

City of
HUNTINGTON PARK California

NOTICE OF CANCELLED MEETING
OF THE SUCCESSOR AGENCY TO THE COMMUNITY
DEVELOPMENT COMMISSION OF THE CITY
OF HUNTINGTON PARK, CALIFORNIA

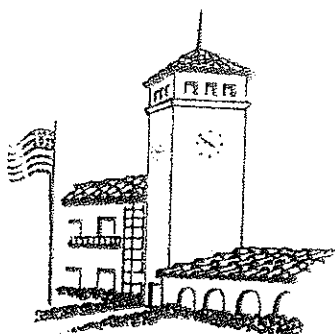


NOTICE IS HEREBY GIVEN that the December 6, 2016, regular meeting of the Successor Agency to the Community Development Commission of the City of Huntington Park is **CANCELLED** due to lack of business.

The next regular meeting is scheduled for Tuesday, December 20, 2016, at 6:00 p.m. in the Council Chambers at the City Hall, 6550 Miles Avenue, Huntington Park, CA.

Donna G. Schwartz, CMC
City Clerk

DATED: December 1, 2016



City of
HUNTINGTON PARK California

NOTICE OF CANCELLED MEETING

THE CITY OF HUNTINGTON PARK

PUBLIC FINANCING AUTHORITY



NOTICE IS HEREBY GIVEN that the December 6, 2016, regular meeting of the City of Huntington Park Public Financing Authority is **CANCELLED** due to lack of business.

NOTE: The next regular meeting is scheduled for Tuesday, December 20, 2016, at 6:00 p.m. in the Council Chambers at the City Hall, 6550 Miles Avenue, Huntington Park, CA.

Donna G. Schwartz, CMC
City Clerk

DATED: December 1, 2016

CITY OF HUNTINGTON PARK *REVISED*

City Council Regular Meeting Agenda Tuesday, December 6, 2016

6:00 p.m.
City Hall Council Chambers
6550 Miles Avenue, Huntington Park, CA 90255

Graciela Ortiz
Mayor

Marilyn Sanabria
Vice Mayor

Jhonny Pineda
Council Member



Karina Macias
Council Member

Valentin Palos Amezquita
Council Member

All agenda items and reports are available for review in the City Clerk's Office and www.hpca.gov. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Office of the City Clerk located at 6550 Miles Avenue, Huntington Park, California 90255 during regular business hours, 7:00 a.m. to 5:30 p.m., Monday – Thursday, and at the City Hall Council Chambers during the meeting.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the City Clerk's Office either in person at 6550 Miles Avenue, Huntington Park, California or by telephone at (323) 584-6230. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

PLEASE SILENCE ALL CELL PHONES AND OTHER ELECTRONIC EQUIPMENT WHILE COUNCIL IS IN SESSION. Thank you.

PLEASE NOTE--The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Members of the City Council. Members of the City Council and the public are reminded that they must preserve order and decorum throughout the Meeting. In that regard, Members of the City Council and the public are advised that any delay or disruption in the proceedings or a refusal to obey the orders of the City Council or the presiding officer constitutes a violation of these rules.

- The conduct of City Council meetings is governed by the portion of the California Government Code commonly known as the "Brown Act" and by the Huntington Park City Council Meeting Rules of Procedure.
- The City Council meeting is for conducting the City's business, and members of the audience must obey the rules of decorum set forth by law. This means that each speaker will be permitted to speak for three minutes to address items that are listed on the City Council agenda or topics which are within the jurisdictional authority of the City.
- No profanity, personal attacks, booing, cheering, applauding or other conduct disruptive to the meeting will be permitted. Any person not adhering to the Rules of Procedure or conduct authorized by the Brown Act may be asked to leave the Council Chambers.
- All comments directed to the City Council or to any member of the City Council must be directed to the Mayor (or Chairperson if Mayor is absent).

We ask that you please respect the business nature of this meeting and the order required for the proceedings conducted in the Council Chambers.

Public Comment

The Council encourages all residents of the City and interested people to attend and participate in the meetings of the City Council.

If you wish to address the Council, please complete the speaker card that is provided at the entrance to the Council Chambers and give to City Clerk prior to the start of Public Comment.

For both open and closed session each speaker will be limited to three minutes per Huntington Park Municipal Code Section 2-1.207. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from one meeting to another. **This is the only opportunity for public input except for scheduled public hearing items.**

All comments or queries shall be addressed to the Council as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the City Council shall be undertaken on

any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

Additions/Deletions to Agenda

Items of business may be added to the agenda upon a motion adopted by a minimum two-thirds vote finding that there is a need to take immediate action and that the need for action came to the attention of the City or Agency subsequent to the agenda being posted. Items may be deleted from the agenda upon the request of staff or Council.

Important Notice

The City of Huntington Park shows replays of City Council Meetings on Local Access Channel 3 and over the Internet at www.hpca.gov. NOTE: Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice.

CALL TO ORDER

ROLL CALL

Mayor Graciela Ortiz
Vice Mayor Marilyn Sanabria
Council Member Valentin Palos Amezcuita
Council Member Karina Macias
Council Member Jhonny Pineda

INVOCATION

PLEDGE OF ALLEGIANCE

Mia Calderon, Student Council President, Huntington Park Elementary School

PRESENTATIONS AND ANNOUNCEMENTS

Presentation on a Community Revitalization and Investment Authority (CRIA) by Kosmont Companies

Presentation by Students of Aspire Pacific Academy

Presentation on Bulky and Illegal Dumped Items by United Pacific Waste

Recognition of Huntington Park Police Department Retirees

Poster Contest Announcement for High School Students Attending School in or Residing in Huntington Park.

PUBLIC COMMENT

Pursuant to Government Code Section 54954.3(a) Members of the public will have an opportunity to address the City Council on items listed on this regular meeting agenda. For items on this agenda each speaker will be limited to three minutes per Huntington Park Municipal Code Section 2-1.207. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from one meeting to another.

STAFF RESPONSE

RECESS TO CLOSED SESSION

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNCIL –EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
City of Huntington Park et al. v. Watanabe et al., Sacramento County
Superior Court Case No. 34-2013-80001678.

2. **CONFERENCE WITH LABOR NEGOTIATOR**
(Government Code Section 54957.6(a)) - Regarding Represented Employees
City's Designated Representative(s) for Negotiations: Edgar Cisneros, City
Manager
Employee Organization: Police Officers Association (POA)

RECONVENE TO OPEN SESSION

CLOSED SESSION ANNOUNCEMENT

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items prior to the time the Council votes on the motion unless members of the Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for separate action.

OFFICE OF THE CITY CLERK

1. **Approve Minute(s) of the following City Council Meeting(s):**

1-1 Regular City Council Meeting held Tuesday, November 15, 2016.

COMMUNITY DEVELOPMENT

2. **Resolution Adopting the Downtown Huntington Parking Specific Plan (DTSP) Temporary In-Lieu Parking Fee Reduction**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Adopt Resolution No. 2016-52 approving a temporary reduction of the in-lieu parking fee for a period of three (3) years for restaurant uses within the Downtown Huntington Park Specific Plan Area (DTSP)

FINANCE

3. **Approve Accounts Payable and Payroll Warrants dated December 6, 2016**
4. **Adopt Ordinance No. 2016-951, Granting the Transfer of the ExxonMobil Oil Corporation Ordinance No. 353-NS to Torrance Pipeline Company LLC, for the Use and Maintenance of an Existing Underground Pipeline**

PUBLIC WORKS

5. **Adopt Ordinance No. 2016-953, Amending Ordinance No. 747-NS, Updating the City of Huntington Park Municipal Code, Title 7, Chapter 10, Entitled “Construction and Demolition Material Waste Management Plan”**
END OF CONSENT CALENDAR

REGULAR AGENDA

COMMUNITY DEVELOPMENT

6. **Receive and File Report and Analysis from Community Development and Kosmont Companies Regarding a Community Revitalization and Investment Authority (CRIA), Discussion and/or Action on the Matter**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Discuss report and analysis regarding the feasibility of a CRIA within the City of Huntington Park;
2. File report and analysis regarding the feasibility of a CRIA within the City of Huntington Park; and
3. Provide direction to staff to continue to work on studying or implementation of a CRIA within the City of Huntington Park.

7. **Approve Ordinance and Urgency Ordinance Adopting by Reference the Los Angeles County Building, Residential, Electrical, Plumbing, Mechanical and Existing Building Codes with Certain Amendments**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Waive further reading, and introduce Ordinance No. 2016-954, Adopting by reference and amend the 2017 Los Angeles County Building, Residential, Electrical, Mechanical, Plumbing Code and Existing Building Codes;
2. Set a Public Hearing for consideration and adoption of said Ordinance for the December 20, 2016, City Council Meeting; and
3. Waive further reading and adopt Urgency Ordinance No. 2016-955, Adopting by reference and amending the 2017 Los Angeles County Building, Residential, Electrical, Mechanical, Plumbing Code and Existing Building Codes.

REGULAR AGENDA (Continued)

COMMUNITY DEVELOPMENT

- 8. Ordinance Amending Title 4, Chapter 7, Article 19 Entitled “Medical Marijuana Delivery” and Title 3, Chapter 1, Article 24 Entitled “Medical Marijuana Businesses” of the City of Huntington Park Municipal Code**

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Introduce Ordinance No. 2016-952, Amending Title 4, Chapter 7, Article 19 of the Huntington Park Municipal Code, Relating to Medical Marijuana Deliveries, and Title 3, Chapter 1, Article 24 relating to Medical Marijuana Business Permits of the Huntington Park Municipal Code approve proposed amendment; and waive first reading; and
2. Schedule the second reading and adoption of said Ordinance for the December 20, 2016 City Council meeting.

END OF REGULAR AGENDA

PUBLIC HEARING

COMMUNITY DEVELOPMENT

- 9. Approve Amendment Number Two (Substantial) to the Fiscal Year (FY) 2016-2017 Annual Action Plan (AAP) for Community Development Block Grant (CDBG) Federal Funds**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Conduct a public hearing;
2. Consider public testimony;
3. Approve the Substantial Amendment Number Two (Attachment A) to the Annual Action Plan for FY 2016-2017, inclusive of any comments received by the City Clerk during the 30-day public comment period preceding today's date and during this evening's public hearing; and

4. Authorize City staff to electronically transmit the amended components of the FY 2016/17 Annual Action Plan to the U.S. Department of Housing and Urban Development Department (HUD) via the eCon Planning Suite in the Integrated Disbursement and Information System (IDIS).

DEPARTMENTAL REPORTS (Information only)

WRITTEN COMMUNICATIONS

COUNCIL COMMUNICATIONS

Council Member Valentin Palos Amezquita

Council Member Karina Macias

Council Member Jhonny Pineda

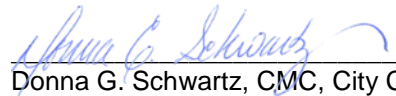
Vice Mayor Marilyn Sanabria

Mayor Graciela Ortiz

ADJOURNMENT

The City of Huntington Park City Council will adjourn to a Regular Meeting on Tuesday, December 20, 2016, at 6:00 P.M.

I, Donna G. Schwartz, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted within 72 hours at City of Huntington Park City Hall and made available at www.hpca.gov on the 1st of December 2016.



Donna G. Schwartz, CMC, City Clerk

MINUTES

Regular Meeting of the
City of Huntington Park City Council
Tuesday, November 15, 2016

Sergeant at Arms read the Rules of Decorum

The regular meeting of the City Council of the City of Huntington Park, California was called to order at 6:05 p.m. on Tuesday, November 15, 2016, in the Council Chambers at City Hall, 6550 Miles Avenue, Huntington Park, California; Mayor Graciela Ortiz presiding.

PRESENT: Council Member(s): Valentin Palos Amezcuita, Jhonny Pineda, Karina Macias, Vice Mayor Marilyn Sanabria and Mayor Graciela Ortiz. CITY OFFICIALS/STAFF: Edgar Cisneros City Manager; Arnold Alvarez-Glasman, City Attorney; Cosme Lozano, Chief of Police; Josette Espinosa, Director of Parks and Recreation; Manuel Acosta, Economic Development Manager; Martha Castillo, Human Resources Director; Fernanda Palacios, Project Manager; Michael Ackerman, Acting Public Works Director/City Engineer, and Donna Schwartz, City Clerk. ABSENT: Jan Mazyck, Interim Finance Director.

INVOCATION

The invocation was led by Mayor Ortiz.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Gianna Salmeron, Lucille Roybal-Allard Elementary School.

PRESENTATIONS AND ANNOUNCEMENTS

Council presented a "Certificate of Appreciation" to Gianna Salmeron for leading the Pledge of Allegiance.

Musical Performance by Ms. René Rowland's Music class, Huntington Park Elementary School.

Council presented "Certificates of Appreciation" to Wild Campanas and Dream Big Orchestra of Huntington Park Elementary School.

Council presented "Certificates of Recognition" to Senior Officer Jose Macias and Officer Hank Lee, Huntington Park Police Department Life Saving Heroes.

Gloria Rodriguez, Representative of Parents of Exceptional Children, gave a brief explanation of the program and presented flowers to Council for their support.

Not in attendance - Presentation by Centro Medico Huntington Park

PUBLIC COMMENT

1. DeAnn D'Lean, commented on the newly elected president, respect, herself being a teacher and sanctuary cities.
2. Arthur Schaper, We the People Rising, spoke in opposition to Council, commented on the newly elected president, a homicide, federal funds and proposed cuts and asked to rescind the two appointments.
3. Raul Rodriguez, commented on the newly elected and current president, remarked "demorats," commented on sanctuary cities, laws not being enforced and being violated, spoke in opposition to Council, noted a forensic audit that was previously requested, and mentioned city being \$3 million in debt.
4. Channel Temple, We the People Rising, commented on the newly elected president, discrimination, "illegal aliens," visa process, sanctuary cities and crime with regard to ethnicity.
5. Robin Hvidston, We the People Rising, commented on lawlessness, the two appointments to be replaced with citizens, commented on the newly elected and current president, and sanctuary cities with regard to federal funding cuts.
6. Valentin Amezquita, commented on the newly elected and current president, jobs needed in the country, in the city, passing of Measure M and creation of jobs, light rail project and use of monies to have it built sooner and commented on international trading.
7. Wes Parker, commented on the newly elected president, environment, immigration, Mexico, economic growth, and spoke in opposition to Council.
8. Mike McGetrick, spoke in opposition to Council, commented on the newly elected president, Mexico, and crime then loudly slammed down the microphone.

At 7:35 p.m. Mayor called 1st warning on Mike McGetrick for being out of order.

At 7:35 p.m. Mayor called 1st warning on Arthur Schaper for being out of order, Mayor called 2nd warning on Arthur Schaper for continuing to be out of order,

At 7:36 p.m. Mayor called 3rd warning on Arthur Schaper for continuing to be out of order and asked Seargent at Arms to escort Mr. Schaper out of the chambers.

9. Janet West, asked Council to follow rule of law, commented on the two appointments and submission of their resignation, read a memo by the City Manager regarding Pacific Boulevard, and funds being lost.
10. Miguel Perez, spoke in support of installing bike lanes on Pacific Boulevard.
11. Kerry Porter, acknowledged the efforts of Officer Settles in helping with the Neighborhood Watch program, thanked Council Member Macias for attending the

first meeting and invited the public to attend the next meeting on December 1, 2016, 7:00 p.m. at Freedom Park.

12. Celina, Cruzitas Deli & Café, spoke in support of bike lanes on Pacific Boulevard, feels it would encourage the community to engage with the businesses and thanked Public Works for installing bike racks.
13. Christina Perez, Enrich LA, spoke in support of installing bike lanes on Pacific Boulevard, feels it would promote healthy mind sets and supports Council.
14. Bryon Ayala, feels quality of life needs improvement in the city and would like to get more involved in the community, supports putting in bike lanes on Pacific Boulevard and will attend more meetings.
15. Mark Lopez, promotes active transportation and spoke in support of installing bike lanes in the community.
16. Derek Eller, spoke in support of installing bike lanes on Pacific Boulevard.
17. Rodolfo Cruz, commented on issues in the city, on Pacific Boulevard and the outcome of the Presidential elections.
18. Roberto Cabrales, Health and Education Commissioner, noted round table discussions that have occurred regarding streets and spoke in support of agenda item 5 and recommends moving forward with the project.
19. Bryan Moller, LA County Bicycle Coalition, spoke in support of item 5 and moving forward with the project and in support of installing bike lanes.
20. Francisco Rivera, commented on illegal dumping, acknowledged the City of Huntington Park Police Department for their outstanding job, commented on bus stops having graffiti and trash under benches and in the streets, and commented on the Presidential elections.
21. Ed Ramirez, spoke in opposition to reducing the car lanes noting that the city is growing and increasing traffic and recommended the city implement a sugar tax.

STAFF RESPONSE

Mayor Ortiz asked Mr. Ackerman, Acting Public Works Director/City Engineer to set-up a meeting regarding bus stops.

CLOSED SESSION

At 8:16 p.m. City Attorney Alvarez-Glasman recessed to closed session.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(d)(1)

At 9:00 p.m. Mayor Ortiz reconvened to open session. All Council Members present.

CLOSED SESSION ANNOUNCEMENT

As the Assistant City Attorney was late arriving to his seat, City Manager Edgar Cisneros announced that Council discussed closed session Item 1, no action was taken, nothing to report.

CONSENT CALENDAR

Motion: Vice Mayor Sanabria motioned to approve consent calendar items, seconded by Council Member Macias. Motion passed 4-1 by the following vote:

ROLL CALL:

AYES: Council Member(s): Pineda, Macias, Vice Mayor Sanabria and Mayor Ortiz
NOES: Council Member(s): Amezcua

OFFICE OF THE CITY CLERK

1. Approved Minute(s) of the following City Council Meeting(s):
1-1 Regular City Council Meeting held Tuesday, November 1, 2016.

FINANCE

2. Approved Accounts Payable and Payroll Warrants dated November 15, 2016.

END OF CONSENT CALENDAR

REGULAR AGENDA

FINANCE

3. **Continued from the November 1, 2016, Regular City Council Meeting - Ordinance Granting the Transfer of Ordinance No. 353-NS to Torrance Pipeline Company LLC, (Successor-in-Interest to ExxonMobil Oil Corporation)**

Motion: Vice Mayor Sanabria motioned to waive further reading and introduce Ordinance No. 2016-951 granting the transfer of the ExxonMobil Oil Corporation Ordinance No. 353-NS to Torrance Pipeline Company LLC, for the use and maintenance of an existing underground pipeline and schedule the adoption of Ordinance No. 2016-951, as described above, for the December 6, 2016, City Council meeting, seconded by Council Member Pineda. Motion passed 5-0 by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Macias, Vice Mayor Sanabria and Mayor Ortiz

NOES: Council Member(s): None

COMMUNITY DEVELOPMENT

4. Approve Second Amendment to Affordable Housing Agreement with Oldtimers Housing Development Corporation-IV for Middleton Place Project

Motion: Vice Mayor Sanabria motioned to approve a Second Amendment to Affordable Housing Agreement with Oldtimers Housing Development Corporation-IV for the construction of a residential project located at 6614 & 6700 Middleton Street (Middleton Place Project), direct staff to work with legal counsel to complete the second amendment to the Agreement, which will reflect the revisions discussed in the staff report and authorize the City Manager to execute the Agreement and all documents required as part of the Project in a form approved by legal counsel, seconded by Council Member Macias. Motion passed 5-0 by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Macias, Vice Mayor Sanabria and Mayor Ortiz

NOES: Council Member(s): None

PUBLIC WORKS

5. Requesting Direction Regarding Caltrans Active Transportation Program – State Street Complete Street Project

Motion: Council Member Macias made a motion to direct Staff regarding City Council's desired project and program direction and authorize staff to inform Caltrans that the city no longer wishes to proceed with the project and release the funds, seconded by Mayor Ortiz. Motioned failed due to amended motion.

Amended Motion: Mayor Ortiz motioned to direct staff regarding City Council's desired project and program direction and authorize staff to inform Caltrans that the city no longer wishes to proceed with the project, release the funds *and direct staff to obtain a cost estimate for installing a Class 3 bike lane from Santa Ana Street to Slauson Avenue on State Street*, seconded by Council Member Macias. Motion passed 3-2 by the following vote:

ROLL CALL:

AYES: Council Member(s): Macias, Vice Mayor Sanabria and Mayor Ortiz

NOES: Council Member(s): Amezquita and Pineda

6. An Ordinance Amending Ordinance No. 747-NS Updating the City of Huntington Park Municipal Code, Title 7, Chapter 10, Entitled “Construction and Demolition Material Waste Management Plan” to Comply with the State of California Building Standards (CalGreen)

Motion: Vice Mayor Sanabria motioned to waive first reading and introduce Ordinance No. 2016-953, Amending Ordinance No. 747-NS, Updating the City of Huntington Park Municipal Code Title 7, Chapter 10, Entitled “Construction and Demolition Material Waste Management Plan” and schedule the second reading and adoption of said Ordinance for the December 6, 2016 City Council meeting, seconded by Mayor Ortiz. Motion passed 5-0 by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezcuita, Pineda, Macias, Vice Mayor Sanabria and Mayor Ortiz

NOES: Council Member(s): None

PARKS AND RECREATION

7. Resolution Approving the Application for Grant Funds to the Youth Soccer and Recreation Development Program to Resurface the Commonly Used Basketball Courts Located at Salt Lake Park to Continue Providing Connectivity and Physical Activity Opportunities for the Community

Motion: Vice Mayor Sanabria motioned to adopt Resolution No. 2016-51, approving the application for grant funds to the Youth Soccer and Recreation Development Program to resurface the commonly used outdoor basketball courts located at Salt Lake Park, and authorize the Director of Parks and Recreation to execute and submit all related grant application documents, seconded by Mayor Ortiz. Motion passed 5-0 by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezcuita, Pineda, Macias, Vice Mayor Sanabria and Mayor Ortiz

NOES: Council Member(s): None

POLICE

8. Approve the 2016-2017 Selective Traffic Enforcement Program (STEP) Grant Agreement

Motion: Vice Mayor Sanabria motioned to authorize the Police Department to accept funding provided through the Selective Traffic Enforcement Program totaling \$70,000.00, authorize the Chief of Police, Finance Director, and Grant Director (Traffic Lieutenant) to execute the Standard Agreement for FY 2016-2017 for Selective Traffic Enforcement Program (STEP), between the City of Huntington Park and the State of California Office

of Traffic Safety and appropriate the amount of \$70,000.00 in the City's FY 16-17 Budget for the overtime, travel and supplies specified within this report, seconded by Council Member Macias. Motion passed 5-0 by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Macias, Vice Mayor Sanabria and Mayor Ortiz

NOES: Council Member(s): None

END OF REGULAR AGENDA

DEPARTMENTAL REPORTS (Information only)

WRITTEN COMMUNICATIONS – None.

COUNCIL COMMUNICATIONS

Council Member Valentin Palos Amezquita, feels there are other options that can be considered regarding police force, commented on the vote made by Council on agenda item 5, feels the project should have moved forward and if not too late would like to see a survey asking residents how they would vote regarding the Pacific Boulevard project, acknowledge a flyer that was sent out regarding himself and clarified he supports immigration reform for undocumented immigrants to be documented, and wished everyone a Happy Thanksgiving.

Council Member Karina Macias, thanked staff for all their support in making the "Hauntington" Park event a success noting the residents enjoyed it and are looking forward to next year, thanked Council Member Pineda, Vice Mayor Sanabria and Mayor Ortiz for their participation, announced the tree planting event she participated in from November 12, 2016, remarked on comments made regarding the newly elected President stating there certainly is fear in the community regarding what actions will happen but is hopeful for the country and local elected representatives that will represent the community, noted the City of Huntington Park is not a sanctuary city, commented on local stances made by students in the city, reminded Council that they work for the community and represent the residents and are here to support them.

Council Member Jhonny Pineda, happy to see people in the audience, commented on the Presidential elections and the newly elected president noting it doesn't change his decision regarding the two appointments that volunteer, measures that passed, noted the Christmas parade and encouraged businesses to participate, asked staff to look into educating the residents at the apartments between Carmelita and Slauson on cleaning up after their pets, invited the public to attend the tree lighting event on November 23,rd thanked staff for all their support and wished everyone a good night.

Vice Mayor Marilyn Sanabria, thanked staff for all their support, those who attended tonight's meeting, thanked Council Member Macias, Council Member Pineda, and Mayor Ortiz for participating in the Turkey-Give-Away last weekend, announced the Christmas Parade is scheduled for December 10, 2016, noted the oath she had taken to represent the community and wished everyone a good night.

Mayor Graciela Ortiz, announced on December 1, 2016 is Aids Day, thanked the City of Huntington Park Police Department for their patience during the student walk outs, thanked them for stability to community especially now, noted youth looks up to the Council, asked to keep community united and to lead by example, thanked staff for all their support and wished everyone a Happy Thanksgiving.

ADJOURNMENT

At 10:10 p.m. Mayor Ortiz adjourned the City of Huntington Park City Council to a Regular Meeting on Tuesday, December 6, 2016, at 6:00 P.M.

Respectfully submitted,

Donna G. Schwartz, CMC, City Clerk



CITY OF HUNTINGTON PARK

Community Development Department
City Council Agenda Report

December 6, 2016

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

RESOLUTION ADOPTING THE DOWNTOWN HUNTINGTON PARKING SPECIFIC PLAN (DTSP) TEMPORARY IN-LIEU PARKING FEE REDUCTION

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Adopt Resolution No. 2016-52 approving a temporary reduction of the in-lieu parking fee for a period of three (3) years for restaurant uses within the Downtown Huntington Park Specific Plan Area (DTSP)

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In 2010, the City Council adopted a temporary ordinance reducing the DTSP in-lieu parking fee from \$29,677.06 to \$2,000.00 for a period of two years. The temporary reduction expired in 2012. The temporary reduction was applicable to all uses within the DTSP. As of August 2012, the DTSP in-lieu parking fee has reverted back to the \$29,677.06 amount.

The City has received several concerns from prospective business owners, property owners, and current business owners regarding the current in-lieu parking fee amount.

The City has been working closely with a representative from the Planning Commission and business and property owners within the DTSP to address their concerns with the in-lieu parking fee. Meetings have been held to discuss potential relief to the existing fee amount. Based on these meetings, staff has been directed to prepare a draft Resolution for a temporary reduction of in-lieu parking fees within the DTSP for the City Council's consideration.

November 16, 2016 Planning Commission Meeting

At the November 16, 2016 Planning Commission meeting, the Commission considered the draft Resolution for a temporary reduction of fees for in-lieu parking within the DTSP. The proposed Resolution included the following specific criteria in order to be eligible for a reduced in-lieu parking fee:

RESOLUTION ADOPTING THE DOWNTOWN HUNTINGTON PARKING SPECIFIC PLAN (DTSP) TEMPORARY IN-LIEU PARKING FEE REDUCTION

December 6, 2016

Page 2 of 2

- Applicable to restaurant uses only;
- Restaurant uses must be within 300 feet of a public parking lot;
- Restaurant uses must be a minimum of 2,000 square feet or larger;
- The reduced fee runs with the restaurant and not with the land;
- Restaurants expanding would be allowed to request a reduced in-lieu fee for deficient off-street parking spaces;
- Changes in ownership will require review of conditions with new owner;
- All required approvals/permits will be required to be obtained in order to be eligible to apply for the reduced in-lieu fee; and
- A minimum of \$5,000.00 or the equal value of reduced in-lieu fees, whichever is greater, shall be required to be put towards exterior building improvements.

At the conclusion of the meeting, the Planning Commission adopted PC Resolution No. 2016-22 recommending to the City Council a temporary reduction of the in-lieu parking fee for the Downtown Huntington Park Specific Plan Area.

FISCAL IMPACT/FINANCING

Reduced fees collected from future eligible restaurant uses within the DTSP.

CONCLUSION

The proposed temporary reduction will assist in promoting the City's DTSP area as a place of destination by encouraging restaurant uses within the City's downtown. In addition, the temporary reduction will provide relief to the City's current off-street parking requirements for restaurants by providing business owners with an option to pay a reduced in-lieu fee. Upon the expiration of the temporary reduced fee, the fee would revert back to the \$29,677.08 amount unless extended by the City Council.

Respectfully submitted,



EDGAR P. CISNEROS
City Manager

ATTACHMENT(S)

A. Resolution No. 2016-52

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK ADOPTING A TEMPORARY REDUCTION OF THE IN-LIEU PARKING FEE FOR A PERIOD OF THREE (3) YEARS FOR RESTAURANT USES WITHIN THE DOWNTOWN HUNTINGTON PARK SPECIFIC PLAN AREA

WHEREAS, the procedure and standards pertaining to in-lieu parking are established within Title 9, Chapter 3, Article 8 of the Huntington Park Municipal Code; and

WHEREAS, the procedure and standards state that the in-lieu parking fee for each deficient space shall be determined by the City Council; and

WHEREAS, City Council Resolution NO. 2008-7 adopted on February 19, 2008 established the in-lieu parking fee in the amount of \$38,861.38 for each deficient parking space; and

WHEREAS, City Council Resolution No. 2010-62 adopted on September 20, 2010 established a two-year temporary reduced in-lieu parking fee of \$2,000.00 for each deficient parking space; and

WHEREAS, City Council Resolution No. 2010-62 expired on September 20, 2012 and the in-lieu parking fee was set at \$29,677.08 for each deficient parking space; and

WHEREAS, The Planning Commission recommended approval of the reduced in-lieu parking fee to the City Council on November 16, 2016;

WHEREAS, the adopted in-lieu parking fee has deterred businesses from establishing within the downtown commercial district; and

WHEREAS, during this economic climate the commercial vacancy rate has increased within the downtown commercial district; and

WHEREAS, the City Council wishes to encourage restaurants to establish within the downtown commercial district; and

WHEREAS, the current in-lieu parking fee amount does not reflect the true current cost of providing parking in the downtown commercial district; and

WHEREAS, the City Council has reviewed the Parking Cost Analysis to determine the true cost of developing parking in the downtown commercial district; and

1 **WHEREAS**, the in-lieu parking fee established by this resolution is equal to or less
2 than the costs of developing parking in the downtown commercial district; and

3 **WHEREAS**, the proposed reduction in-lieu parking fee encourages the establishment
4 of restaurants within the downtown district providing a public benefit to the community.

5 **NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK**
6 **DOES HEREBY RESOLVE AS FOLLOWS:**

7 **SECTION 1:** The in-lieu parking fee for each deficient space established by City
8 Council Resolution No. 2008-7 is hereby amended.

9 **SECTION 2:** Restaurants within the DTSP and within a 300 foot radius to public
10 parking. Restaurants deficient in parking that are within a 300 foot radius of public parking
11 are eligible to pay a reduced in-lieu fee of \$2,000 per deficient off-street parking space.

12 **SECTION 3:** Eligible restaurants shall be a minimum of 2,000 square feet or larger.

13 **SECTION 4:** Fee reduction runs with the restaurant; not with the land.

14 **SECTION 5:** Fee reduction may apply if restaurant expands building footprint.
15 Reduced fees shall be applicable for additional deficient off-street parking spaces resulting
16 from expansion.

17 **SECTION 6:** Change of ownership will trigger review of conditions with new owner, if
18 new owner does not agree with conditions fees will revert to existing in-lieu parking fee.

19 **SECTION 7:** All approval/permits shall be obtained in order to be eligible to apply for
20 the reduced in-lieu fee.

21 **SECTION 8:** Restaurant can be called for review if conditions of approval are not
22 being met

23 **SECTION 9:** Exterior improvements shall be required as part of the reduced in-lieu
24 fee. A minimum of \$5,000.00 or the equal value of reduced in-lieu fees, whichever is
25 greater, shall be required to be put towards exterior improvements. (Ex: If a restaurant is
26 deficient 5 parking spaces, the in-lieu fee is \$10,000.00. A total of \$10,000.00 will be
27 required to be put toward exterior improvements.)

28 **SECTION 10:** At the conclusion of the three (3) years of this Resolution, the in-lieu

1 parking fee shall return to the amount stated in Resolution No. 2010-62 adopted on
2 February 19, 2008 unless the extended in time by the City Council.

3 **SECTION 11:** The City Clerk shall certify to the adoption of this Resolution.
4

5 **PASSED, APPROVED AND ADOPTED** this 6th day of December 2016.
6

7 _____
8 Graciela Ortiz, Mayor

9 Attest:

10 _____
11 Donna Schwartz, City Clerk
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City of Huntington Park List of Funds

Fund	Description	Fund	Description
111	General Fund	237	Community Planning
112	Waste Collection/Disposal	239	Federal CDBG Fund
114	Spec Events Contrib Rec	240	HUD EZ/EC Soc Sec Block
115	Contingency Fund	242	HUD Home Program
120	Special Revenue DNA ID	243	HUD 108 B03MC060566
121	Special Revnu Welfare Inm	245	EPA Brownfield
150	Emergency Preparedness	246	LBPHCP-Lead Base
151	Economic Development	247	Neighborhood Stabilization
201	Environmental Justice	248	Homelessness Prevention
212	P & R Grants	252	ABC
213	Park Facilities	275	Successor Agency
214	Recreation Field Charter	283	Sewer Maintenance Fund
216	Employees Retirement Fund	285	Solid Waste Mgmt Fund
217	OPEB	286	Illegal Disposal Abatemnt
219	Sales Tax-Transit Fund A	287	Solid Waste Recycle Grant
220	Sales Tax-Transit C	288	COMPBC
221	State Gasoline Tax Fund	334	Ped/Bike Path Fund
222	Measure R	349	Capital Improvement Fund
223	Local Origin Program Fund	475	Public Financng Authority
224	Office of Traffc & Safety	533	Business Improv Dist Fund
225	Cal Cops Fund	535	Strt Lght & Lndscp Assess
226	Air Quality Improv Trust	681	Water Department Fund
227	Offc of Criminal Justice	741	Fleet Maintenance
228	Bureau of Justice Fund	745	Worker's Compensation Fnd
229	Police Forfeiture Fund	746	Employee Benefit Fund
231	Parking System Fund	748	Veh & Equip Replacement
232	Art in Public Places Fund	779	Deferred Comp. Trust Fund
233	Bullet Proof Vest Grant	800	Pooled Cash
234	Congressional Earmark	801	Pooled Cash Fund
235	Federal Street Improvmnt	802	Pooled Interest

CITY OF HUNTINGTON PARK
DEMAND REGISTER
12-06-16

Payee Name	Invoice Number	Account Number	Description	Transaction Amount	Prepaid Y/N
15ANERA	57493/61692	111-0000-228.20-00	Deposit Refund	425.00	N
				425.00	
3M	SS34489	221-8012-429.61-20	Dept Supplies & Expense	1,084.01	N
	SS34522	221-8012-429.61-20	Dept Supplies & Expense	490.18	N
	SS34521	221-8012-429.61-20	Dept Supplies & Expense	353.16	N
				1,927.35	
AAA ELECTRICAL SUPPLY INC	301521-00	535-8016-431.61-45	Equipment	45.24	N
	301347-00	111-1010-411.74-10	Street Lighting Supplies	2,534.90	N
				2,580.14	
ABC HOLDING COMPANY INC	154391	111-0240-466.55-42	Public Events	10,000.00	Y
				10,000.00	
ADAMSON POLICE PRODUCTS	INV227656	229-7010-421.74-10	Equipment	534.10	N
				534.10	
ADMIN SURE	9744	745-9030-413.33-70	Contrctual Srv 3rd Party	7,080.40	N
				7,080.40	
ADMINISTRATIVE SERVICES COOP, INC.	330913	219-0250-431.56-45	Dial-A-Ride (All City)	32,935.42	N
				32,935.42	
ADOLFO PACHECO	61089/61249	111-6060-466.33-20	Contractual Srv Class	243.20	N
	60888/61140	111-6060-466.33-20	Contractual Srv Class	152.00	N
				395.20	
AFSCME COUNCIL 36	PPE 11-06-2016	802-0000-217.60-10	Association Dues	696.60	Y
				696.60	
AIM CONSULTING SERVICES	HP_005(2)	220-8010-431.73-10	Improvements	20,325.65	N
	HP-005(2)	220-8010-431.73-10	Improvements	1,769.35	N
	HP_006	220-8010-431.73-10	Improvements	39,215.99	N
				61,310.99	
ALFREDO DE LA TORRE CONSTRUCTION	3332-1	239-5070-463.56-52	Contract Home Repairs	338.75	N
	3332-2	246-5098-463.73-10	Improvements	52.50	N
	3332-3	246-5098-463.73-10	Improvements	110.00	N
	3332-4	246-5098-463.73-10	Improvements	317.50	N
				818.75	
ALFREDO GOMEZ	60232/61759	111-0000-228.20-00	Deposit Refund	28.00	N
				28.00	

**CITY OF HUNTINGTON PARK
DEMAND REGISTER
12-06-16**

Payee Name	Invoice Number	Account Number	Description	Transaction Amount	Prepaid Y/N
ALL CITY MANAGEMENT SERVICES	44604	111-7022-421.56-41	Contract/Other	5,653.48	N
	45289	111-7022-421.56-41	Contract/Other	5,802.93	N
	45592	111-7022-421.56-41	Contract/Other	5,730.34	N
	45833	111-7022-421.56-41	Contract/Other	6,439.16	N
				23,625.91	
ALVAREZ-GLASMAN & COLVIN	2016-09-15524	745-9031-413.32-70	Contractual Srv Legal	90.00	N
	2016-09-15527	745-9031-413.32-70	Contractual Srv Legal	967.50	N
	2016-09-15529	745-9031-413.32-70	Contractual Srv Legal	3,300.00	N
	2016-09-15528	745-9031-413.32-70	Contractual Srv Legal	90.00	N
	2016-09-15526	745-9031-413.32-70	Contractual Srv Legal	90.00	N
	2016-09-15525	745-9031-413.32-70	Contractual Srv Legal	680.00	N
	2016-09-15524	111-0220-411.32-70	Contractual Srv Legal	19,747.95	N
				24,965.45	
AMBIUS	008360LA299098	111-6020-451.56-41	Contractual Srv - Other	4,955.58	N
				4,955.58	
AMERICAN FAMILY LIFE ASSURANCE	PPE 11-06-2016	802-0000-217.50-40	Life-Cancer Insurance	106.58	Y
				106.58	
AMERICAN RENTALS INC	390541	111-6020-451.61-35	Recreation Supplies	284.35	N
				284.35	
ANNIE RUIZ	28340	111-3010-415.59-15	Professional Development	17.00	N
				17.00	
ANNYA SUAREZ	61108/61777	111-0000-347.20-00	Class Refund	60.00	N
				60.00	
ARAMARK UNIFORM & CAREER APPAREL	531907825	741-8060-431.61-20	Dept Supplies & Expense	109.43	N
	531925093	741-8060-431.61-20	Dept Supplies & Expense	85.45	N
	531942404	741-8060-431.61-20	Dept Supplies & Expense	97.44	N
	531959661	741-8060-431.61-20	Dept Supplies & Expense	85.45	N
				377.77	
AT& T	323 582 6161	111-9010-419.53-10	Telephone & Wireless	2.89	N
				2.89	
AT&T MOBILITY	X11142016	111-7010-421.53-10	Telephone & Wireless	3,835.12	N
				3,835.12	
AT&T PAYMENT CENTER	9/28-10/27/16	111-7010-421.53-10	Telephone & Wireless	377.61	N
				377.61	

