumbing Code, ~~2016~~2019 Edition (Part 5 of Title 24 of the California Code of Regulations), including Subsections 119.1.2.0 through 119.1.14.0, of Chapter 1; Chapters 2 through 17; and ~~Appendices~~the following appendices:

- a. Appendix A, Recommended Rules for the Sizing of Water Piping System;
- b. Appendix B, ~~D, H, I~~ Explanatory Notes on Combination Waste and Vent Systems;
- c. Appendix D, Sizing of Storm Water Drainage Systems;
- d. Appendix G, Sizing of Vent System;
- e. Appendix I, Installation Standard for PEX Tubing Systems for Hot and Cold Water Distribution;
- f. Appendix J, Combination of Indoor and Outdoor Combustion; and Ventilation Opening Design,

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, ~~2016~~2019 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~~Copies of Title 28 of the ~~2020~~ Los Angeles County Code and the California Plumbing Code, ~~2016~~2019 Edition, have been deposited in the office

of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

#### **17.03.020 Definitions.**

Notwithstanding the provisions of Section 17.03.010, whenever any of the following names or terms are used in the Plumbing Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Administrative Authority," "Chief Plumbing Inspector", "Authority Having Jurisdiction" or "Plumbing Inspector" shall mean the Building Official of the City of Bradbury.
- 2) "Board of Examiners of Plumbers and Gas Fitters" or "Board of Examiners" shall mean the Board of Examiners of Plumbers and Gas Fitters, of the County of Los Angeles established by Section 105.3 of the Plumbing Code.
- 3) "City" shall mean the City of Bradbury.
- 4) "County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" shall mean the City of Bradbury.
- 5) "Gas Fitting Contractor," "Journeyman Gas Fitter," "Journeyman Plumber" or "Plumbing Contractor" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 105.2.2 of the Plumbing Code.

#### **17.03.030 Amendments to Plumbing Code.**

Notwithstanding the provisions of Section 17.03.010 of this code, the Plumbing Code is amended as follows:

- a. Section 101.4 of the Plumbing Code is amended to read as follows:

**101.4 Building Official.** The office of Building Official exists in the Building and Safety Division of the City of Bradbury. The Building Official shall administer the provisions of this ordinance and shall be well versed in accepted sanitary engineering practices and techniques, plumbing construction and installation methods, and the statutes of the State of California relating to such matters.

- b. Section 101.5 of the Plumbing Code is amended to read as follows:

**101.5 Use of Terms.** Whenever the term "Chief Plumbing Inspector," "Plumbing Inspector", "Authority Having Jurisdiction" or "Administrative Authority" is used in this Code, other than in Section 101.4, such term shall be construed to mean the "Building Official" of the City of Bradbury or his or her authorized representative.

c. Section 101.9 of the Plumbing Code is amended to read as follows:

**101.9 Board of Appeals.** The Board of Appeals as established in Section 13.04.030 of the Bradbury Municipal Code shall act as a Board of Appeals for appeals arising from actions of the Administrative Authority.

d. Subsection 104.1.1 of the Plumbing Code is amended to read as follows:

**104.1.1 Scope.** All new plumbing work, and such portions of existing systems as may be affected by new work, or any changes, shall be inspected by the Administrative Authority to insure compliance with all the requirements of this Code and to assure that the installation and construction of the plumbing system is in accordance with approved plans. Special construction and inspection may be required on work involving special hazards or conditions and on work requiring extensive, unusual or constant inspection. Special inspections, when necessary, shall be accomplished by the means set forth in Section 17.01.010 of the Bradbury Municipal Code except that the Special Inspector shall be a qualified person approved and registered by, and reporting to, the Building Official.

e. Section 218.0 of the Plumbing Code is amended to read as follows:

***Person*** - Person is an individual human being, a firm, partnership or corporation, his or their heirs, executors, administrators, assigns, officers or agents; the County of Los Angeles, and any local agency as defined in Section 53090 of the Government Code, or officers thereof. Singular includes plural, male includes female.

f. Section 301.2 of the Plumbing Code is amended by amending Section 301.2.5 and adding subsections 301.2.6 and 301.2.7 to read as follows:

**301.2.5** In existing buildings or premises in which plumbing installations are to be altered, repaired, or renovated, deviations from the provisions of this Code are permitted, provided such deviations are found to be necessary and are first approved by the Administrative Authority.

Any plumbing system may have its existing use, maintenance, or repair continued when the Administrative Authority determines that its use,

maintenance or repair is in accordance with the original design and no hazard to the public health, safety, or welfare has been created by such system.

**301.2.6** Existing building sewers and building drains may be used about new buildings or new plumbing and drainage work only when they are found on examination and test to conform in all respects to the requirements governing new work, and the proper Administrative Authority shall notify the owner to make any changes necessary to conform to this Code. No building or part thereof, shall be constructed of materials other than those approved elsewhere in this Code for use under a building.

Existing building sewers and building drains may be used about plumbing alternations or repairs if such sewers or drains have been properly maintained in a good and safe condition, are working properly and were installed in accordance with the applicable laws in effect at the time of installation.

**301.2.7** All openings into a drainage or vent system, excepting those openings to which plumbing fixtures are properly connected or which constitutes vent terminals shall be permanently plugged or capped in an approved manner, using the appropriate materials required by the Code.

g. Subsection 903.1(2) of the Plumbing Code is amended to read as follows:

**903.1(2)** ABS and PVC DMV piping installation shall be limited to residential construction, not more than two (2) stories in height.

#### **17.03.040 Seismic Gas Shutoff Valves.**

Notwithstanding the provisions of Section 17.03.010 of this code, the Plumbing Code is amended by adding Section 1218 to read as follows:

#### **1218.0 Seismic Gas Shutoff Valves**

**1218.1 Scope.** A seismic gas shutoff valve shall be installed in compliance with the requirements of this section on each gas fuel line in:

**1218.1.1** Any building or structure for which a building permit was first issued on or after February 15, 2001.

**1218.1.2** Any building or structure which is altered or expanded under a building permit first issued on or after February 15, 2001, when such alteration or addition is valued at more than \$10,000.

**1218.1.3** Any building or structure that is sold to a new owner on or after February 15, 2001, where no less than 12 months have passed since the date of sale. However, when an individual condominium unit is sold in a building that has multiple gas lines, then the requirements of this section shall apply only to the line or lines serving the condominium unit that has been sold.

**1218.2 Maintenance.** Where the installation of a seismic gas shutoff valve is required by this section in any building or structure, that seismic gas shutoff valve shall be maintained for the life of that building or structure or shall be replaced with a valve complying with the requirements of this section.

**1218.3 General Requirements.** Where the installation of a seismic gas shutoff valve on a fuel line is required by this section, that valve must:

**1218.3.1** Be mounted rigidly to the exterior of the building or structure containing the fuel line unless the building official determines that the seismic gas shutoff valve has been tested and listed for an alternate method of installation.

**1218.3.2** Be installed downstream of the gas utility meter, except that a valve may be installed upstream of the gas utility meter at the discretion of the gas utility if the valve would otherwise meet the requirements of this section.

**1218.3.3** Be listed by an approved testing laboratory and certified by the Office of the State Architect.

**1218.3.4** Have a thirty-year warranty which warrants that the valve is free from defects and will continue to properly operate for thirty years from the date of installation.

**1218.4 Critical Facilities.** The requirements of this Section shall not apply to any building that is used by any public agency for the provision of emergency services, including fire, police, and similar public safety services.

**1218.5 Definitions.** For purposes of this section, certain terms shall be defined as follows:

**1218.5.1** Downstream of the Gas Utility Meter shall refer to all customer owned gas piping.

**1218.5.2** Seismic Gas Shutoff Valve shall mean a system consisting of a seismic sensing means and actuating means designed to automatically actuate a companion gas shutoff means installed in a gas piping system to shut off the gas downstream of the location of the gas shutoff means in the event of a severe seismic disturbance. The system may consist of separable



components or may incorporate all functions in a single body. The terms "seismically activated gas shutoff valves" and "earthquake sensitive gas shutoff valves", are synonymous.

**1218.5.3** Upstream of the Gas Utility Meter shall refer to all gas piping installed by the utility up to and including the meter and the utility's bypass tee at the connection to the customer owned piping.

#### **17.03.050 Violations and Penalties.**

Penalty. Any person, firm or corporation violating any of the provisions of the Plumbing 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 the Plumbing 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.03.060 Plumbing Code Fees.**

Notwithstanding the provisions of Section 17.03.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 4. Chapter 4 (Electrical Code) of Title XVII (Buildings and Construction) of the City of Bradbury Municipal Code is amended to read as follows:

### **Chapter 4**

### **ELECTRICAL CODE**

#### **17.04.010 Adoption of Electrical Code.**

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 01, ~~2017~~2020, adopting the California Electrical Code, ~~2016~~2019 Edition (Part 3 of Title 24 of the California Code of Regulations), ~~including Sections 89.102 through 89.114 of Article 89; Article 90, Chapters 1 through 9, and Annexes A, B, C, D, E, F, G, H,~~



~~I and J~~ 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, ~~2016~~2019 Edition, Title 27 of the ~~2020~~ 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~~  
Copies of Title 27 of the ~~2020~~ Los Angeles County Code and the California Electrical Code, ~~2016~~2019 Edition, have been deposited in the office of the City Clerk of the City of Bradbury and shall be always maintained by the Clerk for use and examination by the public.