CITY OF HUNTINGTON PARK
DEMAND REGISTER
12-06-16

Payee Name	Invoice Number	Account Number	Description	Transaction Amount	Prepaid Y/N
BARR & CLARK INC	42629	246-5098-463.56-41	Contractual Srvc - Other	540.00	N
	42630	246-5098-463.56-41	Contractual Srvc - Other	540.00	N
	42649	246-5098-463.56-41	Contractual Srvc - Other	550.00	N
	42670	246-5098-463.56-41	Contractual Srvc - Other	330.00	N
				1,960.00	
BATTERY SYSTEMS INC	3739097	741-8060-431.43-20	Vehicles - O S & M	114.48	N
				114.48	
BLACK AND WHITE EMERGENCY VEHICLES	1555	122-7010-421.74-10	Equipment	13,716.49	N
	1569	122-7010-421.74-10	Equipment	11,140.80	N
				24,857.29	
BRIAN GARCIA	60228/61754	111-0000-228.20-00	Deposit Refund	28.00	N
				28.00	
CACEO	200003356	239-5055-419.59-15	Professional Development	108.00	N
	200003356	111-5055-419.59-15	Professional Development	72.00	N
	200003369	239-5055-419.59-15	Professional Development	108.00	N
	200003369	111-5055-419.59-15	Professional Development	72.00	N
				360.00	
CALIF PUBLIC EMPLOYEES RETIREMENT	PPE 10/09/2016	802-0000-217.30-10	PERS	33,043.57	Y
	PPE 10/09/2016	802-0000-218.10-10	PERS	17,148.34	Y
	PPE 10/09/2016	802-0000-218.10-10	PERS Employer	40,012.23	Y
	PPE 09/25/2016	802-0000-217.30-10	PERS Employer	33,512.23	Y
	PPE 09/25/2016	802-0000-218.10-10	PERS Employer	17,207.81	Y
	PPE 09/25/2016	802-0000-218.10-10	PERS Employer	40,896.57	Y
	100000014858873	111-7010-421.24-50	Unfunded PERS Contr-Misc	100,177.56	Y
	100000014858893	111-0210-413.23-50	Unfunded PERS Contr-Misc	0.48	Y
	100000014858893	111-5010-419.23-50	Unfunded PERS Contr-Misc	0.48	Y
	100000014858883	111-3010-415.23-50	Unfunded PERS Contr-Misc	2.94	Y
	100000014858864	111-0110-411.23-50	Unfunded PERS Contr-Misc	1,201.14	Y
	100000014858864	111-0210-413.23-50	Unfunded PERS Contr-Misc	3,223.49	Y
	100000014858864	111-1010-411.23-50	Unfunded PERS Contr-Misc	1,269.27	Y
	100000014858864	111-0230-413.23-50	Unfunded PERS Contr-Misc	1,936.46	Y
	100000014858864	111-3010-415.23-50	Unfunded PERS Contr-Misc	9,976.54	Y
	100000014858864	111-5010-419.23-50	Unfunded PERS Contr-Misc	6,529.13	Y
	100000014858864	111-6010-451.23-50	Unfunded Pers Contr-Sworn	3,511.95	Y

CITY OF HUNTINGTON PARK
DEMAND REGISTER
12-06-16

Payee Name	Invoice Number	Account Number	Description	Transaction Amount	Prepaid Y/N
CALIF PUBLIC EMPLOYEES RETIREMENT	100000014858864	111-7010-421.23-50	Unfunded PERS Contr-Misc	4,291.94	Y
	100000014858864	111-8010-431.23-50	Unfunded PERS Contr-Misc	12,261.42	Y
				326,203.55	
CALIFORNIA AUTO REBUILDERS	63469	741-8060-431.43-20	Vehicles - O S & M	370.60	N
				370.60	
CALPERS	2163	802-0000-217.50-10	Health Insurance	137,150.05	Y
	2163	746-0213-413.56-41	Contractual Svc - Other	443.32	Y
	2163	217-0230-413.28-00	Admin/Retiree Health Ins Premium	137,270.14	Y
	2163	217-0230-413.56-41	Contractual Svc - Other	443.31	Y
				275,306.82	
CANDELARIO GARCIA ROJAS	AC02204	111-0000-342.40-00	Citation Refund	50.00	N
				50.00	
CANON	16689781	111-9010-419.43-15	Financial Systems	728.20	N
				728.20	
CARL WARREN & CO.	1781445	111-1010-411.56-41	Contractual Svc - Other	375.00	N
	1781446	111-1010-411.56-41	Contractual Svc - Other	375.00	N
	1781447	111-1010-411.56-41	Contractual Svc - Other	375.00	N
	1781448	111-1010-411.56-41	Contractual Svc - Other	3,000.00	N
	1781449	111-1010-411.56-41	Contractual Svc - Other	750.00	N
	1781450	111-1010-411.56-41	Contractual Svc - Other	375.00	N
	1781466	111-1010-411.56-41	Contractual Svc - Other	750.00	N
				6,000.00	
CARLA ENRIQUETA TORRES GARCIA	60459/60841	111-6060-466.33-20	Contractual Srv Class	452.00	N
				452.00	
CCAP AUTO LEASE LTD	8663327	226-9010-419.74-20	Vehicle Leases	447.44	N
	8242957	226-9010-419.74-20	Vehicle Leases	447.44	N
				894.88	
CENTRAL BASIN MWD	HP-OCT16	681-8030-461.41-00	Water Purchase/Resource	5,857.25	N
				5,857.25	
CENTRAL FORD	287633	741-8060-431.43-20	Metro Transit O S & M	62.42	N
	287054	741-8060-431.43-20	Vehicles - O S & M	227.26	N
	286887	741-8060-431.43-20	Vehicles - O S & M	64.65	N
	286244	741-8060-431.43-20	Vehicles - O S & M	-24.00	N

**CITY OF HUNTINGTON PARK
DEMAND REGISTER
12-06-16**

Payee Name	Invoice Number	Account Number	Description	Transaction Amount	Prepaid Y/N
CENTRAL FORD	286454	741-8060-431.43-20	Vehicles - O S & M	310.35	N
	286219	741-8060-431.43-20	Vehicles - O S & M	62.42	N
	286170	741-8060-431.43-20	Vehicles - O S & M	196.40	N
	286574	219-0250-431.43-21	Vehicles - O S & M	726.58	N
				1,626.08	
CHARTER COMMUNICATIONS	11/1-11/30/16	111-9010-419.61-20	Telephone & Wireless	11.66	N
	12/1-12/30/16	121-7040-421.56-14	Telephone & Wireless	206.14	N
	11/7/16-12/6/16	111-7010-421.53-10	Telephone & Wireless	1,250.00	N
	10/2/16-11/1/16	111-9010-419.53-10	Dept Supplies & Expense	680.00	N
	11/2/16-12/1/16	111-9010-419.53-10	Welfare Inmate Fd Expense	680.00	N
				2,827.80	
CINTAS CORPORATION	5006507667	111-7010-421.61-20	Dept Supplies & Expense	485.52	N
				485.52	
CITY OF HUNTINGTON PARK FLEXIBLE	PPE 11-06-2016	802-0000-217.30-30	Med Reimb 125	487.52	Y
				487.52	
CITY OF HUNTINGTON PARK GEA	PPE 11-06-2016	802-0000-217.60-10	Association Dues	137.75	Y
				137.75	
CITY OF SOUTH GATE	4	252-7010-421.56-41	Contract/Other	1,340.00	N
				1,340.00	
CLINICAL LAB OF SAN BERNARDINO, INC	952957	681-8030-461.56-41	Contractual Srvc - Other	381.00	N
				381.00	
COLONIAL SUPPLEMENTAL INSURANCE	PPE 11-06-2016	802-0000-217.50-40	Life-Cancer Insurance	1,356.62	Y
				1,356.62	
COMSERCO, INC.	75280	741-8060-431.56-41	Contract/Other	778.00	N
	75279	741-8060-431.56-41	Contract/Other	91.00	N
	75345	741-8060-431.43-20	Contract/Other	346.62	N
	75348	111-7010-421.56-41	Contract/Other	563.75	N
	75349	111-7010-421.56-41	Contract/Other	641.25	N
	75350	111-7010-421.56-41	Vehicles - O S & M	602.50	N
	75351	111-7010-421.56-41	Contractual Srvc - Other	40.83	N
	75369	111-7030-421.56-41	Contractual Srvc - Other	1,051.90	N
				4,115.85	
COUNTY OF VENTUURA	INV83623	111-9010-419.43-15	Financial Systems	37,967.71	N
				37,967.71	

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Payee Name	Invoice Number	Account Number	Description	Transaction Amount	Prepaid Y/N
CREATIVE BUS SALES, INC.	8017692	219-0250-431.43-21	Metro Transit O S & M	194.31	N
	5099213	219-0250-431.43-21	Metro Transit O S & M	47.01	N
	5092600	219-0250-431.43-21	Metro Transit O S & M	53.48	N
	5091865	219-0250-431.43-21	Metro Transit O S & M	106.00	N
	5085781	219-0250-431.43-21	Metro Transit O S & M	214.50	N
	5085424	219-0250-431.43-21	Metro Transit O S & M	384.50	N
	5083845	219-0250-431.43-21	Metro Transit O S & M	139.00	N
	5081915	219-0250-431.43-21	Metro Transit O S & M	80.70	N
				1,219.50	
D-PREP LLC	572164469	111-7010-421.59-20	Professional Develop Post	387.00	N
				387.00	
DANIEL RODRIGUEZ	11/17/2016	111-7022-421.16-20	Uniform Allowance	550.00	N
				550.00	
DANNY HERNANDEZ	61757/61758	111-0000-228.20-00	Deposit Refund	28.00	N
				28.00	
DAPEER, ROSENBLIT & LITVAK	11824	111-5055-419.32-50	Legal Exp - Prosecutor Sv	94.25	N
	11822	111-5055-419.32-50	Legal Exp - Prosecutor Sv	577.49	N
	11822	239-5055-419.32-50	Contractual Srv - Prosecu	532.51	N
	11825	239-5055-419.32-50	Contractual Srv - Prosecu	8.75	N
	11826	239-5055-419.32-50	Contractual Srv - Prosecu	8.75	N
	11827	239-5055-419.32-50	Contractual Srv - Prosecu	457.60	N
	11621	111-0220-411.32-20	Contractual Srv - Prosecu	9,504.30	N
	11721	111-0220-411.32-20	Contractual Srv - Prosecu	1,006.93	N
				12,190.58	
DAPPER TIRE CO.	43797770	741-8060-431.43-20	Vehicles - O S & M	283.65	N
	43871764	741-8060-431.43-20	Vehicles - O S & M	473.43	N
				757.08	
DARRYL INOUE	11/17/2016	111-7022-421.16-20	Uniform Allowance	550.00	N
				550.00	
DATA TICKET INC.	73474	239-5055-419.56-41	Contractual Srv - Other	16.02	N
	73474	111-5055-419.56-41	Contractual Srv - Other	10.65	N
				26.67	
DATAPROSE, INC.	DP1603113	681-3022-415.53-20	Postage	1,579.94	N
	DP1603113	681-3022-415.56-41	Contractual Srv - Other	1,119.65	N
				2,699.59	

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DAY WIRELESS SYSTEMS	82798	111-7010-421.56-41	Contract/Other	310.94	N
				310.94	
DE LAGE LANDEN	52220457	111-7010-421.44-10	Rent (Incl Equip Rental)	680.79	N
				680.79	
DEBORAH VILLA	60116/61778	111-0000-347.20-00	Deposit Refund	65.00	N
				65.00	
DELTA DENTAL	BE001913196	802-0000-217.50-20	Dental Insurance	7,815.03	N
				7,815.03	
DELTA DENTAL INSURANCE COMPANY	BE001909802	802-0000-217.50-20	Dental Insurance	2,627.36	N
				2,627.36	
DEPARTMENT OF ANIMAL CARE & CONTROL	11/15/2016	111-7065-441.56-41	Contractual Srvc - Other	10,580.56	N
				10,580.56	
DEPARTMENT OF CORONER	17ME0127	111-7030-421.56-41	Contract/Other	122.00	N
				122.00	
DEPARTMENT OF JUSTICE	196752	111-7030-421.56-41	Contract/Other	520.00	N
				520.00	
DIMENSION DATA NORTH AMERICA, INC	8037842	111-7010-421.53-10	Telephone & Wireless	145.00	N
				145.00	
DISH NETWORK	11/12-12/11/16	111-7022-421.44-10	Rent (Incl Equip Rental)	62.11	N
				62.11	
DONALD H. MAYNOR	DHM 7497	111-3013-415.56-41	Contractual Srvc - Other	1,621.15	N
				1,621.15	
EDGAR GALVAN	60279/61753	111-0000-228.20-00	Deposit Refund	28.00	N
				28.00	
ELSA SALCEDO	56257/61780	111-0000-228.20-00	Deposit Refund	500.00	N
	56257/61780	111-0000-347.30-00	Deposit Refund	70.00	N
	56257/61780	111-0000-347.70-00	Deposit Refund	4.00	N
				574.00	
ELVA PADILLA	61400/61560	111-0000-347.20-00	Deposit Refund	60.00	N
				60.00	
EMERGENCY RESPONSE CRIME SCENE	T2016-841	111-7030-421.56-41	Contract/Other	750.00	N
				750.00	

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Payee Name	Invoice Number	Account Number	Description	Transaction Amount	Prepaid Y/N
ENTERPRISE FM TRUST	FBN3128150	226-9010-419.74-20	Vehicle Leases	1,740.33	N
	FBN3128150	229-7010-421.74-10	Equipment	126.17	N
				1,866.50	
ERIC BARRAZA	59979/61762	111-0000-228.20-00	Deposit Refund	62.00	N
				62.00	
ESTELA RAMIREZ	60568/60956	111-6060-466.33-20	Contractual Srv Class	208.00	N
	61171/61522	111-6060-466.33-20	Contractual Srv Class	208.00	N
				416.00	
F&A FEDERAL CREDIT UNION	PPE 11-06-2016	802-0000-217.60-40	Credit Union	13,632.00	Y
				13,632.00	
FAIR HOUSING FOUNDATION	10/8/2016	239-5060-463.56-41	Contractual Srv - Other	828.74	N
				828.74	
FEDEX	5-527-21929	111-9010-419.61-20	Dept Supplies & Expense	56.05	N
	5-614-96586	111-7010-421.61-20	Dept Supplies & Expense	48.65	N
				104.70	
FERNANDO JACINTO	60006/61761	111-0000-228.20-00	Deposit Refund	62.00	N
				62.00	
FERNANDO NUNEZ	59521/61750	111-0000-228.20-00	Deposit Refund	56.00	N
				56.00	
FIRST CHOICE SERVICES	551036	111-9010-419.61-20	Dept Supplies & Expense	213.84	N
				213.84	
FLYERS ENERGY LLC	16-362295	741-8060-431.43-20	Vehicles - O S & M	699.67	N
				699.67	
FRANCISCO EUGENIO LUCAS	HP050001075	111-0000-351.10-10	Citations	47.50	N
				47.50	
GARDA CL WEST, INC.	10253659	111-9010-419.33-10	Bank Services	677.29	N
				677.29	
GATEWAY CITIES COUNCIL OF	09/26/2015	219-0250-431.59-15	COG Advocacy	25,000.00	N
				25,000.00	
GERALD M. CHAVARRIA	61222/61423	111-6060-466.33-20	Contractual Srv Class	175.20	N
	61440/61732	111-6060-466.33-20	Contractual Srv Class	292.00	N
				467.20	

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GLADWELL GOVERNMENTAL SERVICES, INC	3563	111-1010-411.59-15	Professional Development	500.00	N
				500.00	
GLOBALSTAR USA	100000007836953	111-7010-421.53-10	Telephone & Wireless	69.87	N
				69.87	
GOVERNMENT FINANCE OFFICERS ASSN.	0152005	111-3010-415.59-15	Professional Development	745.00	N
				745.00	
GRAINGER	9262906465	111-8022-419.43-10	Buildings - O S & M	52.84	N
				52.84	
HALLOWEEN CLUB	HUNTINGTON PARK	111-6020-451.61-35	Recreation Supplies	488.03	N
	HUNTINGTON PARK	111-6020-451.61-35	Recreation Supplies	50.45	N
	HUNTINGTON PARK	111-6020-451.61-35	Recreation Supplies	95.55	N
	HUNTINGTON PARK	111-6020-451.61-35	Recreation Supplies	96.88	N
				730.91	
HDL COREN & CONE	0023280-IN	111-9010-419.56-41	Contractual Srvc - Other	1,871.51	N
				1,871.51	
HERNANDEZ SIGNS, INC.	2928	111-6020-451.61-35	Recreation Supplies	863.28	N
				863.28	
HOME DEPOT - PUBLIC WORKS	5263934	111-8022-419.43-10	Buildings - O S & M	36.49	N
	4263937	111-8022-419.43-10	Buildings - O S & M	68.63	N
	4263945	111-8022-419.43-10	Buildings - O S & M	21.71	N
	7260014	111-8022-419.43-10	Buildings - O S & M	50.07	N
	7263811	111-8024-421.43-10	Buildings - O S & M	350.77	N
	5263834	111-8024-421.43-10	Buildings - O S & M	37.78	N
	1263880	111-8024-421.43-10	Buildings - O S & M	59.41	N
	1263980	111-8024-421.43-10	Buildings - O S & M	121.86	N
	926005	221-8012-429.61-20	Buildings - O S & M	263.63	N
	7260014	741-8060-431.43-20	Buildings - O S & M	10.88	N
	7230933	741-8060-431.43-20	Buildings - O S & M	-10.81	N
	7260021	741-8060-431.43-20	Buildings - O S & M	10.81	N
	7260022	741-8060-431.43-20	Buildings - O S & M	8.81	N
	7263810	535-8016-431.61-45	Buildings - O S & M	151.51	N
	7220072	535-8016-431.61-45	Dept Supplies & Expense	-151.51	N
	4263549	111-8022-419.43-10	Dept Supplies & Expense	15.10	N
	2263683	111-8022-419.43-10	Dept Supplies & Expense	165.04	N

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HOME DEPOT - PUBLIC WORKS	240321	111-8022-419.43-10	Dept Supplies & Expense	-15.10	N
	5263534	111-8024-421.43-10	Dept Supplies & Expense	65.20	N
	5263751	111-8024-421.43-10	Dept Supplies & Expense	24.83	N
	3263773	111-8024-421.43-10	Street Lighting Supplies	28.27	N
	3263769	221-8012-429.61-20	Street Lighting Supplies	1,351.52	N
	3263772	287-8055-432.61-20	Vehicles - O S & M	25.98	N
	3263556	535-6090-452.61-20	Vehicles - O S & M	19.58	N
	3263561	535-6090-452.61-20	Vehicles - O S & M	79.45	N
	6263742	535-6090-452.61-20	Vehicles - O S & M	277.38	N
				3,067.29	
HUMAN SERVICES ASSOCIATION	61710/61783	111-0000-228.20-00	Deposit Refund	75.00	N
	61710/61783	111-0000-347.30-00	Deposit Refund	18.00	N
	61710/61783	111-0000-347.70-00	Deposit Refund	60.50	N
				153.50	
HUMBERTO LOZANO	8/10/16-8/13/16	111-7010-421.59-20	Professional Develop Post	116.00	N
				116.00	
HUNTINGTON PARK CAR WASH	OCTOBER 2016	741-8060-431.43-20	Vehicles - O S & M	374.00	N
				374.00	
HUNTINGTON PARK POLICE MGMT ASSN.	PPE 11-06-2016	802-0000-217.60-10	Association Dues	150.00	Y
				150.00	
HUNTINGTON PARK POLICE OFFICER ASSN	PPE 11-06-2016	802-0000-217.60-10	Association Dues	3,580.33	Y
				3,580.33	
IBE DIGITAL	39270A	111-9010-419.44-10	Rent (Incl Equip Rental)	16.84	N
	39196A	111-9010-419.44-10	Rent (Incl Equip Rental)	16.35	N
	39318A	111-9010-419.44-10	Rent (Incl Equip Rental)	16.84	N
				50.03	
IMPACT TIRE SERVICE	6110	219-0250-431.43-21	Metro Transit O S & M	10.00	N
	6126	219-0250-431.43-21	Metro Transit O S & M	193.95	N
	6175	219-0250-431.43-21	Metro Transit O S & M	193.95	N
	6153	741-8060-431.43-20	Vehicles - O S & M	57.25	N
				455.15	
INT'L INSTITUTE OF MUNICIPAL CLERKS	ID# 911	111-1010-411.59-15	Professional Development	200.00	N
	ID# 30110	111-1010-411.59-15	Professional Development	100.00	N
				300.00	

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INTER VALLEY POOL SUPPLY, INC	90769	681-8030-461.41-00	Water Purchase/Resource	166.77	N
	90768	681-8030-461.41-00	Water Purchase/Resource	245.15	N
	90428	681-8030-461.41-00	Water Purchase/Resource	150.09	N
	90429	681-8030-461.41-00	Water Purchase/Resource	216.80	N
	90430	681-8030-461.41-00	Water Purchase/Resource	206.79	N
	90588	681-8030-461.41-00	Water Purchase/Resource	203.46	N
	90590	681-8030-461.41-00	Water Purchase/Resource	333.54	N
	90589	681-8030-461.41-00	Water Purchase/Resource	261.83	N
				1,784.43	
INTERLOG HYM ENGINEERING	I_HYM_003	220-8010-431.73-10	Improvements	126,459.61	N
	I-HYM_004	220-8010-431.73-10	Improvements	302,079.37	N
				428,538.98	
IRINA KAMINSKAYA	32342332	111-0000-351.10-10	Citations	47.50	N
				47.50	
J R JEANS, INC	17-00024992	111-0000-321.10-00	Business License	300.00	N
	17-00024992	111-0000-321.10-30	SB1186-Disability Access	1.00	N
				301.00	
JACKIE LEE	HP030001206	111-0000-351.10-10	Citations	54.00	N
				54.00	
JANICE MAZYCK	27978499684170	111-3010-415.59-15	Professional Development	654.10	N
	10/26/2016	111-3010-415.59-15	Professional Development	98.28	N
				752.38	
JAX BICYCLE CENTER	102216150426417	111-7022-421.61-28	Dept Supplies DEU	194.46	N
	100816145953317	111-7022-421.61-28	Dept Supplies DEU	366.85	N
	101716133914095	111-7022-421.61-28	Dept Supplies DEU	424.83	N
				986.14	
JCL TRAFFIC	88245	221-8012-429.61-20	Dept Supplies & Expense	965.41	N
				965.41	
JDS TANK TESTING & REPAIR INC	9569	741-8060-431.43-20	Vehicles - O S & M	135.00	N
				135.00	
JOEL GORDILLO	NOV 2016	111-1010-411.56-41	Contractual Srvc - Other	1,650.00	N
				1,650.00	
JOSE ALBERTO QUINTANILLA PEREZ	2211	111-6020-451.56-41	Contractual Srvc - Other	300.00	N
				300.00	

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JOSE GASPAR	50767/61656	111-0000-228.20-00	Deposit Refund	500.00	N
				500.00	
JOSE ROMENO IBANEZ	60504/61787	111-0000-228.20-00	Deposit Refund	500.00	N
				500.00	
JOSE SANTILLAN	60121/61755	111-0000-228.20-00	Deposit Refund	28.00	N
				28.00	
KAREN K. TRUONG	11/14-11/18/16	111-7010-421.59-15	Professional Development	123.00	N
	11/14-11/18/16	111-7010-421.59-15	Professional Development	709.58	N
	11/14-11/18/16	111-7010-421.59-15	Professional Development	159.00	N
				991.58	
KOSMONT & ASSOCIATES, INC.	1	111-5010-419.56-41	Contractual Srvc - Other	2,529.80	N
				2,529.80	
KURT J. CAMP	HP00086	111-7030-421.56-41	Contract/Other	150.00	N
				150.00	
LA COUNTY SHERIFF'S DEPT	171446SS	111-7022-421.56-41	Contract/Other	864.27	N
				864.27	
LAN WAN ENTERPRISE, INC	56746	111-7010-421.56-41	Dept Supplies & Expense	1,389.45	N
	56352	111-5055-419.61-20	Contract/Other	103.27	N
	56352	111-8020-431.61-20	Dept Supplies & Expense	137.68	N
	56352	239-5055-419.61-20	Financial Systems	240.95	N
	56754	111-9010-419.43-15	Financial Systems	1,347.00	N
	56679	111-9010-419.43-15	Dept Supplies & Expense	22,600.00	N
				25,818.35	
LAW OFFICES OF CARPENTER & ROTHANS	28172	745-9031-413.32-70	Contractual Srv Legal	333.10	N
	28125	745-9031-413.32-70	Contractual Srv Legal	3,118.70	N
				3,451.80	
LEGAL SHIELD	NOV 2016	802-0000-217.60-50	Legal Shield Plan	186.30	N
				186.30	
LEONARD GARCIA	11/10/2016	111-6020-451.61-35	Recreation Supplies	274.99	N
				274.99	
LONG BEACH PRESS-TELEGRAM	10869596	111-5010-419.54-00	Advertising/Publication	591.21	N
				591.21	

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LORRAINE MENDEZ & ASSOCIATES, LLC	0262	239-5060-463.56-41	Contractual Srv - Other	9,910.32	N
	0262	242-5060-463.56-41	Contractual Srv - Other	2,295.00	N
				12,205.32	
LOS ANGELES COUNTY FIRE DEPARTMENT	IN0243188	741-8060-431.43-20	Vehicles - O S & M	305.00	N
	IN0238602	741-8060-431.43-20	Vehicles - O S & M	426.00	N
	IN0237042	741-8060-431.43-20	Vehicles - O S & M	426.00	N
	IN0237511	741-8060-431.43-20	Vehicles - O S & M	426.00	N
	IN0236547	741-8060-431.43-20	Vehicles - O S & M	4,224.00	N
	IN0239426	741-8060-431.43-20	Vehicles - O S & M	426.00	N
	IN0236548	741-8060-431.43-20	Vehicles - O S & M	426.00	N
				6,659.00	
LOZADA'S TRANSMISSIONS INC.	3033	741-8060-431.43-20	Vehicles - O S & M	1,550.73	N
				1,550.73	
LYNBERG & WATKINS APC	44277	745-9031-413.32-70	Contractual Srv Legal	348.68	N
	44279	745-9031-413.32-70	Contractual Srv Legal	27.00	N
	44278	745-9031-413.32-70	Contractual Srv Legal	3,211.72	N
				3,587.40	
MANAGED HEALTH NETWORK	3200004925	802-0000-217.50-60	Employee Mental Wellness	1,323.28	N
				1,323.28	
MANUEL PRIETO	61096/61537	111-6060-466.33-20	Contractual Srv Class	304.00	N
	61150/61231	111-6060-466.33-20	Contractual Srv Class	243.20	N
				547.20	
MARCOS ANTONIO BEJARANO	AC00547	111-0000-342.40-00	Citation Refund	150.00	N
				150.00	
MARIA GALVAN	60309/61751	111-0000-228.20-00	Deposit Refund	28.00	N
	60310/61752	111-0000-228.20-00	Deposit Refund	28.00	N
				56.00	
MARIA RUIZ	32098824	111-0000-351.10-10	Citation Refund	138.00	N
				138.00	
MARIO GARIBAY	32131691	111-0000-351.10-10	Citation Refund	138.00	N
	3182978	111-0000-351.10-10	Citation Refund	138.00	N
				276.00	
MARISELA GONZALES	60592/61776	111-0000-347.20-00	Class Refund	60.00	N
				60.00	

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Payee Name	Invoice Number	Account Number	Description	Transaction Amount	Prepaid Y/N
MARTIN & CHAPMAN CO.	2016535	111-1010-411.31-10	Municipal Election	117.00	N
				117.00	
MARX BROS FIRE EXTINGUISHER CO INC.	H008064	111-8022-419.56-41	Contractual Srvc - Other	654.00	N
				654.00	
MCMASTER-CARR SUPPLY CO.	85691550	111-8024-421.43-10	Buildings - O S & M	28.29	N
				28.29	
MERRIMAC ENERGY GROUP	2162952	741-8060-431.62-30	Metro Transit Fuel & Oil	17,500.34	N
				17,500.34	
METRO TRANSIT SERVICES	201610-DAR	219-0250-431.56-45	Dial-A-Ride (All City)	50,000.00	N
				50,000.00	
MG GRAPHICS	20658	111-5055-419.61-20	Dept Supplies & Expense	65.40	N
	20658	239-5055-419.61-20	Dept Supplies & Expense	98.10	N
	20658	111-7065-441.61-20	Dept Supplies & Expense	87.20	N
	11617	111-5055-419.61-20	Dept Supplies & Expense	228.90	N
	11617	239-5055-419.61-20	Dept Supplies & Expense	152.60	N
				632.20	
MOY MORALES	61078/61760	111-0000-228.20-00	Deposit Refund	62.00	N
				62.00	
NAJAR INVESTIGATIONS	2016-407	111-0230-413.56-41	Contractual Srvc - Other	1,200.00	N
				1,200.00	
NAPA PARTS WHOLESALE	189942	741-8060-431.43-20	Vehicles - O S & M	390.22	N
	187071	741-8060-431.43-20	Vehicles - O S & M	182.68	N
	188820	741-8060-431.43-20	Vehicles - O S & M	108.99	N
	187359	741-8060-431.43-20	Vehicles - O S & M	118.27	N
	187360	741-8060-431.43-20	Vehicles - O S & M	-64.42	N
				735.74	
NATION WIDE RETIREMENT SOLUTIONS	PPE 11-06-2016	802-0000-217.40-10	Deferred Compensation	17,053.91	Y
				17,053.91	
NATIONWIDE ENVIRONMENTAL SERVICES	27899	221-8010-431.56-41	Contractual Srvc - Other	13,324.66	N
	27899	222-5030-431.56-41	Contractual Srvc - Other	17,352.20	N
	27899	231-8010-415.56-41	Contractual Srvc - Other	7,188.74	N
	27987	221-8010-431.56-41	Contractual Srvc - Other	13,324.66	N
	27987	222-5030-431.56-41	Contractual Srvc - Other	17,352.20	N

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NATIONWIDE ENVIRONMENTAL SERVICES	27987	231-8010-415.56-41	Contractual Svc - Other	7,188.74	N
	27900	220-8070-431.56-41	Contractual Svc - Other	9,288.50	N
				85,019.70	
NEIL CASTELLI	11/14-11/17/16	111-7010-421.59-20	Professional Develop Post	206.50	N
				206.50	
NEW CHEF FASHION INC.	851281	111-7010-421.61-20	Dept Supplies & Expense	65.39	N
				65.39	
NICK ALEXANDER RESTORATION	3305	741-8060-431.43-20	Vehicles - O S & M	62.50	N
				62.50	
NICOLAS NORIEGA	61032/61771	111-0000-228.20-00	Deposit Refund	62.00	N
				62.00	
NORMA URENA	60964/61379	111-6060-466.33-20	Contractual Srv Class	316.80	N
				316.80	
O'REILLY AUTO PARTS	2959-160762	741-8060-431.43-20	Vehicles - O S & M	33.47	N
	2959-161015	741-8060-431.43-20	Vehicles - O S & M	149.44	N
	2959-161431	741-8060-431.43-20	Vehicles - O S & M	9.53	N
	2959-161363	741-8060-431.43-20	Vehicles - O S & M	50.12	N
	2959-161060	741-8060-431.43-20	Vehicles - O S & M	129.75	N
	2959-162616	741-8060-431.43-20	Vehicles - O S & M	72.64	N
	2959-165756	741-8060-431.43-20	Vehicles - O S & M	43.51	N
	2959-166160	741-8060-431.43-20	Vehicles - O S & M	192.61	N
	2959-166477	741-8060-431.43-20	Vehicles - O S & M	70.50	N
	2959-166985	741-8060-431.43-20	Vehicles - O S & M	239.79	N
	2959-167254	741-8060-431.43-20	Vehicles - O S & M	135.11	N
	2959-169010	741-8060-431.43-20	Vehicles - O S & M	19.60	N
	2959-169269	741-8060-431.43-20	Vehicles - O S & M	108.99	N
	2959-169399	741-8060-431.43-20	Vehicles - O S & M	75.80	N
	2959-169396	741-8060-431.43-20	Vehicles - O S & M	137.57	N
	2959-169599	741-8060-431.43-20	Vehicles - O S & M	69.54	N
	2959-171566	741-8060-431.43-20	Vehicles - O S & M	26.07	N
	2959-171574	741-8060-431.43-20	Vehicles - O S & M	253.97	N
	2959-161045	741-8060-431.43-20	Vehicles - O S & M	-21.80	N
	2959-165652	741-8060-431.43-20	Vehicles - O S & M	176.20	N
				1,972.41	

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OCEAN BLUE ENVIRONMENTAL SERVICES	27588	741-8060-431.43-20	Vehicles - O S & M	1,600.00	N
				1,600.00	
OK PRINTING DESIGN & DIGITAL PRINT	282	111-0240-466.55-42	Dept Supplies & Expense	92.70	N
	287	111-0240-466.55-42	Public Events	185.40	N
	286	111-0110-411.61-20	Public Events	166.75	N
				444.85	
OLIVAREZ MADRUGA, LLP	14212	111-0220-411.32-70	Contractual Srv Legal	196.60	N
	14150	745-9031-413.32-70	Contractual Srv Legal	191.01	N
	14225	745-9031-413.32-70	Contractual Srv Legal	36.00	N
				423.61	
ORIENTAL TRADING COMPANY, INC.	680645846-01	111-6020-451.61-35	Recreation Supplies	124.93	N
				124.93	
PAGEENTRY PRODUCTIONS	HPHP160001	111-0240-466.55-42	Public Events	13,750.00	N
				13,750.00	
PARAMOUNT ICELAND INC.	61405/61405	111-6060-466.33-20	Contractual Srv Class	38.40	N
	61206/61206	111-6060-466.33-20	Contractual Srv Class	76.80	N
				115.20	
PARKHOUSE TIRE, INC.	1010527848	741-8060-431.43-20	Vehicles - O S & M	200.59	N
				200.59	
PARS	35892	111-9010-419.56-41	Contractual Srv - Other	385.02	N
	35579	111-9010-419.56-41	Contractual Srv - Other	446.04	N
	35511	217-0230-413.56-41	Contractual Srv - Other	2,185.45	N
	35758	217-0230-413.56-41	Contractual Srv - Other	2,185.45	N
				5,201.96	
PATRICK M. KRAUT	11/14-11/17/16	111-7010-421.59-20	Professional Develop Post	206.50	N
				206.50	
PAUL WEINRICH	11/17/2016	111-7022-421.16-20	Uniform Allowance	550.00	N
				550.00	
PERFORMANCE NURSERY	185300	535-6090-452.61-20	Dept Supplies & Expense	811.09	N
				811.09	
PIXEL BOX GRAPHICS LLC	6629	111-0240-466.55-42	Dept Supplies & Expense	90.00	N
	6629	111-0110-411.61-20	Public Events	67.00	N
				157.00	

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PRO FORCE LAW ENFORCEMENT	292947	111-7010-421.61-20	Dept Supplies & Expense	516.58	N
	292947	233-7010-421.74-10	Equipment	516.57	N
				1,033.15	
PRUDENTIAL OVERALL SUPPLY	50933409	111-6010-451.56-41	Contractual Srvc - Other	44.40	N
	50933410	111-6010-451.56-41	Contractual Srvc - Other	82.39	N
	50929611	111-7010-421.61-20	Dept Supplies & Expense	18.94	N
	50934552	111-7010-421.61-20	Dept Supplies & Expense	18.94	N
				164.67	
PSYCHOLOGICAL CONSULTING ASSOC, INC	522210	111-7010-421.56-41	Contract/Other	1,750.00	N
				1,750.00	
PURCHASE POWER	10/13-11/13/16	111-9010-419.53-20	Postage	3,000.00	N
				3,000.00	
RAMCAST ORNAMENTAL SUPPLY CO, INC.	0418707-IN	111-8020-431.43-10	Buildings - O S & M	327.00	N
				327.00	
READYREFRESH	06K0034574871	111-7010-421.61-20	Dept Supplies & Expense	107.00	N
				107.00	
REGISTRAR-RECORDER/CITY CLERK	58057/61779	111-0000-228.20-00	Deposit Refund	500.00	N
				500.00	
RICHARD WEBER	HP050001760	111-0000-351.10-10	Citations	54.00	N
				54.00	
RICOH AMERICAS CORP	52236705	111-6010-451.56-41	Contractual Srvc - Other	240.34	N
				240.34	
RICOH USA, INC.	5045616929	111-6010-451.56-41	Contractual Srvc - Other	110.41	N
				110.41	
RIO HONDO COLLEGE	11/28-12/2/16	111-7010-421.59-20	Professional Develop Post	38.00	N
				38.00	
RIVERSIDE COUNTY SHERIFF'S DEPT	05/08/2017	111-7010-421.59-20	Professional Develop Post	197.00	N
				197.00	
ROADLINE PRODUCTS INC	12871	221-8012-429.61-20	Dept Supplies & Expense	590.95	N
				590.95	
ROBERT AGUIRRE	09/20/2016	111-6030-451.33-90	Referee Services	30.00	N
				30.00	
ROBERTO HERNANDEZ	11/17/2016	111-7022-421.16-20	Uniform Allowance	550.00	N
				550.00	

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ROBERTSONS	819090	111-8010-431.61-21	Materials	937.40	N
				937.40	
SAFETY KLEEN	71653670	741-8060-431.43-20	Vehicles - O S & M	583.33	N
				583.33	
SALVATION ARMY	11/04/2016	239-5210-463.57-85	Salvation Army Southeast	1,522.00	N
				1,522.00	
SAUL DURAN	10/24-10/28/16	111-7010-421.59-20	Professional Develop Post	265.50	N
	10/24-10/28/16	111-7010-421.59-20	Professional Develop Post	123.12	N
	10/24-10/28/16	111-7010-421.59-20	Professional Develop Post	687.45	N
				1,076.07	
SEVERN TRENT ENVIRONMENTAL SERVICES	14265	681-8030-461.43-30	Maintenance of Wells	23,466.05	N
	14416	283-8040-432.56-41	Contractual Srvc - Other	11,748.30	N
	14416	681-8030-461.56-41	Contractual Srvc - Other	92,364.37	N
				127,578.72	
SIERRA DISPLAY, INC	21198	232-6010-419.56-41	Contractual Srvc - Other	21,477.83	N
				21,477.83	
SMART & FINAL	130190	239-6060-466.61-20	Recreation Supplies	44.13	N
	123446	111-6020-451.61-35	Dept Supplies & Expense	131.23	N
	196948	111-0230-413.61-20	Dept Supplies & Expense	12.18	N
				187.54	
SOURCE ONE OFFICE PRODUCTS, INC.	WO-25832-1	111-3010-415.61-20	Dept Supplies & Expense	12.29	N
	WO-26066-1	111-3010-415.61-20	Dept Supplies & Expense	52.07	N
				64.36	
SOUTHERN CALIFORNIA EDISON	10/4/16-11/3/16	231-8010-415.62-10	Heat Light Water & Power	451.20	N
	9/2/16-10/19/16	535-8016-431.62-10	Heat Light Water & Power	7,020.03	N
	9/2/16-10/19/16	681-8030-461.62-20	Heat Light Water & Power	10,729.12	N
	9/26-10/26/16	535-8016-431.62-10	Power Gas & Lubricants	35.75	N
				18,236.10	
SPARKLETTS	15010561 102216	111-5010-419.61-20	Dept Supplies & Expense	23.45	N
	15010561 102216	239-5040-463.61-20	Dept Supplies & Expense	23.45	N
	15010561 102216	111-8020-431.61-20	Dept Supplies & Expense	23.45	N
	4532412 111016	111-1010-411.61-20	Dept Supplies & Expense	16.81	N
	15142085 101316	111-3010-415.61-20	Dept Supplies & Expense	93.00	N

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SPARKLETTS	15187658 102616	741-8060-431.43-20	Dept Supplies & Expense	17.80	N
	14430181 111016	111-0230-413.61-20	Dept Supplies & Expense	19.68	N
	15142085 111016	111-3010-415.61-20	Vehicles - O S & M	106.45	N
				324.09	
ST FRANCIS, LLC.	1661004	221-8014-429.56-41	Contractual Srvc - Other	13,994.68	N
	1661005	221-8014-429.56-41	Contractual Srvc - Other	4,608.00	N
	1661006	221-8014-429.56-41	Contractual Srvc - Other	2,280.50	N
	1661007	221-8014-429.56-41	Contractual Srvc - Other	1,483.00	N
				22,366.18	
STANDARD GLASS & MIRROR	10/25/16	111-8022-419.43-10	Buildings - O S & M	301.27	N
				301.27	
STANDARD INSURANCE COMPANY	DEC 2016	802-0000-217.50-70	Life, ADD, LT Disability	1,651.38	N
	DEC 2016	802-0000-217.50-70	Life, ADD, LT Disability	6,946.90	N
				8,598.28	
STAPLES ADVANTAGE	8041629756	111-0110-411.61-20	Dept Supplies & Expense	137.23	N
	8041629756	111-0210-413.61-20	Dept Supplies & Expense	36.63	N
	8041629756	111-3010-415.61-20	Dept Supplies & Expense	255.12	N
	8041629756	111-5010-419.61-20	Dept Supplies & Expense	160.27	N
	8041629756	111-6010-451.61-20	Dept Supplies & Expense	156.95	N
	8041629756	111-6030-451.61-35	Dept Supplies & Expense	24.08	N
	8041629756	111-7010-421.61-20	Dept Supplies & Expense	408.36	N
	8041629756	111-7030-421.61-20	Dept Supplies & Expense	103.80	N
	8041629756	111-7040-421.61-32	Dept Supplies & Expense	164.37	N
	8041629756	111-8020-431.61-20	Dept Supplies & Expense	-190.42	N
	8041629756	111-9010-419.61-20	Dept Supplies & Expense	17.05	N
	8041629756	239-6060-466.61-20	Dept Supplies & Expense	123.34	N
	8041232593	111-0110-411.61-20	Dept Supplies & Expense	198.48	N
	8041232593	111-0210-413.61-20	Dept Supplies & Expense	82.81	N
	8041232593	111-0230-413.61-20	Dept Supplies & Expense	-51.96	N
	8041232593	111-1010-411.61-20	Dept Supplies & Expense	118.93	N
	8041232593	111-3010-415.61-20	Dept Supplies Jail	172.62	N
	8041232593	111-5010-419.61-20	Dept Supplies & Expense	290.86	N
	8041232593	111-6010-451.61-20	Recreation Supplies	552.96	N
	8041232593	111-7010-421.61-20	Dept Supplies & Expense	937.69	N

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STAPLES ADVANTAGE	8041232593	111-7022-421.61-27	Dept Supplies & Expense	656.01	N
	8041232593	111-7030-421.61-20	Dept Supplies Comm Center	59.98	N
	8041232593	111-7040-421.61-32	Dept Supplies Comm Center	266.75	N
	8041232593	111-8020-431.61-20	Dept Supplies & Expense	361.84	N
				5,043.75	
STAPLES CREDIT PLAN	11/10/2016	111-8020-431.61-20	Dept Supplies & Expense	21.31	N
				21.31	
STATE WATER RESOURCES CONTROL	EW-1006629	681-8030-461.42-05	Permits & Fees	2,334.50	N
	LW-1007467	681-8030-461.42-05	Permits & Fees	21,975.31	N
				24,309.81	
SUNFLOWER SYSTEMS	HP0916FIX	111-7022-421.56-41	Contract/Other	2,979.00	N
	HP0916FIX	111-8022-419.56-41	Contractual Srvc - Other	8,564.00	N
				11,543.00	
SUNGARD PUBLIC SECTOR INC.	128802	111-9010-419.43-15	Financial Systems	10,859.50	N
	128338	111-9010-419.43-15	Financial Systems	1,920.00	N
				12,779.50	
SUPERIOR COURT OF CALIFORNIA	JULY 2016	111-3010-415.56-10	Parking Citation Surcharg	16,919.00	N
	SEPT 2016	111-3010-415.56-10	Parking Citation Surcharg	35,482.75	N
	OCT 2016	111-3010-415.56-10	Parking Citation Surcharg	29,096.25	N
	AUG 2016	111-3010-415.56-10	Parking Citation Surcharg	23,279.25	N
				104,777.25	
TELEWORKS	15324	239-5055-419.53-10	Contractual Srvc - Other	98.63	N
	15324	111-5055-419.56-41	Telephone & Wireless	65.75	N
				164.38	
THE FORMS DESK, INC.	25491	111-3010-415.61-20	Dept Supplies & Expense	557.19	N
	25512	111-3010-415.61-20	Dept Supplies & Expense	343.28	N
				900.47	
THE PUN GROUP, LLP	1600331	111-9010-419.32-40	Audit Fees	20,000.00	N
	1600334	111-9010-419.32-40	Audit Fees	20,000.00	N
				40,000.00	
TIERRA WEST ADVISORS, INC	HP-0916	222-5030-431.56-41	Contractual Srvc - Other	13,821.98	N
	HP-1016	222-5030-431.56-41	Contractual Srvc - Other	3,071.25	N
				16,893.23	

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TRIMMING LAND CO INC	3494	535-6090-452.56-60	Contract Landscape Labor	85.00	N
				85.00	
U.S. BANK	PPE 11-06-2016	802-0000-217.30-20	PARS	2,274.33	Y
	PPE 11-06-2016	802-0000-217.30-20	PARS	2,328.09	Y
	PPE 11-06-2016	802-0000-218.10-05	PARS	11,066.49	Y
	PPE 11-06-2016	802-0000-217.30-20	PARS EMPLOYER	3,275.00	Y
				18,943.91	
U.S. HEALTH WORKS	3022109-CA	111-0230-413.56-41	Contractual Srvc - Other	611.00	N
				611.00	
UNDERGROUND SERVICE ALERT OF SO CAL	1020160126	221-8014-429.56-41	Contractual Srvc - Other	348.00	N
				348.00	
UNITED PACIFIC WASTE & RECYCLING	1835689	111-8027-431.56-59	Contract-Trash Collection	16,680.00	N
				16,680.00	
VERONICA MONTIEL	11/07/2016	111-3010-415.59-15	Professional Development	17.00	N
				17.00	
VICTOR IBARRA	59950/61763	111-0000-228.20-00	Deposit Refund	28.00	N
				28.00	
VISION SERVICE PLAN-CA	DEC 2016	802-0000-217.50-30	Vision Insurance	3,703.80	N
	DEC 2016	802-0000-217.50-30	Vision Insurance	92.28	N
				3,796.08	
VIZION'S WEST, INC.	16-9099	246-5098-463.73-10	Improvements	727.75	N
				727.75	
VULCAN MATERIALS COMPANY	71274175	111-8010-431.61-21	Materials	168.21	N
	71270536	111-8010-431.61-21	Materials	116.63	N
	71278610	111-8010-431.61-21	Materials	116.63	N
	71276486	111-8010-431.61-21	Materials	80.31	N
	71289011	111-8010-431.61-21	Materials	168.95	N
	71291023	111-8010-431.61-21	Materials	80.31	N
				731.04	
WALTERS WHOLESALE ELECTRIC COMPANY	S106181912.001	111-8022-419.43-10	Street Lighting Supplies	1,926.97	N
	S106592881.001	111-8023-451.43-10	Buildings - O S & M	101.19	N
	S106592768.001	111-8024-421.43-10	Buildings - O S & M	59.49	N
	S106746679.001	535-8016-431.61-45	Buildings - O S & M	12.64	N
				2,100.29	

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WATER REPLENISHMENT DISTRICT OF	09/30/2016	681-8030-461.41-00	Water Purchase/Resource	90,157.32	N
				90,157.32	
WELLS FARGO	2469216	111-0110-411.66-05	Council Meeting Expenses	28.00	N
	2449398	111-0110-411.66-05	Council Meeting Expenses	25.50	N
	2478930	111-6020-451.61-35	Professional Development	69.96	N
	2469216	111-3010-415.61-20	Dept Supplies & Expense	66.60	N
	2469216	111-0210-413.59-15	Recreation Supplies	77.55	N
				267.61	
WELLS FARGO BANK-FIT	PPE 11-06-2016	802-0000-217.20-10	Federal W/Holding	41,869.88	Y
				41,869.88	
WELLS FARGO BANK-MEDICARE	PPE 11-06-2016	802-0000-217.10-10	Medicare	6,808.32	Y
				6,808.32	
WELLS FARGO BANK-SIT	PPE 11-06-2016	802-0000-217.20-20	State W/Holding	13,207.62	Y
				13,207.62	
WEST GOVERNMENT SERVICES	835013834	111-7030-421.56-41	Contract/Other	617.05	N
				617.05	
WOOD OIL COMPANY	60234	741-8060-431.62-30	Metro Transit Fuel & Oil	850.41	N
				850.41	
XEROX CORPORATION	086948670	111-8020-431.43-05	Office Equip - O S & M	168.70	N
	086948670	285-8050-432.43-05	Rent (Incl Equip Rental)	168.69	N
	086948670	681-8030-461.43-05	Office Equip - O S & M	168.69	N
	086833120	111-7030-421.44-10	Office Equip - O S & M	501.93	N
				1,008.01	
				2,309,964.38	

ORDINANCE NO. 2016-951

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING THE TRANSFER OF ORDINANCE NO. 353-NS TO TORRANCE PIPELINE COMPANY LLC, A DELAWARE LIMITED LIABILITY COMPANY TO CONSTRUCT, LAY, OPERATE, TEST, MAINTAIN, USE, RENEW, REPAIR, REPLACE, MOVE, CHANGE THE SIZE AND NUMBER OF, AND REMOVE OR ABANDON IN PLACE PIPELINES AND APPURTENANCES, FOR THE PURPOSE OF CONDUCTING, TRANSPORTING, CONVEYING AND CARRYING GAS, OIL, PETROLEUM PRODUCTS AND WATER, ON, ALONG, IN, UNDER AND ACROSS PUBLIC STREETS, WAYS, ALLEYS AND PLACES WITHIN THE CITY OF HUNTINGTON PARK

The City Council of the City of Huntington Park does ordain as follows:

Section 1: DEFINITIONS:

Whenever in this Ordinance the words or phrases defined in this section are used, it is intended that they will have the respective meanings assigned to them in the following definitions (unless, in the given instance, the context in which they are used clearly imports a different meaning):

a) The word "Grantee" means legal person, corporation or entity to which the Franchise contemplated in this Ordinance is granted and its lawful successors and assigns.

b) The word "City" means the City of Huntington Park, a municipal corporation of the State of California, in its present incorporated form or in any later reorganized, consolidated, enlarged or reincorporated form.

c) The word "streets" means the public streets, ways, alleys and places as the same now or may hereafter exist within the City.

d) The phrase "pipelines and appurtenances" means pipe, pipeline, cable, main, flanges, vent, vault, manhole, meter, gauge, regulator, valve, conduit, attachment, cathodic protection equipment and any other property located or to be located in, upon, along, across, under or over the streets of the City, and used or useful in, or in carrying on the business of, conducting, transporting, conveying and carrying gaseous substances, oil, petroleum products, and water.

1 e) The phrase "lay and use" means to lay, construct, excavate, erect, install,
2 encroach, operate, maintain, use, repair, replace, relocate, or remove.

3 f) The word "Franchise" means and includes any authorization granted by
4 this ordinance in terms of a Franchise, privilege, permit, license or otherwise to lay and
5 use a system of pipelines and appurtenances for conducting, transporting, conveying,
6 and carrying gas, oil, petroleum products and water for any and all purposes in, along,
7 across, upon, over, and under streets within the City. Any authorization, in whatever
8 terms granted, means and includes any license or permit required for the privilege of
9 transacting and carrying on the Grantee's pipeline business within the City.

10
11 **Section 2: NATURE OF FRANCHISE:**

12 The existing Franchise privilege and right, granted by the City to ExxonMobil Oil
13 Corporation pursuant to Ordinance No. 353-NS as amended by Ordinance 535-NS,
14 716-NS and 927-NS, is hereby transferred to Torrance Pipeline Company LLC, a
15 Delaware limited liability company and its successors and assigns, for a term
16 commencing from and after the date of the adoption of this Ordinance, and ending on
17 December 18, 2023, to continue to maintain a certain twelve (12") inch pipeline and no
18 others, and to operate, maintain, use, repair, replace, and/or remove said pipeline,
19 together with all valves, fittings, manholes, service connections, appurtenances, and
20 the equipment as the Grantee, its successors and assigns, may deem necessary or
21 convenient, in, under and along the easterly forty (40') feet of Santa Fe Avenue, within
22 the City limits, together with the right to carry, transport, convey and conduct oil,
23 petroleum, gas, gasoline, water and other substances in and through said facilities.

24 The pipelines and appurtenances will be operated, maintained, replaced or repaired in
25 conformity with all ordinances, rules or regulations in effect at the time of granting of
26 this Franchise, or as prescribed by the City Council and in accordance with the terms
27 and conditions of any permit issued by the Community Development Director or
28 designee.

1 **Section 3: LOCATION OF PIPELINES AND APPURTENANCES:**

2 So far as is practicable, any pipelines and appurtenances laid pursuant to this
3 Franchise will be located along the edge or shoulder of the streets or in the parking
4 areas adjacent to the streets so as not to unreasonably disturb the flow of traffic and
5 where possible will be laid in the unpaved portion of the street.

6 All pipelines and appurtenances will be located in conformity with the orders of the
7 Community Development Director of the City of Huntington Park (the "Community
8 Development Director").

9
10 **Section 4: RIGHT TO CONSTRUCT AND MAINTAIN PIPELINES AND**
11 **APPURTENANCES:**

12 The Grantee will have the right to construct and maintain pipelines and appurtenances
13 as may be necessary or convenient for the proper maintenance and operation of the
14 pipelines and appurtenances under the Franchise. The Grantee has the right, subject
15 to such City ordinances, rules, or regulations as are now or may hereafter be in force,
16 to make all necessary excavations in the streets, for the construction, testing, and
17 repair of new or existing pipelines and appurtenances.

18
19 **Section 5: TERM:**

20 This Franchise is hereby granted to Grantee for a term commencing from and after the
21 date of the adoption of this Ordinance, and ending on December 18, 2023, subject to
22 all of the limitations and restrictions herein contained. Grantee shall have the option to
23 request an extension of this Franchise for two additional 5 year terms (the
24 "Subsequent Terms"). Grantee may exercise its rights to request the extensions of the
25 Franchise by requesting the extensions in writing, pursuant to the notification
26 requirements as outlined in Section 20, no later than ninety days prior to the expiration
27 of the then current term. City may, in its sole discretion, grant the requested
28 extensions.

Section 6: COMPENSATION:

As consideration for the Franchise herewith granted, the Grantee shall pay to the City the following fees:

A. The Grantee shall pay to the City a base annual fee of \$8,906.75 which is based on a rate of \$1.549 per linear foot of 12-inch internal diameter pipeline (there are 5,750 linear feet of 12-inch pipeline in City's streets, pursuant to this Ordinance). Payment is due annually in arrears with first payment due March 2017 and annually thereafter following the enactment of this Ordinance.

B. The compensation provided for in section 6A shall be subject to an increase after the first year of the anniversary date of the Franchise and each subsequent year thereafter during the term of this Franchise. The amount of increase shall be computed pursuant to the Producer Price Index for all commodities in the following manner:

Effective upon approval of this Ordinance, the base CPI for computing the adjustment is the Consumer Price Index, all Urban Consumers for the Los Angeles-Anaheim-Riverside Area (1982-84 = 100) (hereinafter referred to as the "Index"), for the period of July 1991, with said index having a value set at 141.5 (hereinafter referred to as the "Beginning Index"). If the Index published in September for each year proceeding Payment due date (hereinafter referred to as the "Extension Index") has increased over the prior year's Extension Index, the Franchise fee for the following year (until the next adjustment) shall be set by multiplying the Franchise fee set forth in Section 6A by a fraction, the numerator of which is the Extension Index and the denominator of which is the Beginning Index. In no case shall this increased compensation be less than the Franchise fee set forth in Section 6A. If the Index is discontinued or revised during the term, such other mutually agreeable governmental index or computation with which it is replaced shall be used in order to obtain substantially the same results that would be obtained if the index had not been discontinued or revised.

For pipelines with an internal diameter not listed above, the fees shall be computed at

an annual rate of one dollar and sixty-eight cents per cubic foot.

Removal or Abandonment

1) Notwithstanding the provisions of Sections, A and B of Section 6 the Grantee shall be liable to pay the City the annual fee for the period to and including the date of either actual removal of the facilities, or the effective date of the properly-approved abandonment "in place" authorized by the City, and until the Grantee shall have fully complied with all the provisions of law or ordinances relative to such abandonments.

2) In the event of partial abandonment of facilities with the approval of the City as elsewhere in the ordinance provided, or in the event of partial removal of such facilities by the Grantee, the payments otherwise due the City for occupancy of the streets by such facilities shall be prorated beginning with the first day of the next succeeding Franchise year, and for each Franchise year thereafter, at the adjusted base rate due on each anniversary of the Effective Date for each linear foot of pipeline abandoned or removed; provided however, that the said base rate shall be modified to reflect the Index adjustment (per Paragraph B of this Article 6) applicable to such abandoned or removed pipeline at the beginning of the next succeeding Franchise year following abandonment or removal.

A. Place of Payment

All payments shall be paid to the office of the Director of Finance of the City of Huntington Park at 6550 Miles Avenue #116, Huntington Park, Ca 90255, or such place as the City shall from time to time designate in writing.

Section 7: MAPS AND CAPITAL IMPROVEMENT PLAN:

Within ninety (90) days following the date in which any pipelines and appurtenances or additional pipelines and appurtenances have been laid or constructed under this

Franchise, the Grantee will file a map or maps in such forms as may be required by the Community Development Director showing the accurate location and size of all its pipelines and appurtenances then in place, and will, upon installation of any additional pipelines and appurtenances, or upon removal, change, or abandonment of all or any portion of the pipelines and appurtenances, file a revised map or maps showing the location and size of all such additional, removed, or abandoned pipelines and appurtenances as of that day.

Every three years (3) from the date of adoption of this Franchise, the Grantee will submit a projected three-year capital improvement plan for its facilities subject to this ordinance. Scheduling for repair, replacement or modifications will be described by year and location in order to provide information to the City for coordination with its public works capital improvement program. Projects not on such a schedule may be denied a permit unless the work is an emergency or the need was unforeseen. Justification may be required from the Franchisee as to why it is an emergency or why it was unforeseen at the time of the capital improvement plan.

Section 8: CONSTRUCTION OF PIPELINES AND APPURTENANCES:

A. Terms of Construction.

The pipelines and appurtenances operated, replaced, repaired, constructed or maintained in any manner pursuant to section 4 of this ordinance will be constructed and maintained in a good, workmanlike manner and in conformity with all applicable ordinances, rules or regulations now or subsequently adopted or prescribed by the City Council. All pipelines laid under this Franchise will meet State Fire Marshal standards. Except in an emergency, the Grantee may not excavate in a City street right-of-way without having first applied for and obtained a Construction - Excavation Permit from the Community Development Director. Such application may include a traffic control plan and other information as required by the Community Development Director. The Grantee will pay reasonable fees (including inspection) required by such permit.

1 **B. Restoration of Streets.** The work of constructing, maintaining or repairing all
2 pipelines and appurtenances will be conducted with the least practicable hindrance to
3 the use of the streets for purposes of travel, and as soon as such work is completed,
4 all portions of the street that have been excavated or otherwise damaged will be
5 placed in as good condition as they were before the commencement of such work, to
6 the satisfaction of the Community Development Director. Unless necessitated by a
7 project not conducted by City or Grantee, all street repair work that Grantee performs
8 pursuant to this Franchise will be made by the Grantee at the sole cost and expense of
9 the Grantee in accordance with the ordinances of the City and the conditions of the
10 Construction – Excavation Permit issued by the Community Development Director. If
11 the pipelines and appurtenances are laid across or along the paved portion of a street,
12 the repair of the street, after the pipelines and appurtenances have been laid, will be
13 made by the Grantee at the sole cost and expense of the Grantee. If the Grantee fails
14 or neglects to make the repairs, then thirty (30) days after notice is given to the
15 Grantee by the City, the City may repair the street at the expense of the Grantee, and
16 upon presentation of a bill for the expense, the Grantee will pay the bill at once. The
17 amount chargeable to the Grantee will be the actual reasonable cost of the repair.

18 **C. Conformance Requirements.** The pipelines and appurtenances will be
19 operated, maintained, replaced or repaired in compliance with all applicable laws,
20 ordinances, resolutions, regulations, policies, rules and orders in force at the time the
21 Franchise becomes effective or as may be amended or added from time to time during
22 the term of this Franchise.

23 **D. Certified Test Results:** For those pipelines and appurtenances subject to the
24 provisions of the Pipeline Safety Act of 1981 (Government Code §51010, et seq.) the
25 testing will be performed in accordance with State Fire Marshal requirements, and
26 certified test results will be requested by the City from the Fire Marshal. In the event
27 the State Fire Marshal fails to provide certified test results to the City, Grantee will
28 provide the test results to the City upon request.

1 1) Conformance Requirements: The pipelines and appurtenances will be
2 operated, maintained, replaced or repaired in accordance with the latest applicable
3 revision of the "American National Standard Code for Pressure Piping ANSI/ASME
4 B31.4-1979;" the American Petroleum Institute Standard 1104; the Code of Federal
5 Regulations, Part 195, Title 49 U.S.C. or other applicable standards and codes,
6 whichever is the most stringent. The pipelines and appurtenances will further be
7 operated, maintained, replaced or repaired in accordance with all applicable Federal
8 and/or State standards for the construction of intrastate pipelines as set forth in
9 Federal laws, rules and regulations. Whenever there is a conflict in Federal or State
10 standards, the more stringent standard will prevail.

11
12 **Section 9: EMERGENCY EQUIPMENT AND CREWS:**

13 At all times during the term of this Franchise, the Grantee will maintain on a twenty-
14 four hour a day basis adequate equipment and a properly trained crew, or qualified
15 contractors, with the ability to quickly shut off the pressure and the flow of contents of
16 the pipelines and appurtenances in the event of an emergency resulting from an
17 earthquake, act of war, civil disturbance, flood, computer malfunction or other cause.

18
19 **Section 10: BREAKS OR LEAKS:**

20 If any portion of any street is damaged by reason of breaks or leaks in any pipe or
21 appurtenance constructed under this Franchise, the Grantee will, at its sole cost and
22 expense, following written or oral notification, repair any such damage and put the
23 street in as good condition as it was in before the break or leak, to the satisfaction of
24 the Community Development Director.

25
26 **Section 11: REARRANGEMENT OF PIPELINES AND APPURTENANCES:**

27 **A. Expense of Grantee.**

28 1) If any of the Grantee's pipelines and appurtenances endanger the public

1 safety in the use of the public streets or interfere with or obstruct the use of any street
2 by the public or for the public purposes, the City will have the right to require the
3 Grantee, at the Grantee's sole cost and expense, to move, alter or relocate the
4 pipelines and appurtenances (the "rearrangement") to avoid such danger, interference
5 or obstruction, in conformity with the written notice of the Community Development
6 Director.

7 2) Whenever, during the existence of this Franchise, the City changes the
8 grade, width or location of any street or improves any street in any manner, including
9 the laying of any city sewer, storm drain, conduits, gas, water or other pipelines, or
10 constructs any pedestrian tunnels, or other work of the City, (the right to do all of which
11 is specifically reserved to the City without any admission on its part that it would not
12 otherwise have such rights) and such work will, in the opinion of the Community
13 Development Director, render necessary any change in the position or location of any
14 pipelines and appurtenances of the Grantee in the street, while such work is being
15 done or performed, the Grantee will, at its sole cost and expense, do any and all things
16 reasonable to effect such change in position, in conformity with the written notice of the
17 Community Development Director if the work is for city purposes and not for the
18 primary benefit of a non-City entity; provided, however, that the City will not require the
19 Grantee to remove its pipelines and its appurtenances entirely from the street.

20 3) In case the Grantee fails to commence work in compliance with written
21 notice provided in subsection B(3), within one hundred and twenty (120) days after
22 service of the notice upon Grantee (unless Grantee is unable to comply with such
23 notice by reason of strikes, riots, acts of God, or acts of public enemies, or any other
24 uncontrollable reason), the Community Development Director may cause the work
25 required in the notice to be performed by the City or, at the election of the City, by a
26 private contractor qualified to perform work on petroleum pipelines and their
27 appurtenances. The Grantee agrees to pay the reasonable costs within sixty (60) days
28 after delivery of an itemized bill. The cost of doing the work will be considered the

1 actual cost. If the Grantee is dissatisfied with any determination of the Community
2 Development Director permitted by this section, it may petition the City Manager to
3 review the Community Development Director's decision within ten (10) days after the
4 Community Development Director's decision. During the pendency of such petition,
5 the work required to be done will be suspended.

6 **B. City Utility Systems; Rearrangement at Expense of Others:**

7 1) The City will have the right to require the Grantee to rearrange any part of
8 the Grantee's pipelines and appurtenances for the accommodation of the City when
9 such rearrangement is done for the accommodation of any water, electric, gas or other
10 utility system now or hereafter owned or operated by the City. Except as otherwise
11 provided in subsection B(2) of this section 11, such rearrangement will be at the
12 Grantee's sole cost and expense.

13 2) When such rearrangement is done for the accommodation of any person,
14 firm or corporation other than one of the utility systems owned or operated by the City,
15 the cost of such rearrangement will be borne by the accommodated party. The
16 accommodated party, in advance of any rearrangement, will deposit with the Grantee
17 or the City Clerk cash or a corporate surety bond in an amount based upon an
18 itemized statement of costs for such rearrangement, as prepared by Grantee, and the
19 accommodated party will execute an instrument agreeing to indemnify and hold
20 harmless the Grantee from any and all damages or claims caused by the
21 rearrangement.

22 3) The rearrangement referred to in subsection (1) of this subsection B of
23 this section 11 will be accomplished in conformity with the written notice of the
24 Community Development Director. Should Grantee fail to commence work in
25 compliance with the written notice within one hundred and twenty (120) days after
26 service of the notice upon the Grantee (unless the Grantee is unable to comply with
27 the notice by reason of strikes, riots, acts of God, or acts of public enemies or any
28 other uncontrollable reason), the Community Development Director may cause the

work required in the notice to be done to be performed by the City or, at the election of the City, by private contractor qualified to perform work on petroleum pipelines and their appurtenances. The Grantee agrees to pay to the City within sixty (60) days after delivery of an itemized bill covering the reasonable cost of performing the work. The cost of doing the work will be considered the actual cost. If the Grantee is dissatisfied with any determination of the Community Development Director permitted by this section, it may petition the City Manager to review the decision within ten days after the determination.

C. Rearrangements of the Pipelines and Appurtenances of Others:

Nothing in this Franchise will be construed to require the City, or any person, firm or corporation now or hereafter owning a public utility system of any type or nature, to move, alter or relocate any part of its system upon the streets for the convenience, accommodation or necessity of the Grantee.

D. Notice:

Grantee will be given not less than one hundred twenty (120) days written notice of any rearrangement of pipelines and appurtenances, which Grantee is required to make under this Franchise. The notice will specify in reasonable detail the work to be done by the Grantee and will specify the time that the work is to be accomplished. In the event that the City changes the provisions of any such notice given to Grantee, then Grantee will be given an additional period not less than thirty (30) business days to accomplish the work.

Section 12: REMOVAL OR ABANDONMENT OF PIPELINES AND APPURTENANCES:

At the time of expiration, non-renewal, revocation, or termination of this Franchise or of the permanent discontinuance of the use of its pipelines and appurtenances, the Grantee will, within sixty (60) business days thereafter, make a written application to the Community Development Director for authority to engage in one of the following:

1 (1) abandon all, or a portion, of such pipelines and appurtenances in place; (2) remove
2 all, or a portion, of such pipelines and appurtenances; or (3) to transfer ownership of
3 the pipelines and appurtenances to the City to use as a conduit. Such application will
4 describe the pipelines and appurtenances desired to be abandoned by reference to
5 the map or maps required by section 7 of this ordinance and will also describe with
6 reasonable accuracy the relative physical condition of the pipelines and
7 appurtenances.

8 Thereupon, the Community Development Director will determine whether any
9 abandonment, removal or transfer that is proposed may be effected without detriment
10 to the public interest or under what conditions the proposed abandonment, removal or
11 transfer may be safely effected and will then notify the Grantee of any such
12 requirements and Grantee shall either remove all, or a portion of such pipelines and
13 appurtenances, abandon in place all, or a portion, of such pipelines and
14 appurtenances, or transfer ownership of the pipelines and appurtenances to the City to
15 use as a conduit.

16 If, for any reason, Grantee suspends operations of any of the pipelines contained in
17 this Franchise for a period in excess of ninety (90) days, Grantee will notify the
18 Community Development Director. During this period of suspended operations, the
19 Grantee will maintain its pipelines pursuant to State Fire Marshal standards. This will
20 continue until such a time as the pipeline is returned to service, abandoned or no
21 longer an asset of Grantee's. This section shall apply only to those pipelines
22 suspended from service subsequent to the enactment of the California Pipeline Safety
23 Act of 1981.

24 If any pipelines and appurtenances to be abandoned in place subject to prescribed
25 conditions are not abandoned in accordance with all such conditions, then the
26 Community Development Director may make additional appropriate orders, including, if
27 he deems desirable, an order that the Grantee remove all such pipelines and
28 appurtenances in accordance with applicable requirements at Grantee's sole cost

1 expense. In the event the Grantee fails to remove any pipelines and appurtenances
2 which it is obligated to remove in accordance with such applicable requirements as
3 may be prescribed by the Community Development Director, then the City may remove
4 such pipelines and appurtenances at the Grantee's sole cost and expense and the
5 Grantee will pay to the City the actual reasonable cost of removal.

6 Should any pipelines and appurtenances under this Franchise be abandoned in
7 accordance with directives of the State Fire Marshal and without City approval,
8 whether or not payments have terminated, and the pipelines and appurtenances
9 interfere at a future time with any public works project, Grantee will, upon request of
10 the Community Development Director, remove the pipelines and appurtenances at
11 Grantee's sole cost and expense. This section 12 will survive the termination or
12 expiration of this ordinance.

13 14 **Section 13: COMPLETION OF WORK:**

15 Whenever the Grantee fails to complete any work required of the Grantee by the terms
16 of this Franchise within the time limits required under this Franchise, the City may
17 cause the work to be completed by the City or, at the election of the City, by a qualified
18 private contractor. The Grantee agrees to pay to the City within sixty (60) days after
19 delivery of an itemized bill covering the reasonable cost of performing the work. The
20 cost of doing the work will be considered the actual cost. If the Grantee is dissatisfied
21 with the determination of the amount, it may petition the City Manager to review the
22 amount within ten days after such determination.

23 24 **Section 14: INSURANCE:**

25 **A.** Grantee must maintain at its sole cost and expense the following insurance,
26 subject to self-insurance provisions:

27 1) Automobile Liability, including owned, non-owned and hired vehicles, with
28 at least the following limits of liability:

1 a) Primary Bodily Injury with limits of at least \$250,000 per person,
2 \$500,000 per occurrence; and

3 b) Primary Property Damage of at least \$100,000 per occurrence, or
4 combined single limits of at least \$1,000,000.

5 2) General Liability including coverage for premises, products and
6 completed operations, personal injury and contractual obligations with combined single
7 limits of coverage of at least \$5,000,000 per occurrence. Grantee will ensure that all
8 independent contractors/vendors provide a like or greater amount of insurance as
9 required herein.

10 3) Pollution Liability including coverage for bodily injury or property damage
11 arising out of the sudden and accidental discharge, release or escape of smoke,
12 vapors, soot, fumes, acids, alkalis, toxic chemicals or gases, waste materials or other
13 irritants, contaminants or pollutants into or upon land, the atmosphere, or any
14 watercourse or bodies of water with combined single limits of coverage of at least
15 \$5,000,000.

16 4) Workers' Compensation with limits as required by the State of California
17 and Employers Liability with limits of at least \$500,000.

18 **B.** City, the City Council, and each member thereof, members of boards and
19 commissions, every officer, agent, official, employee and volunteer must be named as
20 additional insured under the general liability policy.

21 **C.** Except as permitted in subsection "F" of this section 15, Grantee must provide
22 certificates of insurance and/or endorsements to the City Clerk of the City of
23 Huntington Park at the request of the City Clerk.

24 **D.** Each insurance policy required by this section must contain a provision that no
25 termination, cancellation or change of coverage can be made without thirty days'
26 notice to City.

27 **E.** Insurance required by this Franchise will be satisfactory only if issued by
28 companies admitted to do business in California, rated "B+" or better in the most

1 recent edition of Best's Key Rating Guide, and only if they are of a financial category
2 Class VII or better, unless these requirements are waived by the Risk Manager of City
3 ("Risk Manager") due to unique circumstances. In the event the Risk Manager
4 determines that an increased or decreased risk of loss is posed to City, Grantee
5 agrees that the minimum limits of any insurance policies or performance bonds
6 required by this Agreement may be changed accordingly upon receipt of written notice
7 from the Risk Manager; provided that Grantee will have the right to appeal a
8 determination of increased coverage by the Risk Manager to the City Council of City
9 within 10 days of receipt of notice from the Risk Manager.

10 **F.** Grantee will have the option to self-insure such risks and insurance obligations,
11 for which Grantee will, at the request of the City, provide its standard letter of self-
12 insurance, in a form acceptable to City, for risks and insurance obligations agreed to
13 under this Franchise.

14
15 **Section 15: INDEMNIFICATION BY GRANTEE:**

16 Grantee will indemnify, defend, and hold harmless City, the City Council, each member
17 thereof, present and future, its officers, agents and employees from and against any
18 and all liability, expenses, including defense costs and legal fees, and claims for
19 damages whatsoever, including, but not limited to, those arising from breach of
20 contract, bodily injury, death, personal injury, property damage, loss of use, or property
21 loss arising out of Grantee's exercise of its rights under this Franchise. The obligation
22 to indemnify, defend and hold harmless includes, but is not limited to, any liability or
23 expense, including defense costs and legal fees, arising out of Grantee's, its officers,
24 employees, agents, subcontractors or vendors exercise of its rights under this
25 Franchise. It is further agreed, Grantee's obligations to indemnify, defend and hold
26 harmless will apply except to the extent of concurrent negligence or willful misconduct,
27 on the part of City, the City Council, each member thereof, present and future, or its
28 officers, agents, employees, contractors, subcontractors or vendors.

Section 16: ASSIGNMENT:

No transfer, assignment or lease, or attempted transfer, assignment or lease, of this Franchise, or of any right, privilege or interest therein, to any person, firm, or corporation, shall have any force, effect or validity unless and until the following is satisfied:

a) The Grantee shall have duly executed a good and sufficient instrument making such transfer, assignment, or lease, and a certified copy thereof shall have been filed in the office of the City Clerk.

b) An ordinance of the City consenting to such transfer, assignment or lease shall have been duly adopted and become effective; however, such consent shall not be unreasonably withheld if the transferee, assignee or lessee, shall be a responsible Corporation in good standing authorized to do business in the State of California.

c) The transferee, assignee, or lessee, shall duly execute and file in the office of the City Clerk a good and sufficient instrument accepting such transfer, assignment or lease, assuming all the obligations of the Grantee under this Franchise.

d) The new transferee, assignee, or lessee will pay to the City a sum of money sufficient to reimburse it for all expenses incurred by it in connection with the approval of the sale, transfer, assignment, or lease of this Franchise; said payment to be made within thirty (30) days after the City will have furnished said Grantee with a written statement of such expenses.

Section 17: DEFAULT:

A. Noncurable Default.

In the event that the Grantee defaults in the performance of any of the terms, covenants or conditions contained in this Franchise and the default is not curable, the City may declare this Franchise forfeited. Upon giving written notice of the forfeiture to the Grantee, this Franchise will be void and the rights of the Grantee under this Franchise will cease and terminate and the Grantee will execute an instrument of

surrender and deliver the surrender to the City.

B. Curable Default.

In the event that the Grantee defaults in the performance of any of the terms, covenants and conditions contained in this Franchise and the default is curable, the City will give written notice to the Grantee of the default. In the event that the Grantee does not commence the work necessary to cure the default within one hundred and twenty (120) days after notice is sent or fails to prosecute the work diligently to completion, the City may declare this Franchise forfeited. Upon giving written notice of the forfeiture to the Grantee, this Franchise will be void and the rights of the Grantee under this Franchise will cease and terminate and Grantee will execute an instrument of surrender and deliver the surrender to the City.