#### **17.04.020 Definitions.**

Notwithstanding the provisions of Section 17.04.010, whenever any of the following names or terms are used in the Electrical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Building and Safety Division of the Department of County Engineer - Facilities" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 2) "Chief Electrical Inspector" shall mean the Building Official of the City of Bradbury.
- 3) "County," "County of Los Angeles" or "unincorporated area of the County of Los Angeles" shall mean the City of Bradbury.
- 4) "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) of Title 27, or a person otherwise determined to be qualified by the Building Official.
- 5) "Special Inspector" shall mean a person holding a valid Certificate of Registration as Special Inspector issued by the County of Los Angeles as set forth in Sections 8214(a) of the Los Angeles County Electrical Code, or a person otherwise determined to be qualified by the Building Official.

#### **17.04.030 Amendments to Electrical Code.**

Notwithstanding the provisions of Section 17.04.010 of this code, the Electrical Code is amended as follows:

- a. Section 80-4 of the Electrical Code is amended to read as follows:

**80-4 Building Official.** The office of the Building Official exists in the Building and Safety Division of the City of Bradbury. The Building Official shall administer the provisions of this ordinance and shall be well versed in approved methods of electrical construction for safety to life and property, the statutes of the State of California relating to electrical work, the ordinances of the City of Bradbury relative thereto, and the National Electrical Code as amended from time to time.

- b. Section 80-5 of the Electrical Code is amended to read as follows:

**80-5 Use of Terms.** Whenever the term "Chief Electrical Inspector" is used in any section of this Code, other than Section 80-4, such term shall be construed to mean the Building Official or his/her authorized representative.

- c. Section 82-5 of the Electrical Code is amended to read as follows:

**82-5 Plans.** Each application for an electrical permit shall be accompanied by plans, specifications, diagrams, or calculations, as required by the Building Official. When a plan checking fee or other fees are required by this or any related ordinance or statute, such fees shall be collected at the time plans are filed. Plans may be filed by a registered electrical engineer, licensed contractor, maintenance electrical, government representative or authorized owner's representative. The plans shall bear the designer's signature as required by State of California Regulations.

#### **17.04.040 Violations and Penalties**

a. **Penalty.** Any person, firm or corporation violating any of the provisions of the Electrical 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 the Electrical 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.04.050 Electrical Code Fees.**

Notwithstanding the provisions of Section 17.01.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 5. Chapter 5 (Residential Code) of Article XVII, (Buildings and Construction) of the recodified City of Bradbury Municipal Code is amended to read as follows:

## Chapter 5

### RESIDENTIAL CODE

#### 17.05.010 Adoption of Residential Code.

(a) Except as hereinafter provided, Title 30, Residential Code of the Los Angeles County Code, as amended and in effect on January 01, ~~2017~~2020, adopting the 2020 California Residential Code, ~~2016 Edition~~ (Part 2.5 of Title 24 of the California Code of Regulations), incorporating Sections 102 through 119 of Chapter 1, Section 1207 of Chapter 12, Chapters 67, 68, 69, 98, 99, and Appendix J of Title 26 of the 2020 Los Angeles County Code, ~~and~~ Chapters 2 through 10, Chapter 44, and the following appendices:

a. Division II, Scope and Administration to the California Residential Building Code;

b. Appendix H, ~~are~~ Patio Covers;

c. Appendix J, Existing Buildings and Structures;

d. Appendix K, Sound Transmission;

e. Appendix O, Automatic Vehicular Gate;

f. Appendix V, Swimming Pool Safety Act.

is hereby adopted by reference and shall constitute and may be cited as the Residential Code of the City of Bradbury.

(b) In the event of any conflict between provisions of the California Residential Code, ~~2016~~2019 Edition, ~~Title and Titles~~ 26 and 30 of the 2020 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.

(c) A copy of Title 30 of the Los Angeles County Code and the California Residential Code, ~~2016~~2019 Edition, have been deposited in the office of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

#### 17.05.020 Definitions.

Notwithstanding the provisions of Section 17.05.010, whenever any of the following names or terms are used in the Building Residential Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Board of Appeals" shall mean the board of appeals established in Section 105 of the Bradbury Building Code.
- 2) "Building Department" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 3) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.
- 4) "City Council or Board of Supervisors" shall mean the City Council of the City of Bradbury unless the context requires otherwise.
- 5) "County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" shall mean the City of Bradbury.
- 6) "County Engineer" shall mean the Building Official of the City of Bradbury or his/her duly appointed representative.
- 7) "Fire Code" shall mean the Fire Code of the City of Bradbury.
- 8) "General fund" shall mean the city treasury of the City of Bradbury.
- 9) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of Bradbury as adopted by the Bradbury Municipal Code.
- 10) "Health Officer" shall mean the Health Officer of Los Angeles County.
- 11) "Jurisdiction" shall mean the City of Bradbury.
- 12) "Mechanical Code" shall mean the Mechanical Code of the City of Bradbury.
- 13) "Plumbing Code" shall mean the Plumbing Code of the City of Bradbury.
- 14) "Electrical Code" shall mean the Electrical Code of the City of Bradbury.
- 15) "Residential Code" shall mean the Residential Code of the City of Bradbury.
- 16) "Green Building Standards Code" shall mean the Green Building Code of the City of Bradbury.
- 17) "Existing Building Code" shall mean the Existing Building Code of the City of Bradbury.
- 18) "Historical Building Code" shall mean the Historical Building Code of the City of Bradbury.
- 19) "Special inspector" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 108.6 of the Building Code, or a person otherwise determined to be qualified by the Building Official.

**17.05.030 Subsection R112.1 Amended - General.**

Notwithstanding the provisions of Section 17.05.010, subsection R112.1 of the Residential Code is amended to read as follows:

R112.1 General. To conduct the hearing provided for in this chapter and the hearings provided for in Chapter 98 and 99, the City Council shall act as the board of appeals.

**17.05.040 Subsection R106.2.1 Added - Construction Debris Control.**

Notwithstanding the provisions of Section 17.05.010, the Residential Code is amended by adding subsection 106.2.1 to read as follows:

**R106.2.1 Construction Debris Control.** The Federal Clean Water Act prohibits the discharge of any material other than storm runoff to the storm sewer system. The City streets adjacent to or serving all properties in Bradbury are part of the storm sewer system. It shall be the responsibility of the owner of property upon which construction work, of any type, takes place to provide a plan for controlling discharges of construction debris to prevent the discharge of such debris to the storm sewer system. No construction work shall take place until such plan is approved by the Director of Public Works or his/her designee. Where feasible, the area for containment of debris shall be located upon the same lot where the construction is to take place. Due to the topographic nature of the city, certain on-site locations may not be feasible. In such cases as determined by the Director of Public Works or his/her designee, the owner or contractor may obtain an encroachment permit to establish the area of containment in the street in front of the property, subject to all conditions imposed as part of the permit. For the purposes of this section, construction debris shall be considered to include liquid, cementitious, organic, or earth materials. The plan for controlling construction debris shall establish a work area for trades which require water to produce their work. Such area shall be dike or excavated to prevent water borne debris from leaving the construction site. Products of such activity shall be properly disposed of in accordance with all applicable laws prior to final approval of the building permit. These products include without limitation, brick dust, concrete spoil, stucco spoil, and similar materials.

**17.05.050 Subsection R105.3 Amended - Application for Permits.**

Notwithstanding the provisions of Section 17.05.010, subsection R105.3 is amended by adding a new paragraph to read as follows:

8. Contain adequate evidence as required by the Director of Community Development or his/her designee that the proposed construction fully complies with all applicable provisions of the zoning ordinance.

**17.05.060 Section R101.3 Amended - Scope.**

Notwithstanding the provisions of Section 17.05.010, Section R101.3 of the Residential Code is amended to read as follows:

**R101.3 Scope.** The provisions of this section shall apply only to permits for buildings or structures on individual lots or parcels and are not intended to be supplementary to geologic investigations required to qualify divisions of land as set forth in Title 49XVII of the Bradbury Municipal Code.



**17.05.070 Subsection 106.6.6 Added - Construction Limitations.**

Notwithstanding the provisions of Section 17.05.010, the Residential Code is amended by adding subsection 106.6.6 to read as follows:

The Building Official may require a more extensive investigation by a professional geologist as to the absence of a known active earthquake fault prior to the issuance of a permit.

**17.05.080 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to 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 of Bradbury, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building 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 the Building 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

**17.05.090 Residential Code Fees.**

Notwithstanding the provisions of Section 13.20.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

**Section 6.** ~~Chapter 6 (Swimming Pools) of Article XVII, (Buildings and Construction) of the recodified City of Bradbury Municipal Code is amended to read as follows:~~

**CHAPTER 6**

**SWIMMING POOLS**

~~**17.06.010 Title.** This Chapter shall be known as the "Bradbury Swimming Pool Ordinance" and may be cited as such.~~

**~~17.06.020 Enforcement.~~** It shall be the duty of the City Manager to enforce the provisions of this Chapter.

**~~17.06.030 Swimming Pool Fencing.~~**

~~Every person, firm or corporation in possession of land within the City of Bradbury, either as owner, purchaser under contract, lessee, tenant or licensee, upon which is situated a swimming pool or outside body of water having a depth of over eighteen inches (18") located within one hundred feet (100') of any structure used for dwelling purposes located upon any other parcel of property, or within one hundred feet (100') of any street, public or private, other than private driveways or mutual easements of access held by less than three (3) parties, shall maintain on the lot or premises upon which said swimming pool or body of water is situated, a fence or wall not less than five feet (5') in height with openings, holes or gaps therein no larger than four inches (4") in any dimension except for doors and gates; provided, however, that if a picket fence is erected or maintained, the horizontal dimension between the pickets shall not exceed four inches (4"). Said fence or wall shall completely enclose such pool or body of water. A residential structure or accessory building may be used as part of such enclosure. An incline from the ground level of the swimming pool downward of not less than 30° in slope and ten feet (10') in linear length, or other natural barriers, may be utilized as part of such enclosure upon the express approval of the Planning Commission. No fence or wall shall be erected or maintained that affords ladderlike access. All gates and doors shall be self-latching and self-locking by means of a device located not less than four and one-half feet (4 1/2') above the ground. Any door which shall open directly from a garage to the area in which a swimming pool or body of water as defined herein is located when the garage door is open shall itself be self-locking and self-latching. All existing swimming pools shall comply with the provisions hereof within ninety (90) days following the effective date of this Chapter.~~

**~~17.06.040 Health Hazards.~~** All swimming pools or bodies of water within the City of Bradbury shall be so maintained as to not cause any public health hazard, including, but not limited to, the creation of mosquitoes.

**~~17.06.050 Notice to Correct Hazard.~~** In the event the City Manager, or the County of Angeles Health Department, as an agency of the City of Bradbury, shall determine the maintenance of any swimming pool or body of water constitutes a health hazard, the owner and/or occupant of the premises on which the particular swimming pool or body of water is located shall be given notice in writing at the address of the swimming pool or body of water to correct the situation within the said five-day period, the City Manager may commence public nuisance proceedings for said hazard pursuant to Chapter 23 or Article IX of this Code.



~~**17.06.060 Inspection and Approval.** All plans for construction of any swimming pool or body of water shall comply with the provisions of this Chapter. Final inspection and approval of all swimming pools or bodies of water shall be withheld until all requirements of this Chapter have been met.~~

~~**17.06.070 Zoning Regulations.**~~

~~Any fence or wall erected for complying with this Chapter shall conform to all zoning regulations of the City of Bradbury; provided further that no swimming pool or outside body of water shall be constructed where protective fencing required by this Chapter will conflict with said zoning regulations.~~

~~**Bradbury Municipal Code, Title IX – Development Code**~~

~~**Bradbury Municipal Code, Title XVII – Building Regulations**~~

~~Section 7. Chapter 7 (Underground Utility Facilities) of Title XVII (Buildings and Construction) of the City of Bradbury Municipal Code is amended to read as follows:~~

## **CHAPTER 7**

### **UNDERGROUND UTILITY FACILITIES**

~~**17.07.010 Definitions.** Whenever in this Chapter the words or phrases hereinafter defined in this Section are used, they shall have the respective meanings assigned to them in the followings definitions:~~

- ~~1. "Commission" shall mean the Public Utilities Commission of the State of California.~~
- ~~2. "Underground Utility District" or "District" shall mean that area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 4 of this Ordinance.~~
- ~~3. "Person" shall mean and include individuals, firms, corporations, partnerships, and their agents and employees.~~
- ~~4. "Poles, overhead wires and associated overhead structures" shall mean poles, towers, supports, wires, conductors, guys, stubs, platforms, cross arms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above ground within a District and used or useful in supplying electric, communication or similar or associated service.~~
- ~~5. "Utility" shall include all persons or entities supplying electric, communications or similar associated service by means of electrical materials or devices.~~

~~**17.07.020 Preamble.** The City Council finds and determines that henceforth all overhead utilities, where feasible based on cost and engineering, shall be placed underground.~~

~~**17.07.030 Public Hearing.**~~



~~1. **Public Hearing by Council.** The City Council may, from time to time, call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service. The City Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least ten (10) days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At such hearing all person interested shall be given an opportunity to be heard. The decision of the Council shall be final and conclusive.~~

~~2. **Report by City Engineer.** Prior to holding such public hearing, the City Engineer shall consult all affected utilities and shall prepare a report for submission at such hearing containing, among other information, the extent of such utilities' participation and estimates of the total costs to the City and affected property owners. Such report shall also contain an estimate of the time required to complete such underground installation and removal of overhead facilities.~~

**17.07.040 Council May Designate Underground Utility District by Resolution.**

~~If, after any such public hearing, the Council finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the Council shall, by resolution, declare such designated area an Underground Utility District and order such removal, and underground installation shall be accomplished, and within which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby.~~

~~17.07.050 **Unlawful Acts.** Whenever the Council creates an Underground Utility District and orders the removal of poles, overhead wires and associated overhead structures therein as provided in Section 8603 hereof, it shall be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the District after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in Section 8609 hereof, and for such reasonable time required to removed said facilities after said work has been performed, and except as otherwise provided in this Ordinance.~~

**17.07.060 Exception, Emergency or Unusual Circumstances.**



~~Notwithstanding the provisions of this Chapter, overhead facilities may be installed and maintained for a period, not to exceed thirty (30) days, without authority of the Council to provide emergency service. The Council may grant special permission on such terms as the Council may deem appropriate, in cases of unusual circumstances, without discrimination as to any person, utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.~~

~~**17.07.070 Other Exceptions.** In any resolution adopted pursuant to Section 860 hereof, the City may authorize any or all the following exceptions:~~

- ~~1. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer.~~
- ~~2. Poles or electroliers used exclusively for street lighting.~~
- ~~3. Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.~~
- ~~4. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages more than 34,500 volts.~~
- ~~5. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixtures and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street.~~
- ~~6. Antennae, associated equipment and supporting structures, used by a utility for furnishing communication services.~~
- ~~7. Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.~~
- ~~8. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.~~

~~**17.07.080 Notice to Property Owners and Utility Companies.** Within ten (10) days after the effective date of a resolution adopted pursuant to Section 8603 hereof, the City Clerk shall notify all affected utilities and all persons owning real property within the District created by said resolution of the adoption thereof. Said City Clerk shall further notify such affected property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communications, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises to receive such service from the lines of the supplying utility or utilities at a new location, subject to the applicable rules, regulations, and tariffs of the respective utility or utilities on file with the Commission. Notification by the City Clerk shall be made by mailing a copy of the resolution, adopted pursuant to Section 8603, together with a copy of this Ordinance, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.~~



**~~17.07.090 Responsibility of Utility Companies.~~** If underground construction is necessary to provide utility service within a District created by any resolution adopted pursuant to Section 8603 hereof, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the Commission.

**~~17.07.100 Responsibility of Property Owners.~~**

~~1. Every person owning, operating, leasing, occupying or tenting renting a building or structure with a District shall construct and provide that portion of the service connection on his property between the facilities referred to in Section 8608 and the termination facility on or within said building or structure being served. If the above is not accomplished by any person within the time provided for in the resolution enacted pursuant to Section 8603 hereof, the City Engineer shall give notice in writing to the person in possession of such premises, and a notice in writing to the owner thereof as shown on the last equalized assessment roll, to provide the required underground facilities within ten (10) days after receipt of such notice.~~

~~2. The notice to provide the required underground facilities may be given either by personal service or by mail. In case of service by mail on either of such persons, the notice must be deposited in the United States Mail in a sealed envelope with postage prepaid, addressed to the person in possession of such premises at such premises, and the notice must be addressed to the owner thereof as such owner's name appears, and must be addressed to such owner's last known address as the same appears, to General Delivery, City of Bradbury. If notice is given by mail, such notice shall be deemed to have been received by the person to whom it has been sent within forty eight (48) hours after the mailing thereof. If notice is given by mail to either the owner or the occupant of such premises, the City Engineer shall, within forty eight (48) hours after the mailing thereof, cause a copy thereof, printed on a card not less than eight (8) inches by ten (10) inches in size, to be posted in a conspicuous place of said premises.~~

~~3. The notice given by the City Engineer to provide the required underground facilities shall particularly specify what work is required to be done, and shall state that if said work is not completed within thirty (30) days after receipt of such notice, the City Engineer will provide such required underground facilities, in which case the cost and expense thereof will be assessed against the property benefitted and become a lien upon such property.~~

~~4. If upon the expiration of the thirty (30) day period, the said required underground facilities have not been provided, the City Engineer shall forthwith proceed to do the work, provided, however, if such premises are unoccupied and no electric or communications services are being furnished thereto, the City Engineer shall in lieu of providing the required underground facilities, have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property. Upon~~



completion of the work by the City Engineer, he shall file a written report with the City Council setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The Council shall thereupon fix a time and place for hearing protests the assessment of the cost of such premises, which said time shall not be less than ten (10) days thereafter.