C. Cumulative Remedies.

No provision herein made for the purpose of securing the enforcement of the terms and conditions of this Franchise shall be deemed an exclusive remedy, or to afford the exclusive procedure, for the enforcement of said terms and conditions, but the remedy and procedure herein provided in this Franchise, in addition to those provided by law, shall be deemed to be cumulative.

Section 18: SUPERSEDURE:

This Franchise will be in lieu of any like Franchise, if any has been previously granted by the City to the Grantee for same pipeline and appurtenances and any such other Franchise, if any, will be deemed to be and will be repealed as of the date upon which the grant of this Franchise is effective, and the rights, liabilities and obligations of the Grantee under such other Franchise will thereupon cease and terminate. Should the foregoing be applicable to the grant of this Franchise, the Grantee will pay to the City any and all amounts accrued up to the effective date of this Franchise under such other Franchise so repealed as shown by statement of such amounts in the form required by such other Franchise filed not later than ninety days after this ordinance

1 becomes effective. Payment of such amounts will be made with the filing of such
2 statement.

3
4 **Section 19: SCOPE OF RESERVATION:**

5 Nothing contained in this Franchise will ever be construed so as to exempt the Grantee
6 from compliance with all applicable ordinances of the City now in effect or which may
7 be subsequently adopted which are not inconsistent with the terms of this Franchise.
8 The enumeration in this Franchise of specific rights reserved will not be construed as
9 exclusive, or as limiting the general reservations in the Franchise made or as limiting
10 such rights as the City may now or hereafter have in law.

11 Furthermore, the City (without admitting or recognizing in any way that it is not already
12 vested with the powers hereinafter reserved) hereby expressly reserves the right to
13 grade, widen, relocated, sewer, pipe, macadamize, to lay, conduit, water, gas, or other
14 pipe therein, or to alter, repair, or otherwise provide for the making of local
15 improvements in the streets along which this Franchise is granted, and the City also
16 hereby expressly reserves the right to enact and enforce all reasonable and proper
17 ordinances in the exercise of its police power, or its power to make and provide for the
18 making of local improvement by special assessment, and nothing herein contained
19 shall ever be construed or taken to exempt or as a contract right exempting the
20 Grantee from complying with such ordinances now in force or which may hereafter be
21 adopted. The enumeration herein of specific rights reserved shall not be taken as
22 exclusive or as limiting the general reservations here made.

23
24 **Section 20: NOTICE:**

25 Any notice required to be given under the terms of this Franchise, the manner of
26 service of which is not specifically provided for, may be served as follows:

27 Upon the City, by serving the City Clerk personally, or by sending written notice
28 addressed to:

1 City Clerk of the City of Huntington Park
2 City Hall
3 6550 Miles Avenue
4 Huntington Park Ca, 90255

5 and depositing such notice in the United States mail, postage prepaid. Upon the
6 Grantee, by sending written notice to Grantee, addressed to:

7 PBF Energy
8 Attn: Right of Way Manager
9 12851 E. 166th Street
Cerritos, Ca 90703

10 or such other address as may from time to time be furnished in writing by one party to
11 the other and depositing the notice in the United States mail, postage prepaid. When
12 the service of any such notice is made by mail, the time of such notice will begin with
13 and run from the date of the deposit of the notice in the United States mail.

14
15 **Section 21: SUCCESSORS:**

16 The terms and conditions of this Franchise will inure to the benefit of or will bind, as the
17 case may be, the successors and assigns of the parties to this Franchise, subject,
18 however, to the provisions of section 16.

19
20 **Section 22: ACCEPTANCE OF FRANCHISE:**

21 This Franchise is granted and will be held and enjoyed only upon the terms and
22 conditions contained within this Franchise, and the Grantee must, within thirty business
23 days after the passage of the ordinance granting this Franchise, file with the City Clerk
24 of the City of Huntington Park a written acceptance of the terms and conditions.

25
26 **Section 23: FRANCHISE TO BE STRICTLY CONSTRUED AGAINST GRANTEE:**

27 This Franchise is granted upon each and every condition contained within this
28 Franchise and will be strictly construed against Grantee. Nothing will pass hereby

1 unless it be granted in plain and unambiguous terms. Each of the conditions is a
2 material and essential condition to the granting of this Franchise.

3
4 **Section 24: FORCE MAJEURE:**

5 The time within which Grantee is obligated under this Franchise to construct, erect,
6 maintain, operate, repair, renew, change the size of and remove pipelines and
7 appurtenances or other improvements will be extended for a period of time equal in
8 duration to, and performance in the meantime will be excused on account of and for
9 and during the period of, any delay caused by strikes, threats of strikes, lockouts, war,
10 threats of war, insurrection, invasion, acts of God, calamities, violent action of the
11 elements, fire, action or regulation of any governmental agency, law or ordinance,
12 impossibility of obtaining materials, or other things beyond the reasonable control of
13 Grantee.

14
15 **Section 25: DAMAGE TO PUBLIC PROPERTY:**

16 Any damage done directly or indirectly to any public property by Grantee, in exercising
17 directly or indirectly any right, power, or privilege under this Franchise, or in performing
18 any duty under or pursuant to the provisions of this Franchise, will be promptly repaired
19 by Grantee at its sole cost and expense.

20
21 **Section 26: RECORDS AND PERIODIC REPORTS:**

22 At all reasonable times and after prior written notice, Grantee will permit the City, at the
23 request of the Community Development Director, to examine all property of Grantee
24 erected, constructed, laid, operated or maintained pursuant to this Franchise, together
25 with any appurtenant property of Grantee, and to examine and transcribe any and all
26 books, accounts, papers, maps, and other records kept or maintained by Grantee or
27 under its control, with regard to safety issues associated with this Franchise, excepting
28 however such books or records that are classified proprietary or confidential in nature.

1 Annually, during the life of this Franchise, and concurrently with provision of the annual
2 payment pursuant to section 6, Grantee will file with the Community Development
3 Director, for the immediately preceding Franchise period the length of lines in streets,
4 the internal diameter of such lines, the rate per foot per year, and the total amount due
5 to the City.

6
7 **Section 27: PRIOR FRANCHISES:**

8 All pipelines and appurtenances erected, constructed, laid, operated or maintained by
9 Grantee in the streets, whether installed by Grantee or not, in the area described in
10 and by virtue of the authority provided by the ordinance granting this Franchise, prior to
11 the effective date of this ordinance, except those maintained under prior right other
12 than Franchise, will become subject to all the terms and conditions of this ordinance
13 upon its effective date. The parties intend by this provision to ensure that no lineal
14 footage of pipeline which is constructed, erected, maintained, operated, repaired,
15 renewed, changed in size, or removed by Grantee within the City of Huntington Park is
16 inadvertently omitted from this Franchise unless otherwise covered by separate
17 agreement with the City.

18
19 **Section 28: SEVERABILITY:**

20 If any section, subsection, sentence, clause, or phrase of this ordinance is for any
21 reason held to be invalid or unconstitutional by the decision of any court of competent
22 jurisdiction, the decision will not affect the validity of the remaining portions of the
23 ordinance. The City Council declares that it would have passed this ordinance and
24 each section, subsection, sentence, clause and phrase, irrespective of the fact that
25 any one or more sections, subsections, sentences, clauses or phrases are declared
26 invalid or unconstitutional.

Section 29: EFFECTIVE DATE:

This ordinance will take effect thirty (30) days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Huntington Park.

Section 30: ATTORNEY'S FEES:

Except as provided for in Paragraph 15, in any dispute, litigation, arbitration, or other proceeding by which one party either seeks to enforce its rights under this ordinance (whether in contract, tort or both) or seeks a declaration of any rights or obligations under this ordinance, the prevailing party will be awarded reasonable attorney's fees, together with any costs and expenses, to resolve the dispute and to enforce any judgment.

INTRODUCED AND APPROVED this ____ day of _____, _____.

ADOPTED AND PASSED this ____ day of _____, _____.

Graciela Ortiz, Mayor

ATTEST:

Donna G. Schwartz, CMC City Clerk

APPROVED AS TO FORM:

City Attorney

By: _____

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK ORDAIN AS FOLLOWS:

Chapter 10 CONSTRUCTION AND DEMOLITION MATERIAL WASTE MANAGEMENT PLAN

The purpose of this Chapter is to fulfill the City's obligation to meet the requirements of **California Green Building Standards Code** and to reduce the City's landfill waste from construction and demolition materials as required by State requirements.

For the purposes of this chapter, the definitions of the California Code of Regulations Title 24 as adopted and amended by the City and the following definitions shall apply:

(d) "Recycling Coordinator" means the City Public Works Director or his/her designee.

1 **7-10.030 Submission of a Waste Management Plan.**

2 Notwithstanding any other provisions of this Code, no building or demolition
3 permit shall be issued for any covered project unless a WMP has been reviewed
4 and approved.

5 (a) Prior to obtaining any construction permit within private property, a
6 waste management plan shall be submitted and approved by City Building Official or
7 by his/her designee in compliance with California Green Code and any applicable
8 Local and State Regulations.

9 (b) Prior to obtaining any construction permit within public property, a waste
10 management plan shall be submitted and approved by City Public Works Director or
11 by his/her designee in compliance with California Green Code and any applicable
12 Local and State Regulations.

13 **7-10.040 Performance security.**

14 The project applicant shall submit a performance security to the City Finance
15 Department. The amount of the performance security shall be calculated as the
16 lesser of three percent (3%) of total cost of the entire project or thirty thousand
17 dollars (\$30,000) but a minimum of one-thousand dollars (\$1,000). The WMP
18 Compliance Official (WMPCO) or his/her designee may waive the performance
19 security if the total security required pursuant to this Section would be five-hundred
20 (\$500.00) dollars or less or if the applicant makes written application to the WMPCO
21 demonstrating that the applicant is the property owner of the subject property, a
22 resident or occupant of the subject property, and that the volume of demolished
23 material is not of consequence to the City's compliance effort. It is the applicant's
24 responsibility to provide the burden of proof to the satisfaction of the WMPCO. The
25 project applicant will forfeit the performance security in case of the project
26 applicant's failure to provide documentation within 30 days of project completion in
27 compliance with the approved waste management plan. The forfeited performance
28 security shall be deposited in the Public Works Department's Account to be used as
reimbursement for the Department of Public Works' costs and expenses of
administration and enforcement of this Chapter.

21 **7-10.050 Compliance with WMP.**

22 (a) Documentation. Prior to the issuance of any occupancy permit and in no
23 case later than thirty days after the completion of any covered project, the applicant
24 shall submit to the WMP Compliance Official documentation that substantiates that
25 they have met the diversion requirement for the project. Applicant shall provide a
26 summary of efforts used to meet the diversion requirement and also provide the
27 following documentation:

28 (1) Receipts from the vendor or facility which collected or received
each material showing the actual weight or volume of that material;

(2) Weight slips/count of material salvaged or reused in current
project;

1 (3) A copy of the previously approved WMP or revised WMP for the
2 project adding the actual volume or weight of each material diverted from the landfill;
3 and

4 (4) Any additional information the applicant believes is relevant to
5 determining its efforts to comply in good faith with this Chapter.

6 (b) Determination of Compliance and Release of Performance Security. The
7 WMP Compliance Official or his/her designee shall review the information submitted
8 under subsection (a) of this Section to determine whether the applicant has
9 complied with the diversion requirement as follows:

10 (1) Full Compliance. If the WMP Compliance Official or his/her
11 designee determines that the applicant has fully complied with the diversion
12 requirement applicable to the project, he or she shall cause the full performance
13 security to be released to the applicant.

14 (2) Failure to Comply. If the WMP Compliance Official or his/her
15 designee determines that the diversion requirement has not been met, he or she
16 shall return only that portion of the performance security equivalent to the portion of
17 C&D material actually diverted compared to the portion that should have been
18 diverted according to the WMP. Any portion of the performance security not
19 released to the applicant shall be forfeited to the City, and shall be used to recover
20 costs associated with mitigating the City's obligation to comply with California Green
21 Code and applicable State Laws and Regulation. If the WMP Compliance Official
22 determines that the applicant has fully failed to comply with the diversion
23 requirement or if the applicant fails to submit the documentation required by
24 subsection (a) of this Section within the required time period, then the entire
25 performance security shall be forfeited to the City.

26 If a good faith effort has been made to comply, the applicant may make an
27 appeal in writing for the consideration of the availability of markets for the C&D
28 materials, the size of the project, and the documented efforts of the applicant to
divert C & D materials. If the City determines that the applicant has made a good
faith effort to comply with this Chapter, the City shall notify the WMP Compliance
Officer of said decision. The WMP Compliance Officer will then notify Building &
Safety so that further processing such as occupancy permits may be issued.

(3) Noncompliance. If it is determined that the applicant has not
made a good faith effort to comply with this Chapter, or if the applicant fails to
submit the documentation required by this Chapter within the required time periods,
the applicant will be deemed to be in violation of this Chapter for failure to comply
with its requirements.

7-10.060 Exemption.

(a) Application. If an applicant believes it is infeasible to comply with the
diversion requirements of this Chapter due to the circumstances delineated in this
Section, the applicant may apply for an exemption at the time that he or she submits
the required WMP for review by the WMP Compliance Official. Exemptions may be
granted based on the following considerations:

- (1) Lack of storage space onsite;
- (2) Contamination by hazardous substances; and
- (3) Low recyclability of specific materials.

1 The applicant shall indicate on the WMP the maximum rate of diversion he or
2 she believes is feasible for each material and the specific circumstances that he or
3 she believes make it infeasible to comply with the diversion requirement.

4 (b) Meeting with WMP Compliance Official et. al. The WMP Compliance
5 Official shall review the information supplied by the applicant and may meet with the
6 applicant to discuss possible ways of meeting the diversion requirement. The WMP
7 Compliance Official, and/or the Recycling Coordinator may request that staff from
8 the County Department of Public Works, Solid Waste Management Division, meet
9 and assist in determining if it is possible for the applicant to meet the diversion
10 requirement.

11 (c) Granting of Exemption. If the City determines that it is infeasible for the
12 applicant to meet the diversion requirement due to unique circumstances, he or she
13 shall determine the maximum feasible diversion rate for each material and shall
14 indicate this rate on the WMP submitted by the applicant. The WMP Compliance
15 Official shall return a copy of the WMP to the applicant marked "Approved
16 Exemptions" and shall notify Building & Safety that the WMP has been approved.

17 (d) Denial of Exemption. If the City determines that it is possible for the
18 applicant to meet the diversion requirement, the WMP Compliance Official shall
19 inform the applicant in writing. The applicant shall have thirty days to resubmit a
20 WMP form in full compliance with Section 7.10.030. If the applicant fails to resubmit
21 the WMP, or if the resubmitted WMP does not comply with Section 7.10.030, the
22 WMP Compliance Official shall deny the WMP and any further submittal for the
23 project will be a new submittal.

24 **7-10.070 Appeal.**

25 (a) The applicant or any interested person may appeal to the City Council
26 from any ruling of the WMP Compliance Official made pursuant to this Chapter in
27 accordance with Section 1-4.01. Notice of any appeal from the ruling of the WMP
28 Compliance Official must be filed within ten days of the date that such ruling is
made.

29 **7-10.080 Enforcement.**

30 (a) The Director of the Department of Public Works, or his or her designee,
31 is authorized to enforce this Chapter as follows:

32 (1) For the first failure to comply with the provisions of this Chapter,
33 the Department of Public Works shall issue to the affected person or legal entity a
34 written notice that includes the following information:

- 35 (i) A statement specifying the violation committed;
- 36 (ii) A specified time period within which the affected person
37 must correct the failure or file a written notice disputing the notice to comply; and
- 38 (iii) A statement of the penalty for continued noncompliance.

39 (2) For each subsequent failure to comply with any provisions of this
40 Chapter following written notice pursuant to this Section the Director of the
41 Department of Public Works may levy a penalty not to exceed five hundred dollars
42 (\$500.00). Any statement informing a violator of a citation shall include a notice
43 setting forth the appeal rights provided in Section 7-10.070.

1 (3) Any person or entity assessed a penalty pursuant to subsection
2 (a)(2) of this Section may dispute the penalty by requesting a hearing before the City
3 Council by filing the necessary forms with the City Clerk's office, within ten days of
4 the date of the penalty assessment that has been issued and in a manner set forth
5 in Section 1-4.03 of this Code. The person or entity shall deposit with the City
6 Finance Department money in the amount of any unpaid penalty due under this
Chapter or any other monies due the City. If, as a result of the hearing, it is
determined that the penalty was wrongly assessed, the City shall refund any money
due to the wrongfully assessed penalties that were deposited with the City to the
person or entity that deposited same.

7 (4) It shall not be a defense to the assessment of any penalty or to
8 any other civil enforcement action provided for under this Section for a person or
9 entity to assert that any violation of this Chapter was caused by the actions of a
10 person or entity other than the person or entity assessed, except if the violation was
11 caused by the criminal or negligent action of a person or entity who was not an
12 agent, servant, employee or family member of the person or entity.

13 (5) Any penalty collected hereunder shall be deposited in the Public
14 Works Department's Account to be used as reimbursement for the Department of
15 Public Works' costs and expenses of administration and enforcement of this
16 Chapter.

17 (b) Any violation of this Chapter shall constitute an infraction punishable by
18 a fine of five hundred dollars (\$500.00). Each day that a violation occurs shall
19 constitute a separate offense.

20 (c) A violation of any provision of this Chapter is declared to be a public
21 nuisance and may be abated pursuant to Chapter 5-11.20 of this Code or by means
22 of a civil action.

23 (d) The City may enforce the provisions of this Chapter by means of a civil
24 action. The burden of proof in such cases shall be preponderance of the evidence.

25 (e) Any person who commits an act, proposes to commit an act, or engages
26 in any pattern and practice which violates this Chapter, may be enjoined by any
27 court of competent jurisdiction.

28 (f) The penalties and remedies established by this Chapter are not
exclusive, and nothing in this Chapter shall preclude any person, jurisdiction or entity
from seeking any other remedies, penalties, or procedures provided by law.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2016.

Graciela Ortiz, Mayor

ATTEST:

Donna G. Schwartz, CMC
City Clerk



CITY OF HUNTINGTON PARK

Community Development Department
City Council Agenda Report

December 6, 2016

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

RECEIVE AND FILE REPORT AND ANALYSIS FROM COMMUNITY DEVELOPMENT AND KOSMONT COMPANIES REGARDING A COMMUNITY REVITALIZATION AND INVESTMENT AUTHORITY (CRIA), DISCUSSION AND/OR ACTION ON THE MATTER

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Discuss report and analysis regarding the feasibility of a CRIA within the City of Huntington Park;
2. File report and analysis regarding the feasibility of a CRIA within the City of Huntington Park; and
3. Provide direction to staff to continue to work on studying or implementation of a CRIA within the City of Huntington Park.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In 2015, the State of California adopted AB2/AB 2492 known as the Community Revitalization and Investment Authority (CRIA) restored redevelopment authority to disadvantaged communities based on certain provisions of former Community Redevelopment Law. CRIA provides new authority to revitalize communities through planning and financing infrastructure improvements and upgrades; economic development activities such as new major retail developments; and affordable housing via tax increment financing.

In August 2016, Kosmont Companies began to undertake an evaluation of the feasibility of a CRIA for multiple targeted areas within the City of Huntington Park. The purpose of the evaluation was to identify the practical and financial/economic efficiency of a CRIA in order to determine whether or not the City should proceed with formation and implementation of the CRIA.

An overview of the evaluation has almost been completed and will be presented to City Council at this very meeting. The evaluation demonstrates preliminary feasibility for

RECEIVE AND FILE REPORT AND ANALYSIS FROM COMMUNITY DEVELOPMENT AND KOSMONT COMPANIES REGARDING A COMMUNITY REVITALIZATION AND INVESTMENT AUTHORITY (CRIA), DISCUSSION AND/OR ACTION ON THE MATTER.

December 6, 2016

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pursuit of a CRIA. The next steps will include finalizing of the CRIA boundaries, identifying of tax increment dedications and complementary funding sources, and outreach with the community stakeholders.

FISCAL IMPACT/FINANCING

There is no fiscal impact at this time; the financial impact associated with formation of a CRIA will be addressed at a later date.

CONCLUSION

City Council is requested to provide any thoughts or direction to staff and also to opine on whether or not it is a worthwhile endeavor to continue to work on studying or implementation of a CRIA within the City of Huntington Park.

Respectfully submitted,



EDGAR P. CISNEROS
City Manager



MANUEL ACOSTA
Economic Development Manager



CITY OF HUNTINGTON PARK

Community Development
City Council Agenda Report

December 6, 2016

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

ORDINANCE AND URGENCY ORDINANCE ADOPTING BY REFERENCE THE LOS ANGELES COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL AND EXISTING BUILDING CODES WITH CERTAIN AMENDMENTS

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Waive further reading, and introduce Ordinance No. 2016-954, Adopting by reference and amend the 2017 Los Angeles County Building, Residential, Electrical, Mechanical, Plumbing Code and Existing Building Codes;
2. Set a Public Hearing for consideration and adoption of said Ordinance for the December 20, 2016, City Council Meeting; and
3. Waive further reading and adopt Urgency Ordinance No. 2016-955, Adopting by reference and amending the 2017 Los Angeles County Building, Residential, Electrical, Mechanical, Plumbing Code and Existing Building Codes.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

It is recommended that the City Council adopt an urgency ordinance by reference of the Los Angeles County construction codes, in order to help preserve the public peace, health, safety and welfare of the City of Huntington Park.

State law requires a public hearing to be conducted and a 30-day waiting period prior to an ordinance becoming effective but an urgency ordinance may become effective immediately without such requirement. If the City has not adopted its own Construction codes by January 1, 2017, the state Construction codes will automatically become the governing codes for the City of Huntington Park without the necessary amendments and will result in a gap in the implementation of the more stringent Code of regulations due to the City of Huntington Park's unique climatic, geological and topographical characteristics.

ORDINANCE AND URGENCY ORDINANCE ADOPTING BY REFERENCE THE LOS ANGELES COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL AND EXISTING BUILDING CODES WITH CERTAIN AMENDMENTS

December 6, 2016

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It is also recommended that the regular ordinance also be adopted, as a good practice measure, in case the urgency ordinance is challenged for any reason.

Background

The Model Codes for Building, Residential, Electrical, Mechanical, Plumbing and Existing Building Codes are periodically published in new and updated editions. The California Building Standards Commission ('CBSC') adopts and amends each of these Codes to create California Title 24, which, in addition to other Parts, also includes the California Energy Code (Part 6), the California Historical Building Code (Part 8), and the California Green Building Standards Code (Part 11).

The 2016 California Construction Codes (California Code of Regulations, Title 24) were published on July 1, 2016 and will become effective on January 1, 2017.

The various parts of Title 24 are published by the following three (3) entities:

1. International Code Council (ICC) publishes Parts 1, 2 (includes 8 and 10), 2.5, 6, 9, 11 and 12 of Title 24, the Administrative, Building with Historical and Existing Buildings, Residential, Energy, Fire, Green and Referenced Standards Codes respectively.
2. International Association of Plumbing and Mechanical Officials (IAPMO) publishes Parts 4 and 5 of Title 24, the California Mechanical and Plumbing Codes.
3. BNI Building News publishes Part 3 of Title 24, the California Electrical Code.

Title 24, also known as the California Building Standards Code, is a compilation of three (3) types of building criteria from three (3) different origins:

1. Building standards that have been adopted by state agencies without change from building standards contained in national model codes;
2. Building standards that have been adopted and adapted from the national model code standards to meet California conditions; and
3. Building standards, authorized by the California legislature, that constitute extensive additions not covered by the model codes that have been adopted to address particular California concerns.

Starting in 1989, CBSC has published updated editions of Title 24 that apply to all occupancies in California except for modifications adopted by state agencies and local governing bodies.

While state law requires local governments to enforce California Title 24, the law allows local governments to enact local amendments to Title 24, but only where these amendments are based on local climatic, geological, or topographical conditions. When a city, county, or city and county enacts local amendments, a copy of the local

ORDINANCE AND URGENCY ORDINANCE ADOPTING BY REFERENCE THE LOS ANGELES COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL AND EXISTING BUILDING CODES WITH CERTAIN AMENDMENTS

December 6, 2016

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amendment along with an express finding that such amendments are reasonably necessary because of local climatic, geological, or topographical conditions, must be filed with the California Building Standards Commission.

While jurisdictions can establish their own administration of the codes, jurisdictions are only allowed to amend the technical requirements of the State Codes based on local climatic, topographical, or geological conditions, and only if the requirement is more restrictive than the current State Code. Findings must be made for each amendment to the State Codes, and a copy of these findings must be filed with the Building Standards Commission.

No local amendment is enforceable unless filed with the California Building Standards Commission.

Los Angeles County, on November 1st, 2016 had introduced and established a public hearing to adopt and amend the 2016 California Codes at their Board Meeting on November 22, 2016, creating the 2017 Los Angeles County Codes. Consistent with past practice, staff is recommending that the City adopt the 2017 Los Angeles County Codes.

The major benefits realized by adopting the County Codes are:

1. The County Codes are common and well known to contractors.
2. The County Codes contain well-reasoned local amendments that are supported by findings and which are consistently applied through the County of Los Angeles.
3. The County Codes are virtually identical to the Codes adopted by the City of Los Angeles and many other Cities.
4. The County Codes are readily available for purchase by architects, engineers, and contractors.
5. Users can purchase the amendments to the California Codes direct from ICC (the publisher of the California Building Code), and insert those sheets directly into the California Codes, making it much easier for users to understand the context and to achieve compliance.
6. Because of the wide spread use, the County Codes are close to being a standard. Many of the architects and general contractors the City does business with have already purchased the County amendments to the California Codes because they work in areas where the County Codes are enforced.
7. A challenge to an amendment is unlikely because the challenge would actually be against the County of Los Angeles and all of its resources.
8. Far less language must be codified into the Municipal Code, thereby reducing the City's codifying costs.
9. The County administrative provisions (as modified by the City) are already consistent with the County Plan Check and Permit Fee Schedule which has also been adopted by the City.

ORDINANCE AND URGENCY ORDINANCE ADOPTING BY REFERENCE THE LOS ANGELES COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL AND EXISTING BUILDING CODES WITH CERTAIN AMENDMENTS

December 6, 2016

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New City Specific Code Administration

The text and substance of the proposed administrative sections of the Code remain virtually the same as the current municipal code, but are adopted in a completely different manner this code cycle. Historically, the City has adopted the County administration of the current County Codes by reference, and then modified the administrative language each adoption cycle to fit the specific needs of the City. This is a process that results in a consistent administration, but is very time intensive during the code adoption process.

Since the City's administrative requirements rarely require modification, a different approach was used for this code adoption cycle. Rather than adopting and amending the County administration, this Ordinance creates a City specific administration for permanent codification into the City's Municipal Code. From this point on, only the technical portions of future codes will be adopted. In the event that the City needs to modify an administrative requirement, the City can simply amend its own Municipal Code without regard to the existing County administrative language.

This approach created a lengthy Building Code Ordinance for this code cycle simplifying the ordinances for Residential, Plumbing, Mechanical, Electrical and Existing Building Code, future code adoption ordinances will be much, much shorter because only the technical requirements of the future codes will need to be adopted rather than the whole code including administration with City modifications.

Ordinance and Urgency Ordinance

It is recommended that the City Council adopt two identical ordinances adopting the Los Angeles County Codes.

The first ordinance which was introduced today and set for the next Council Meeting for a 2nd reading and Public Hearing, if adopted, will take effect thirty days after adoption.

The second ordinance, which is the urgency ordinance, adopting the same Los Angeles County Codes, will take effect on January 1, 2017.

Los Angeles County, on November 1st, 2016 had introduced and established a public hearing to adopt and amend the 2016 California Codes at their Board Meeting on November 22, 2016, creating the 2017 Los Angeles County Codes.

FISCAL IMPACT

There is no fiscal impact associated with adoption of this ordinance.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

ORDINANCE AND URGENCY ORDINANCE ADOPTING BY REFERENCE THE LOS ANGELES COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL AND EXISTING BUILDING CODES WITH CERTAIN AMENDMENTS

December 6, 2016

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The California Codes will take effect on January 1st, 2017 regardless of City amendments unless an ordinance to adopt and amend them is enacted by January 1st, 2017. This will ensure City amendments are enforceable.

ENVIRONMENTAL REVIEW

These ordinances are exempt from the California Environmental Quality Act (CEQA) under CEQA Guideline 15061(b)(3) in that it does not have a potential for causing a significant effect on environment.

CONCLUSION

Upon City Council approval and adoption of Ordinance No. 2016-954, and Urgency Ordinance No. 2016-955. Staff will implement the new construction codes with City amendments effective January 1, 2017.

Respectfully submitted,



EDGAR P. CISNEROS
City Manager



MANUEL ACOSTA
Community Development Department

ATTACHMENT(S)

- A. Proposed Ordinance No. 2016-954, adopting by reference and amend the 2017 Los Angeles County Building, Residential, Electrical, Plumbing, Mechanical and Existing Building Codes
- B. Proposed Urgency Ordinance No. 2016-955, adopting by reference and amend the 2017 Los Angeles County Building, Residential, Electrical, Plumbing, Mechanical and Existing Building Codes
- C. Findings and Los Angeles County Ordinance adopting and amending the 2016

ORDINANCE AND URGENCY ORDINANCE ADOPTING BY REFERENCE THE LOS ANGELES COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL AND EXISTING BUILDING CODES WITH CERTAIN AMENDMENTS

December 6, 2016

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California Codes and creating the 2017 Los Angeles County Codes, due to volume of the LACO Ordinance, one copy filed with the Office of City Clerk for review and can be viewed at the following links:

Building Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108564.pdf>

Residential Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108600.pdf>

Electrical Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108567.pdf>

Plumbing Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108597.pdf>

Mechanical Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108599.pdf>

Existing Building Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108603.pdf>

California Codes can be viewed at <http://www.bsc.ca.gov/codes.aspx>

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WHEREAS, it is the intent of the City Council, in enacting this ordinance, to adopt the Los Angeles County Code pertaining to Building Code regulations.

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SECTION 2: The purpose of this ordinance is to amend the Huntington Park Municipal Code by adopting by reference, and amending where necessary, that certain ordinances of the County of Los Angeles Codes, 2016 California Building (Ordinance Number 16-5330), Residential (Ordinance Number 16-5358), Electrical (Ordinance Number 16-5333), Mechanical (Ordinance Number 16-5357), Plumbing (Ordinance Number 16-5356), Existing Building (Ordinance Number 16-5360), which adopt by reference California Code California Building, Residential, Electrical, Mechanical, Plumbing, and Existing Building Codes (Title 24, Parts 2, 2.5, 3, 4, 5, and 10) and which make amendments, additions and deletions thereto. Therefore, the Huntington Park Municipal Code is hereby amended by repealing therefrom the Chapters 1, 1A, 1B, 5, 10, 11 of Title 8 and replacing it with new Chapters 1, 4, 5, 7, 10 and 11 in lieu thereof, to read as follows:

**TITLE 8
BUILDING REGULATIONS
CHAPTER 1
BUILDING CODE**

8-1.01 BUILDING CODE ADMINISTRATION

SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE

101.1 Title. Title 8 Building Regulations, Chapter 1 of the City of Huntington Park Municipal Code shall be known as the Building Code of the City of Huntington Park, may be cited as such, and will be referred to herein as “these regulations” or “these building standards “or “this Code.”

101.2 Purpose and Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations. Consistent with this purpose, the provisions of this Code are intended and always have been intended to confer a benefit on the community as a whole and are not intended to establish a duty of care toward any particular person.

This Code shall not be construed to hold the City or any officer, employee or agent thereof responsible for any damage to persons or property by reason of any inspection authorized herein or by reason of the issuance or nonissuance of any permit authorized herein, and/or for any action or omission in connection with the application and/or enforcement of this Code. By adopting the provisions of this Code, the City does not intend to impose on itself, its employees or agents, any mandatory duties of care toward persons and property within its jurisdiction so as to provide a basis of civil liability for damages.

This section is declaratory of existing law and is not to be construed as suggesting that such was not the purpose and intent of previous Code adoptions.

101.3 Scope and Applicability. The provisions of this Code shall apply to the erection, construction, enlargement, alteration, installation, reconstruction, repair, movement, improvement, connection, conversion, demolition, use and occupancy of any building, structure or premises, or portion thereof, and grading within the City.

The provisions of this Code shall not apply to work located primarily in a public way other than pedestrian protection structures required by Chapter 33; public utility towers and poles; equipment not specifically regulated in this Code; hydraulic flood control structures; work exempted by Section 107.2; or minor work of negligible hazard to life specifically exempted by the building official. Additions, alterations, repairs and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise provided in Section 109 and Existing Building Code of the City of Huntington Park.

Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the Residential Code as amended and adopted by the City of Huntington Park.

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

The codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and referenced codes and standards, the provisions of this Code shall apply.

The provisions of this Code shall not be deemed to nullify any provisions of local, state or federal law.

In the event any differences in requirements exist between the accessibility requirements of this Code and the accessibility requirements of the California Code of Regulations, Title 24 (also referred to as the California Building Standards Code), then the California Code of Regulations shall govern.

102 - UNSAFE BUILDINGS

102.1 Definition. All buildings or structures which are structurally unsound or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage, lacking an approved water supply, hazardous electrical, unsafe gas piping or appliances or abandonment as specified in this Code or any other effective ordinance, are, for the purpose of this Chapter, unsafe buildings. Whenever the Building Official determines by inspection that a building or structure, whether structurally damaged

1 or not, is dangerous to human life by reason of being located in an area which is
2 unsafe due to hazard from landslide, settlement, or slippage or any other cause,
3 such building shall, for the purpose of this Chapter, be considered an unsafe
4 building.

5 No person shall own, use, occupy or maintain any unsafe building.

6 All unsafe buildings are hereby declared to be public nuisances. In addition to
7 instituting any appropriate action to prevent, restrain or correct a violation of this
8 section, the Building Official may abate an unsafe condition or order that the
9 unsafe condition be secured, repaired, rehabilitated, demolished or removed as
10 deemed necessary by the Building Official in accordance with the procedure
11 specified in this Code.

12 As used in this Chapter "party concerned" means the person, if any, in real or
13 apparent charge and control of the premises involved, the record owner, the holder
14 of any mortgage, trust deed or other lien or encumbrance of record, the owner or
15 holder of any lease of record, the record holder of any other estate or interest in or
16 to the building or structure or the land upon which it is located.

17 **102.2 Notice of Unsafe Building.** The Building Official shall examine or cause
18 to be examined every building or structure or portion thereof reported as dangerous
19 or damaged and, if, in the Building Official's opinion, such is found to be an unsafe
20 building as defined in this Chapter, the Building Official shall give to the party
21 concerned written notice stating the defects thereof. This notice may require the
22 owner or person in charge of the building or premises to;

- 23 1. Immediately remove, backfill, shore up or secure such unsafe condition,
24 and/or
- 25 2. Within 48 hours, apply for required permit(s) and commence either the
26 required repairs or improvements or demolition and removal of the
27 building or structure or portions thereof.

28 All such work shall be completed within 90 days from date of notice, unless
otherwise stipulated by the Building Official. If necessary, such notice shall also
require the building, structure, or portion thereof to be vacated forthwith and not
reoccupied until the required repairs and improvements are completed, inspected
and approved by the Building Official.

Proper service of such notice shall be by personal service or by registered or
certified mail upon every party concerned. In the event the Building Official, after
reasonable effort, is unable to serve the notice as specified above, proper service
shall be by posting on the structure a copy of the notice.

The designated period within which the owner or person in charge is required to
comply with such notice shall begin as of the date the owner or person in charge
receives such notice by personal service or registered or certified mail. If such
notice is by posting, the designated period shall begin ten days following the date
of posting.

The failure of any owner or other person to receive such notice shall not affect in
any manner the validity of any proceedings taken hereunder.

1 A person notified to vacate an unsafe building by the Building Official shall vacate
2 within the time specified in the order.

3 The Building Official may record a notice of violation with the County Recorder's
4 Office that the building or structure described has been inspected and found to be
5 an unsafe building, as defined in this Chapter, and that the owner thereof has been
6 so notified. After all required work has been completed, upon request and payment
7 of required fee(s) the Building Official shall record a notice rescinding the prior
8 notice of violation with the County Recorder's Office .

9 **102.3 Posting of Signs.** The Building Official shall cause to be posted on
10 buildings required to be vacated or remain unoccupied a notice to read
11 substantially as follows: " Restricted Use" or "Unsafe – Do Not Enter or Occupy"
12 as described in Section 102.6 . All placards shall read "Building and Safety
13 Division, City of Huntington Park"

14 Such notice shall be posted at the main entrance and shall be visible to persons
15 approaching the building or structure from a street. Such notice shall remain posted
16 until the required repairs, demolition or removal are completed. Such notice shall
17 not be removed without written permission of the Building Official and no person
18 shall enter the building except for the purpose of making the required repairs or of
19 demolishing the building.

20 **102.4 Unsafe Buildings: Hearing.**

21 **102.4.1 Right of hearing.** The party concerned or the Building Official may
22 request a hearing regarding the unsafe condition of the building or structure. The
23 request by the interested party shall be made in writing to the Building Official
24 within 30 days of the date of the notice of the unsafe condition. A hearing shall be
25 requested by the Building Official prior to demolition or repair of an unsafe
26 building by the City except when such demolition or repair is done under the
27 emergency procedure set forth in this Chapter.

28 All interested parties who desire to be heard may appear before the Building Board
of Appeals to show cause why the building or structure should not be ordered
repaired, vacated and repaired, or demolished.

102.4.2 Notice of hearing. Not less than ten days prior to the hearing, the
Building Official shall serve or cause to be served either in the manner required
by law for the service of summons or by first class mail, postage prepaid, a copy
of the notice of hearing upon every party concerned.

102.4.3 Form and contents of notice. The notice of hearing shall state:

1. The street address and a legal description sufficient for identification of the premises upon which the building or structure is located.
2. The conditions because of which the Building Official believed that the building or structure is an unsafe building.
3. The date, hour and place of the hearing.

1 **102.4.4 Posting of notice.** The Building Official shall post one copy of the
2 notice of hearing in a conspicuous place on the unsafe building involved, not less
3 than ten days prior to the hearing.

4 **102.4.5 Hearing by Building Board of Appeals.** The Building Board of
5 Appeals shall hold a hearing and consider all competent evidence offered by any
6 person pertaining to the matters set forth in the report of the Building Official.
7 The Building Board of Appeals shall make written findings of fact as to whether
8 or not the building or structure is an unsafe building as defined in this Chapter.
9 When determined by the Building Official, the Building Rehabilitation Appeals
10 Board shall hold the hearing in lieu of the Building Board of Appeals.

11 **102.4.6 Order.** If the Building Board of Appeals finds that the building or
12 structure is an unsafe building, it shall make an order based on its finding that:

- 13 1. The building or structure is an unsafe building and directing that
14 repairs be made and specifying such repairs, or
- 15 2. The building or structure is an unsafe building and directing that it
16 be vacated and that specified repairs be made, or
- 17 3. The building or structure is an unsafe building and directing that it
18 shall be vacated and demolished.