5. The City Engineer shall forthwith, upon the time for hearing such protests having been fixed, give a notice in writing to the person in possession of such premises, and a notice in writing thereof to the owner thereof, in the manner hereinabove provided for the giving of the notice to provide the required underground facilities, of the time and place that the Council will pass upon such report and will hear protests such assessment. Such notice shall also set forth the amount of the proposed assessment.

6. Upon the date and hour set for the hearing of protests, the Council shall hear and consider the report and all protests, if there be any, and then proceed to affirm, modify or reject the assessment.

7. If any assessment is not paid within five (5) days after its confirmation by the Council, the amount of the assessment shall become a lien upon the property against which the assessment is made by the City Engineer, and the City Engineer is directed to turn over to the Assessor and Tax Collector a notice of lien of each of said properties on which the assessment has not been paid, and said Assessor and Tax Collector shall add the amount of said assessment to the next regular bill for taxes levied against the premises upon which said assessment was not paid. Said assessment shall be due and payable at the same time as said property taxes are due and payable, and if not paid when due and payable, shall bear interest at the rate of six percent (6%) per annum.

**17.07.110 Responsibility of City.** City shall remove at its own expense all City-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to Section 8603 hereof.

**17.07.120 Extension of Time.** If any act required by this Chapter or by a resolution adopted pursuant to Section 8603 hereof cannot be performed within the time provided because shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation.

**17.07.130 Penalty.**

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Chapter. Any person violating any provision of this Chapter or failing to comply with any of its requirements shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not more than One Thousand and no/100ths (\$1,000.00) Dollars or by imprisonment not



exceeding six (6) months, or by both such fine and imprisonment. Each such person shall be deemed guilty of a separate offense for each day during any portion of which any violation of any of the provisions of this Chapter is committed, continued, or permitted by such person, and shall be punishable therefore as provided for in this Chapter.

**[Uncodified] Constitutionality.** If any section, subsection, sentence, clause or phrase or this Chapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The Council hereby declares that it would have adopted the Chapter and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any of or more sections, subsections, sentences, clauses or phrase be declared invalid.

**Bradbury Municipal Code, Title IX -- Development Code**

**May 1, 2013 Chapter 1 -- Zoning Regulations** Index Page 2

**Bradbury Municipal Code, Title XVII -- Building Regulations**

Section 8. Unnumbered Chapter 8 (Water Franchise) of Article VIII of the previously codified Bradbury Municipal Code shall be and remain in effect pursuant to Section 1.01.170 of the recodified Code of the City of Bradbury.

Section 9. Chapter 8 (Water Service Requirements) of Title XVII (Buildings and Construction) of the recodified City of Bradbury Municipal Code is amended to read as follows:

## **Chapter 8**

### **Water Service Requirements**

#### **CHAPTER 8 -- WATER SERVICE REQUIREMENTS**

##### **17.08.010 Water Service Requirements.**

1. **Minimum Requirement.** With respect to water service, the following water service requirements are hereby established and shall require that any new construction of habitable structures and accessory buildings over 1,000 square feet of interior additions or remodeling of habitable structures or accessory buildings which adds over 1,000 square feet within the City of Bradbury and for which a permit is required to be issued:

**Lot Size Any Lot**

**Fire Flow Req. 1,250 GPM**

**Duration Req. Two Hours**

**Fire Hydrant Spacing 500 Feet**

2. **Service.** All such water service shall be connected to the existing domestic water service system.

3. Computation of available fire flow shall be based upon a minimum of twenty (20) pounds per square inch gauge of residual operation pressure remaining in the street main from which the

flow is measured.

~~4. The City Council may reduce the 1,250 GPM fire flow requirement upon the recommendation of the Planning Commission in exceptional circumstances and where the applicant proves to the satisfaction of the Council that the condition set forth in Section 9211 of Chapter 4 of the Bradbury Zoning Code exist.~~

~~Bradbury Municipal Code, Title IX—Development Code~~

~~May 1, 2013 Chapter 1—Zoning Regulations Index Page 2~~

~~Bradbury Municipal Code, Title XVII—Building Regulations~~

Section 10. Chapter 9 (Green Building Standards Code) of Title XVII (Buildings and Construction) of the recodified City of Bradbury Municipal Code is amended to read as follows:

## **Chapter 9 GREEN BUILDING STANDARDS CODE**

### **17.09.010 Adoption of Green Building Standards Code.**

Except as hereinafter provided, Title ~~3,31, 2020~~ Green Building Standards Code of the Los Angeles County Code, as amended and in effect on January 01, ~~20172020~~, adopting the California Green Building Standards Code, ~~20162019~~ Edition (Part 11 of Title 24 of the California Code of Regulations), incorporating Sections 102 through 119 of Chapter 1, of Title 26 of the Los Angeles County Code. Chapters 2 through 8, Appendix A4 and Appendix A5, ~~are~~ hereby adopted by reference and shall constitute and may be cited as the Green Building Code of the City of Bradbury.

In the event of any conflict between provisions of the California Green Building Standards Code, ~~20162019~~ Edition, ~~and~~ Title 26, 27, 28, 29, or 30 of the ~~2020~~ Los Angeles County Code, Title ~~19XVII~~ of the Bradbury Municipal Code or any amendment to the Green Building Code contained in this Chapter, the most restrictive requirements shall prevail.

~~A copy~~Copies of Title 31 of the ~~2020~~ Los Angeles County Code and the California Green Building Standards Code, ~~20162019~~ Edition, have been deposited in the office of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

### **17.09.020 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to 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 of Bradbury, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building 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 the Building 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.09.030 Green Building Code Fees.**

Notwithstanding the provisions of Section 17.09.0, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule as approved by resolution of the City Council.

Section 11. ~~Sections 7.~~ Section 4.03.010 of Chapter 3 (Fire Code) of Title IV (Public Safety) of the ~~recodified~~ City of Bradbury Municipal Code is hereby amended to read as follows:

### **Article IV, Chapter 3**

#### **Fire CODE**

#### **4.03.010 Adoption of Fire Code.**

(a) Except as hereinafter provided in this Chapter, Title 32, Fire Code, of the Los Angeles County Code, as amended and in effect on ~~March 1st, 2017~~ February 18, 2020, which constitutes an amended version of the California Fire Code, ~~2016~~ 2019 Edition (Part 9 of Title 24 of the California Code of Regulations), Chapters 1 through 80, and Appendix B, Appendix BB, Appendix C, Appendix CC of the ~~2016~~ 2019 Edition of the California Fire Code, including errata and supplements, published by the California Building Standards Commission, and Chapter 1 through 7, Chapters 9 and 10, Chapters 20 through 36, Chapter 50 through 55, Chapters 57 through 67, Chapter 80, Appendix D and Appendix N of the ~~2015~~ 2018 Edition of the International Fire Code, sections not adopted as part of the ~~2016~~ 2019 California Fire Code are hereby adopted by

reference and incorporated into this Title 32 of the 2020 Los Angeles County Code and amended to include Chapter 81-83 and Appendices O and P, shall be known as Chapter 1 through 83, Appendix B, Appendix BB, Appendix C, Appendix CC, Appendix D, Appendix N, Appendix O and Appendix P of Title 32 of the 2020 Los Angeles County Code, is hereby adopted by reference and shall constitute and may be cited as the Fire Code of the City of ~~West~~ HollywoodBradbury.

(b) In the event of any conflict between provisions of the California Fire Code, ~~2016~~2019 Edition, International Fire Code 2015 Edition, Title 32 of the Los Angeles County Code, or any amendment to the Fire Code contained in the West Hollywood Municipal Code, the provision contained in the later listed document shall control.

(c) ~~A copy~~Copies of Title 32 of the 2020 Los Angeles County Code, ~~along with a copy of~~ the California Fire Code, ~~2016~~2019 Edition, and the International Fire Code 2015 Edition ~~has~~have been deposited in the office of the City Clerk of the City of ~~West Hollywood~~Bradbury and shall be always maintained by the Clerk for use and examination by the public.

#### **4.03.020 Violations**

a. Any person, firm or corporation violating any of the provisions of the Fire 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 the Fire 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

b. Every violation determined to be an infraction hereunder is punishable in such manner and to such extent as is provided by Section 1.08.010 of this Code.

c. For the purposes of this Section, a forfeiture of bail shall be equivalent to a conviction.

#### **4.03.030 Responsibility.**

Section 1. Any person who personally or through another willfully, negligently, or in violation of law sets a fire, allows a fire to be set, allows a fire kindled or attended by such person to escape from his or her control, allows any hazardous material to be handled, stored or transported in a manner not in accordance with the Fire Code or with nationally recognized standards, allows any hazardous material to escape from his or her control, neglects to properly



comply with any written notice of the Fire Chief, or willfully or negligently allows the continuation of a violation of the Fire Code and the amendments thereto shall be liable for the expense of fighting the fire, or for all costs associated with the control and mitigation of a hazardous materials incident, or for the expenses incurred while obtaining compliance with the written order of the Fire Chief, or for the expenses incurred in obtaining compliance with the continuing violation of the Fire Code. Such expenses shall be a charge against that person and shall constitute a debt of such person and is collectible by the public agency incurring such expenses in the same manner as in the case of an obligation under a contract, expressed or implied.

Section 2. All inconsistencies between the Fire Code as adopted by this ordinance and Part 9 of the California Code of Regulations are changes, modifications, amendments, additions or deletions thereto authorized by California Health and Safety Code Sections 17958 and 17958.7.

Section 3. The City Council hereby finds that the changes and modifications to the California Fire Code that have been enacted by this ordinance are reasonably necessary because of the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; location in Southern California; and the relatively flat topography of the City.

Section ~~128~~. Chapter 12 (Existing Building Code) ~~is hereby added to~~ Title XVII (Buildings and Construction) of the Bradbury Municipal Code is hereby amended to read as follows:

## CHAPTER 12

### EXISTING BUILDING CODE

#### 17.12.010 Adoption of Existing Building Code.

- (a) ——— Except as hereinafter provided, ~~Title 33,~~ Title 33, Existing Building Code of the 2020 Los Angeles County Code, as amended and in effect on January 01, ~~2017~~2020, adopting the 2019 California Existing Building Code, ~~2016 Edition~~ (Part 10 of Title 24 of the 2019 California Code of Regulations), incorporating Sections ~~102-102~~ through 119 of Chapter 1,

of Title 26 of the 2020 Los Angeles County Code, Chapters 2 through 4, 15, 16 and Appendix A1, A3, A4 and Appendix A6, are A, Guidelines For Retrofit of Existing Buildings, is hereby adopted by reference and shall constitute and may be cited as the Existing Building Code of the City of Bradbury.

- (b) — In the event of any conflict between provisions of the California Existing Building Code, 20162019 Edition, Title 26, 27, 28, 29, 30, 31 or 32 of the 2020 Los Angeles County Code, Title 19XVII of the Bradbury Municipal Code or any amendment to the Existing Building Code contained in this Chapter, the most restrictive requirements shall prevail.
- (c) — A copyCopies of Title 33 of the 2020 Los Angeles County Code and the California Existing Building Code, 20162019 Edition, have been deposited in the office of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

#### **17.12.020 Definitions.**

Notwithstanding the provisions of Section 17.09.0, whenever any of the following names or terms are used in the Existing Building Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Board of Appeals" shall mean the board of appeals established in Section 105 of the Bradbury Building Code.
- 2) "Building Department" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 3) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.
- 4) "City Council or Board of Supervisors" shall mean the City Council of the City of Bradbury unless the context requires otherwise.
- 5) "County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" shall mean the City of Bradbury.
- 6) "County Engineer" shall mean the Building Official of the City of Bradbury or his/her duly appointed representative.
- 7) "Fire Code" shall mean the Fire Code of the City of Bradbury.
- 8) "General fund" shall mean the city treasury of the City of Bradbury.
- 9) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of Bradbury.
- 10) "Health Officer" shall mean the Health Officer of Los Angeles County.
- 11) "Jurisdiction" shall mean the City of Bradbury.

- 12) "Mechanical Code" shall mean the Mechanical Code of the City of Bradbury.
- 13) "Plumbing Code" shall mean the Plumbing Code of the City of Bradbury.
- 14) "Electrical Code" shall mean the Electrical Code of the City of Bradbury.
- 15) "Residential Code" shall mean the Residential Code of the City of Bradbury.
- 16) "Green Building Standards Code" shall mean the Green Building Code of the City of Bradbury.
- 17) "Existing Building Code" shall mean the Existing Building Code of the City of Bradbury.
- 18) "Special inspector" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 108.6 of the Building Code, or a person otherwise determined to be qualified by the building official.

**17.12.030 Subsection 112.1 Amended - General.**

Notwithstanding the provisions of Section 13.26.010, subsection 112.1 of the Building Code is amended to read as follows:

**105.1.1 General.** To conduct the hearing provided for in this chapter and the hearings provided for in Chapter 98 and 99, the City Council shall act as the board of appeals.

**17.12.040 Subsection 106.7 Added - Construction Debris Control.**

Notwithstanding the provisions of Section 13.26.010, the Building Code is amended by adding subsection 106.7 to read as follows:

**106.2.1 Construction Debris Control.** The Federal Clean Water Act prohibits the discharge of any material other than storm runoff to the storm sewer system. The City streets adjacent to or serving all properties in Bradbury are part of the storm sewer system. It shall be the responsibility of the owner of property upon which construction work, of any type, takes place to provide a plan for controlling discharges of construction debris to prevent the discharge of such debris to the storm sewer system. No construction work shall take place until such plan is approved by the Director of Public Works or his/her designee. Where feasible, the area for containment of debris shall be located upon the same lot where the construction is to take place. Due to the topographic nature of the city, certain on-site locations may not be feasible. In such cases as determined by the Director of Public Works or his/her designee, the owner or contractor may obtain an encroachment permit to establish the area of containment in the street in front of the property, subject to all conditions imposed as part of the permit. For the purposes of this section, construction debris shall be considered to include liquid, cementitious, organic, or earth materials. The plan for controlling construction debris shall establish a work area for trades which require water to produce their work. Such area shall be dike or excavated

to prevent water borne debris from leaving the construction site. Products of such activity shall be properly disposed of in accordance with all applicable laws prior to final approval of the building permit. These products include without limitation, brick dust, concrete spoil, stucco spoil, and similar materials.

#### **17.12.050 Subsection 105.3 Amended - Application for Permits.**

Notwithstanding the provisions of Section 17.09.0, subsection 105.3 is amended by adding a new paragraph 8 to read as follows:

Contain adequate evidence as required by the Director of Community Development or his/her designee that the proposed construction fully complies with all applicable provisions of the zoning ordinance.

#### **17.12.060 Section 101.2 Amended - Scope.**

Notwithstanding the provisions of Section 13.26.010, Section 101.2 of the Building Code is amended to read as follows:

**101.2 Scope.** The provisions of this section shall apply only to permits for buildings or structures on individual lots or parcels and are not intended to be supplementary to geologic investigations required to qualify divisions of land as set forth in Title ~~19~~XVII of the Bradbury Municipal Code.

#### **17.12.070 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to 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 of Bradbury, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building 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 the Building 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.12.080 Existing Building Code Fees.**



Notwithstanding the provisions of Section 17.09.0, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section ~~13.~~ A new 9. Chapter 13 (Historical Building Code) is ~~added to of~~ Title XVII (Buildings and Construction) of the City of Bradbury Municipal Code ~~is hereby amended~~ to read as follows:

## CHAPTER 13

### HISTORICAL BUILDING CODE

#### 17.13.010 Adoption of Historical Building Code.

Except as hereinafter provided, adopting Part 8, California Historical Building Code, ~~2016~~2019 Edition (Part 8 of Title 24 of the California Code of Regulations), as amended and in effect on January 01, ~~2017. Amending 2020,~~ amending Section 8-201 of Chapter 8-2, Chapters 8-1, 8-3 through 8-10 adopted by the State of California, and Appendix Aall and Appendices, are hereby adopted by reference and shall constitute and may be cited as the Historical Building Code of the City of Bradbury.

A copy the California Historical Building Code, ~~2016~~2019 Edition, has been deposited in the office of the City Clerk and shall be always maintained by the Clerk for use and examination by the public.

#### 17.13.020 Definitions.

Notwithstanding the provisions of Section 8130, whenever any of the following names or terms are used in the Historical Building Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Building Department" shall mean the City of Bradbury Building and Safety Division of the Community Development Department.
- 2) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.
- 3) "Fire Code" shall mean the Fire Code of the City of Bradbury.
- 4) "Jurisdiction" shall mean the City of Bradbury.

- 5) "Mechanical Code" shall mean the Mechanical Code of the City of Bradbury.
- 6) "Plumbing Code" shall mean the Plumbing Code of the City of Bradbury.
- 7) "Electrical Code" shall mean the Electrical Code of the City of Bradbury.
- 8) "Residential Code" shall mean the Residential Code of the City of Bradbury.
- 9) "Green Building Standards Code" shall mean the Green Building Code of the City of Bradbury.
- 10) "Existing Building Code" shall mean the Existing Building Code of the City of Bradbury.

#### **17.13.030 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to 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 of Bradbury, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building 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 the Building 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 one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **17.13.040 Historical Building Code Fees.**

Notwithstanding the provisions of Section 8130, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set forth by as approved by resolution of the City Council.

Section 1410. All inconsistencies between the Building Code, Electrical Code, Mechanical Code, Plumbing Code, Residential Code, Green Building Code, Existing Building Code and Historical Building Code as adopted by this ordinance and Parts 2, 2.5, 3, 4, 5, 8, 10 and 11 of the California Code of Regulations are changes, modifications, amendments, additions or deletions thereto authorized by California Health and Safety Code Sections 17958 and 17958.7.

Section 1511. The City Council hereby finds that the changes and modifications to the California Building Code, Plumbing Code, Mechanical Code, Electrical

Code, Residential Code, Green Building Standards Code, Existing Building Code, Fire Code and ExistingHistorical Building Code that have been enacted by this ordinance are reasonably necessary because of the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; location in Southern California; and the relatively flat topography of the City.

\_\_\_\_\_The City Council hereby finds that the modifications to the State Building Code in Titles 26, 27, 28, 29, 30, 31 and 33 of the Los Angeles County Code are reasonably necessary because of the local climatic, geological, and topographical conditions within the City of Bradbury.