19 The order shall state the time within which the work required must be commenced,
20 which shall not be less than 10 nor later than 30 days after the service of the order.
21 The order shall state a reasonable time within which the work shall be completed.
22 The Building Board of Appeals for good cause may extend the time for completion
23 in writing.

24 The order shall be served upon the same parties and in the same manner as required
25 by Section 102.4.2 for the notice of hearing. It shall also be conspicuously posted
26 on or about the building or structure.

27 **102.5 Unsafe Buildings: Demolition or Repair.**

28 **102.5.1 Work by City.** If the repairs or demolition necessary to remove the
unsafe condition as set forth in the Notice of Unsafe Building is not made within
the designated period and a hearing has not been requested by any party concerned,
the Building Official shall request that a hearing be held regarding the unsafe
condition. If the finding by the Building Board of Appeals is not complied with
within the period designated by the Board, the Building Official may then secure
or demolish such portions of the structure, or may cause such work to be done, to
the extent necessary to eliminate the hazard determined to exist by the Building
Board of Appeals.

102.5.2 Emergency procedure. Whenever any portion of a structure
constitutes an immediate hazard to life or property, and in the opinion of the
Building Official, the conditions are such that repairs, or demolition must be
undertaken within less than the designated period, the Building Official may take
necessary action, such as performing alterations, repairs, and/or demolition of the
structures, to protect life or property, or both, after giving such notice to the parties

concerned as the circumstances will permit or without any notice whatever when, in the Building Official's opinion, immediate action is necessary.

102.5.3 Costs. The costs incurred by actions taken pursuant to Sections 102.5.1 and 102.5.2 including the entire cost of the services rendered by the County, shall be a special assessment against the property upon which the structure stood. The Building Official shall notify, in writing, all parties concerned of the amount of such assessment resulting from such work. Within five days of the receipt of such notice, any such party concerned may file with the Building Official a written request for a hearing on the correctness or reasonableness, or both, of such assessment. Any party concerned who did not receive a notice pursuant to Section 102.2 and who has not had a hearing on the necessity of the demolition or repairs in such request for hearing also may ask that such necessity be reviewed. The Building Board of Appeals thereupon shall set the matter for hearing; give such party concerned notice thereof as provided in Section 102.4.2; hold such hearing and determine the reasonableness or correctness of the assessment, or both; and if requested, determine the necessity of the demolition or repairs. The Building Board of Appeals, in writing, shall notify such party concerned of its decision. If the total assessment determined as provided for in this section is not paid in full within 10 days after receipt of such notice from the Building Official or the Building Board of Appeals, as the case may be, the Building Official shall record in the office of the Department of Registrar-Recorder a statement of the total balance still due and a legal description of the property. From the date of such recording, such balance due shall be a special assessment against the parcel. The assessment shall be collected at the same time and in the same manner as ordinary City taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary City taxes. All the laws applicable to the levy, collection and enforcement of City taxes shall be applicable to such special assessment.

102.5.4 Interference Prohibited. A person shall not obstruct, impede, or interfere with the Building Official or any representative of the Building Official, or with any person who owns or holds any estate or interest in any unsafe building which has been ordered by the Building Board of Appeals to be repaired, vacated and repaired, or vacated and demolished or removed, whenever the Building Official or such owner is engaged in repairing, vacating and repairing, or demolishing any such unsafe building pursuant to this Chapter, or is performing any necessary act preliminary to or incidental to such work, or authorized or directed pursuant hereto.

102.5.5 Prosecution. In case the owner shall fail, neglect or refuse to comply with the notice to repair, rehabilitate, or to demolish and remove said building or structure or portion thereof, the Building Official shall cause the owner of the building to be prosecuted as a violator of this Code.

102.6 Posting of signs for damage assessment. The building official shall cause placard(s) to be posted on buildings upon completion of a safety assessment. All placards shall read "Building and Safety Division, City of Huntington Park"

The placards shall also indicate the condition of the structure for continued occupancy, and shall read substantially as follows:

1. “INSPECTED – Lawful Occupancy Permitted” (green placard) shall be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.

2. “RESTRICTED USE” (yellow placard) shall be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. This placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued occupancy.

3. “UNSAFE – Do Not Enter or Occupy” (red placard) shall be posted on each building or structure that has been damaged such that the continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the Building Official, or his or her authorized representative. This placard is not to be used or considered as a demolition order. This placard will note in general terms the type of damage encountered.

Such notice shall be posted at the main entrance(s) and shall be visible to persons approaching the building or structure from a street. Such notice shall remain posted until the required repairs, demolition or removal are completed. Such notice shall not be removed without written permission of the Building Official and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building.

103 - VIOLATIONS AND PENALTIES

103.1 Compliance with Code. It shall be unlawful for a person to erect, construct, enlarge, alter, repair, move, improve, remove, connect, convert, demolish, equip, or perform any other work on any building or structure or portion thereof, or perform any grading in the City, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.

103.2 Violation. It shall be unlawful for any person to own, use, occupy or maintain any building or structure or portion thereof, in the City, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.

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

1 of any other sanctions, penalties or costs which are or may be imposed for a
2 violation of any of the provisions of this Code.

3 **103.4 Recordation of Violation.**

4 **103.4.1 General.** The Building Official may record a notice with the County
5 Recorder's Office that a property, building, or structure, or any part thereof, is in
6 violation of any provision of this Code provided that the provisions of this Section
are complied with. The remedy provided by this Section is cumulative to any other
enforcement actions permitted by this Code.

7 **103.4.2 Recordation.** If (1) the Building Official determines that any property,
8 building, or structure, or any part thereof is in violation of any provision of this
9 Code; and if (2) the Building Official gives written notice as specified below of
10 said violation; then the Building Official may have sole discretion to, at any time
11 thereafter, record with the County Recorder's Office a notice that the property
12 and/or any building or structure located thereon is in violation of this Code.
Following the recordation of the notice of violation the Building Official is not
required to conduct an inspection or review of the premises to determine the
continued existence of the cited violation. It is the responsibility of the property
owner, occupant or other similarly interested private party to comply with the
above provisions.

13 **103.4.3 Notice.** The written notice given pursuant to this Section shall indicate:

- 14 1. The nature of the violation(s); and
15 2. That if the violation is not remedied to the satisfaction of the Building
16 Official, the Building Official may, at any time thereafter, record with the County
17 Recorder's Office a notice that the property and/or any building or structure located
18 thereon is in violation of this Code. The notice shall be posted on the property and
shall be mailed to the owner of the property as indicated on the last equalized
County Assessment roll. The mailed notice may be by registered, certified, or first-
class mail.

19 **103.4.4 Rescission.** Any person who desires to have recorded a notice
20 rescinding the notice of violation must first obtain the necessary approvals and
21 permit(s) to correct the violation. Once the Building Official determines that the
22 work covered by such permit(s) has been satisfactorily completed, the Building
Official may record a notice rescinding the prior notice of violation.

23 **Section 103.5 Costs.** Any person who violates any provision of this Code shall be
24 responsible for the costs of any and all Code enforcement actions taken by the
25 Building Official in response to such violations. These costs shall be based on the
amounts specified in Section 115.

26 **103.6 Work Without Permit.** Whenever any work has been commenced without
27 a permit as required by the provisions of this Code, a special investigation shall be
28 made prior to the issuance of the permit. An investigation fee specified as per
Section 115 shall be collected for each permit so investigated.

Exception: When the building official has determined that the owner-builder of a one- or two-family dwelling, accessory building or accessory structure had no knowledge that a permit was necessary and had not previously applied for a permit from the Building Division of the City of Huntington Park the investigation fee shall be specified as per the Section 115.

The payment of the investigation fee shall not exempt any person from compliance with all other provisions of this Code or from any penalty prescribed by law.

For additional provisions applicable to grading, see Appendix J.

103.7 Noncompliance Fee. If the building official, in the course of enforcing the provisions of this Code or any State law, issues an order to a person and that person fails to comply with the order within 15 days following the due date for compliance stated in the order, including any extensions thereof, the building official shall have the authority to collect a noncompliance fee.

The noncompliance fee shall not be imposed unless the order states that a failure to comply within 15 days after the compliance date specified in the order will result in the fee being imposed. No more than one such fee shall be collected for failure to comply with an order.

For additional provisions applicable to grading, see Appendix J.

104 - ORGANIZATION AND ENFORCEMENT

104.1 Building Division. There is hereby established a division in the City Development Services Department to be known and designated as the Building Division.

104.2.1 General. The building official is hereby authorized and directed to enforce all the provisions of this Code, including the Electrical Code, the Plumbing Code, Mechanical Code, Residential Code, Energy Code, Existing Building Code and Green Building Standards, relevant laws, ordinances, rules and regulations; and to make all inspections pursuant to the provisions of this Code, relevant laws, ordinances, rules and regulations. For such purposes, the building official shall have the powers of a law enforcement officer.

The building official shall have the power to render interpretations of this Code, relevant laws, ordinances, rules and regulations; and to adopt and enforce rules and supplemental regulations in order to clarify the application of the provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code.

The building official shall classify every building or portion thereof into one of the occupancies set forth in Chapter 3 of this Code according to its use or the character of its occupancy.

1 The Building Official shall also classify every building into one of the types of
2 construction set forth in Chapter 6 of this Code.

3 **104.2.1.1** The building official is authorized to make and enforce such guidelines
4 and policies for the safeguarding of life, limb, health or property as may be
5 necessary from time to time to carry out the purpose of this Code.

6 **104.2.2 Deputies.** With the approval of the City Council, the building official may
7 appoint such number of officers, inspectors and assistants, and other employees as
8 shall be authorized from time to time. The building official may deputize such
9 employees as may be necessary to carry out the functions of the Building Division.

10 **104.2.3 Right of entry.**

11 **104.2.3.1** Whenever it is necessary to make an inspection to enforce any of the
12 provisions of or perform any duty imposed by this Code or other applicable law,
13 or whenever the Building Official or an authorized representative has reasonable
14 cause to believe that there exists in any building, structure, or grading, or upon any
15 premises any condition which makes such building, structure, or grading, or
16 premises hazardous, unsafe, or dangerous for any reason specified in this Code or
17 other similar law, the Building Official or an authorized representative hereby is
18 authorized to enter such property at any reasonable time and to inspect the same
19 and perform any duty imposed upon the Building Official by this Code or other
20 applicable law; provided that (i) if such property is occupied, then the Building
21 Official shall first present proper credentials to the occupant and request entry
22 explaining the reasons therefor; and (ii) if such property is unoccupied, then the
23 Building Official shall first make a reasonable effort to locate the owner or other
24 persons having charge or control of the property and request entry, explaining the
25 reasons therefor.

26 If such entry cannot be obtained because the owner or other person having charge
27 or control of the property cannot be found after due diligence or if entry is refused,
28 then the Building Official or an authorized representative shall have recourse to
every remedy provided by law to secure lawful entry and inspect the property.

104.2.3.2 Notwithstanding the foregoing, if the Building Official or an authorized
representative has reasonable cause to believe that the building or grading or
premises is so hazardous, unsafe, or dangerous as to require immediate inspection
to safeguard the public health or safety, the Building Official shall have the right
to immediately enter and inspect such property, and may use any reasonable means
required to effect such entry and make such inspection, whether such property is
occupied or unoccupied and whether or not permission to inspect has been
obtained. If the property be occupied, the Building Official shall first present
credentials to the occupant and demand entry, explaining the reasons therefor and
the purpose of the inspection.

104.2.3.3 "Authorized representative" shall include the officers named in section
104.2.2 and their authorized inspection personnel.

1 **104.2.3.4** No person shall fail or refuse, after proper demand has been made upon
2 such person as provided in this subsection, to promptly permit the Building
3 Official or an authorized representative to make any inspection provided for by
4 Subsection 104.2.3.2. Any person violating Section 104.2.3 shall be guilty of a
5 misdemeanor.

6 **104.2.4 Stop orders.** Whenever any building or grading work is being done
7 contrary to the provisions of this Code, or other pertinent laws or ordinances
8 implemented through the enforcement of this Code, the Building Official may
9 order the work stopped by notice in writing served on any persons engaged in the
10 doing or causing such work to be done, and any such persons shall forthwith stop
11 such work until authorized by the Building Official to proceed with the work.

12 **104.2.5 Occupancy violations.** Whenever any structure or portion thereof is
13 being used contrary to the provisions of this Code, or other pertinent laws or
14 ordinances, or whenever any structure or portion thereof which was built contrary
15 to the provisions of this Code or other pertinent laws or ordinances, is being used
16 or occupied, the Building Official may order such use discontinued and the
17 structure, or portion thereof, vacated by notice served on any person causing such
18 use to be continued. Such person shall discontinue the use within 10 days after
19 receipt of such notice to make the structure, or portion thereof, comply with the
20 requirements of this Code, provided, however, that in the event of an unsafe
21 building Section 102 shall apply.

22 **104.2.6 Liability.** The liability and indemnification of the Building Official and
23 any subordinates are governed by the provisions of Division 3.6 of Title 1 of the
24 Government Code.

25 **104.2.7 Modifications.** Whenever there are practical difficulties involved in
26 carrying out the provisions of this Code, the building official may grant
27 modifications, on a case-by-case basis, provided the building official shall first
28 find that a special individual reason makes the strict letter of this Code, relevant
laws, ordinances, rules and regulations impractical and that the modification is in
conformity with the spirit and purpose of this Code, relevant laws, ordinances,
rules and regulations, and that such modification does not lessen any fire
protection or other life safety-related requirements or any degree of structural
integrity. The details of any action granting modifications shall be recorded and
entered in the files of the City.

A written application for the granting of such modifications shall be submitted
together with a filing fee established by separate fee resolution or ordinance.

For additional provisions, applicable to grading, see Appendix J.

104.2.8 Alternate materials, design and methods of construction. The
provisions of this Code, relevant laws, ordinances, rules and regulations are not
intended to prevent the use of any material, appliances, installation, device,

1 arrangement, method, design or method of construction not specifically prescribed
2 by this Code, provided any such alternate has been approved.

3 The building official may approve on a case-by-case basis any such alternate,
4 provided that he or she finds that the proposed design is satisfactory and complies
5 with the provisions of this Code and finds that the material, method or work
6 offered is, for the purpose intended, at least the equivalent of that prescribed in this
7 Code, relevant laws, ordinances, rules and regulations in quality, strength,
effectiveness, fire resistance and other life-safety factors, durability, planning and
design, energy, material resource efficiency and conservation, environmental air
quality, performance, water and sanitation.

8 The building official shall require that sufficient evidence or proof be submitted
9 to substantiate any claims that may be made regarding its use.

10 A written application for use of an alternate material, design or method of
11 construction shall be submitted together with a filing fee established by separate
fee resolution or ordinance.

12 For additional provisions, applicable to grading, see Appendix J.

13 **104.2.9 Tests.** Whenever there is insufficient evidence of compliance with the
14 provisions of this Code or evidence that any material or any construction does not
15 conform to the requirements of this Code, or in order to substantiate claims for
16 alternate materials or methods of construction, the Building Official may require
tests as proof of compliance to be made at the expense of the owner or the owner's
agent by an approved agency.

17 Test methods shall be as specified by this Code for the material in question. If
18 there are no appropriate test methods specified in this Code, the Building Official
shall determine the test procedure.

19 Reports of such test shall be retained by the Building Official in accordance with
the City's guidelines for the retention of public records.

20 **104.2.10 Cooperation of other officials.** The Building Official may request,
21 and shall receive so far as may be necessary in the discharge of his or her duties,
the assistance and cooperation of other officials of the City.

22 **104.2.11 Demolition.** Whenever the term "demolition" or "demolish" is used
23 in this Code it shall include the removal of the resulting debris from such
24 demolition the proper abandonment of any sewer or sewage disposal system when
25 applicable, and the protection or filling of excavations exposed by such demolition
as may be required by this Code or other ordinances or laws.

26 **104.2.12 Service.** Whenever in this Code a notice is required to be served by
27 personal service or by registered or certified mail, it shall be deemed a reasonable
28 effort has been made to serve such notice when registered or certified letters have
been mailed to the address of the interested party as shown on the official record
and on the record of the County Assessor. When an address is not so listed or

1 contact cannot be made at the listed address, the service shall be by posting on the
2 structure a copy of the notice.

3 **104.2.13 Amendments to Ordinances.**

4 Whenever any reference is made to any other ordinance such reference shall be
deemed to include all future amendments thereto.

5 **104.2.14 Validity.** If any section, subsection, sentence, clause or phrase of this
6 ordinance is, for any reason, held to be invalid, such decision shall not affect the
7 validity of the remaining portions of this ordinance. The City Council hereby
8 declares that it would have passed this ordinance, and each section, subsection,
clause or phrase thereof, irrespective of the fact that any one or more sections,
subsections, sentences, clauses and phrases be declared invalid.

9 **104.3 Definitions.** In additions to the definitions specified in Chapter 2 of this
10 Code, the following certain terms, phrases, words and their derivatives shall be
11 construed as specified in this section. Terms, phrases and words used in the
masculine gender include the feminine and the feminine the masculine.

12 In the event of conflicts between these definitions and definitions that appear
13 elsewhere in this Code, these definitions shall govern and be applicable.

14 **BOARD OF SUPERVISORS** shall mean the City of Huntington Park City
Council.

15 **BUILDING CODE** shall mean the Los Angeles County Code Title 26 as adopted
16 and amended by the City of Huntington Park.

17 **BUILDING DIVISION or BUILDING DEPARTMENT** shall mean the
18 Building Division of the City of Huntington Park.

19 **BUILDING OFFICIAL** shall mean the Building Official of the Building and
20 Safety Division or other designated authority charged with the administration and
enforcement of this Code, or his/her's duly authorized representative.

21 **BUILDING REHABILITATION APPEALS BOARD** shall mean the City of
22 Huntington Park City Council.

23 **CALGREEN** see Green Building Standards Code definition.

24 **COUNTY** may mean City of Huntington Park or Los Angeles County depending
25 on the context.

26 **DEMOLITION** Whenever the term *demolition* or *demolish* is used in this Code,
27 it shall include the removal of the resulting debris from such demolition and the
28 protection or filling of excavations exposed by such demolition as may be required
by this Code, relevant laws, ordinances, rules and/or regulations.

ELECTRICAL CODE shall mean the Los Angeles County Code Title 27 as adopted and amended by the City of Huntington Park.

ENERGY CODE shall mean California Code of Regulations Title 24, Part 6.

EXISTING BUILDING CODE shall mean the Los Angeles County Code Title 33 as adopted and amended by the City of Huntington Park.

FACTORY-BUILT STRUCTURE shall mean buildings or structures that meet all of the following criteria:

(1) fabrication on an off-site location under the inspection of the State, for which the State inspection agency has attested to compliance with the applicable State laws and regulations by the issuance of an insignia;

(2) the bearing of the State insignia and that have not been modified since fabrication in a manner that would void the State approval; and for which the City has been relieved by statute of the responsibility for the enforcement of laws and regulations of the State of California or the City.

FIRE CODE shall mean the California Code of Regulations Title 24, Part 9, as adopted and amended by the County of Los Angeles Fire Department.

GREEN BUILDING STANDARDS CODE shall mean California Code of Regulations Title 24, Part 11.

HEALTH CODE or LOS ANGELES COUNTY HEALTH CODE shall mean the County of Los Angeles Health Department.

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT shall mean either the City of Huntington Park Public Works Department or the Los Angeles County Flood Control District.

MECHANICAL CODE shall mean the Los Angeles County Code Title 29 as adopted and amended by the City of Huntington Park.

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT shall mean a permit issued as required by the Federal Clean Water Act in order to protect receiving waters. The NPDES permit requires controls to reduce the discharge of pollutants into storm drains, channels or natural watercourses.

NONINSPECTED WORK shall mean any erection, construction, enlargement, alteration, repair, movement, improvement, removal, connection, conversion, demolition or equipping for which a permit was first obtained, pursuant to Section 107, but which has progressed beyond the point indicated in successive inspections, including but not limited to inspections set forth in Section 117, without first obtaining inspection by and approval of the building official.

PLUMBING CODE shall mean the Los Angeles County Code Title 28 as adopted and amended by the City of Huntington Park.

RESIDENTIAL BUILDING CODE shall mean the Los Angeles County Code Title 30 as adopted and amended by the City of Huntington Park.

ROAD COMMISSIONER shall mean the City Engineer.

UNINCORPORATED PORTION OF THE COUNTY OF LOS ANGELES shall mean the City of Huntington Park.

UNPERMITTED STRUCTURE shall be defined as any structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, moved, improved, removed, connected, converted, demolished or equipped, at any point in time, without the required approval(s) and permit(s) having first been obtained from the building official.

SECTION 105 APPEALS BOARDS

105.1 Technical Interpretations Appeals Board. When a request for an alternate material has been proposed by an applicant and denied by the building official, the applicant may appeal the building official's decision to the Technical Interpretations Appeals Board no later than 60 calendar days from the date of the action being appealed.

The board shall consist of five members who are qualified by experience and training to pass upon matters pertaining to building construction. One member shall be a practicing architect, one a competent builder, one a lawyer and two shall be civil or structural engineers, each of whom shall have had at least ten years experience as an architect, builder, lawyer or structural designer. The building official shall be an ex officio member and shall act as secretary to the board. The members of the board of appeals shall be appointed by the City Council and shall hold office at its pleasure. The board shall adopt reasonable rules and regulations for conducting its investigations. The board shall establish that the approval for alternate materials and the modifications granted for individual cases are in conformity with the intent and purpose of this Code, relevant laws, ordinances, rules and regulations, and that such alternate material, modification or method of work offered is at least the equivalent of that prescribed in this Code, relevant laws, ordinances, rules and regulations in quality, strength, effectiveness, fire resistance, durability, safety and sanitation and does not lessen any fire-protection requirements or any degree of structural integrity. The board shall document all decisions and findings in writing to the building official with a duplicate copy to the applicant, and the board may recommend to the City Council such new legislation as is consistent therewith.

105.2 Accessibility Appeals Board. In order to conduct the hearings on written appeals regarding action taken by the building official concerning accessibility and to ratify certain exempting actions of the building official in enforcing the accessibility requirements of the California Code of Regulations, Title 24 (also

known as the California Building Standards Code), and to serve as an advisor to the building official on disabled access matters, there shall be an accessibility appeals board consisting of five members. Two members of the appeals board shall be physically disabled persons, two members shall be persons experienced in construction, and one member shall be a public member. The building official shall be an ex officio member and shall act as secretary to the board. The members of the accessibility appeals board shall be appointed by the City Council and shall hold office at its pleasure. The board shall adopt reasonable rules and regulations for conducting its actions. The board shall establish that the access matter under review is in conformity with the intent and purpose of the California Code of Regulations, Title 24, and this Code. The board shall document all decisions and findings in writing to the building official with a duplicate copy to the applicant, and the board may recommend to the City Council such new legislation as is consistent therewith.

The appeals board may approve or disapprove interpretations and enforcement actions taken by the building official. All such approvals or disapprovals for privately funded construction shall be final and conclusive as to the building official in the absence of fraud or prejudicial abuse of discretion.

105.3 Limitations of Authority. Neither the Technical Interpretations Appeals Board nor the Accessibility Appeals Board shall have authority relative to interpretation of the administrative portions of this Code, other than Section 102, nor shall the board be empowered to waive requirements of this Code.

105.4 Appeals Board Fees. A filing fee established by separate fee resolution or ordinance shall be paid to the building official whenever a person requests a hearing or a rehearing before the appeals boards provided for in this section. All requests to appeal determinations, orders or actions of the building official or to seek modifications of previous orders of the appeals boards shall be presented in writing.

SECTION 106 BUILDING PLAN REQUIREMENTS

106.1 General. When required by the building official to verify compliance with this Code, relevant laws, ordinances, rules and regulations, plans, and when deemed necessary by the building official, calculations, geological or engineering reports and other required data shall be submitted for plan review. The building official may require plans and calculations to be prepared by an engineer or architect licensed or registered by the State to practice as such. Only after the plans have been approved may the applicant apply for a building permit for such work. The building official may also require such plans be reviewed by other departments and/or divisions of the City to verify compliance with the laws and ordinances under their jurisdiction.

When authorized by the building official, complete plans and calculations need not be submitted for the following work when information sufficient to clearly define the nature and scope of the work are submitted for review:

1. One-story buildings of Type V conventional wood-stud construction with an area not exceeding 600 square feet;
2. Work deemed by the building official as minor, small and/or unimportant work.

Where applicable, submittals shall include special inspection requirements and structural observation requirements as required by Chapter 17.

Plans, calculations, reports or documents for work regulated by this Code, relevant laws, ordinances, rules and regulations shall bear the seal, signature and number of a civil engineer, structural engineer, mechanical engineer, electrical engineer, soils engineer or architect registered or certified to practice in the State of California when required by the California Business and Professions Code. A seal and number shall not be required for work authorized by the said article to be performed by a person not registered or certified as an engineer or architect.

For buildings exceeding 160 feet (48.77 m) in height, the structural calculations and each sheet of structural plans shall be prepared under the supervision of and shall bear the signature or approved stamp of a person authorized by the State of California to use the title structural engineer. In addition, all architectural sheets shall bear the signature or approved stamp of an architect licensed by the State of California.

All structures and devices installed for the protection of pedestrians, regardless of location, are subject to the plan review requirements of this section.

For additional provisions applicable to grading, see Appendix J.

106.2 Architect or Engineer of Record. When it is required that documents be prepared by an architect or engineer, the building official may require the owner to designate on the permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

106.3 Information Required on Building Plans. Plans shall be drawn to scale upon substantial paper or other material suitable to the building official, shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner(s) and all persons who were involved in the design and preparation of the plans.

Plans shall include a plot plan showing the location of the proposed building and of every existing building on the premises. In lieu of specific details, the building official may approve references on the plans to a specific section or part of this Code, relevant laws, ordinances, rules and/or regulations.

Computations, stress diagrams and other data sufficient to show the correctness of the plans shall be submitted when required by the Building Official.

When deemed necessary by the building official, the first sheet of each set of plans shall indicate the following information:

1. The building Type of Construction;
2. Whether fire sprinklers are installed in all or any portion of the building;
3. Existing building areas and areas of all additions;
4. The number of stories of the building;
5. The use of all new and existing rooms and/or areas;
6. The Occupancy Classifications of each occupancy;
7. The Code in effect on the date of plan check submittal.

The plans shall show all mitigation measures required under the National Pollution Discharge Elimination System (NPDES) permit issued to the City. For the application of NPDES permit requirements as they apply to grading plans and permits, see Appendix J of this code.

For additional provisions, applicable to grading, see Appendix J.

106.4 Drainage Review Requirement. Where proposed construction will affect site drainage, existing and proposed drainage patterns shall be shown on the plot plan.

A site inspection may be required prior to plan check of building plans for lots or parcels in areas having slopes of five horizontal to one vertical (5: 1) or steeper when the building official finds that a visual inspection of the site is necessary to establish drainage requirements for the protection of property, existing buildings or the proposed construction. The fee for such inspection shall be as set forth by ordinance or resolution. Such a preinspection shall not be required for a building pad graded under the provisions of Appendix J.

For additional provisions, applicable to grading, see Appendix J.

106.5 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.

1 Submittal documents for deferred submittal items shall be submitted to the
2 architect or engineer of record who shall review them and forward them to the
3 building official with a notation indicating that the deferred submittal documents
4 have been reviewed and that they have been found to be in general conformance
5 with the design of the building. The deferred submittal items shall not be installed
6 until their design and submittal documents have been approved by the building
7 official.

8 **106.6 Standard Plans.** The building official may approve a set of plans for a
9 building or structure as a "standard plan," provided that the applicant has made
10 proper application and submitted complete sets of plans as required by this section.
11

12 Plans shall reflect laws and ordinances in effect at the time a permit is issued
13 except as provided in this section. Nothing in this section shall prohibit modifying
14 the permit set of plans to reflect changes in laws and ordinances that have become
15 effective since the approval of the standard plan. The standard plans shall become
16 null and void where the work required by such changes exceeds five percent of the
17 value of the building or structure.

18 Standard plans shall be valid for a period of one year from the date of approval.
19 This period may be extended by the building official when there is evidence that
20 the plans may be used again and the plans show compliance with this Code,
21 relevant laws, ordinances, rules and regulations.

22 **106.7 Expiration of Plan Check Applications.** Plan check applications for which
23 no permit is issued within one year following the date of application shall expire
24 by limitation and become null and void. Plans and calculations previously
25 submitted may thereafter be returned to the applicant or destroyed by the building
26 official.

27 When requested in writing by the applicant and prior the effective date of a more
28 current code, the Building Official within their discretion may grant extension(s)
not exceeding 1 year provided;

- 1- Circumstances beyond the control of the applicant have prevented action
from being taken;
- 2- An extension fee is paid as determined by the Building Official, not to
exceed 25 percent of the plan check fee.

Once an application and any extension thereof has expired, the applicant shall
resubmit plans and calculations and pay a new application fee.

106.8 Retention of Plans. One set of approved plans, calculations and reports
shall be retained by the building official. Except as required by Section 19850 of
the Health and Safety Code, the building official shall retain such set of the
approved plans, calculations and reports for a period of not less than 90 days from
date of completion of the work covered therein.

SECTION 107 BUILDING PERMIT REQUIREMENTS

107.1 Building Permit Required. No person shall erect, construct, enlarge, alter,
repair, move, improve, remove, connect, convert, demolish, or equip any building,

1 structure, or portion thereof, perform any grading, or cause the same to be done,
2 without first obtaining a separate permit for each such building, structure or
grading from the building official.

3 The issuance of a permit without first requiring a plan review shall not prevent the
4 building official from requesting plans deemed necessary to verify that the work
5 performed under said permit complies with this Code and all relevant laws,
ordinances, rules and regulations.

6 No person shall install, alter, repair, move, improve, remove, connect any
7 automatic fire-protection system regulated by this Code, or cause the same to be
8 done, without first obtaining a separate permit for each such building or structure
from the building official.

9 All structures and devices installed for the protection of pedestrians, regardless of
10 location, are subject to the permit requirements of this section.

11 For additional provisions, applicable to grading, see Appendix J.

12 **107.2 Work Exempted.** A building permit shall not be required for the following:

13 Exemption from permit requirements of this Code shall not be deemed to grant
14 authorization for any work to be done in any manner in violation of the provisions
of this Code or any other laws or ordinances.

15 Unless otherwise exempted by the City of Huntington Park Plumbing, Electrical
16 or Mechanical Codes, separate plumbing, electrical and mechanical permits will
17 be required for the below-exempted items.

18 A building permit shall not be required for the following:

19 1. Work not regulated by the Building Code, except where deemed necessary
by the building official to enforce other Federal and/or State Laws, State disabled
20 access requirements, or to enforce City ordinances or policies.

21 2. Painting; wallpapering; installing carpet, vinyl, tile and similar floor
coverings and repairing broken window glass not required by the Building Code
to be safety or security glazing.

22 3. Repairing broken window glass not required by the Building Code to be
safety or security glazing.

23 4. One-story detached accessory buildings used as tool and storage sheds,
playhouses, shade structures, and similar uses, provided the gross floor area does
24 not exceed 120 square feet, the height does not exceed 12 feet and the maximum
roof projection does not exceed 24 inches.

25 5. Retaining walls that retain not more than 4 feet (1219 mm) in height
measured from the bottom of the footing to the top of the wall, unless supporting
26 a surcharge or impounding a Class I, II, or III-A liquids.

27 6. Ground-mounted radio and television antenna towers that do not exceed
45 feet in height and ground-supported dish antennas not exceeding 15 feet in
28 height above finished grade in any position.

7. Light standards that do not exceed 30 feet in height.
8. Flagpoles not erected upon a building and not more than 15 feet high.
9. A tree house provided that:
 - 9.1 The tree house does not exceed 64 square feet in area or 8 feet in height from floor to roof.
 - 9.2 The ceiling height as established by door height or plate line does not exceed 6 feet.
10. Canopies or awnings, completely supported by the exterior wall, attached to a Group R-3 or U Occupancy and extending not more than 54 inches from the exterior wall of the building.
11. Sheds, office or storage buildings, and other structures that are less than 1,500 square feet and incidental to work authorized by a valid grading or building permit. Such structures must be removed upon expiration of the permit or completion of the work covered by the permit.
12. Decks, walks and driveways not more than 30 inches above grade and not over any basement or story below and that are not part of an accessible route.
13. Prefabricated swimming pools and other bodies of water accessory to a Group R-3 Occupancy that are fewer than 18 inches deep, do not exceed 5,000 gallons (18,927 L), and are installed entirely above adjacent grade.
14. Playground equipment.
15. Membrane structures not regulated by California Title 19, not exceeding 250 square feet in area, used exclusively for residential recreational purposes or as a cover for vehicles, and located in accordance with other City ordinances.
16. Steel tanks supported on a foundation not more than 2 feet (610 mm) above grade when the height does not exceed 1½ times the diameter.
17. Gantry cranes and similar equipment.
18. Bridges not involving buildings.
19. Motion picture, television and theater stage sets and scenery, except when used as a building.
20. Oil derricks.
21. Non fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

For additional provisions, applicable to grading, see Appendix J.

107.3 Application for Permit. To obtain a permit, the applicant shall first file an application in writing on a form furnished by the City for that purpose. Each such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by lot, block, tract, street address, or similar description that will readily identify and locate the proposed building or work.
3. For building plans, show the use and occupancy of all parts of the building.
4. Be accompanied by plans and calculations as required in Section 106.
5. State the valuation of the proposed work or, for grading, the volume of earth to be handled.

6. Give such other information as reasonably may be required by the building official.

107.4 Issuance. The building official shall issue a permit to the applicant for the work described in the application and plans filed therewith when the building official is satisfied that all of the following items comply:

1. The work described conforms to the requirements of this Code, relevant laws, ordinances, rules and regulations.
2. The fees specified by resolution or ordinance have been paid.
3. The applicant has obtained a permit pursuant to Public Resources Code Section 30600 et seq., if such a permit is required.

When the building official issues the permit, the building official shall endorse in writing or stamp on both sets of plans "Reviewed for Substantial Compliance Only." Such stamped plans shall not be changed, modified or altered without authorization from the building official, and all work shall be done in accordance with the currently adopted Codes in effect at the time of permit issuance regardless of the information presented on the plans. The approval of the plans shall not be held to permit or to be an approval of any violation of any Federal, State, County or City laws or ordinances. The issuance of a permit shall not be deemed to certify that the site of the described work is safe.

One set of approved plans and reports shall be returned to the applicant to be kept on such building or work site at all times while the authorized work is in progress.

The building official may issue a permit for the construction of part of a building or structure before the entire plans and calculations for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire building or structure will be granted.

For additional provisions, applicable to grading, see Appendix J.

107.5 Permit Validity. The issuance or granting of a permit or approval of plans and calculations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code, relevant laws, ordinances, rules and regulations. No permit presuming to give authority to violate or cancel the provisions of this Code, relevant laws, ordinances, rules and regulations shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit based on plans and calculations shall not prevent the building official from thereafter requiring the correction of errors in said plans and calculations or from preventing building operations being carried on thereunder when in violation of this Code, relevant laws, ordinances, rules and regulations.

For additional provisions, applicable to grading, see Appendix J.

1 **107.6 Expiration of Permit.** Every permit issued by the building official under
2 the provisions of this Code shall expire automatically by limitation and become
3 null and void one year after the date of the last required building inspection
4 approval by the building official or if work authorized by such permit is not
5 commenced within one year from the issuance date of such permit. Before such
6 work can be commenced or recommenced, a new permit shall be first obtained.
7 For the purposes of this paragraph, "required building inspection" shall mean those
8 inspections listed in Section 117.4.2, and those inspections specifically identified
9 on the Job Record issued with the building permit. No partial inspection shall meet
10 the definition of "required building inspection."

11 Supplementary permits for electrical, grading, mechanical, plumbing, and reroof
12 shall not expire so long as the associated building permit remains active. No
13 electrical, grading, mechanical, plumbing or reroof inspection shall satisfy the
14 requirement to have a required building inspection as defined in this Section.

15 Where a new building permit is issued to complete work previously started under
16 an expired permit, a permit fee and or plan review fee shall be collected in an
17 amount determined by the Building Official, not to exceed 25 percent of the permit
18 fee provided;

- 19 1) Applicant request in writing prior the effective date of a more current code
- 20 2) that the duration of time from the date of expiration has not exceeded one
21 year
- 22 3) that no changes have been made or will be made in the original plans and
23 calculations for such work;

24 Applicable Plan review fees and Permit fees, in addition to issuance fees, for the
25 remaining work based on the remaining work valuation shall be collected for all
26 permits which do not meet the preceding criteria.

27 All work to be performed under the new permit must be done in accordance with
28 the Building Code in effect on the date of issuance of the new permit.

107.7 Permit Suspension or Revocation. The building official may, in writing,
suspend or revoke a permit issued under the provisions of this Code, relevant laws,
ordinances, rules and regulations whenever the permit was issued in error or on
the basis of incorrect information supplied, or in violation of any other laws,
ordinances or regulations or any of the provisions of this Code.

The building official may also, in writing, withhold inspections, suspend or revoke
a permit where work is being done in violation of this Code, where work is being
done in violation of the approved plans, where work is being concealed without
approval from the building official, or where work is not in accordance with the
direction of the building official.

For additional provisions, applicable to grading, see Appendix J.

107.8 Cancellation of Permit by Applicant. If no portion of the work or
construction covered by a permit issued by the building official under the
provisions of this Code, relevant laws, ordinances, rules and regulations has been

1 commenced, the person to whom such permit has been issued may deliver such
2 permit to the building official with a request that such permit be cancelled. Only
3 the person to whom such permit was issued may request cancellation of the permit.
4 The building official shall thereupon stamp or write on the face of such permit the
5 words, "Cancelled at the request of the applicant." Thereupon such permit shall be
6 null and void and of no effect. All fees except for issuance fees shall be returned
7 to the applicant.

8 For additional provisions applicable to grading, see Appendix J.

9 **107.9 Transfer of Permit by Applicant.**

10 **107.9.1 No Inspection Performed.** When requested in writing by the person to
11 whom the permit was issued, a permit may be transferred from the person to whom
12 the permit was issued to a new individual. Fee credit shall be given where deemed
13 appropriate by the building official and new fees shall be paid as required by
14 ordinance or resolution.

15 **107.9.2 One or More Inspection Performed.** Permits may be transferred to any
16 individual upon completion of a new application. Fee credit shall be given where
17 deemed appropriate by the building official and new fees shall be paid as required
18 by ordinance or resolution.

19 **107.9.3 Permit Duration Remains Unchanged.** Transfer of a permit shall be
20 considered a continuation of the previous permit when determining the permit's
21 duration, and shall in no way extend the duration of the preceding permit.

22 **108 RESERVED**

23 **SECTION 109 USE AND OCCUPANCY**

24 **109.1 General.** No building, structure or premises, or portion thereof, shall be used
25 or occupied, and no change in the existing occupancy classification of a building,
26 structure or premises, or portion thereof, shall be made until the building official
27 has approved the building, structure or premises or portion thereof for such use or
28 occupancy and until all permits have been approved or a temporary certificate of
completed construction has been issued.

Upon final of a building permit and at the request of the applicant, a certificate of
completed construction shall be issued by the building official for any structure
that is ready to occupy.

Approval of a building, structure or premises, or portion thereof, for use or
occupancy (including, but not limited to, final inspection approval and/or issuance
of a certificate of completed construction or issuance of a temporary certificate of
completed construction) shall not be construed as approval of a violation of the
provisions of this Code, relevant laws, ordinances, rules and/or regulations.
Approvals presuming to give authority to violate or cancel the provisions of this
Code, relevant laws, ordinances, rules and/or regulations are not valid.

1 The building official may, in writing, suspend or revoke any such approvals or
2 certificates whenever the building official determines that the approval or
3 certificate was issued in error, or on the basis of incorrect information supplied, or
4 when it is determined that the building, structure or premises, or portion thereof,
5 is in violation of any provision of this Code, relevant laws, ordinances, rules and/or
6 regulations. Any certificate of completed construction or temporary certificate of
7 completed construction so issued shall be surrendered upon request of the building
8 official.

9
10 **109.2 Unpermitted Structures.** No person shall own, use, occupy or maintain
11 any unpermitted structure.

12 **109.3 Change in Use.** Changes in the character or use of a building shall not be
13 made except as specified in Existing Building Code.

14 **109.4 Issuance of a Certificate of Completed Construction.** When the building,
15 structure or premises, or portion thereof, has passed final inspection, and when the
16 building, structure or premises complies with this Code, relevant laws, ordinances,
17 rules and regulations, and the required fees have been paid, the building official,
18 upon request of the applicant, shall issue a certificate of completed construction,
19 which shall contain the following:

- 20 1. The building permit number.
- 21 2. The address of the building or structure.
- 22 3. A description of that portion of the building for which the certificate is
23 issued.
- 24 4. A statement that the described portion of the building was inspected and
25 found to comply with the requirements of this Code, relevant laws, ordinances,
26 rules and regulations for the group and division of occupancy and the use for which
27 the proposed occupancy is classified.
- 28 5. The date the permit was approved.
6. Any other information deemed necessary by the building official.

For additional provisions, applicable to grading, see Appendix J.

109.5 Issuance of a Temporary Certificate of Completed Construction. If the
building official finds that no substantial hazard will result from occupancy of any
building or portion thereof before the same is completed, the building official may
issue a temporary certificate of completed construction for the use of a portion or
portions of a building, structure or premises, prior to the completion of the entire
building, structure or premises, or portion thereof.

Such temporary certificate of completed construction shall be valid for a period of
time to be specified by the building official. Upon request of the owner or
permittee, the building official may, in writing, extend the temporary certificate of
completed construction when it is determined that the circumstances so warrant.
After the expiration of a temporary certificate of completed construction and any
extension(s) thereof, the building, structure or premises, or portion thereof, shall

not be used or occupied until the building official has approved the building for such use or occupancy.

109.6 Live Load Posted. In new construction, a durable sign that indicates the "live load" shall be required in commercial or industrial buildings where the floor or roof or portion thereof is or has been designed with a live load that exceeds 50 psf. The live load sign shall be posted on that part of each story or roof to which it applies, in a conspicuous place. The live load sign shall be posted as a condition precedent to the issuance of a certificate of completed construction certificate. It shall be unlawful to remove or deface any such sign

109.7 Continued Use of Unpermitted and/or Noncomplying Conditions. When deemed appropriate by the building official, a certificate of continued use of unpermitted and/or noncomplying condition(s) may be issued. The certificate shall not be issued until documentation, satisfactory to the building official, has been provided indicating that 1) the unpermitted and/or noncomplying condition(s) were not created by the current owner, and 2) that the current owner had no knowledge that the conditions were unpermitted and/or noncomplying at the time of purchase.

An application shall be completed that states 1) that the continued use of the existing unpermitted construction and/or noncomplying conditions is permitted by the City only with the owner's understanding that the City in no way assumes responsibility for the method of construction or the materials used; and 2) that it is further understood that this application for continued use is not to be construed as being equivalent in any way to a building permit.

An inspection shall then be made by the building official. Where necessary, permits shall be issued to correct any conditions deemed to pose a potential threat to life, limb or property. Once the inspection(s) have been made; all necessary permits have been obtained, inspected and approved; and all obvious potential threats to life, limb or property have been corrected, the building official may approve the application for unpermitted construction and or noncomplying condition(s). When approved by the building official, conditions deemed not to pose a potential threat to life, limb or property may be permitted to remain.

110 - PROHIBITED USES OF BUILDING SITES

110.1 Flood Hazard.

Buildings are not permitted in an area determined by the Building Official to be subject to flood hazard by reason of inundation, overflow or erosion.

The placement of the building and other structures (including walls and fences) on the building site shall be such that water or mud flow will not be a hazard to the building or adjacent property. This prohibition shall not apply when provision is made to eliminate such hazard to the satisfaction of the Building Official by providing adequate drainage facilities by protective walls, suitable fill, raising the floor level of the building, a combination of these methods, or by other means. The Building Official, in the application of this Section for buildings, structures, and grading located in whole or in part in flood hazard areas, shall enforce, as a

1 minimum, the current Federal Flood Plain Management Regulations defined in
2 Title 44, Code of Federal Regulations, Section 60.3, and may require the applicant
3 or property owner to provide the following information and/or comply with the
4 following provisions:

- 5 1. Delineation of flood hazard areas, floodway boundaries and flood zones,
6 and the design flood elevation, as appropriate;
- 7 2. The elevation of the proposed lowest floor, including basement, in flood
8 hazard areas (A Zones), and the height of the proposed lowest floor, including
9 basement, above the highest adjacent grade;
- 10 3. The elevation of the bottom of the lowest horizontal structural member in
11 coastal high hazard areas (V Zone);
- 12 4. If the design flood elevations are not included on the community's Flood
Insurance Rate Map (FIRM), then the applicant shall obtain and reasonably utilize
any design flood elevation and floodway data available from other sources, as
approved by the Building Official; and
- 13 5. During construction, upon placement of the lowest floor, including
basement, and prior to further vertical construction, the permittee shall provide to
the Building Official documentation, prepared and sealed by a registered design
professional, certifying the elevation of the lowest floor, including basement.

14 **110.2 Geotechnical Hazards.**

15 **110.2.1** No building or grading permit shall be issued under the provisions of this
16 section when the Building Official finds that property outside the site of the
17 proposed work could be damaged by activation or acceleration of a geotechnically
18 hazardous condition and such activation or acceleration could be attributed to the
19 proposed work on, or change in use of, the site for which the permit is requested.
For the purpose of this section, a geotechnically hazardous condition does not
include surface displacement due to earthquake faults.

20 **110.2.2** Except as provided in Section 110.2.3, work requiring a building or
21 grading permit by this Code is not permitted in an area determined by the Building
22 Official to be subject to hazard from landslide, settlement, or slippage. For the
23 purpose of this Section, landslide, settlement, or slippage does not include surface
displacement due to the earthquake faults.

24 **110.2.3** Subject to the conditions of Subsection 110.2.1, permits may be issued in
the following cases.

25 **110.2.3.1** When the applicant has submitted an engineering geology and/or soils
26 engineering report or reports complying with the provisions of Section 111 such
27 that said reports show to the satisfaction of the Building Official that the hazard
28 will be eliminated prior to the use or occupancy of the land or structures.

110.2.3.2 When the applicant has submitted an engineering geology and/or soils
engineering report or reports that comply with the provisions of Section 111, and
that demonstrate, to the satisfaction of the Building Official, that the site is safe
for the intended use.

110.2.3.3 When the proposed work involves the alteration or minor repair of
existing structures and the cost of such alteration or repair does not exceed 25
percent of the current valuation of the existing structure, such value to be based on
assumed continuation of the established legal use. Before a permit may be issued
pursuant to this section, the owner shall do all of the following:

1 1. If required by the Building Official, submit an engineering geology and/or
2 soils engineering report or reports that contain(s), at a minimum, a qualitative
3 and/or conditional finding that the proposed work complies with the provisions of
4 Section 110.2.1 of this Code.

5 2. Record in the office of the Department of Registrar-Recorder, a statement
6 that the owner is aware that the records of the Building Official indicate that the
7 property is potentially subject to hazard from landslide, settlement, or slippage.

8 3. Record in the office of the Department of Registrar-Recorder, an
9 agreement relieving the City and all officers and employees thereof of any liability
10 for any damage or loss which may result from issuance of such a permit. This
11 agreement shall provide that it is binding on all successors in interest of the owner
12 and shall continue in effect until the Building Official records in the office of the
13 Department of Registrar-Recorder a statement that the Building Official has
14 determined that such hazard from landslide, settlement or slippage no longer
15 exists. The repair work shall consist of restoring the original construction. The
16 Building Official may require that provisions be made in anticipation of future
17 settlement. For the purposes of this Section 110.2.3.3, "alteration" does not include
18 an addition or additions.

19 **110.2.3.4** When the proposed work involves an addition or additions to an existing
20 structure but is not a change in use or occupancy and such work does not increase
21 the gross floor area of the structure by more than 25 percent of the area of the
22 structure as it existed on July 6, 1968, and the Building Official determines that
23 the proposed work will not impact a historically active landslide. Before a permit
24 may be issued pursuant to this Section, the owner shall do all of the following:

25 1. Submit an engineering geology and/or soils engineering report or reports
26 that contain(s), at a minimum, a qualitative and/or a conditional finding that the
27 proposed work complies with the provisions of Section 110.2.1.

28 2. Record in the office of the Department of Registrar-Recorder the finding
of such report or reports.

 3. Record in the office of the Department of Registrar-Recorder an agreement
relieving the City and all officers and employees thereof of any liability for any
damage or loss which may result from the issuance of such a permit. This
agreement shall provide that it is binding on all successors in interest of the owner
and shall continue in effect until the Building Official records in the office of the
Department of Registrar-Recorder a statement that the Building Official has
determined that a hazard from landslide, settlement, or slippage no longer exists.

110.2.3.5 When the proposed work involves the repair of a single-family residence
or accessory structures where the cost of such repair exceeds 25 percent of the
current valuation of the existing building.

The scope of the repair work shall be subject to the approval of the Building
Official. Before a permit may be issued pursuant to this Section, the owner shall
do all of the following:

 1. Submit an engineering geology and/or soils engineering report or reports
that contain(s), at a minimum, a qualitative and/or conditional finding that the
proposed work complies with the provisions of Section 110.2.1 of this Code.

2. Record in the office of the Department of Registrar-Recorder a statement by the owner acknowledging that the records of the Building Official indicate that the property is potentially subject to hazard from landslide, settlement, or slippage.

3. Record in the office of the Department of Registrar-Recorder an agreement relieving the County and all officers and employees thereof of any liability for any damage or loss which may result from issuance of such a permit. This agreement shall provide that it is binding on all successors in interest of the owner and shall continue in effect until the Building Official records in the office of the Department of Registrar-Recorder a statement that the Building Official has determined that such hazard from landslide, settlement, or slippage no longer exists.

110.2.3.6 When the proposed work involves the replacement of structures destroyed by causes other than landslide, settlement, or slippage, and the permit applicant was the owner of the property at the time of the loss, their immediate heir(s), or their authorized representative, and the application for a permit under this Section is filed no later than ten (10) years following the date of the loss.

The replacement structure(s) shall not exceed the area, number of stories, load, or number of fixtures and bedrooms of the structure that was destroyed. No change in occupancy type shall be permitted. Before a permit may be issued pursuant to this Section, the owner shall do all of the following:

1. Demonstrate, to the satisfaction of the Building Official, that the replacement structure and/or the associated private sewage disposal system (if any) and/or the replacement landscaping (if any) will not result in a greater amount of groundwater infiltration than occurred under the original condition.

2. Submit an engineering geology and/or soils engineering report or reports that contain, at a minimum, a qualitative and/or conditional finding that the proposed work complies with the provisions of Section 110.2.1 of this Code and that contain recommendations for enhancing the stability of the site.

3. Record in the office of the Department of Registrar-Recorder a statement by the owner acknowledging that the owner is aware that the records of the Building Official indicate that the property is potentially subject to a hazard from landslide, settlement, or slippage.

4. Record in the office of the Department of Registrar-Recorder an agreement relieving the City and all officers and employees thereof of any liability for any damage or loss which may result from issuance of such a permit. This agreement shall provide that it is binding on all successors in interest of the owner and shall continue in effect until the Building Official records in the office of the Department of Registrar-Recorder a statement that the Building Official has determined that such hazard from landslide, settlement, or slippage no longer exists.

110.2.3.7 When the proposed work involves a one-story, detached, light-frame accessory structure not intended or used for human occupancy and not exceeding 400 square feet in gross floor area nor 12 feet in height. Before a permit may be issued pursuant to this Section, the owner shall do all of the following:

1. When required by the Building Official, submit an engineering geology and/or soils engineering report or reports that contain, at a minimum, a qualitative

and/or conditional finding that the proposed work complies with the provisions of Section 110.2.1.

2. Record in the office of the Department of Registrar-Recorder a statement by the owner acknowledging that the owner is aware that the records of the Building Official indicate that the property is potentially subject to hazard from landslide, settlement, or slippage.

3. Record in the office of the Department of Registrar-Recorder an agreement relieving the City and all officers and employees thereof of any liability for any damage or loss which may result from issuance of such a permit. This agreement shall provide that it is binding on all successors in interest of the owner and shall continue in effect until the Building Official records in the office of the Department of Registrar-Recorder a statement that the Building Official has determined that such hazard from landslide, settlement, or slippage no longer exists.

110.2.3.8 When the Building Official determines that the hazard from landslide, settlement, or slippage is based solely on the fact that the area has been identified as a potentially liquefiable area in a seismic hazard zone (pursuant to Public Resources Code section 2690 et seq.) and a foundation investigation is performed in connection with the work in accordance with Section 1803 of this Code.

110.2.3.9 Notwithstanding any other provisions of this Section, the Building Official may, at his or her discretion, deny a permit for any building, structure, or grading subject to hazard from landslide, settlement, or slippage, which cannot be mitigated and may endanger the health or safety of the occupants, adjoining property, or the public.

110.2.3.10 When the proposed work involves the repair and restoration of a slope. Before a permit may be issued pursuant to this Section, the owner shall submit an engineering geology and/or soils engineering report or reports that contain(s) the following:

1. A description and analysis of the existing conditions, including the cause or causes of the failed slope.
2. Recommendations for the repair of the failed slope.
3. A qualitative and/or conditional finding that the proposed work complies with the provisions of Section 110.2.1 of this Code.
4. An analysis demonstrating that future failures originating from the repaired portion of the slope will not impact previously permitted structures.
5. An analysis demonstrating that the proposed work will improve existing slope stability.

111 - ENGINEERING GEOLOGY AND SOILS ENGINEERING REPORTS

The Building Official may require an engineering geology or soils engineering report, or both, where in the Building Official's opinion, such reports are essential for the evaluation of the safety of the site. The engineering geology or soils engineering report or both shall contain a finding regarding the safety of the site of the proposed work against hazard from landslide, settlement or slippage and a

1 finding regarding the effect that the proposed work will have on the geotechnical
2 stability of the area outside of the proposed work. Any engineering geology report
3 shall be prepared by a certified engineering geologist licensed in the State of
4 California. Any soils engineering report shall be prepared by a civil engineer
5 licensed in the State of California, experienced in the field of soil mechanics, or a
6 geotechnical engineer licensed in the State of California. When both an
7 engineering geology and soils engineering report are required for the evaluation
8 of the safety of a building site, the two reports shall be coordinated before
9 submission to the Building Official.

10 **112 - EARTHQUAKE FAULT MAPS**

11 Earthquake fault zone maps within the City prepared under Sections 2622 and
12 2623 of the California Resources Code which show traces of earthquake faults are
13 hereby declared to be, on the date of official issue, a part of this Code, and may be
14 referred to elsewhere in this Code. Earthquake fault zone maps revised under the
15 above sections of the California Resources Code shall, on the date of their official
16 issue, supersede previously issued maps which they replace.

17 **SECTION 113 - EARTHQUAKE FAULTS**

18 **113.1 General.** The construction of a building or structure near a known active
19 earthquake fault and regulated by this Code shall be permitted as set forth in this
20 Section.

21 **113.2 Scope.** The provisions of this Section shall apply only to permits for
22 buildings or structures on individual lots or parcels and are not intended to be
23 supplementary to geologic investigations required to qualify divisions of land as
24 set forth in Title 10 (Subdivisions) the City of Huntington Park Municipal Code.

25 **113.3 Definition.** For the purpose of this Section, a geologist shall be a
26 professional geologist, licensed by the California State Board for Geologists and
27 Geophysicists to practice geology in California.

28 **113.4 Known Active Earthquake Faults.** For the purpose of this Section,
known active earthquake faults are those faults which have had displacement
within Holocene time (approximately the last 11,000 years) as defined in the most
current issue of Special Publication 42 of the California Geological Survey.

113.5 Construction Limitations. No building or structure shall be constructed
over or upon the trace of a known active earthquake fault which is shown on maps
maintained by the Building Official. These maps include, but are not limited to,
earthquake fault zone maps prepared under Sections 2622 and 2623 of the
California Public Resources Code.

The absence of a known active earthquake fault trace at the proposed building
location shall be determined by a professional geologist licensed in the State of
California in the following cases:

1. When the proposed building is within (50) feet (15.24 m) of that line
designated by the Building Official as the assumed location of a known
active earthquake fault on the aforementioned maps.
2. When the proposed building is within 50 feet (15.24 m) of the most
probable ground location of the trace of a known active earthquake fault
shown on the aforementioned maps.

In these cases, the Building Official may require the excavation of a trench, for the
purpose of determining the existence of an active earthquake fault. Such a trench

will be required if a lack of distinguishable fault features in the vicinity prevents the Building Official from determining by a site examination, review of available aerial photographs, or by other means that the fault trace does not underlie the proposed building. The trench shall be approximately perpendicular to the most probable direction of the fault trace, at least 1-1/2 feet (0.15 m) wide, and at least five feet in depth measured from natural grade, or to a depth satisfactory to the Building Official.

The trench must be accessible for mapping and inspection by the Building Official, when requested, and meet the requirements of Title 8 of the California Code of Regulations, Construction Safety Orders. The trench need not extend further than the full width of the proposed structure plus 5 feet (1.52 m) beyond the traversed exterior walls. A known active earthquake fault shall be presumed nonexistent if an exposure is not found by the professional geologist in the walls or floor of the trench.

The Building Official may require a more extensive investigation by a professional geologist as evidence to the absence of a known active earthquake fault prior to the issuance of a permit for Groups A, E, I, H and R, Division 1 Occupancies and B, F, M and S Occupancies over one story in height.

The results of the investigation, conclusions and recommendations shall be presented in a geology report prepared by a professional geologist as defined by Section 113.3. The report shall comply with the guidelines presented in Note 49 prepared by the California Department of Conservation, Geological Survey.

EXCEPTION: The provisions of this Section do not apply to:

1. One-story, detached light-frame buildings not intended or used for human occupancy and not exceeding 1,000 square feet (92.9 m²) in gross floor area or 12 feet (3.66 m) in building height.
2. Alterations or repairs to an existing building provided that the aggregate value of such work within any 12-month period does not exceed 50 percent of the current market value of the existing building. For the purposes of this Section 113.5, "alteration" does not include an addition or additions.
3. Swimming pools, retaining walls, fences and minor work of a similar nature.

SECTION 114 FACTORY-BUILT HOUSING

114.1. Plans shall be submitted for plan review for all field-built portions of factory-built structures that clearly describe all work to be done at the site, including connection and/or anchorage of the factory-built structure to the field-built foundation and connection of utilities. Plans shall indicate compliance with this Code, relevant laws, ordinances, rules and regulations for all work that is to be done at the site.

SECTION 115 FEES

115.1 Plan review fees shall be as adopted by a separate resolution and/or ordinance.

Plan checking fees shall be paid at the time of plan review submittal. In addition to the aforementioned fees, the building official may require additional charges for review required by changes, additions or revisions of approved plans or reports,

1 and for services beyond the first and second check due to changes, omissions or
2 errors the part of the applicant.

3 **115.2** Permit fees shall be as adopted by separate resolution and/or ordinance.
4 Permit fees shall be paid at the time of permit issuance.

5 **115.3** The determination of value or valuation under any of the provisions of this
6 code shall be made by the building official. The valuation to be used in computing
7 the permit and plan check fees shall be the total value of all construction work for
8 which the permit is issued, as well as all finish work, painting, roofing, electrical,
9 plumbing, heating, air conditioning, elevators, fire protection systems and any
10 other permanent work or permanent equipment.

11 **116 REFUNDS**

12 **116.1 Permit Refunds.** In the event that any person shall have obtained a permit
13 and no portion of the work or construction covered by such permit shall have been
14 commenced, and such permit shall have been cancelled as provided for in Section
15 107.8, the permittee may submit a written request to the building official
16 requesting a refund of permit fees. Permit fees in an amount equal to 80 percent
17 may be refunded to the permit applicant, but permit issuance fees shall not. The
18 building official shall satisfy himself or herself as to the right of such applicant to
19 such refund, and each such refund shall be paid to the permit applicant, provided
20 the request has been submitted within one year from the date of cancellation or
21 expiration of the permit.

22 **116.2 Plan Check Refunds.** No portion of the plan checking fee shall be refunded,
23 unless no review has been performed, in which case 80 percent of the plan
24 checking fee shall be refunded. The building official shall satisfy himself or herself
25 as to the right of such applicant to such refund, and each such refund shall be paid
26 to the plan check applicant, provided the request has been submitted within one
27 year from the date of cancellation or expiration of the permit.

28 **SECTION 117 INSPECTIONS.**

117.1 General. All construction or work for which a permit is required shall be
subject to inspection by the building official, and all such construction or work
shall remain accessible and exposed for inspection purposes until approved by the
building official.

In addition to the inspections required to be made by the building official, certain
types of construction shall have continuous inspection as specified in Chapter 17.
Special inspections made in accordance with Chapter 17 shall not relieve the
permit applicant of the responsibility to have the work inspected and approved by
the building official.

Approval as a result of an inspection shall not be construed to be an approval of a
violation of any provision of this Code, relevant laws, ordinances, rules or
regulations. Inspections presuming to give authority to violate or cancel the

provisions of this Code, relevant laws, ordinances, rules and regulations shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

It shall be the duty of the permit applicant to provide access for the inspector to the area of work. Access may include, but shall not be limited to, ladders, scaffolding, catwalks and lifts. It shall be the duty of the permit applicant to maintain a safe access path for the inspector to the area of work. Safety precautions may include, but shall not be limited to, handrails, guardrails and safety harnesses. All components of the access path shall be securely anchored in place. The building inspector shall have the right to refuse to make any inspection in an area that does not have an access path deemed safe for use by said building inspector. It shall be the duty of the permit applicant to make any necessary improvements to the access path to allow inspection by the building inspector.

It shall be the duty of the permit applicant to protect all existing construction from damage caused during inspection. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material damaged during the course of inspection.

For additional provisions, applicable to grading, see Appendix J.

117.2 Inspection Requests. It shall be the duty of the permit holder to notify the building official that work authorized by a permit is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

It shall be the duty of the person requesting any inspection required by this Code, relevant laws, ordinances, rules and regulations to provide access to and means for inspection of such work.

For additional provisions, applicable to grading, see Appendix J.

117.3 Inspection Record Card. When deemed necessary by the building official, work requiring a permit shall not be commenced until the applicant has posted or otherwise made available an inspection record card so as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall continue to be posted or otherwise made available by the permit holder until final approval of the permit has been granted by the building official.

For additional provisions, applicable to grading, see Appendix J.

1 **117.4 Work Ready For Inspection.**

2 **117.4.1 General.** Upon notification from the applicant that the work for which
3 there is a valid permit is ready for inspection, the building official shall be allowed
4 to make all applicable inspections specified in this Code, on the inspection record
5 card and any additional inspections required by the building official.

6
7 No work shall be approved by the building official that was not completely
8 verified. Partial or spot inspections shall not be performed by the building official,
9 nor shall partial or spot inspection be used as a justification for approving any
10 required inspection.

11 Inspection by a special inspector shall not be made in-lieu of any inspections
12 required to be made by the building official.

13 For additional provisions, applicable to grading, see Appendix J.

14 **117.4.2 Minimum Inspection Requirements.** The following inspections shall not
15 be requested until the associated requirements have been satisfied.

- 16 1. Foundation inspection: Shall not be requested until all trenches are
17 excavated and forms erected, any required reinforcing steel is in place, and
18 when all materials for the foundation are delivered to the job. All holdown
19 hardware shall be securely installed in place. Where concrete from a
20 central mixing plant (commonly termed "transit mixed") is to be used,
21 materials need not be on the job.

22 Where any fill more than 8 inches in depth is placed, and/or where required by
23 the building official or the soils engineer, compaction tests shall be
24 submitted to the building official prior to requesting inspection.

25 Where required by the soils engineer, foundation trenching shall be reviewed
26 and approved by the soils engineer prior to requesting inspection.

- 27 2. Concrete slab or under-floor inspection: Shall not be requested until all in-
28 slab or under-floor building service equipment, conduit, piping accessories
and other ancillary equipment items are in place, but before any concrete
is poured and/or floor sheathing installed, including the subfloor.
3. Floor sheathing inspection: Floor sheathing inspection shall not be
requested until all sheathing is in place; all diaphragm nailing is complete;
and all diaphragm ties, chords and/or drag struts have been installed. No
walls shall be erected above the floor sheathing.
4. Roof sheathing inspection: Roof sheathing inspection shall not be
requested until all sheathing is in place; all diaphragm nailing is complete;
and all diaphragm ties, chords and/or drag struts have been installed. No
portion of the roof sheathing shall be covered by crickets or similar
construction.
5. Frame inspection: Shall not be requested until after the roof, all framing,
fire blocking and bracing are in place and all pipes, chimneys, vents and
all rough electrical, plumbing and mechanical work are complete. Roof
coverings shall not be installed.

6. Lath inspection and/or wallboard: Shall not be requested until after all lathing and/or wallboard, interior and exterior, is in place, but before any plastering is applied or before wallboard joints and fasteners are taped and finished.
7. Final inspection: Shall not be requested until after finish grading and the building is completed and is ready for occupancy.
8. Other Inspections: In addition to the inspections specified above, the building official shall be allowed to make all applicable inspections specified on the Inspection Record card. The building official may also make or require any other inspections of any construction work to ascertain compliance with the provisions of this Code, relevant laws, ordinances, rules and regulations that are enforced by the building official.

For additional provisions, applicable to grading, see Appendix J.

117.4.3 Reinspections. An inspection fee may be assessed for reinspection, as determined by the Building Official, for any of the following reasons:

1. The portion of work for which inspection is requested is not complete;
2. Corrections given are not completed;
3. There is inadequate work site access preventing inspection;
4. The inspection record card is not posted or otherwise available on the work site;
5. The approved plans are not available for the inspector;
6. Work has deviated from the approved plans and has not been approved by the Building Official.

This Section is not to be interpreted as requiring additional inspection fees the first time a job is rejected for failure to comply with the requirements of this Code.

To obtain re-inspection, the applicant shall pay the re-inspection fee in advance, as determined per the fee resolution.

117.5 Provisions for Special Inspection.

117.5.1 When Required. In addition to the inspections required elsewhere in this section, the owner shall employ one or more special inspectors who shall provide inspections during construction on the types of work listed under Chapter 17 The special inspector may be employed either directly or through the architect or engineering firm in charge of the design of the structure, or through an independent inspection test firm approved by the building official.

Exception: The building official may waive the requirement for the employment of a special inspector if the construction is of a minor nature.

117.5.2 Identification of Work. When special inspection is required by Section 117.5.1, the architect or engineer of record shall identify on the plans all work that is required to have special inspection.

Where the special inspection method(s) to be employed are not specified elsewhere in this Code, relevant laws, ordinances, rules and/or regulations, the architect or engineer of record shall prepare an inspection program that shall be submitted to and approved by the building official prior to building permit issuance.

The special inspector(s) may be employed by the owner, the engineer or architect of record, or an agent of the owner, but shall not be employed by the contractor, the contractor's employees, representatives or agents of the contractor, or any other person performing the work.

The architect or engineer of record shall identify, on forms provided by the City, the individual(s) and/or firm(s) who are to perform any required special inspection, and where an inspection program is required by this section, shall specify the special inspection duties of the special inspector(s).

117.5.3 Qualifications, Requirements and Duties of the Special Inspector. The special inspector shall be approved by the building official prior to performing any inspection duties. The special inspector shall complete an application form provided by the City and shall submit documentation satisfactory to the building official that the special inspector is qualified to make the special inspection(s) for which application is made. The building official shall have the right to administer a written or verbal examination as deemed appropriate by the building official to verify that the special inspector is qualified to perform the inspection duties for which application is made. A special inspector who fails to pass the examination administered by the building official shall be required to wait a minimum of seven (7) days before submitting a new application to provide special inspection within the City.

The building official shall not be required to accept any documentation provided by a special inspector who was not approved by the building official prior to performing inspection duties. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material(s) or work installed, constructed or placed under the review of a special inspector who was not approved by the building official.

Failure to be approved by the building official prior to performing any special inspection duties may be considered by the building official as a failure to perform properly and shall allow the building official to refuse to allow the special inspector to perform inspection within the City.

The special inspector shall observe the work assigned for conformance with the approved design drawings.

The special inspector shall furnish inspection reports to the building official. All observed discrepancies shall be brought to the immediate attention of the contractor for correction, then if uncorrected, to the proper design authority and to the building official.

1
2 The special inspector shall submit a final signed report stating that the work
3 requiring special inspection was, to the best of the inspector's knowledge, in
4 conformance with the approved plans and the applicable workmanship provisions
5 of this Code.

6 The building official shall have the right to reject any work performed under the
7 review of a special inspector where the work performed fails to meet the minimum
8 requirements of this Code, relevant laws, ordinances, rules and regulations.
9 Regardless of the information communicated between the permit applicant and the
10 special inspector, all work shall comply with the approved plans and this Code,
11 relevant laws, ordinances, rules and regulations.

12 Upon evidence, satisfactory to the building official, of the failure of a special
13 inspector to perform properly and effectively the duties of said office, the building
14 official may revoke, suspend or refuse to allow the special inspector to perform
15 inspection on sites within the City. Prior to such action, the holder shall be given
16 an opportunity to appear before the building official and be heard.

17 **117.6 Provisions for Structural Observation.** When structural observation is
18 required in accordance with the requirements of Chapter 17, the engineer or
19 architect of record shall indicate on the plans what work is required to be observed
20 by the engineer or architect responsible for the structural design, or the engineer
21 or architect responsible for the structural design shall prepare an inspection
22 program and shall name the individuals or firms who are to perform structural
23 observation and describe the stages of construction at which structural observation
24 is to occur. The inspection program shall include samples of inspection reports and
25 provide time limits for the submission of observation reports. The program shall
26 be submitted to and approved by the building official prior to building permit
27 issuance.

28 When required by the engineer or architect responsible for the structural design or
the building official, the owner shall employ the engineer or architect responsible
for the structural design, or another engineer or architect designated by the
engineer or architect responsible for the structural design, to perform structural
observation as defined in Section 202.

When deemed appropriate by the engineer or architect responsible for the
structural design, the owner or owner's representative shall coordinate and call a
preconstruction meeting between the engineer or architect responsible for the
structural design, the structural observer, the contractor, the affected
subcontractors and the special inspector(s). The structural observer shall preside
over the meeting. The purpose of the meeting shall be to identify the major
structural elements and connections that affect the vertical and lateral load systems
of the structure and to review scheduling of the required observations. A record of
the meeting shall be submitted to the building official.

1 All observed discrepancies shall be brought to the immediate attention of the
2 engineer or architect responsible for the structural design and the contractor for
3 correction; then if unresolved, to the building official. The structural observer shall
4 submit to the building official a written statement at each significant construction
5 stage stating that the required site visits have been made and identifying any
6 reported deficiencies which, to the best of the structural observer's knowledge,
7 have not been resolved.

8
9 The structural observer shall submit a final signed report stating that the work
10 requiring structural observation was, to the best of the observer's knowledge, in
11 conformance with the approved plans and the applicable workmanship provisions
12 of this Code.

13
14 **117.7 Required Approvals.** No work shall be done on any part of the building
15 structure or premises beyond the point indicated in each successive inspection
16 without first obtaining the written approval of the building official. The building
17 official, upon notification, shall make the requested inspections and shall either
18 indicate in writing that the work appears to comply as completed, or shall notify
19 the applicant in writing which portion of the work fails to comply with this Code,
20 relevant laws, ordinances, rules and/or regulations. Any work that does not comply
21 shall be corrected and such work shall not be covered or concealed until authorized
22 by the building official.

23
24 There shall be a final inspection and approval of all work when completed and
25 ready for occupancy.

26 For additional provisions applicable to grading, see Appendix J.

27
28 **117.8 Site Requirements.** A survey of the lot may be required by the building
official to verify compliance of the structure with the approved plans.

117.9 Noninspected Work. No person shall own, use, occupy or maintain any
structure on which noninspected work has been performed.

117.10 Utility Release. When deemed appropriate by the building official, gas and
electric utilities may be released. Release of either utility may be done prior to
building final for testing and inspection purposes. The building official shall retain
the right to revoke the release of either utility for just cause, and may have either
utility disconnected at the earliest availability of the utility purveyor.

Attempting to occupy prior to issuance of a certificate of completed construction,
whether temporary or final, may be considered as just cause by the building
official, and may result in disconnection of the utilities.

117.11 Authority to Disconnect Electric Utility. The building official is hereby
empowered to disconnect or to order in writing the discontinuance of electric
utility service to buildings, structures or premises, or portions thereof, or wiring,

1 devices or materials installed without permit or found to be a hazard to life, health
2 and/or property.

3 The building official shall have the power to disconnect or to order in writing the
4 discontinuance of electric utility service as a means of preventing, restraining,
5 correcting or abating any violation of this Code, relevant laws, ordinances, rules
6 or regulations.

7 The electrical service shall remain disconnected or electrical utility service shall
8 remain discontinued until the Code violation has been abated to the satisfaction of
9 the building official, or until the installation of such wiring, devices or materials
10 have been made safe as directed by the building official; or until a permit has been
11 issued and the work has been inspected and approved by the building official.

12 **117.12 Authority to Disconnect Gas Utility.** The building official is hereby
13 empowered to disconnect or to order in writing the discontinuance of gas utility
14 service to buildings, structures, premises, appliances, devices or materials installed
15 without permit or found to be a hazard to life, health and/or property.

16 The building official shall have the power to disconnect or to order in writing the
17 discontinuance of gas utility service as a means of preventing, restraining,
18 correcting or abating any violation of this Code, relevant laws, ordinances, rules
19 or regulations

20 The gas service shall remain disconnected or gas utility service shall remain
21 discontinued until the Code violation has been abated to the satisfaction of the
22 building official, or until the installation of such appliances, devices or materials
23 has been made safe as directed by the building official; or until a permit has been
24 issued and the work has been inspected and approved by the building official.

25 **8-1.02 ADOPTION OF LOS ANGELES COUNTY CODE, TITLE 26, BUILDING** 26 **CODE**

27 Chapters 2 through 35, 66, 67, 96, 98, 99 and Appendices I and J of Title 26, Los Angeles
28 County Building Code, as amended and in effect on or before January 1, 2017, adopting
the 2016 California Building Code, is hereby adopted by reference pursuant to the
provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of
California as though fully set forth herein, and made a part of the Huntington Park
Municipal Code with the same force and effect as though set out herein in full, including
all of the regulations, revisions, conditions and terms contained therein except that those
certain sections thereof which are necessary to meet local conditions, as hereinafter set
forth in 8-1.03 of this code, are hereby repealed, added or amended to read as set forth
therein.

In accordance with Section 50022.6 of the California Government Code, not less than one
copy of said Title 26 of the Los Angeles County Code together with any and all
amendments thereto proposed by the City of Huntington Park, has been and is now filed

1 in the office of the Building and Safety Division, shall be remain on file with the Building
2 Official, shall collectively be known as the *City of Huntington Park Building Code* and
3 may be cited as Title 8 Chapter 1 of the Huntington Park Municipal Code.

4 **8-1.03 BUILDING CODE MODIFIED**

5 Chapters 33, and Appendix J of Title 26 of the Los Angeles County Code (the 2016 Los
6 Angeles County Building Code), adopted by reference as the Building Code of the City
7 of Huntington Park, are hereby amended, deleted or added as follows:

- 8 a. A new Section 3301.3 is added to read:

9 **3301.3 On-Site Fencing During Construction.**

10 **3301.3.1 General.** A fence shall be provided any time grading, demolition, or
11 construction work requiring a grading or building permit is performed. The fence
12 shall totally enclose the perimeter of all property. Locking gates may be provided
13 at any location.

14 Exceptions:

15 1) When approved by the building official, a fence need not enclose
16 residential property when at least one dwelling is continuously occupied. Approval
17 not to fence the property may be revoked in writing by the building official if the
18 property is found to be unoccupied for any length of time. For the purposes of this
19 exception, continuously occupied is not intended to imply that the occupants must
20 be continuously present.

21 2) When approved by the building official, the fence may enclose areas other
22 than the perimeter of the property.

23 **3301.3.2 Fence Construction.** The fence shall be 6 feet in height measured from
24 adjacent grade on the exterior side of the fence, and constructed from chain link,
25 lumber, masonry or other approved materials. The fence shall be self-supporting
26 and shall not incorporate structures or fencing on adjacent property without written
27 approval of the adjacent property owner.

28 **3301.3.3 Duration of Fencing.** The fence shall be erected prior to the start of any
grading, demolition, or construction work and shall remain in place until the work
for which a grading or building permit is required has been completed.

Exceptions:

1) All or portions of the fence may be removed daily during construction so
long as the property is continuously occupied, and all portions of the removed
fence are replaced prior to the property being unoccupied.

2) When approved by the building official, the fence may be removed prior
to completion of the grading, demolition, or construction work, if the property is
determined by the building official to no longer provide an unsafe or hazardous
condition.