\_\_\_\_\_The City Council hereby further finds that the modifications to the State Building Code in TitleTitles 26, 30 and 33 of the Los Angeles County Code regarding Construction Debris Control, Construction Limitations, Relocation Permits and Fire Safety Standards (Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, of the Bradbury Municipal Code), isare reasonably necessary for the health, safety and general welfare of the residents of the City resulting from the relatively flat topography of the City, the present street and storm drain design, and the climatic characteristics of the City, including periods of heavy rainfall, which together require additional steps to protect against storm water runoff pollution; the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; and its location in Southern California.

\_\_\_\_\_The City Council hereby 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 within the City of Bradbury.

\_\_\_\_\_The City Council hereby further finds that the modifications to the State Mechanical Code in Title 29 of the Los Angeles County Code are reasonably necessary because of the local climatic and topographical conditions within the City of Bradbury.

\_\_\_\_\_The City Council hereby further finds that the modifications to the State Building, Electrical, Mechanical, Plumbing Codes in Titles 26, 27, 28, 29, 30, 31 and 33 of the Los Angeles County Code and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 149 hereof, are administrative in nature and 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.

\_\_\_\_\_| Accordingly, the City Council finds the modifications in this Ordinance to the State Building Code, Electrical Code, Mechanical Code, Plumbing Code, Residential Code, Green Building Code and Existing Building Code to be necessary for the protection of the public health, safety, and welfare.

Section 16. 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 17. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part hereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Bradbury hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
MAYOR

ATTEST

\_\_\_\_\_  
CITY CLERK



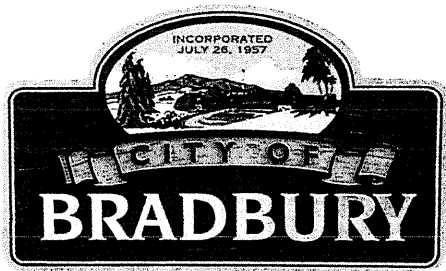
I, Claudia Saldana, City Clerk of the City of Bradbury, California, hereby certify that the foregoing Ordinance No. \_\_\_\_\_ was duly passed, approved and adopted at the regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
CITY CLERK



*Elizabeth Bruny, Mayor (District 5)*  
*Bruce Lathrop, Mayor Pro Tem (District 4)*  
*Richard Barakat, Council Member (District 3)*  
*Dick Hale, Council Member (District 1)*  
*Montgomery Lewis, Council Member (District 2)*

## City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Sophia Musa, Management Analyst

DATE: December 21, 2021

SUBJECT: **REVIEW OF ADMINISTRATIVE POLICY NO: 12-01, FILM POLICY**

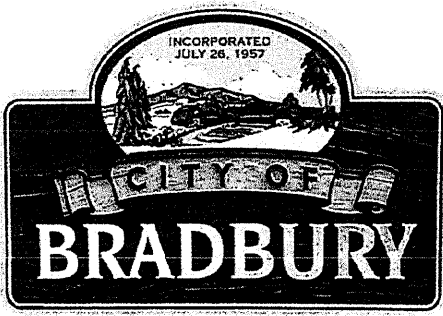
ATTACHMENTS: 1) Updated Film Policy  
2) Updated Film Permit Application  
3) Redline Film Policy  
4) Redline Film Permit Application  
5) Ordinance No. 379

---

### SUMMARY

At the October City Council meeting, Ordinance No. 379 was introduced. The second reading took place a month later at the November Council meeting. Ordinance No. 379 replaces the current language in the City's municipal code related to filming and points to the City's film policy. Since the last City Council meeting, staff has updated the film policy and film permit application based on City Council feedback during the November meeting. Therefore, Staff recommends that the City Council further review the updated film policy and discuss any other desired changes.

# Attachment #1



Administrative Policy Manual  
Policy No: 12-01  
Original Date: January 17, 2012  
Approved: \_\_\_\_\_

**SUBJECT: Film Policy**

**PURPOSE:** To outline policies relating to obtaining the necessary approvals for the issuance of film (which includes features, commercials, movies, music videos, photography, student and television) permits.

---

## **BACKGROUND**

In accordance with Bradbury Municipal Code Section 13.01.340, the City of Bradbury issues Film Permits to businesses and individuals who wish to film on public or private property within the City limits. Filming activities include but are not limited to all on-site preparation (prep), filming and all breakdown (strike) activities. The City Manager has the discretion to impose additional conditions to the City Film Permits in order to protect the welfare and safety of residents. Failure to comply with any of the stated conditions shall be grounds for revoking the permit.

## **POLICY**

### Requirements to Obtain a Film Permit

A completed application must be submitted no later than 5 business days before filming begins (including prep).

1. The application shall contain approvals from the Los Angeles County Sheriff's Department and Los Angeles County Fire Department.
2. When necessary, approval from the Homeowners' Association shall be obtained.
3. Approval of residents of the subject location(s) shall be obtained. The approval must be in the form of a petition, signature card, facsimile or email and is subject to City verification. Approvals must be from property owners/tenants over the age of 18 for each parcel where the preparation, filming, and breakdown activities are taking place (hereinafter the "Properties"). Approval of one resident of a parcel will be deemed approval of all, unless challenged by another resident of the same parcel. Verified abstentions will be deemed approvals.
4. A filming layout diagram and parking plan must be submitted with the application. All vehicles and equipment must be parked in designated areas only. Should

directional signage be required it should be minimal in both size and color. Parking on public streets is strongly discouraged. Parking of film vehicles or the blocking of streets by vehicles belonging to the Production Company or production staff without authorization and identification will be cited by the Sheriff's Department.

5. The application shall detail all activity which may cause Public Alarm, such as the use of any animals, gunfire or pyrotechnics, low flying helicopters and/or unmanned aircraft systems (drones).
6. Certificates of Insurance must be attached.
7. At the discretion of the City Manager, a Community Services Officer (CSO) may be present during all filming that occurs within City limits. The City contracts with the CSO and costs associated with the service will be assessed to the applicant.

#### Film Production Hours of Operation & Noticing

Filming activity may take place between the working hours of 7:00 am and 10:00 pm Monday through Friday only, excluding legal holidays. Extended hours may be considered depending on impact to the community.

##### 7:00 am to 10:00 pm "working hours"

- 75% approval is required from all property owners and/or tenants, over the age of 18 for each parcel within 500 feet of the perimeter of the Properties, and 90% of the properties immediately adjacent to the Properties.

##### 10:00 pm to 7:00 am Monday – Friday/ Saturday and Sunday all day: "extended hours"

- 90% approval is required from all property owners and/or tenants, over the age of 18 for each parcel within 500 feet of the perimeter of the properties, and 100% of the properties immediately adjacent to the Properties.

The City Manager shall have the discretion to extend or decrease the boundary of resident noticing based on the activities specified in the permit application, including, but not limited to, factors such as the level of Public Alarm and geographical considerations.

#### Insurance

The Production Company shall be required to present to the City (attached to the application) a Certificate of Insurance with the following minimum coverage:

- ✓ General Liability Insurance in an amount not less than \$2,000,000 naming the City of Bradbury, its officers, employees, agents and volunteers as additional insureds for protection against claims by third persons for personal injuries, wrongful deaths and property damage, and to indemnify and defend the City for damage to City property arising out of or related to the applicant's Film Activity.

The certificate shall not be subject to cancellation or modification until the completion of all planned production activities, including the strike and restoration of all locations, and for one year thereafter. Such insurance shall be evidenced by the Standard General Liability Special Endorsement form mandated by the California Film Commission, which will remain on file with the City.

- ✓ Evidence of Worker's Compensation Insurance for all persons operating under a City Film permit shall be provided as required by State Law.

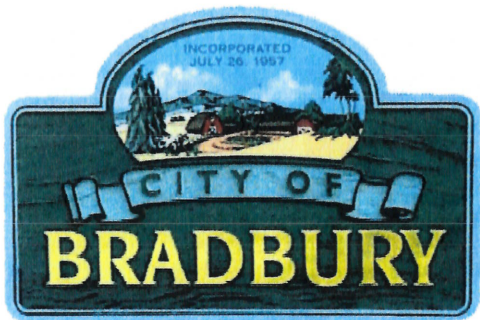
### Fees

The Production Company shall pay to the City all applicable fees and deposits prior to issuance of a City Film Permit. Any cancellation of the Film Activity after a City Film Permit has been issued but before prep has commenced will result in a forfeiture of 50% of the permit as a processing fee. There shall be no refund after prep has commenced. All refund requests must be made in writing and can take up to six weeks for processing.

The permit fee is \$1,030 per day (private or public property). The City Manager may reduce this fee to an amount to no less than \$500 per day for good cause and in his or her sole discretion; however, the City Council normally expects non-profits engaging in filming to pay the full \$1,030. Examples for possible reduction include self-contained still photo shoots, student films for college course work, or public service announcements.

Any negotiations or arrangements for prep, filming, and strike activity on private property shall be the concern of the Production Company, the private property owners, and any applicable Homeowners Association. The City disclaims any involvement in or responsibility for those negotiations or arrangements.