1 **3301.3.4 Failure to Comply.** If the property is found unfenced and the building
2 official determines that an unsafe or hazardous condition exists, the City may take
3 action to correct the noncomplying condition by providing the required fence. The
4 building official may then issue a notice to stop work until all fees incurred by the
5 City to properly fence the property have been recovered. If such fees have not been
6 recovered by the City within 30 days, the City may take action to recover the costs
7 in accordance with the requirements of this Code.

8
9 b. Section J103.5 is amended in its entirety to read:

10 **J 103.5 Grading Fees.** Fees shall be assessed in accordance with the provisions
11 of this section. The amount of the fees shall be as specified in Section 115 of this
12 code.

13 **J 103.5.1 Plan Review Fees.** When a plan or other data are required to be
14 submitted, a plan review fee shall be paid at the time of submitting plans and
15 specifications for review. Separate plan review fees shall apply to retaining walls
16 or major drainage structures as required elsewhere in this code. For excavation and
17 fill on the same site, the fee shall be based on the total volume of excavation and
18 fill.

19 **J 103.5.2 Permit Fees.** A fee for each grading permit shall be paid to the Building
20 Official at the time of issuance of the permit. Separate permits and fees shall apply
21 to retaining walls or major drainage structures as required elsewhere in this code.

22 c. Section J 103.6 is amended in its entirety to read:

23 **J 103.6 Compliance with Zoning Code.** The building official may refuse to issue
24 a grading permit for work on a site if either the proposed grading or the proposed
25 land use for the site shown on the grading plan application does not comply with
26 the provisions of “Planning and Zoning” of the City of Huntington Park Municipal
27 Code.

28 d. Section J105.12 is amended in its entirety to read:

J105.12 Completion of work. Upon completion of the rough grading work and at
the final completion of the work, the following reports and drawings and
supplements thereto are required for engineered grading or when professional
inspection is otherwise required by the Building Official:

1. A certification by the Field Engineer that to the best of his or her
knowledge, the work within the Field Engineer’s area of responsibility was done
in accordance with the final approved grading plan.

2. A report prepared by the Soils Engineer retained to provide such
services in accordance with Section J105.4, including locations and elevations of
field density tests, summaries of field and laboratory tests, other substantiating
data, and comments on any changes made during grading and their effect on the
recommendations made in the approved soils engineering investigation report. The

1 report shall include a certification by the Soils Engineer that to the best of his or
2 her knowledge, the work
3 within the Soils Engineer's area of responsibility is in accordance with the
4 approved Soils Engineering report and applicable provisions of this chapter. The
report shall contain a finding regarding the safety of the completed grading and
any proposed structures against hazard from landslide, settlement, or slippage.

5 3. A report prepared by the Engineering Geologist retained to provide
6 such services in accordance with Section J105.5, including a final description of
7 the geology of the site and any new information disclosed during the grading and
8 the effect of such new information, if any, on the recommendations incorporated
9 in the approved grading plan. The report shall contain a certification by the
10 Engineering Geologist that, to the best of his or her knowledge, the work within
11 the Engineering Geologist's area of responsibility is in accordance with the
approved engineering geology report and applicable provisions of this Chapter.
The report shall contain a finding regarding the safety of the completed grading
and any proposed structures against hazard from landslide, settlement or slippage.
The report shall contain a final as-built geologic map and cross-sections depicting
all the information collected prior to and during grading.

12 4. The grading contractor shall certify, on a form prescribed by the
13 building official that the grading conforms to the approved plans and
specifications.

14 **8-1.04 EFFECT OF ADOPTION**

The adoption of the city Building Code and the repeal, addition or amendment of
ordinances by this code shall not affect the following matters:

- 15 (A) Actions and proceedings which began the effective date of this code.
- 16 (B) Prosecution for ordinance violations committed before the effective date of
this code.
- 17 (C) Licenses and penalties due and unpaid at the effective date of this code, and
18 the collection of these licenses and penalties.
- 19 (D) Bonds and cash deposits required to be posted, filed or deposited pursuant
to any ordinance.
- 20 (E) Matters of record which refer to or are connected with ordinances the
substances of which are included in this code; these references shall be construed
21 to apply to the corresponding provisions of the code.

22 **8-1-05 PENALTY; VIOLATIONS.**

23 (A) *General penalty; continuing violations.* Every act prohibited or declared
24 unlawful and every failure to perform an act required by this code is a
25 misdemeanor or an infraction as set forth in the said respective pertinent sections
26 of this code and any person causing or permitting a violation of any such section
of said code shall be subject to the penalties ascribed to each such section as set
forth herein. Where silent as to whether a violation is a misdemeanor or infraction,
the City Attorney may prosecute such violation as either a misdemeanor or
27 infraction in his/her discretion.
28

1 **(B) Violations including aiding, abetting, and concealing.** Every person who
2 causes, aids, abets or conceals the fact of a violation of this code is guilty of
3 violating this code.

4 **(C) Enforcement by civil action.** In addition to the penalties provided herein,
5 the said code may be enforced by civil action. Any condition existing in violation
6 of this code is a public nuisance and may be summarily abated by the city.

7 **TITLE 8**
8 **BUILDING REGULATIONS**
9 **CHAPTER 4**
10 **RESIDENTIAL CODE**

11 **8-4.01 RESIDENTIAL CODE ADMINISTRATION**

12 Except as hereinafter changed or modified, the administration of the Residential Code
13 shall be as set forth in 8-1.01 Building Code Administration of this Code.

14 **SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE**

15 **101.1 Title.** Title 8 Building Regulations, Chapter 4 of the City of Huntington Park
16 Municipal Code shall be known as the Residential Code of the City of Huntington Park,
17 may be cited as such, and will be referred to herein as “these regulations” or “these
18 building standards “or “this Code.”

19 **8-4.02 LOS ANGELES COUNTY CODE, TITLE 30, RESIDENTIAL CODE**
20 **ADOPTED**

21 Section 1207 of Chapter 12, Chapters 67, 68, 69, 96, 98, 99, and appendix J of Title 26 of
22 the Los Angeles County Code are adopted by reference as amended by City of Huntington
23 Park Building Code (8-1.03) and incorporated in to this Section 8-4.02 as if fully set forth
24 below and shall be known as Section 1207 of Chapter 12, Chapters 67, 68, 69, 96, 98, 99,
25 and appendix J of the City of Huntington Residential Code.

26 Chapters 2 through 10, 44 and Appendix H of Title 30, Los Angeles County Residential
27 Code, as amended and in effect on or before January 1, 2017, adopting the 2016 California
28 Residential Code, is hereby adopted by reference pursuant to the provisions of Sections
50022.1 through 50022.10 of the Government Code of the State of California as though
fully set forth herein, and made a part of the Huntington Park Municipal Code with the
same force and effect as though set out herein in full, including all of the regulations,
revisions, conditions and terms contained therein.

Not less than one copy of said Title 30 of the Los Angeles County Residential Code
together with any and all amendments thereto proposed by the City of Huntington Park,
has been and is now filed in the office of the Building and Safety Division and shall be
remain on file with Building Official, and shall collectively be known as the *City of
Huntington Park Residential Code* and may be cited as Title 8 Chapter 4 of the City of
Huntington Park Municipal Code.

8-4.03 EFFECT OF ADOPTION

1 The adoption of this Code and the repeal, addition or amendment of ordinances by this
2 code shall not affect the following matters:

3 (A) Actions and proceedings which began the effective date of this code.

4 (B) Prosecution for ordinance violations committed before the effective date of
5 this code.

6 (C) Licenses and penalties due and unpaid at the effective date of this code, and
7 the collection of these licenses and penalties.

8 (D) Bonds and cash deposits required to be posted, filed or deposited pursuant
9 to any ordinance.

10 (E) Matters of record which refer to or are connected with ordinances the
11 substances of which are included in this code; these references shall be construed
12 to apply to the corresponding provisions of the code.

13 **8-4.05 PENALTY; VIOLATIONS.**

14 (A) ***General penalty; continuing violations.*** Every act prohibited or declared unlawful
15 and every failure to perform an act required by this code is a misdemeanor or an infraction
16 as set forth in the said respective pertinent sections of this code and any person causing or
17 permitting a violation of any such section of said code shall be subject to the penalties
18 ascribed to each such section as set forth herein. Where silent as to whether a violation is
19 a misdemeanor or infraction, the City Attorney may prosecute such violation as either a
20 misdemeanor or infraction in his/her discretion.

21 (B) ***Violations including aiding, abetting, and concealing.*** Every person who causes,
22 aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

23 (C) ***Enforcement by civil action.*** In addition to the penalties provided herein, the said
24 code may be enforced by civil action. Any condition existing in violation of this code is a
25 public nuisance and may be summarily abated by the city.

26 **TITLE 8**

27 **BUILDING REGULATIONS**

28 **CHAPTER 5**

PLUMBING CODE

1 **8-5.01 PLUMBING CODE ADMINISTRATION**

2 Except as hereinafter changed or modified, the administration of the Plumbing Code shall
3 be as set forth in 8-1.01 Building Code Administration of this Code.

4 **SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE**

5 **101.1 Title.** Title 8 Building Regulations, Chapter 5 of the City of Huntington Park
6 Municipal Code shall be known as the Plumbing Code of the City of Huntington Park,
7 may be cited as such, and will be referred to herein as “these regulations” or “these
8 building standards “or “this Code.”

1 **101.3 SCOPE.** The provisions of this Code shall apply to the erection, alteration,
2 installation, repair, movement, improvement, removal connection or conversion of any
3 plumbing equipment and/or appliances or any other plumbing work regulated by this Code
within the City.

4 Where, in any specific case, different sections of this Code specify different materials,
5 methods of construction or other requirements, the most restrictive shall govern. Where
6 there is a conflict between a general requirement and a specific requirement, the specific
requirement shall be applicable.

7 In the event any differences in requirements exist between the accessibility requirements
8 of this Code and the accessibility requirements of the California Code of Regulations,
9 Title 24 (also referred to as the California Building Standards Code), then the California
Code of Regulations shall govern.

10 Where the requirements of this Code conflict with the requirements of Mechanical
11 Code, this Code shall prevail.

12 **106.1 Plan Check Requirements.** When required by the building official to verify
13 compliance with this Code, relevant laws, ordinances, rules and regulations; plans and,
14 when deemed necessary by the building official, calculations, and other required data shall
15 be submitted for plan review. The building official may require plans and calculations to
16 be prepared by an engineer registered by the State to practice as such. Only after the plans
17 have been approved may the applicant apply for a plumbing permit for such work. The
building official may also require such plans be reviewed by other departments and/or
divisions of the City to verify compliance with the laws and ordinances under their
jurisdiction.

18 Separate Plumbing Code plan review is required for any of the following:

- 19 (a) For any restaurant which requires a grease trap or a grease interceptor;
- 20 (b) Any facility which requires a sand/grease clarifier;
- 21 (c) Plumbing Systems with more than 216 waste fixture units;
- 22 (d) Potable water supply piping required to be 2" or larger;
- 23 (e) Fuel gas piping required to be 2" or larger;
- 24 (f) Fuel gas piping containing medium- or high-pressure gas;
- 25 (g) Combination waste and vent systems;
- 26 (h) Plumbing fixtures located below the next upstream manhole or below the sewer
27 main;
- 28 (i) Chemical waste systems;
- (j) Rainwater system employing a sump pump;
- (k) Grey water systems;
- (l) Any type of sewer ejection system or lift station;

(m) Any installation in a building of Type I-A, Type II-A, Type III-A, Type IV or Type V-A fire-resistive construction where penetrations are required of fire-resistive walls, floors or ceilings.

Plans, calculations, reports or documents for work regulated by this Code, relevant laws, ordinances, rules and regulations shall bear the seal, signature and number of a plumbing engineer when required by the California Business and Professions Code. A seal and number shall not be required for work authorized by the said article to be performed by a person not registered or certified as an engineer or architect.

106.3 Information Required on Plumbing plans. Plans shall be drawn to scale upon substantial paper or other material suitable to the building official shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner and all persons who were involved in the design and preparation of the plans.

Where the scope of the proposed work involves the following, unless otherwise approved by the building official, the plumbing plans shall indicate the following:

- (a) A complete floor plan showing the location of all proposed plumbing fixtures;
- (b) A complete plan showing the layout, diameter and material of all proposed piping;
- (c) A legend of all symbols used and a list of all abbreviations used;
- (d) Any other information requested by the building official.

Plans for buildings more than two stories in height of other than Group R-3 and Group U Occupancies shall indicate how required fire-resistive integrity will be maintained where a penetration will be made for plumbing piping and similar systems.

When deemed necessary by the building official, the first sheet of each set of plans shall indicate the building Type of Construction as defined in the Building Code and the Plumbing Code in effect on the date of plan check submittal.

107.1 Plumbing permit Required. No person shall erect, alter, install, repair, move, improve, remove, connect or convert, or cause the same to be done, to any plumbing equipment or fixtures without first obtaining a plumbing permit from the building official. A Plumbing Permit is required for any installation, alteration, reconstruction or repair of any plumbing (including fixtures, traps, tailpieces and valves), drainage piping, vent piping, waste piping, soil piping, water piping (potable or nonpotable but which is connected to a potable water source) or gas piping located within or on any building, structure or premises.

107.2 Work Exempted from Plumbing Permit. A Plumbing Permit shall not be required for the following:

1 (a) Clearing of stoppages and stopping of leaks which do not involve the replacement
2 of any plumbing (including fixtures, traps, tailpieces and valves), drainage piping, vent
piping, waste piping, soil piping, water piping or gas piping.

3 (b) Change of residential plumbing fixtures which do not involve the replacement of
4 the existing waste and vent piping excluding the trap, to include, residential toilets,
5 residential bathroom hand sinks, bathtub and residential kitchen sinks.

6 (c) Connection of any appliance approved for and intended to be connected by flexible
7 gas piping to a gas shutoff valve which was previously permitted and inspected under a
valid Plumbing permit.

8 Exemption from the permit requirements of this Code shall not be deemed to grant
9 authorization for any work to be done in any manner in violation of the provisions of other
laws or ordinances.

10 The issuance of a permit without first requiring a plan review shall not prevent the building
11 official from requesting plans deemed necessary to verify that the work performed under
12 said permit complies with this Code and all relevant laws, ordinances, rules and
regulations.

13 **8-5.02 LOS ANGELES COUNTY CODE, TITLE 28, PLUMBING CODE** 14 **ADOPTED**

15 Los Angeles County Plumbing Code Chapter 2 through Chapter 17, and Appendices A.B,
16 D, H, I and J, Title 28, the 2017 Los Angeles County Plumbing Code, as amended and in
17 effect on or before January 1, 2017, adopting the 2016 California Plumbing Code, is
18 hereby adopted by reference pursuant to the provisions of Sections 50022.1 through
19 50022.10 of the Government Code of the State of California as though fully set forth
herein,, and made a part of the Huntington Park Municipal Code with the same force and
effect as though set out herein in full, including all of the regulations, revisions, conditions
and terms contained therein.

20 Not less than one copy of said Title 28 of the Los Angeles County Plumbing Code together
21 with any and all amendments thereto proposed by the City of Huntington Park, has been
22 and is now filed in the office of the Building and Safety Division and shall be remain on
23 file with Building Official, and shall collectively be known as the *City of Huntington Park
Plumbing Code* and may be cited as Title 8 Chapter 5 of the City of Huntington Park
Municipal Code.

24 **8-5.03 EFFECT OF ADOPTION**

25 The adoption of this code and the repeal, addition or amendment of ordinances by this
code shall not affect the following matters:

26 (A) Actions and proceedings which began the effective date of this code.

27 (B) Prosecution for ordinance violations committed before the effective date of
this code.

28 (C) Licenses and penalties due and unpaid at the effective date of this code, and
the collection of these licenses and penalties.

(D) Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.

(E) Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

8-5.04 PENALTY; VIOLATIONS.

(A) ***General penalty; continuing violations.*** Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein. Where silent as to whether a violation is a misdemeanor or infraction, the City Attorney may prosecute such violation as either a misdemeanor or infraction in his/her discretion.

(B) ***Violations including aiding, abetting, and concealing.*** Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

(C) ***Enforcement by civil action.*** In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city.

TITLE 8 BUILDING REGULATIONS CHAPTER 7 EXISTING BUILDING CODE

8-7.01 EXISTING BUILDING CODE ADMINISTRATION

Except as hereinafter changed or modified, the administration of the Existing Building Code shall be as set forth in 8-1.01 Building Code Administration of this Code.

SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE

101.1 Title. Title 8 Building Regulations, Chapter 7 of the City of Huntington Park Municipal Code shall be known as the Existing Building Code of the City of Huntington Park, may be cited as such, and will be referred to herein as “these regulations” or “these building standards “or “this Code.”

101.3 – SCOPE. The provisions of this Code shall apply to the repair, alteration, change of occupancy, addition to and relocation of any existing building or structure or any other work regulated by this Code within the City, subject to the criteria of Sections 101.3.1 and 101.3.2

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

1 In the event, any differences in requirements exist between the accessibility
2 requirements of this Code and the accessibility requirements of the California Code of
3 Regulations, Title 24 (also referred to as the California Building Standards Code), then
4 the California Code of Regulations shall govern.

5 **101.3.1 Buildings not previously occupied.** A building or portion of a building that
6 has not been previously occupied or used for its intended purpose in accordance with
7 the laws in existence at the time of its completion shall be permitted to comply with the
8 provisions of the laws in existence at the time of its original permit unless such permit
9 has expired. Subsequent permits shall comply with the Building Code or Residential
10 Code, as applicable, for new construction.

11 **101.3.2 Buildings previously occupied.** The legal occupancy of any building existing
12 on the date of adoption of this Code shall be permitted to continue without change,
13 except as is specifically covered in this Code, the Fire Code, or as is deemed necessary
14 by the Building Official for the general safety and welfare of the occupants and the
15 public.

16 **8-7.02 LOS ANGELES COUNTY CODE, TITLE 33, EXISTING CODE** 17 **ADOPTED**

18 Los Angeles County Existing Building Code Chapter 2 through 4, 15, 16 and Appendix
19 Chapter A1, A3, A4 and A6 of the Title 33, the 2017 Los Angeles County Existing
20 Building Code, as amended and in effect on or before January 1, 2017, adopting the
21 2016 California Existing Building Code, is hereby adopted by reference pursuant to the
22 provisions of Sections 50022.1 through 50022.10 of the Government Code of the State
23 of California as though fully set forth herein, and made a part of the Huntington Park
24 Municipal Code with the same force and effect as though set out herein in full, including
25 all of the regulations, revisions, conditions and terms contained therein.

26 Not less than one copy of said Title 33 of the Los Angeles County Existing Building
27 Code together with any and all amendments thereto proposed by the City of Huntington
28 Park, has been and is now filed in the office of the Building and Safety Division and
shall be remain on file with Building Official, and shall collectively be known as the
City of Huntington Park Existing Building Code and may be cited as Title 8 Chapter 7
of the City of Huntington Park Municipal Code.

29 **8-7.03 EFFECT OF ADOPTION**

30 The adoption of this Code and the repeal, addition or amendment of ordinances by this
31 code shall not affect the following matters:

- 32 (A) Actions and proceedings which began the effective date of this code.
- 33 (B) Prosecution for ordinance violations committed before the effective date
34 of this code.
- 35 (C) Licenses and penalties due and unpaid at the effective date of this code,
36 and the collection of these licenses and penalties.
- 37 (D) Bonds and cash deposits required to be posted, filed or deposited pursuant
38 to any ordinance.

(E) Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

8-7.04 PENALTY; VIOLATIONS.

(A) *General penalty; continuing violations.* Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein. Where silent as to whether a violation is a misdemeanor or infraction, the City Attorney may prosecute such violation as either a misdemeanor or infraction in his/her discretion.

(B) *Violations including aiding, abetting, and concealing.* Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

(C) *Enforcement by civil action.* In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city.

TITLE 8 BUILDING REGULATIONS CHAPTER 10 ELECTRICAL CODE

8-10.01 ELECTRICAL CODE ADMINISTRATION

Except as hereinafter changed or modified, the administration of the Electrical Code shall be as set forth in 8-1.01 Building Code Administration of this Code.

SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE

101.1 Title. Title 8 Building Regulations, Chapter 10 of the City of Huntington Park Municipal Code shall be known as the Electrical Code of the City of Huntington Park, may be cited as such, and will be referred to herein as “these regulations” or “these building standards “or “this Code.”

101.3 Scope and Applicability The provisions of this Code shall apply to the erection, alteration, installation, repair, movement, improvement, removal connection or conversion of any electrical equipment and/or appliances or any other electrical work regulated by this Code within the City.

Exception: The provisions of this Code shall not apply to public utilities; or to electrical wiring for street lighting or traffic signals located primarily in a public way; or to mechanical equipment not specifically regulated in this Code. The provisions of this Code shall not apply to any electrical work performed by or for any electrical corporation, telephone corporation, telegraph corporation, railroad corporation or street railroad corporation on or with any electrical equipment owned or controlled and operated, or used

1 by and for the exclusive benefit of, such corporation in the conduit of its business as a
2 public utility, or to any other work which any such corporation may be entitled by law to
3 perform without payment of any local tax; but all provisions of this Code shall apply
4 insofar as they may consistently with the above be applicable to all other electrical work
5 performed by or for any such corporation.

6 The terms "electrical corporation", "telephone corporation", railroad corporation", and
7 "street railroad corporation" are herein used as said terms are respectively defined in the
8 Public Utility Code of the State of California; and such terms shall also be deemed to
9 include similar utilities which are municipally or governmentally owned and operated.

10 Where, in any specific case, different sections of this Code specify different materials,
11 methods of construction or other requirements, the most restrictive shall govern. Where
12 there is a conflict between a general requirement and a specific requirement, the specific
13 requirement shall be applicable.

14 In the event any differences in requirements exist between the accessibility requirements
15 of this Code and the accessibility requirements of the California Code of Regulations,
16 Title 24 (also referred to as the California Building Standards Code), then the California
17 Code of Regulations shall govern.

18 **106.1 Plan Check Requirements.** When required by the building official to verify
19 compliance with this Code, relevant laws, ordinances, rules and regulations; plans and,
20 when deemed necessary by the building official, calculations, and other required data shall
21 be submitted for plan review. The building official may require plans and calculations to
22 be prepared by an engineer registered by the State to practice as such. Only after the plans
23 have been approved may the applicant apply for an electrical permit for such work. The
24 building official may also require such plans be reviewed by other departments and/or
25 divisions of the City to verify compliance with the laws and ordinances under their
26 jurisdiction.

27 Separate Electrical Code plan review is required for any of the following:

- 28 1- To verify compliance with State energy requirements when such information is not
shown completely on the building plans;
- 2- Any installation of any equipment rated at 400 amperes or larger;
- 3- Any installation of a subpanel, switchboard or motor control center having a rating of
400 amperes or larger;
- 4- Any installation of a motor rated more than 10 HP;
- 5- Any installation of a transformer, generator, uninterruptable power supply (UPS),
phase converter, capacitor, rectifier or other separately derived system;
- 6- Any installation of a storage batteries;
- 7- Any installation of equipment rated above 600V;
- 8- All motion picture theaters;
- 9- Assembly rooms having an occupant load exceeding 500 occupants;
- 10- All gas stations, repair garages and similar locations classified as Hazardous in
Chapter 5 of this Code;
- 11- Spray booths;
- 12- Installation of lighting fixtures weighing more than 300 pounds;

13- Installation of any illuminated sign.

14- Any installation in a building of Type I-A, Type II-A , Type III-A, Type IV or Type V-A fire-resistive construction where penetrations are required of fire-resistive walls, floors or ceilings.

Plans, calculations, reports or documents for work regulated by this Code, relevant laws, ordinances, rules and regulations shall bear the seal, signature and number of an electrical engineer when required by the California Business and Professions Code. A seal and number shall not be required for work authorized by the said article to be performed by a person not registered or certified as an engineer or architect.

106.3 Information Required on Electrical Plans. Plans shall be drawn to scale upon substantial paper or other material suitable to the building official shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner and all persons who were involved in the design and preparation of the plans.

Where the scope of the proposed work involves the following, unless otherwise approved by the building official, the electrical plans shall indicate the following:

- (1) A complete floor plan showing the location of the proposed service and all proposed subpanels, switchboards, panelboards and/or motor control centers. All required working space dimensions shall also be indicated where required by the building official;
- (2) A complete plan showing the layout, conductor size and insulation type for all proposed electric wiring in all parts of the building or structure;
- (3) A legend of all symbols used and a list of all abbreviations used;
- (4) A complete single line diagram with complete system grounding, water pipe bonding and other metal pipe bonding as required by the building official;
- (5) The location of all proposed outlet boxes for switches, lights, receptacles and similar devices in all parts of the building or structure;
- (6) The location, voltage and wattage or ampere rating for each noninductive piece of equipment;
- (7) The location, voltage and wattage or ampere rating for each transformers, capacitor, ballast, converter, frequency changer and/or similar equipment;
- (8) The location, voltage and horsepower rating for all motors, generators and similar equipment;
- (9) The horsepower rating for all disconnects protecting more than one motor or protecting any piece of HVAC equipment containing more than one motor;
- (10) Panel schedules for all proposed subpanels and similar equipment;
- (11) Lighting fixture schedule;
- (12) Any other information requested by the building official.

Plans for buildings more than two stories in height of other than Group R-3 and Group U Occupancies shall indicate how required fire-resistive integrity will be maintained where

1 a penetration will be made for electrical and communication conduits, pipes and similar
2 systems.

3 When deemed necessary by the building official, the first sheet of each set of plans shall
4 indicate the building Type of Construction as defined in the City Building Code and the
Electrical Code in effect on the date of plan check submittal.

5 **107.1 Electrical Permit Required.** No person shall erect, alter, install, repair, move,
6 improve, remove, connect or convert, or cause the same to be done, any electrical
equipment without first obtaining an electrical permit from the building official.

7 The issuance of a permit without first requiring a plan review shall not prevent the building
8 official from requesting plans deemed necessary to verify that the work performed under
9 said permit complies with this Code and all relevant laws, ordinances, rules and
regulations.

10 **107.2 Work Exempted from Electrical Permit.** An Electrical Permit shall not be
11 required for the following:

- 12 (1) Minor repair work such as the replacement of lamps, switches, receptacle devices
and sockets which were previously permitted and inspected under a valid electrical permit;
- 13 (2) Connection of portable generators, portable motors, appliances, tools, power
outlets and other portable equipment connected by means of a cord or cable having an
14 attachment plug to a permanently installed receptacle which. was previously permitted
and inspected under a valid electrical permit;
- 15 (3) Repair or replacement of overcurrent devices;
- 16 (4) The wiring for temporary theater, motion picture or television stage sets;
- 17 (5) The repair or replacement of ground, slab, floor or roof mounted fixed motors or
appliances of the same type and rating in the same location and which were previously
18 permitted and inspected under a valid electrical permit. Note: Suspended or wall mounted
equipment may be exempted from electrical permit requirements only after
documentation has been submitted to and reviewed by the building official for adequate
19 seismic anchorage. Separate building permit(s) may be required;
- 20 (6) That portion of electrical wiring, devices, appliances, apparatus, or equipment
operating at less than 25 volts and not capable of supplying more than 50 watts of energy;
- 21 (7) That portion of telephone, intercom, sound, alarm, control, communication and/or
signal wiring that is not an integral part of an appliance, and which operates at 30 volts or
22 less. Note: Separate permit may be required from the Fire Department;
- 23 (8) Temporary decorative lighting which is not installed for more than 90 days;
- 24 (9) The installation of temporary wiring for testing or experimental purposes within
suitable facilities specifically approved by the building official for such use.

25 Exemption from the permit requirements of this Code shall not be deemed to grant
26 authorization for any work to be done in any manner in violation of the provisions of other
laws or ordinances.

27 **8-10.02 LOS ANGELES COUNTY CODE, TITLE 27, ELECTRICAL CODE**
28 **ADOPTED**

1 Los Angeles County Electrical Code Article 90, Chapter 1 through 9, and Appendices A,
2 B, C, D, E, F, G, H, I and J, Title 27, The 2017 Los Angeles County Electrical Code, as
3 amended and in effect on or before January 1, 2017, adopting the 2016 California
4 Electrical Code, except as otherwise provided in said Title 27, is hereby adopted by
5 reference pursuant to the provisions of Sections 50022.1 through 50022. 10 of the
6 Government Code of the State of California as though fully set forth herein, and made a
7 part of the Huntington Park Municipal Code with the same force and effect as though set
8 out herein in full, including all of the regulations, revisions, conditions and terms
9 contained therein .

10 Not less than one copy of said Title 27 of the Los Angeles County Electrical Code together
11 with any and all amendments thereto proposed by the City of Huntington Park, has been
12 and is now filed in the office of the Building and Safety Division and shall be remain on
13 file with Building Official, and shall collectively be known as the *City of Huntington Park*
14 *Electrical Code* and may be cited as Title 8 Chapter 10 of the City of Huntington Park
15 Municipal Code.

16 **8-10.03 EFFECT OF ADOPTION**

17 The adoption of this Code and the repeal, addition or amendment of ordinances by this
18 code shall not affect the following matters:

- 19 (A) Actions and proceedings which began the effective date of this code.
- 20 (B) Prosecution for ordinance violations committed before the effective date of
21 this code.
- 22 (C) Licenses and penalties due and unpaid at the effective date of this code, and
23 the collection of these licenses and penalties.
- 24 (D) Bonds and cash deposits required to be posted, filed or deposited pursuant
25 to any ordinance.
- 26 (E) Matters of record which refer to or are connected with ordinances the
27 substances of which are included in this code; these references shall be construed
28 to apply to the corresponding provisions of the code.

29 **8-10.04 PENALTY; VIOLATIONS.**

30 (A) ***General penalty; continuing violations.*** Every act prohibited or declared unlawful
31 and every failure to perform an act required by this code is a misdemeanor or an infraction
32 as set forth in the said respective pertinent sections of this code and any person causing or
33 permitting a violation of any such section of said code shall be subject to the penalties
34 ascribed to each such section as set forth herein. Where silent as to whether a violation is
35 a misdemeanor or infraction, the City Attorney may prosecute such violation as either a
36 misdemeanor or infraction in his/her discretion.

37 (B) ***Violations including aiding, abetting, and concealing.*** Every person who causes,
38 aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

39 (C) ***Enforcement by civil action.*** In addition to the penalties provided herein, the said
40 code may be enforced by civil action. Any condition existing in violation of this code is a
41 public nuisance and may be summarily abated by the city.

**TITLE 8
BUILDING REGULATIONS
CHAPTER 11
MECHANICAL CODE**

8-11.01 MECHANICAL CODE ADMINISTRATION

Except as hereinafter changed or modified, the administration of the Mechanical Code shall be as set forth in 8-1.01 Building Code Administration of this Code.

SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE

101.1 Title. Title 8 Building Regulations, Chapter 11 of the City of Huntington Park Municipal Code shall be known as the Mechanical Code of the City of Huntington Park, may be cited as such, and will be referred to herein as “these regulations” or “these building standards “or “this Code.”

101.3 – SCOPE. The provisions of this Code shall apply to the erection, alteration, installation, repair, relocation, movement, improvement, removal connection or conversion, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances mechanical equipment and/or appliances or any other mechanical work regulated by this Code within the City. Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

In the event, any differences in requirements exist between the accessibility requirements of this Code and the accessibility requirements of the California Code of Regulations, Title 24 (also referred to as the California Building Standards Code), then the California Code of Regulations shall govern.

106.1 Plan Check Requirements. When required by the building official to verify compliance with this Code, relevant laws, ordinances, rules and regulations; plans and, when deemed necessary by the building official, calculations, and other required data shall be submitted for plan review. The building official may require plans and calculations to be prepared by an engineer registered by the State to practice as such. Only after the plans have been approved may the applicant apply for a mechanical permit for such work. The building official may also require such plans be reviewed by other departments and/or divisions of the City to verify compliance with the laws and ordinances under their jurisdiction.

Separate Mechanical Code plan review is required for any of the following:

- (a) To verify compliance with State energy requirements when such information is not shown completely on the building plans;
- (b) Installations where the aggregate BTU input capacity for either comfort heating or comfort cooling is more than 500,000 BTU;
- (c) Type I or Type II commercial hoods;
- (d) Parking garage exhaust ventilation systems;
- (e) Product conveying duct system;
- (f) Spray booths;

- (g) Stair pressurization systems;
- (h) Installation of fire dampers, smoke dampers and/or combination smoke/fire dampers;
- (i) Air moving systems supplying air in excess of 2000 cfm and where smoke detectors are required in the duct work;
- (j) Any installation in a building of Type I-A, Type II-A, Type III-A, Type IV or Type V-A fire-resistive construction where penetrations are required of fire-resistive walls, floors or ceilings.

Plans, calculations, reports or documents for work regulated by this Code, relevant laws, ordinances, rules and regulations shall bear the seal, signature and number of a mechanical engineer when required by the California Business and Professions Code. A seal and number shall not be required for work authorized by the said article to be performed by a person not registered or certified as an engineer or architect.

106.3 Information Required on Mechanical plans. Plans shall be drawn to scale upon substantial paper or other material suitable to the building official shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner and all persons who were involved in the design and preparation of the plans.

Where the scope of the proposed work involves the following, unless otherwise approved by the building official, the mechanical plans shall indicate the following:

- (a) A complete floor plan showing the location of all proposed mechanical equipment, duct work, vents, etc.;
- (b) A complete plan showing the layout, diameter and material of all proposed piping;
- (c) A legend of all symbols used and a list of all abbreviations used;
- (d) The location of all proposed inlets, outlets, diffusers, etc.;
- (e) The btu/Hr and/or cfm rating of all equipment;
- (f) Any other information requested by the building official.

Plans for buildings more than two stories in height of other than Group R-3 and Group U Occupancies shall indicate how required fire-resistive integrity will be maintained where a penetration will be made for mechanical piping and similar systems.

When deemed necessary by the building official, the first sheet of each set of plans shall indicate the building Type of Construction as defined in the Building Code and the Mechanical Code in effect on the date of plan check submittal.

107.1 Mechanical permit Required. No person shall erect, alter, install, repair, move, improve, remove, connect or convert, or cause the same to be done, any mechanical equipment without first obtaining a mechanical permit from the building official.

The issuance of a permit without first requiring a plan review shall not prevent the building official from requesting plans deemed necessary to verify that the work performed under said permit complies with this Code and all relevant laws, ordinances, rules and regulations.

107.2 Work Exempted from Mechanical permit. A mechanical permit shall not be required for the following:

- (a) Installation of portable appliances or equipment used for heating ventilating, or cooling (refrigeration or evaporative) which does not require either a Building Permit or an Electrical Permit to install;
- (b) Repair or replacement of steam, hot, or chilled water piping, and refrigeration piping which were previously permitted and inspected under a valid mechanical permit;
- (c) Repair or replacement of components to a refrigeration system which were previously permitted and inspected under a valid Mechanical permit.
- (d) Repair or replacement of any component, part or assembly of an appliance which does not alter its original approval and complies with the other applicable requirements of this Code;
- (e) Any unit refrigerating system.
- Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of other laws or ordinances.

8-11.02 LOS ANGELES COUNTY CODE, TITLE 29, MECHANICAL CODE ADOPTED

Los Angeles County Mechanical Code Chapter 2 through Chapter 17 and Appendices B, C and D, Title 29, the 2017 Los Angeles County Mechanical Code, as amended and in effect on or before January 1, 2017, adopting the 2016 California Mechanical Code, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the Huntington Park Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein.

Not less than one copy of said Title 29 of the Los Angeles County Mechanical Code together with any and all amendments thereto proposed by the City of Huntington Park, has been and is now filed in the office of the Building and Safety Division and shall be remain on file with Building Official, and shall collectively be known as the *City of Huntington Park Mechanical Code* and may be cited as Title 8 Chapter 11 of the City of Huntington Park Municipal Code.

8-11.03 EFFECT OF ADOPTION

The adoption of this code and the repeal, addition or amendment of ordinances by this code shall not affect the following matters:

- (A) Actions and proceedings which began the effective date of this code.
- (B) Prosecution for ordinance violations committed before the effective date of this code.
- (C) Licenses and penalties due and unpaid at the effective date of this code, and the collection of these licenses and penalties.
- (D) Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.
- (E) Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

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2 **8-11.04 PENALTY; VIOLATIONS.**

3 (A) **General penalty; continuing violations.** Every act prohibited or declared unlawful
4 and every failure to perform an act required by this code is a misdemeanor or an infraction
5 as set forth in the said respective pertinent sections of this code and any person causing or
6 permitting a violation of any such section of said code shall be subject to the penalties
ascribed to each such section as set forth herein. Where silent as to whether a violation is
a misdemeanor or infraction, the City Attorney may prosecute such violation as either a
misdemeanor or infraction in his/her discretion.

7 (B) **Violations including aiding, abetting, and concealing.** Every person who causes,
8 aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

9 (C) **Enforcement by civil action.** In addition to the penalties provided herein, the said
10 code may be enforced by civil action. Any condition existing in violation of this code is a
public nuisance and may be summarily abated by the city.

11
12 **SECTION 3: Findings of local conditions.** The Huntington Park City Council hereby
13 finds, determines and declares that those certain amendments to the State Building Code made by
14 the County of Los Angeles are appropriate and necessary to meet local conditions existing in the
City of Huntington Park, and this Council hereby further finds, determines and declares that each
15 such change is required for the protection of the public safety and is reasonably necessary because
of local climatic, geological conditions.

16 **SECTION 4: Continuation of existing law.** Where they are substantially the same as
17 existing law, the provisions of the City of Huntington Park Building Code shall be considered
continuations of existing law and shall not be considered new enactments.

18 **SECTION 5: Maintenance and distribution of code.** Not less than one copy of the
19 City of Huntington Park Building Code, duly certified by the City Clerk, shall be kept on file in
the office of the City Clerk for 15 days for the examination and use by the public. Amendments
20 to this code shall be noted by ordinance number on the appropriate pages of such code of this
code and one complete file of amendatory ordinances, indexed for ready reference, shall be
21 maintained in the office of the City Clerk for use and examination by the public. Distribution or
22 sale of additional copies of this code shall be made as directed by the City Council. In addition,
one copy of said City of Huntington Park Building Code may likewise be maintained by the
23 Community Development Department for examination and use by the public.

24 **SECTION 6: Catchlines of sections.** The catchlines of the several sections of this code
25 printed in boldface type are intended as mere catchwords to indicate the contents of the section
and shall not be deemed or taken to be titles of such sections; nor as any part of the section, nor,
26 unless expressly so provided, shall they be so deemed when any of such sections, including the
catchlines, are amended or reenacted.

27 **SECTION 7:** If any section, subsection, subdivision, paragraph, sentence, clause or
28 phrase in this Chapter, or any part thereof is for any reason, held to be unconstitutional or invalid

1 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
2 effectiveness or the remaining portions of this chapter or any part thereof. The City Council
3 hereby declares that it would have passed each section, subsection, subdivision, paragraph,
4 sentence, clause or phrase thereof irrespective of the fact that any one or more subsections,
subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, or invalid or
ineffective.