# Attachment #2



# City of Bradbury

## FILM PERMIT APPLICATION FORM

Today's date: \_\_\_\_\_

Name of Film Company: \_\_\_\_\_

\_\_\_\_\_  
(Contact person) (Address) (Phone number)

Filming location: \_\_\_\_\_  
(Address) (Property owner) (Phone number)

Staging location: \_\_\_\_\_  
(Address) (Property owner) (Phone number)

Location Logistics		
<i>Activity Type</i>	<i>Dates(s)</i>	<i>Time(s)</i>
Preparation		
Filming		
Strike		
Hold		

Name of film/commercial: \_\_\_\_\_

Specify number and size of vehicles: \_\_\_\_\_

\_\_\_\_\_

Where will vehicles be parked? \_\_\_\_\_  
(Parking on public streets is discouraged)

Size of Crew: \_\_\_\_\_

Will signs be posted? If so, how many? \_\_\_\_\_  
(Signs shall be no larger than 4sq. feet and shall be inoffensive in color, preferably white or off-white and the number of signs shall be kept to a minimum.)



Briefly describe filming related activities (e.g. interior/exterior dialogues, driving activities, stunts, special effects, etc.):

---

---

---

---

Detail any filming related activities that may cause Public Alarm, such as the use of any animals, gunfire or pyrotechnics, low flying helicopters and/or unmanned aircraft systems (drones):

---

---

---

---

**Requirements:**

The following are requirements for obtaining a film permit within the City of Bradbury. Where applicable, attach proof for all listed items:

Have you provided a certificate of liability insurance in the amount of at least \$2 million, naming the City of Bradbury as an additionally insured? \_\_\_\_\_

Have you provided a certificate of Worker's Compensation Insurance? \_\_\_\_\_

Have you obtained clearance from the Los Angeles County Fire Department? \_\_\_\_\_

Have you obtained clearance from the Los Angeles County Sheriffs Department? \_\_\_\_\_

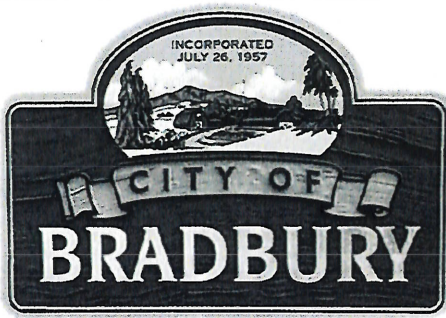
Have the appropriate resident approvals been obtained? \_\_\_\_\_

If applicable, has the Homeowners Association approved of all filming related activities? \_\_\_\_\_

Is the City's Community Services Officer needed for the filming? \_\_\_\_\_

City Manager Approval \_\_\_\_\_ Date \_\_\_\_\_

# Attachment #3



SUBJECT: **Film Policy**

PURPOSE: To outline policies relating to obtaining the necessary approvals for the issuance of film (which includes features, commercials, movies, music videos, photography, student and television) permits.

---

## BACKGROUND

In accordance with Bradbury Municipal Code Section 13.01.340, the City of Bradbury issues Film Permits to businesses and individuals who wish to film on public or private property within the City limits. Filming activities include but are not limited to all on-site preparation (prep), filming and all breakdown (strike) activities. The City Manager has the discretion to impose additional conditions to the City Film Permits in order to protect the welfare and safety of residents. Failure to comply with any of the stated conditions shall be grounds for revoking the permit.

## POLICY

### Requirements to Obtain a Film Permit

A completed application must be submitted no later than 5 business days before filming begins (including prep).

1. The application ~~must~~ shall contain approvals from the Los Angeles County Sheriff's Department and Los Angeles County Fire Department.
2. When necessary, approval from the Homeowners' Association ~~must~~ shall be obtained.
3. Approval of residents ~~within 500 feet~~ of the subject location(s) ~~must~~ shall be obtained. The approval must be in the form of a petition, signature card, facsimile or email and is subject to City verification. Approvals must be from property owners/tenants over the age of 18 for each parcel ~~located within a 500 feet perimeter of the property~~ where the preparation, filming, and strikebreakdown activities ~~is~~ are taking place (hereinafter the "Properties"). Approval of one resident of a parcel will be deemed approval of all, unless challenged by another resident of the same parcel. Verified abstentions will be deemed approvals.

4. A filming layout diagram and parking plan must be submitted with the application. All vehicles and equipment must be parked in designated areas only. Should directional signage be required it should be minimal in both size and color ~~and be kept to a minimum~~. Parking on public streets is strongly discouraged. Parking of film vehicles or the blocking of streets by vehicles belonging to the Production Company or production staff without authorization and identification will be cited by the Sheriff's Department.

5. The application shall detail all activity which may cause Public Alarm, such as the use of any animals, gunfire or pyrotechnics, low flying helicopters and/or unmanned aircraft systems (drones).

6. Certificates of Insurance must be attached.

4.7. At the discretion of the City Manager, a Community Services Officer (CSO) may be present during all filming that occurs within City limits. The City contracts with the CSO and costs ~~may be~~ associated with the service will be assessed to the applicant.

#### Film Production Hours of Operation & Noticing

Filming activity may take place between the working hours of 7:00 am and 10:00 pm Monday through Friday only, excluding legal holidays. Extended hours may be considered depending on impact to the community.

7:00 am to 10:00 pm "working hours"

- 75% approval is required from all property owners and/or tenants, over the age of 18 for each parcel within 500 feet of the perimeter of ~~all the Properties, and 90% of all the properties immediately adjacent to the, on which on-site preparation, filming, and strike activities is are to take place~~ Properties. Approval of one resident of a parcel will be deemed approval of all, unless challenged by another resident of the same parcel. Verified abstentions will be deemed approvals, with consideration of verified abstentions from the City Manager.

10:00 pm to 7:00 am Monday – Friday/ Saturday and Sunday all day: "extended hours"

- ~~100%~~ 90% approval is required from all property owners and/or tenants, over the age of 18 for each parcel within 500 feet of the perimeter of ~~the all the properties, and 100% of all the properties immediately adjacent to the Properties, on which on-site preparation, filming, and strike activities is are to take place~~ Approval of one resident of a parcel will be deemed approval of all, unless challenged by another resident of the same parcel, with consideration of verified abstentions will be deemed approvals from the City Manager.  
to extend or decrease dspecified in including, but not limited to, factors such as the  
The City Manager shall have the discretion to extend or decrease the boundary of resident noticing based on the activities specified in the permit application, including, but not limited to, factors such as the level of Public Alarm and geographical considerations.



## Insurance

The Production Company shall be required to present to the City (attached to the application) a Certificate of Insurance with the following minimum coverage:

- ✓ General Liability Insurance in an amount not less than \$2,000,000 naming the City of Bradbury, its officers, employees, agents and volunteers as additional insureds for protection against claims ~~of by~~ third persons for personal injuries, wrongful deaths and property damage, and to indemnify and defend the City for damage to City property arising out of or related to the applicant's Film Activity. The certificate shall not be subject to cancellation or modification ~~until after thirty days written notice to the City~~ until the completion of all planned production activities, including the strike and restoration of all locations, and for one year thereafter. Such insurance shall be evidenced by the Standard General Liability Special Endorsement ~~From form~~ mandated by the California Film Commission, which will remain on file with the City.
- ✓ Evidence of Worker's Compensation Insurance for all persons operating under a City Film permit shall be provided as required by State Law.

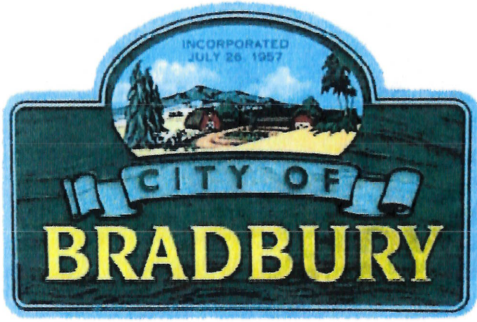
## Fees

The Production Company shall pay to the City all applicable fees and deposits prior to issuance of a City Film Permit. Any cancellation of the Film Activity after a City Film Permit has been issued but before prep has commenced will result in a forfeiture of 50% of the permit as a processing fee. There shall be no refund after prep has commenced. All refund requests must be made in writing and can take up to six weeks for processing.

The permit fee is \$1,030 per day (private or public property). The City Manager may reduce this fee to an amount no less than \$500 per day for good cause and in his or her sole discretion; however, the City Council normally expects non-profits engaging in filming to pay the full \$1,030. Examples for possible reduction include ~~still~~ self-contained still photo shoots, student films for college course work, or public service announcements.

Any negotiations or arrangements for preparation, filming, and strike activity on private property shall be the concern of the Production Company, ~~and~~ the private property owners, and any applicable Homeowners Association. The City disclaims any involvement in or responsibility for those negotiations or arrangements.

# Attachment #4



# City of Bradbury

## FILM PERMIT APPLICATION FORM

Today's date: \_\_\_\_\_

Name of Film Company: \_\_\_\_\_

\_\_\_\_\_  
(Contact person) (Address) (Phone number)

Filming location: \_\_\_\_\_  
(Address) (Property owner) (Phone number)

Staging location: \_\_\_\_\_  
(Address) (Property owner) (Phone number)

Location Logistics		
<u>Activity Type</u>	<u>Dates(s)</u>	<u>Time(s)</u>
<u>Preparation</u>		
<u>Filming</u>		
<u>Strike</u>		
<u>Hold</u>		

Date of filming: \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

Hours of filming: \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

Name of film/commercial: \_\_\_\_\_

Specify number and size of vehicles: \_\_\_\_\_

Where will vehicles be parked? \_\_\_\_\_  
(Parking on public streets is discouraged)

Size of Crew: \_\_\_\_\_

Will signs be posted? If so, how many? \_\_\_\_\_

*(Signs shall be no larger than 4sq. feet and shall be inoffensive in color, preferably white or off-white and the number of signs shall be kept to a minimum.)*

Briefly describe filming related activities (e.g. interior/exterior dialogues, driving activities, stunts, special effects, etc.):

---

---

---

---

Detail any filming related activities that may cause Public Alarm, such as the use of any animals, gunfire or pyrotechnics, low flying helicopters and/or unmanned aircraft systems (drones):

---

---

---

---

**Requirements:**

The following are requirements for obtaining a film permit within the City of Bradbury. Where applicable, attach proof for all listed items:

Have you provided a certificate of liability insurance in the amount of at least \$~~1~~2 million, naming the City of Bradbury as an additionally insured? \_\_\_\_\_

Have you provided a certificate of ~~w~~Worker's ~~e~~Compensation ~~i~~Insurance ~~for a minimum of \$1 million?~~ \_\_\_\_\_

Have you obtained clearance ~~with from both~~ the Los Angeles County Fire Department? ~~and the Los Angeles County Sheriff's Department?~~ \_\_\_\_\_ (please attach proof)

Have you obtained clearance from the Los Angeles County Sheriffs Department? \_\_\_\_\_

Have the appropriate resident approvals been obtained? \_\_\_\_\_



If applicable, Has the Homeowners Association ~~been notified~~ approved of all filming related activities? (if applicable) \_\_\_\_\_

Is the City's Community Services Officer needed for the filming? \_\_\_\_\_

City Manager Approval \_\_\_\_\_ Date \_\_\_\_\_

# Attachment #5

---

**ORDINANCE NO. 379**

---

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF BRADBURY AMENDING  
THE BRADBURY MUNICIPAL CODE  
RELATING TO FILMING PERMITS**

**THE CITY COUNCIL OF THE CITY OF BRADBURY DOES ORDAIN AS  
FOLLOWS:**

Section 1. Article IV of Chapter 2 Title XIII of the Bradbury Municipal Code is hereby amended in its entirety to read as follows:

**Sec. 13.02.600 - Title**

This Article shall be known as the Bradbury Filming Ordinance. It is based upon the Model Filming Ordinance promulgated by the California Film Commission, in accordance with Government Code section 14999.20, and has been reviewed by the Commission prior to final adoption by the City Council.

**Sec. 13.02.610 - Definitions.**

- a. "Motion Picture, Television, Still Photography" shall mean and include all activity attendant to staging or shooting commercial motion pictures, television shows or programs, commercials, digital media, still photography and student films produced to satisfy a post-secondary school course requirement at an educational institution in any medium including film, tape or digital format.
- b. "Charitable Films" shall mean commercials, motion pictures, television, digital media or still photography produced by a nonprofit organization, which qualifies under Section 501(c)(3) of the Internal Revenue Code as a charitable organization. No person, directly or indirectly, shall receive a profit from the marketing and production of the film or from showing the films, tapes, or photos.
- c. "News Media" shall mean the reporters, photographers, and supporting crew members in the employ of a newspaper, news service, or similar entity engaged in on-the-spot print media, publishing or broadcasting, of news events concerning those persons, scenes or occurrences which are in the news and of general public interest.
- d. "Personal/Family Video" shall mean the recording of visual images (motion or still photography) solely for private personal use, and not for commercial use.
- e. "Studio" shall mean a fixed place of business certified as such by a local fire authority having

jurisdiction where filming activities (motion or still photography) are regularly conducted upon the premises.

f. "Studio Filming" shall mean filming activities (motion or still photography) conducted at a studio.

**Sec. 13.02.620 – Permits and Exemptions.**

- a. Permit required: No person shall use any public or private property, facility or residence for the purpose of taking "Motion Pictures, Television, Still Photography" as defined in this Article including charitable films, without first applying for and receiving a permit from the City Manager or designee of the City.
- b. The provisions of this Chapter shall not apply to or affect News Media, Personal/Family Video or Studio Filming,

**Sec. 13.02.625 – Rules and Regulations.**

The City Manager is hereby authorized and directed to promulgate rules and regulations, subject to approval by the City Council, governing the form, time and location of any film activity set forth within the City. The City Manager shall also provide for the issuance of permits. The rules and regulations shall be based upon the following criteria:

- a. The health and safety of all persons;
- b. Mitigation of disruption to all persons within the affected area;
- c. The safety of property within the City; and
- d. Traffic congestion at particular locations within the City.

**Sec. 13.02.630 – Applicants and Issuance.**

- a. Issuing Authority: The issuing authority shall be the City of Bradbury.
- b. Applications: Applicants shall complete all portions of the City's Film Permit Application Form.
- c. Fee Schedule: The issuing authority may adopt a fee schedule.
- d. Change of Date: Upon the request of the applicant, the issuing authority shall have the power, upon a showing of good cause, to change the date for which the permit has been issued, provided established limitations are complied with in respect to time, location, and neighboring residents and associations have been notified at least five days prior to the filming is to occur.

#### **Sec. 13.02.640 – Appeals**

Any person may appeal issuance or denial of the application, or the permit conditions to the City Council prior to or subsequent to issuance in the manner provided in Section 13.01.130.

#### **Sec. 13.02.650 – Liability Provisions.**

- a. **Liability Insurance:** Before a permit is issued, a certificate of insurance will be required in an amount of not less than \$2,000,000 naming the City as an additional insured for protection against claims of third persons for personal injuries, wrongful deaths, and property damage. Higher liability limits or separate aerial coverage shall be required for the use of helicopters and/or drones. City officers and employees shall also be named as additional insured. The City Manager may permit lower limits for insurance in cases where \$2,000,000 is impractical such as student films. An applicant must provide evidence of insurance coverage that will not expire until the completion of all planned production activities, including the strike and restoration of all locations, and for one year thereafter. A copy of the certificate will remain on file with the City until expiration.
- b. **Worker's Compensation Insurance:** An applicant shall conform to all applicable Federal and State requirements for Worker's Compensation Insurance for all persons operating under a permit.
- b. **Hold Harmless Agreement:** An applicant shall execute a hold harmless agreement as provided by the City prior to the issuance of a permit under this ordinance.
- c. **Security Deposit:** To ensure cleanup and restoration of location sites, an applicant may be required to submit a refundable deposit (amount to be determined by the City). Upon completion of filming and inspection of the site by the city/county, if no verifiable damage has occurred, the security deposit shall be returned to the applicant.

#### **Sec. 13.02.660 – Violations**

- a. Any violation or failure to comply with any of the requirements of this Article, the City's Film Policy, or a permit issued pursuant thereto, shall constitute a misdemeanor, subject to daily penalties as set forth in section 1.03.010 (d) of this Code.
- b. Notwithstanding the foregoing, at the discretion of the City Manager or designee, any such violation may be charged and prosecuted as an infraction, subject to the daily penalties set forth in section 1.03.010 (e) of this Code.
- c. Notwithstanding the foregoing, and in addition to, or in lieu of criminal prosecution, any violation of this Article, the City's Film Policy, or a permit issued pursuant thereto, may be subject to administrative enforcement pursuant to section 1.05.070 of this Code.

- d. In addition to the foregoing, if an applicant violates any of the provisions of this Article, the City's Film Policy, or a permit issued pursuant thereto, the City may provide the applicant with verbal or written notice of such violation. If the applicant fails to correct the violation, the City may revoke the permit and all activity must cease.

Section 2. Section 13.01.340 of the Bradbury Municipal Code is hereby amended to read as follows:

**Sec. 13.01.340. Moviemaking and television productions.**

For every person conducting, maintaining or operating moviemaking or television production activities within the City, including all activities governed by Article IV of Chapter 2 Title XIII of this Code, there shall be a daily license fee for the conduct of such activities on private or public property, in an amount as established by the City Council from time to time. The City Clerk is hereby authorized to waive a portion of the said License Fee to an amount no less than \$500.00 per day where, because of the amount of time the activities would take, or because of the scope and/or location of the activities, a lower license fee is justified.

Section 3. If any provision of this Ordinance is held to be unconstitutional, it is the intent of the City Council that such portion of this Ordinance be severable from the remainder and that the remainder be given full force and effect.

Section 4. The City Clerk shall certify to the adoption of this Ordinance.

PASSED, APPROVED and ADOPTED this 16th day of November, 2021.

Elizabeth Bruny  
Elizabeth Bruny  
Mayor

ATTEST:

Claudia Saldana  
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. 379, 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 16th day of November, 2021, that it was duly posted and that the same was passed and adopted by the following vote, to wit:

**AYES:** Mayor Bruny, MPT Lathrop, Councilmembers Barakat, Hale, Lewis  
**NAYS:** None  
**ABSENT:** None

Claudia Saldana  
Claudia Saldana  
City Clerk  
City of Bradbury