5 **SECTION 8:** This Ordinance shall take effect thirty (30) days after its final passage by
6 the City Council.

7 **SECTION 9:** The City Clerk shall certify to the passage of this ordinance and shall cause
8 it to be published according to legal requirements.

9 **SECTION 10:** The Building Official shall file this ordinance with the California Building
10 Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833.

11 **PASSED, APPROVED AND ADOPTED** this 20th day of December, 2016.

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14 _____
Graciela Ortiz, Mayor

15 ATTEST:

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17 _____
Donna Schwartz, City Clerk

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WHEREAS, it is the intent of the City Council, in enacting this ordinance, to adopt the Los Angeles County Code pertaining to Building Code regulations.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK DOES HEREBY ORDAIN AS FOLLOWS:

- A. California law requires that on January 1, 2017, all portions of the 2017 California Code of Regulations Title 24 will be effective within the City: and,
- B. The City may amend the provisions of the California Code of Regulations Title 24 provided express findings for each amendment, addition or deletion is made based upon climatic, topographical or geological conditions.
- C. The City shall file the amendments, additions or deletions shall be filed with California Building Standards Commission.
- D. The Building Official has recommended modifying certain Parts of California Code of Regulations Title 24 due to local climatic, topographical and geological conditions in the City of Huntington Park.
- E. The findings supporting the necessity for the amendments to building standards herein are contained in Attachment A to this ordinance in accordance with California Health and Safety Code Section 18941.5, and are incorporated by reference herein.
- F. The Huntington Park City Council hereby finds, determines and declares that those certain amendments to the State Code are appropriate and necessary to meet local conditions existing in the City of Huntington Park, and this Council hereby further finds, determines and declares that each such change is required for the protection of the public safety and is reasonably necessary because of local climatic, geological conditions.
- G. In accordance with Section 15061(b)(3) of Title 14 of the California Code of Regulations, the adoption of local amendments to the California Building Standards Code, and amending the Huntington Park Municipal Code, are exempt from the provisions of the California Environmental Quality Act.

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SECTION 2: The purpose of this ordinance is to amend the Huntington Park Municipal Code by adopting by reference, and amending where necessary, that certain ordinances of the County of Los Angeles Codes, 2016 California Building (Ordinance Number 16-5330), Residential (Ordinance Number 16-5358), Electrical (Ordinance Number 16-5333), Mechanical (Ordinance Number 16-5357), Plumbing (Ordinance Number 16-5356), Existing Building (Ordinance Number 16-5360), which adopt by reference California Code California Building, Residential, Electrical, Mechanical, Plumbing, and Existing Building Codes (Title 24, Parts 2, 2.5, 3, 4, 5, and 10) and which make amendments, additions and deletions thereto. Therefore, the Huntington Park Municipal Code is hereby amended by repealing therefrom the Chapters 1, 1A, 1B, 5, 10, 11 of Title 8 and replacing it with new Chapters 1, 4, 5, 7, 10 and 11 in lieu thereof, to read as follows:

**TITLE 8
BUILDING REGULATIONS
CHAPTER 1
BUILDING CODE**

8-1.01 BUILDING CODE ADMINISTRATION

SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE

101.1 Title. Title 8 Building Regulations, Chapter 1 of the City of Huntington Park Municipal Code shall be known as the Building Code of the City of Huntington Park, may be cited as such, and will be referred to herein as “these regulations” or “these building standards “or “this Code.”

101.2 Purpose and Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations. Consistent with this purpose, the provisions of this Code are intended and always have been intended to confer a benefit on the community as a whole and are not intended to establish a duty of care toward any particular person.

This Code shall not be construed to hold the City or any officer, employee or agent thereof responsible for any damage to persons or property by reason of any inspection authorized herein or by reason of the issuance or nonissuance of any permit authorized herein, and/or for any action or omission in connection with the application and/or enforcement of this Code. By adopting the provisions of this Code, the City does not intend to impose on itself, its employees or agents, any mandatory duties of care toward persons and property within its jurisdiction so as to provide a basis of civil liability for damages.

This section is declaratory of existing law and is not to be construed as suggesting that such was not the purpose and intent of previous Code adoptions.

101.3 Scope and Applicability. The provisions of this Code shall apply to the erection, construction, enlargement, alteration, installation, reconstruction, repair, movement, improvement, connection, conversion, demolition, use and occupancy of any building, structure or premises, or portion thereof, and grading within the City.

The provisions of this Code shall not apply to work located primarily in a public way other than pedestrian protection structures required by Chapter 33; public utility towers and poles; equipment not specifically regulated in this Code; hydraulic flood control structures; work exempted by Section 107.2; or minor work of negligible hazard to life specifically exempted by the building official. Additions, alterations, repairs and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise provided in Section 109 and Existing Building Code of the City of Huntington Park.

Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the Residential Code as amended and adopted by the City of Huntington Park.

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

The codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and referenced codes and standards, the provisions of this Code shall apply.

The provisions of this Code shall not be deemed to nullify any provisions of local, state or federal law.

In the event any differences in requirements exist between the accessibility requirements of this Code and the accessibility requirements of the California Code of Regulations, Title 24 (also referred to as the California Building Standards Code), then the California Code of Regulations shall govern.

102 - UNSAFE BUILDINGS

102.1 Definition. All buildings or structures which are structurally unsound or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage, lacking an approved water supply, hazardous electrical, unsafe gas piping or appliances or abandonment as specified in this Code or any other effective ordinance, are, for the purpose of this Chapter, unsafe buildings. Whenever the Building Official determines by inspection that a building or structure, whether structurally damaged

1 or not, is dangerous to human life by reason of being located in an area which is
2 unsafe due to hazard from landslide, settlement, or slippage or any other cause,
3 such building shall, for the purpose of this Chapter, be considered an unsafe
4 building.

5 No person shall own, use, occupy or maintain any unsafe building.

6 All unsafe buildings are hereby declared to be public nuisances. In addition to
7 instituting any appropriate action to prevent, restrain or correct a violation of this
8 section, the Building Official may abate an unsafe condition or order that the
9 unsafe condition be secured, repaired, rehabilitated, demolished or removed as
10 deemed necessary by the Building Official in accordance with the procedure
11 specified in this Code.

12 As used in this Chapter "party concerned" means the person, if any, in real or
13 apparent charge and control of the premises involved, the record owner, the holder
14 of any mortgage, trust deed or other lien or encumbrance of record, the owner or
15 holder of any lease of record, the record holder of any other estate or interest in or
16 to the building or structure or the land upon which it is located.

17 **102.2 Notice of Unsafe Building.** The Building Official shall examine or cause
18 to be examined every building or structure or portion thereof reported as dangerous
19 or damaged and, if, in the Building Official's opinion, such is found to be an unsafe
20 building as defined in this Chapter, the Building Official shall give to the party
21 concerned written notice stating the defects thereof. This notice may require the
22 owner or person in charge of the building or premises to;

- 23 1. Immediately remove, backfill, shore up or secure such unsafe condition,
24 and/or
- 25 2. Within 48 hours, apply for required permit(s) and commence either the
26 required repairs or improvements or demolition and removal of the
27 building or structure or portions thereof.

28 All such work shall be completed within 90 days from date of notice, unless
otherwise stipulated by the Building Official. If necessary, such notice shall also
require the building, structure, or portion thereof to be vacated forthwith and not
reoccupied until the required repairs and improvements are completed, inspected
and approved by the Building Official.

Proper service of such notice shall be by personal service or by registered or
certified mail upon every party concerned. In the event the Building Official, after
reasonable effort, is unable to serve the notice as specified above, proper service
shall be by posting on the structure a copy of the notice.

The designated period within which the owner or person in charge is required to
comply with such notice shall begin as of the date the owner or person in charge
receives such notice by personal service or registered or certified mail. If such
notice is by posting, the designated period shall begin ten days following the date
of posting.

The failure of any owner or other person to receive such notice shall not affect in
any manner the validity of any proceedings taken hereunder.

1 A person notified to vacate an unsafe building by the Building Official shall vacate
2 within the time specified in the order.

3 The Building Official may record a notice of violation with the County Recorder's
4 Office that the building or structure described has been inspected and found to be
5 an unsafe building, as defined in this Chapter, and that the owner thereof has been
6 so notified. After all required work has been completed, upon request and payment
7 of required fee(s) the Building Official shall record a notice rescinding the prior
8 notice of violation with the County Recorder's Office .

9 **102.3 Posting of Signs.** The Building Official shall cause to be posted on
10 buildings required to be vacated or remain unoccupied a notice to read
11 substantially as follows: " Restricted Use" or "Unsafe – Do Not Enter or Occupy"
12 as described in Section 102.6 . All placards shall read "Building and Safety
13 Division, City of Huntington Park"

14 Such notice shall be posted at the main entrance and shall be visible to persons
15 approaching the building or structure from a street. Such notice shall remain posted
16 until the required repairs, demolition or removal are completed. Such notice shall
17 not be removed without written permission of the Building Official and no person
18 shall enter the building except for the purpose of making the required repairs or of
19 demolishing the building.

14 **102.4 Unsafe Buildings: Hearing.**

15 **102.4.1 Right of hearing.** The party concerned or the Building Official may
16 request a hearing regarding the unsafe condition of the building or structure. The
17 request by the interested party shall be made in writing to the Building Official
18 within 30 days of the date of the notice of the unsafe condition. A hearing shall be
19 requested by the Building Official prior to demolition or repair of an unsafe
20 building by the City except when such demolition or repair is done under the
21 emergency procedure set forth in this Chapter.

22 All interested parties who desire to be heard may appear before the Building Board
23 of Appeals to show cause why the building or structure should not be ordered
24 repaired, vacated and repaired, or demolished.

25 **102.4.2 Notice of hearing.** Not less than ten days prior to the hearing, the
26 Building Official shall serve or cause to be served either in the manner required
27 by law for the service of summons or by first class mail, postage prepaid, a copy
28 of the notice of hearing upon every party concerned.

24 **102.4.3 Form and contents of notice.** The notice of hearing shall state:

- 25 1. The street address and a legal description sufficient for identification of
26 the premises upon which the building or structure is located.
- 27 2. The conditions because of which the Building Official believed that the
28 building or structure is an unsafe building.
3. The date, hour and place of the hearing.

1 **102.4.4 Posting of notice.** The Building Official shall post one copy of the
2 notice of hearing in a conspicuous place on the unsafe building involved, not less
3 than ten days prior to the hearing.

4 **102.4.5 Hearing by Building Board of Appeals.** The Building Board of
5 Appeals shall hold a hearing and consider all competent evidence offered by any
6 person pertaining to the matters set forth in the report of the Building Official.
7 The Building Board of Appeals shall make written findings of fact as to whether
8 or not the building or structure is an unsafe building as defined in this Chapter.
9 When determined by the Building Official, the Building Rehabilitation Appeals
10 Board shall hold the hearing in lieu of the Building Board of Appeals.

11 **102.4.6 Order.** If the Building Board of Appeals finds that the building or
12 structure is an unsafe building, it shall make an order based on its finding that:

- 13 1. The building or structure is an unsafe building and directing that
14 repairs be made and specifying such repairs, or
- 15 2. The building or structure is an unsafe building and directing that it
16 be vacated and that specified repairs be made, or
- 17 3. The building or structure is an unsafe building and directing that it
18 shall be vacated and demolished.

19 The order shall state the time within which the work required must be commenced,
20 which shall not be less than 10 nor later than 30 days after the service of the order.
21 The order shall state a reasonable time within which the work shall be completed.
22 The Building Board of Appeals for good cause may extend the time for completion
23 in writing.

24 The order shall be served upon the same parties and in the same manner as required
25 by Section 102.4.2 for the notice of hearing. It shall also be conspicuously posted
26 on or about the building or structure.

27 **102.5 Unsafe Buildings: Demolition or Repair.**

28 **102.5.1 Work by City.** If the repairs or demolition necessary to remove the
unsafe condition as set forth in the Notice of Unsafe Building is not made within
the designated period and a hearing has not been requested by any party concerned,
the Building Official shall request that a hearing be held regarding the unsafe
condition. If the finding by the Building Board of Appeals is not complied with
within the period designated by the Board, the Building Official may then secure
or demolish such portions of the structure, or may cause such work to be done, to
the extent necessary to eliminate the hazard determined to exist by the Building
Board of Appeals.

102.5.2 Emergency procedure. Whenever any portion of a structure
constitutes an immediate hazard to life or property, and in the opinion of the
Building Official, the conditions are such that repairs, or demolition must be
undertaken within less than the designated period, the Building Official may take
necessary action, such as performing alterations, repairs, and/or demolition of the
structures, to protect life or property, or both, after giving such notice to the parties

concerned as the circumstances will permit or without any notice whatever when, in the Building Official's opinion, immediate action is necessary.

102.5.3 Costs. The costs incurred by actions taken pursuant to Sections 102.5.1 and 102.5.2 including the entire cost of the services rendered by the County, shall be a special assessment against the property upon which the structure stood. The Building Official shall notify, in writing, all parties concerned of the amount of such assessment resulting from such work. Within five days of the receipt of such notice, any such party concerned may file with the Building Official a written request for a hearing on the correctness or reasonableness, or both, of such assessment. Any party concerned who did not receive a notice pursuant to Section 102.2 and who has not had a hearing on the necessity of the demolition or repairs in such request for hearing also may ask that such necessity be reviewed. The Building Board of Appeals thereupon shall set the matter for hearing; give such party concerned notice thereof as provided in Section 102.4.2; hold such hearing and determine the reasonableness or correctness of the assessment, or both; and if requested, determine the necessity of the demolition or repairs. The Building Board of Appeals, in writing, shall notify such party concerned of its decision. If the total assessment determined as provided for in this section is not paid in full within 10 days after receipt of such notice from the Building Official or the Building Board of Appeals, as the case may be, the Building Official shall record in the office of the Department of Registrar-Recorder a statement of the total balance still due and a legal description of the property. From the date of such recording, such balance due shall be a special assessment against the parcel. The assessment shall be collected at the same time and in the same manner as ordinary City taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary City taxes. All the laws applicable to the levy, collection and enforcement of City taxes shall be applicable to such special assessment.

102.5.4 Interference Prohibited. A person shall not obstruct, impede, or interfere with the Building Official or any representative of the Building Official, or with any person who owns or holds any estate or interest in any unsafe building which has been ordered by the Building Board of Appeals to be repaired, vacated and repaired, or vacated and demolished or removed, whenever the Building Official or such owner is engaged in repairing, vacating and repairing, or demolishing any such unsafe building pursuant to this Chapter, or is performing any necessary act preliminary to or incidental to such work, or authorized or directed pursuant hereto.

102.5.5 Prosecution. In case the owner shall fail, neglect or refuse to comply with the notice to repair, rehabilitate, or to demolish and remove said building or structure or portion thereof, the Building Official shall cause the owner of the building to be prosecuted as a violator of this Code.

102.6 Posting of signs for damage assessment. The building official shall cause placard(s) to be posted on buildings upon completion of a safety assessment. All placards shall read "Building and Safety Division, City of Huntington Park"

The placards shall also indicate the condition of the structure for continued occupancy, and shall read substantially as follows:

1. “INSPECTED – Lawful Occupancy Permitted” (green placard) shall be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.

2. “RESTRICTED USE” (yellow placard) shall be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. This placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued occupancy.

3. “UNSAFE – Do Not Enter or Occupy” (red placard) shall be posted on each building or structure that has been damaged such that the continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the Building Official, or his or her authorized representative. This placard is not to be used or considered as a demolition order. This placard will note in general terms the type of damage encountered.

Such notice shall be posted at the main entrance(s) and shall be visible to persons approaching the building or structure from a street. Such notice shall remain posted until the required repairs, demolition or removal are completed. Such notice shall not be removed without written permission of the Building Official and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building.

103 - VIOLATIONS AND PENALTIES

103.1 Compliance with Code. It shall be unlawful for a person to erect, construct, enlarge, alter, repair, move, improve, remove, connect, convert, demolish, equip, or perform any other work on any building or structure or portion thereof, or perform any grading in the City, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.

103.2 Violation. It shall be unlawful for any person to own, use, occupy or maintain any building or structure or portion thereof, in the City, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.

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

1 of any other sanctions, penalties or costs which are or may be imposed for a
2 violation of any of the provisions of this Code.

3 **103.4 Recordation of Violation.**

4 **103.4.1 General.** The Building Official may record a notice with the County
5 Recorder's Office that a property, building, or structure, or any part thereof, is in
6 violation of any provision of this Code provided that the provisions of this Section
are complied with. The remedy provided by this Section is cumulative to any other
enforcement actions permitted by this Code.

7 **103.4.2 Recordation.** If (1) the Building Official determines that any property,
8 building, or structure, or any part thereof is in violation of any provision of this
9 Code; and if (2) the Building Official gives written notice as specified below of
10 said violation; then the Building Official may have sole discretion to, at any time
11 thereafter, record with the County Recorder's Office a notice that the property
12 and/or any building or structure located thereon is in violation of this Code.
Following the recordation of the notice of violation the Building Official is not
required to conduct an inspection or review of the premises to determine the
continued existence of the cited violation. It is the responsibility of the property
owner, occupant or other similarly interested private party to comply with the
above provisions.

13 **103.4.3 Notice.** The written notice given pursuant to this Section shall indicate:

- 14 1. The nature of the violation(s); and
15 2. That if the violation is not remedied to the satisfaction of the Building
16 Official, the Building Official may, at any time thereafter, record with the County
17 Recorder's Office a notice that the property and/or any building or structure located
18 thereon is in violation of this Code. The notice shall be posted on the property and
shall be mailed to the owner of the property as indicated on the last equalized
County Assessment roll. The mailed notice may be by registered, certified, or first-
class mail.

19 **103.4.4 Rescission.** Any person who desires to have recorded a notice
20 rescinding the notice of violation must first obtain the necessary approvals and
21 permit(s) to correct the violation. Once the Building Official determines that the
22 work covered by such permit(s) has been satisfactorily completed, the Building
Official may record a notice rescinding the prior notice of violation.

23 **Section 103.5 Costs.** Any person who violates any provision of this Code shall be
24 responsible for the costs of any and all Code enforcement actions taken by the
25 Building Official in response to such violations. These costs shall be based on the
amounts specified in Section 115.

26 **103.6 Work Without Permit.** Whenever any work has been commenced without
27 a permit as required by the provisions of this Code, a special investigation shall be
28 made prior to the issuance of the permit. An investigation fee specified as per
Section 115 shall be collected for each permit so investigated.

Exception: When the building official has determined that the owner-builder of a one- or two-family dwelling, accessory building or accessory structure had no knowledge that a permit was necessary and had not previously applied for a permit from the Building Division of the City of Huntington Park the investigation fee shall be specified as per the Section 115.

The payment of the investigation fee shall not exempt any person from compliance with all other provisions of this Code or from any penalty prescribed by law.

For additional provisions applicable to grading, see Appendix J.

103.7 Noncompliance Fee. If the building official, in the course of enforcing the provisions of this Code or any State law, issues an order to a person and that person fails to comply with the order within 15 days following the due date for compliance stated in the order, including any extensions thereof, the building official shall have the authority to collect a noncompliance fee.

The noncompliance fee shall not be imposed unless the order states that a failure to comply within 15 days after the compliance date specified in the order will result in the fee being imposed. No more than one such fee shall be collected for failure to comply with an order.

For additional provisions applicable to grading, see Appendix J.

104 - ORGANIZATION AND ENFORCEMENT

104.1 Building Division. There is hereby established a division in the City Development Services Department to be known and designated as the Building Division.

104.2.1 General. The building official is hereby authorized and directed to enforce all the provisions of this Code, including the Electrical Code, the Plumbing Code, Mechanical Code, Residential Code, Energy Code, Existing Building Code and Green Building Standards, relevant laws, ordinances, rules and regulations; and to make all inspections pursuant to the provisions of this Code, relevant laws, ordinances, rules and regulations. For such purposes, the building official shall have the powers of a law enforcement officer.

The building official shall have the power to render interpretations of this Code, relevant laws, ordinances, rules and regulations; and to adopt and enforce rules and supplemental regulations in order to clarify the application of the provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code.

The building official shall classify every building or portion thereof into one of the occupancies set forth in Chapter 3 of this Code according to its use or the character of its occupancy.

1 The Building Official shall also classify every building into one of the types of
2 construction set forth in Chapter 6 of this Code.

3 **104.2.1.1** The building official is authorized to make and enforce such guidelines
4 and policies for the safeguarding of life, limb, health or property as may be
5 necessary from time to time to carry out the purpose of this Code.

6 **104.2.2 Deputies.** With the approval of the City Council, the building official may
7 appoint such number of officers, inspectors and assistants, and other employees as
8 shall be authorized from time to time. The building official may deputize such
9 employees as may be necessary to carry out the functions of the Building Division.

10 **104.2.3 Right of entry.**

11 **104.2.3.1** Whenever it is necessary to make an inspection to enforce any of the
12 provisions of or perform any duty imposed by this Code or other applicable law,
13 or whenever the Building Official or an authorized representative has reasonable
14 cause to believe that there exists in any building, structure, or grading, or upon any
15 premises any condition which makes such building, structure, or grading, or
16 premises hazardous, unsafe, or dangerous for any reason specified in this Code or
17 other similar law, the Building Official or an authorized representative hereby is
18 authorized to enter such property at any reasonable time and to inspect the same
19 and perform any duty imposed upon the Building Official by this Code or other
20 applicable law; provided that (i) if such property is occupied, then the Building
21 Official shall first present proper credentials to the occupant and request entry
22 explaining the reasons therefor; and (ii) if such property is unoccupied, then the
23 Building Official shall first make a reasonable effort to locate the owner or other
24 persons having charge or control of the property and request entry, explaining the
25 reasons therefor.

26 If such entry cannot be obtained because the owner or other person having charge
27 or control of the property cannot be found after due diligence or if entry is refused,
28 then the Building Official or an authorized representative shall have recourse to
every remedy provided by law to secure lawful entry and inspect the property.

104.2.3.2 Notwithstanding the foregoing, if the Building Official or an authorized
representative has reasonable cause to believe that the building or grading or
premises is so hazardous, unsafe, or dangerous as to require immediate inspection
to safeguard the public health or safety, the Building Official shall have the right
to immediately enter and inspect such property, and may use any reasonable means
required to effect such entry and make such inspection, whether such property is
occupied or unoccupied and whether or not permission to inspect has been
obtained. If the property be occupied, the Building Official shall first present
credentials to the occupant and demand entry, explaining the reasons therefor and
the purpose of the inspection.

104.2.3.3 "Authorized representative" shall include the officers named in section
104.2.2 and their authorized inspection personnel.

1 **104.2.3.4** No person shall fail or refuse, after proper demand has been made upon
2 such person as provided in this subsection, to promptly permit the Building
3 Official or an authorized representative to make any inspection provided for by
4 Subsection 104.2.3.2. Any person violating Section 104.2.3 shall be guilty of a
5 misdemeanor.

6 **104.2.4 Stop orders.** Whenever any building or grading work is being done
7 contrary to the provisions of this Code, or other pertinent laws or ordinances
8 implemented through the enforcement of this Code, the Building Official may
9 order the work stopped by notice in writing served on any persons engaged in the
10 doing or causing such work to be done, and any such persons shall forthwith stop
11 such work until authorized by the Building Official to proceed with the work.

12 **104.2.5 Occupancy violations.** Whenever any structure or portion thereof is
13 being used contrary to the provisions of this Code, or other pertinent laws or
14 ordinances, or whenever any structure or portion thereof which was built contrary
15 to the provisions of this Code or other pertinent laws or ordinances, is being used
16 or occupied, the Building Official may order such use discontinued and the
17 structure, or portion thereof, vacated by notice served on any person causing such
18 use to be continued. Such person shall discontinue the use within 10 days after
19 receipt of such notice to make the structure, or portion thereof, comply with the
20 requirements of this Code, provided, however, that in the event of an unsafe
21 building Section 102 shall apply.

22 **104.2.6 Liability.** The liability and indemnification of the Building Official and
23 any subordinates are governed by the provisions of Division 3.6 of Title 1 of the
24 Government Code.

25 **104.2.7 Modifications.** Whenever there are practical difficulties involved in
26 carrying out the provisions of this Code, the building official may grant
27 modifications, on a case-by-case basis, provided the building official shall first
28 find that a special individual reason makes the strict letter of this Code, relevant
laws, ordinances, rules and regulations impractical and that the modification is in
conformity with the spirit and purpose of this Code, relevant laws, ordinances,
rules and regulations, and that such modification does not lessen any fire
protection or other life safety-related requirements or any degree of structural
integrity. The details of any action granting modifications shall be recorded and
entered in the files of the City.

A written application for the granting of such modifications shall be submitted
together with a filing fee established by separate fee resolution or ordinance.

For additional provisions, applicable to grading, see Appendix J.

104.2.8 Alternate materials, design and methods of construction. The
provisions of this Code, relevant laws, ordinances, rules and regulations are not
intended to prevent the use of any material, appliances, installation, device,

arrangement, method, design or method of construction not specifically prescribed by this Code, provided any such alternate has been approved.

The building official may approve on a case-by-case basis any such alternate, provided that he or she finds that the proposed design is satisfactory and complies with the provisions of this Code and finds that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code, relevant laws, ordinances, rules and regulations in quality, strength, effectiveness, fire resistance and other life-safety factors, durability, planning and design, energy, material resource efficiency and conservation, environmental air quality, performance, water and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use.

A written application for use of an alternate material, design or method of construction shall be submitted together with a filing fee established by separate fee resolution or ordinance.

For additional provisions, applicable to grading, see Appendix J.

104.2.9 Tests. Whenever there is insufficient evidence of compliance with the provisions of this Code or evidence that any material or any construction does not conform to the requirements of this Code, or in order to substantiate claims for alternate materials or methods of construction, the Building Official may require tests as proof of compliance to be made at the expense of the owner or the owner's agent by an approved agency.

Test methods shall be as specified by this Code for the material in question. If there are no appropriate test methods specified in this Code, the Building Official shall determine the test procedure.

Reports of such test shall be retained by the Building Official in accordance with the City's guidelines for the retention of public records.

104.2.10 Cooperation of other officials. The Building Official may request, and shall receive so far as may be necessary in the discharge of his or her duties, the assistance and cooperation of other officials of the City.

104.2.11 Demolition. Whenever the term "demolition" or "demolish" is used in this Code it shall include the removal of the resulting debris from such demolition the proper abandonment of any sewer or sewage disposal system when applicable, and the protection or filling of excavations exposed by such demolition as may be required by this Code or other ordinances or laws.

104.2.12 Service. Whenever in this Code a notice is required to be served by personal service or by registered or certified mail, it shall be deemed a reasonable effort has been made to serve such notice when registered or certified letters have been mailed to the address of the interested party as shown on the official record and on the record of the County Assessor. When an address is not so listed or

1 contact cannot be made at the listed address, the service shall be by posting on the
2 structure a copy of the notice.

3 **104.2.13 Amendments to Ordinances.**

4 Whenever any reference is made to any other ordinance such reference shall be
deemed to include all future amendments thereto.

5 **104.2.14 Validity.** If any section, subsection, sentence, clause or phrase of this
6 ordinance is, for any reason, held to be invalid, such decision shall not affect the
7 validity of the remaining portions of this ordinance. The City Council hereby
8 declares that it would have passed this ordinance, and each section, subsection,
clause or phrase thereof, irrespective of the fact that any one or more sections,
subsections, sentences, clauses and phrases be declared invalid.

9 **104.3 Definitions.** In additions to the definitions specified in Chapter 2 of this
10 Code, the following certain terms, phrases, words and their derivatives shall be
11 construed as specified in this section. Terms, phrases and words used in the
masculine gender include the feminine and the feminine the masculine.

12 In the event of conflicts between these definitions and definitions that appear
13 elsewhere in this Code, these definitions shall govern and be applicable.

14 **BOARD OF SUPERVISORS** shall mean the City of Huntington Park City
Council.

15 **BUILDING CODE** shall mean the Los Angeles County Code Title 26 as adopted
16 and amended by the City of Huntington Park.

17 **BUILDING DIVISION or BUILDING DEPARTMENT** shall mean the
18 Building Division of the City of Huntington Park.

19 **BUILDING OFFICIAL** shall mean the Building Official of the Building and
20 Safety Division or other designated authority charged with the administration and
enforcement of this Code, or his/her's duly authorized representative.

21 **BUILDING REHABILITATION APPEALS BOARD** shall mean the City of
22 Huntington Park City Council.

23 **CALGREEN** see Green Building Standards Code definition.

24 **COUNTY** may mean City of Huntington Park or Los Angeles County depending
25 on the context.

26 **DEMOLITION** Whenever the term *demolition* or *demolish* is used in this Code,
27 it shall include the removal of the resulting debris from such demolition and the
28 protection or filling of excavations exposed by such demolition as may be required
by this Code, relevant laws, ordinances, rules and/or regulations.

ELECTRICAL CODE shall mean the Los Angeles County Code Title 27 as adopted and amended by the City of Huntington Park.

ENERGY CODE shall mean California Code of Regulations Title 24, Part 6.

EXISTING BUILDING CODE shall mean the Los Angeles County Code Title 33 as adopted and amended by the City of Huntington Park.

FACTORY-BUILT STRUCTURE shall mean buildings or structures that meet all of the following criteria:

(1) fabrication on an off-site location under the inspection of the State, for which the State inspection agency has attested to compliance with the applicable State laws and regulations by the issuance of an insignia;

(2) the bearing of the State insignia and that have not been modified since fabrication in a manner that would void the State approval; and for which the City has been relieved by statute of the responsibility for the enforcement of laws and regulations of the State of California or the City.

FIRE CODE shall mean the California Code of Regulations Title 24, Part 9, as adopted and amended by the County of Los Angeles Fire Department.

GREEN BUILDING STANDARDS CODE shall mean California Code of Regulations Title 24, Part 11.

HEALTH CODE or LOS ANGELES COUNTY HEALTH CODE shall mean the County of Los Angeles Health Department.

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT shall mean either the City of Huntington Park Public Works Department or the Los Angeles County Flood Control District.

MECHANICAL CODE shall mean the Los Angeles County Code Title 29 as adopted and amended by the City of Huntington Park.

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT shall mean a permit issued as required by the Federal Clean Water Act in order to protect receiving waters. The NPDES permit requires controls to reduce the discharge of pollutants into storm drains, channels or natural watercourses.

NONINSPECTED WORK shall mean any erection, construction, enlargement, alteration, repair, movement, improvement, removal, connection, conversion, demolition or equipping for which a permit was first obtained, pursuant to Section 107, but which has progressed beyond the point indicated in successive inspections, including but not limited to inspections set forth in Section 117, without first obtaining inspection by and approval of the building official.

1 **PLUMBING CODE** shall mean the Los Angeles County Code Title 28 as
2 adopted and amended by the City of Huntington Park.

3 **RESIDENTIAL BUILDING CODE** shall mean the Los Angeles County Code
4 Title 30 as adopted and amended by the City of Huntington Park.

5 **ROAD COMMISSIONER** shall mean the City Engineer.

6 **UNINCORPORATED PORTION OF THE COUNTY OF LOS ANGELES**
7 shall mean the City of Huntington Park.

8 **UNPERMITTED STRUCTURE** shall be defined as any structure, or portion
9 thereof, that was erected, constructed, enlarged, altered, repaired, moved,
10 improved, removed, connected, converted, demolished or equipped, at any point
11 in time, without the required approval(s) and permit(s) having first been obtained
12 from the building official.

11 **SECTION 105 APPEALS BOARDS**

12 **105.1 Technical Interpretations Appeals Board.** When a request for an alternate
13 material has been proposed by an applicant and denied by the building official, the
14 applicant may appeal the building official's decision to the Technical
15 Interpretations Appeals Board no later than 60 calendar days from the date of the
16 action being appealed.

17 The board shall consist of five members who are qualified by experience and
18 training to pass upon matters pertaining to building construction. One member
19 shall be a practicing architect, one a competent builder, one a lawyer and two shall
20 be civil or structural engineers, each of whom shall have had at least ten years
21 experience as an architect, builder, lawyer or structural designer. The building
22 official shall be an ex officio member and shall act as secretary to the board. The
23 members of the board of appeals shall be appointed by the City Council and shall
24 hold office at its pleasure. The board shall adopt reasonable rules and regulations
25 for conducting its investigations. The board shall establish that the approval for
26 alternate materials and the modifications granted for individual cases are in
27 conformity with the intent and purpose of this Code, relevant laws, ordinances,
28 rules and regulations, and that such alternate material, modification or method of
work offered is at least the equivalent of that prescribed in this Code, relevant laws,
ordinances, rules and regulations in quality, strength, effectiveness, fire resistance,
durability, safety and sanitation and does not lessen any fire-protection
requirements or any degree of structural integrity. The board shall document all
decisions and findings in writing to the building official with a duplicate copy to
the applicant, and the board may recommend to the City Council such new
legislation as is consistent therewith.

26 **105.2 Accessibility Appeals Board.** In order to conduct the hearings on written
27 appeals regarding action taken by the building official concerning accessibility and
28 to ratify certain exempting actions of the building official in enforcing the
accessibility requirements of the California Code of Regulations, Title 24 (also

known as the California Building Standards Code), and to serve as an advisor to the building official on disabled access matters, there shall be an accessibility appeals board consisting of five members. Two members of the appeals board shall be physically disabled persons, two members shall be persons experienced in construction, and one member shall be a public member. The building official shall be an ex officio member and shall act as secretary to the board. The members of the accessibility appeals board shall be appointed by the City Council and shall hold office at its pleasure. The board shall adopt reasonable rules and regulations for conducting its actions. The board shall establish that the access matter under review is in conformity with the intent and purpose of the California Code of Regulations, Title 24, and this Code. The board shall document all decisions and findings in writing to the building official with a duplicate copy to the applicant, and the board may recommend to the City Council such new legislation as is consistent therewith.

The appeals board may approve or disapprove interpretations and enforcement actions taken by the building official. All such approvals or disapprovals for privately funded construction shall be final and conclusive as to the building official in the absence of fraud or prejudicial abuse of discretion.

105.3 Limitations of Authority. Neither the Technical Interpretations Appeals Board nor the Accessibility Appeals Board shall have authority relative to interpretation of the administrative portions of this Code, other than Section 102, nor shall the board be empowered to waive requirements of this Code.

105.4 Appeals Board Fees. A filing fee established by separate fee resolution or ordinance shall be paid to the building official whenever a person requests a hearing or a rehearing before the appeals boards provided for in this section. All requests to appeal determinations, orders or actions of the building official or to seek modifications of previous orders of the appeals boards shall be presented in writing.

SECTION 106 BUILDING PLAN REQUIREMENTS

106.1 General. When required by the building official to verify compliance with this Code, relevant laws, ordinances, rules and regulations, plans, and when deemed necessary by the building official, calculations, geological or engineering reports and other required data shall be submitted for plan review. The building official may require plans and calculations to be prepared by an engineer or architect licensed or registered by the State to practice as such. Only after the plans have been approved may the applicant apply for a building permit for such work. The building official may also require such plans be reviewed by other departments and/or divisions of the City to verify compliance with the laws and ordinances under their jurisdiction.

When authorized by the building official, complete plans and calculations need not be submitted for the following work when information sufficient to clearly define the nature and scope of the work are submitted for review:

1. One-story buildings of Type V conventional wood-stud construction with an area not exceeding 600 square feet;
2. Work deemed by the building official as minor, small and/or unimportant work.

Where applicable, submittals shall include special inspection requirements and structural observation requirements as required by Chapter 17.

Plans, calculations, reports or documents for work regulated by this Code, relevant laws, ordinances, rules and regulations shall bear the seal, signature and number of a civil engineer, structural engineer, mechanical engineer, electrical engineer, soils engineer or architect registered or certified to practice in the State of California when required by the California Business and Professions Code. A seal and number shall not be required for work authorized by the said article to be performed by a person not registered or certified as an engineer or architect.

For buildings exceeding 160 feet (48.77 m) in height, the structural calculations and each sheet of structural plans shall be prepared under the supervision of and shall bear the signature or approved stamp of a person authorized by the State of California to use the title structural engineer. In addition, all architectural sheets shall bear the signature or approved stamp of an architect licensed by the State of California.

All structures and devices installed for the protection of pedestrians, regardless of location, are subject to the plan review requirements of this section.

For additional provisions applicable to grading, see Appendix J.

106.2 Architect or Engineer of Record. When it is required that documents be prepared by an architect or engineer, the building official may require the owner to designate on the permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

106.3 Information Required on Building Plans. Plans shall be drawn to scale upon substantial paper or other material suitable to the building official, shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner(s) and all persons who were involved in the design and preparation of the plans.

Plans shall include a plot plan showing the location of the proposed building and of every existing building on the premises. In lieu of specific details, the building official may approve references on the plans to a specific section or part of this Code, relevant laws, ordinances, rules and/or regulations.

Computations, stress diagrams and other data sufficient to show the correctness of the plans shall be submitted when required by the Building Official.

When deemed necessary by the building official, the first sheet of each set of plans shall indicate the following information:

1. The building Type of Construction;
2. Whether fire sprinklers are installed in all or any portion of the building;
3. Existing building areas and areas of all additions;
4. The number of stories of the building;
5. The use of all new and existing rooms and/or areas;
6. The Occupancy Classifications of each occupancy;
7. The Code in effect on the date of plan check submittal.

The plans shall show all mitigation measures required under the National Pollution Discharge Elimination System (NPDES) permit issued to the City. For the application of NPDES permit requirements as they apply to grading plans and permits, see Appendix J of this code.

For additional provisions, applicable to grading, see Appendix J.

106.4 Drainage Review Requirement. Where proposed construction will affect site drainage, existing and proposed drainage patterns shall be shown on the plot plan.

A site inspection may be required prior to plan check of building plans for lots or parcels in areas having slopes of five horizontal to one vertical (5: 1) or steeper when the building official finds that a visual inspection of the site is necessary to establish drainage requirements for the protection of property, existing buildings or the proposed construction. The fee for such inspection shall be as set forth by ordinance or resolution. Such a preinspection shall not be required for a building pad graded under the provisions of Appendix J.

For additional provisions, applicable to grading, see Appendix J.

106.5 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.

1 Submittal documents for deferred submittal items shall be submitted to the
2 architect or engineer of record who shall review them and forward them to the
3 building official with a notation indicating that the deferred submittal documents
4 have been reviewed and that they have been found to be in general conformance
5 with the design of the building. The deferred submittal items shall not be installed
6 until their design and submittal documents have been approved by the building
7 official.

8 **106.6 Standard Plans.** The building official may approve a set of plans for a
9 building or structure as a "standard plan," provided that the applicant has made
10 proper application and submitted complete sets of plans as required by this section.
11

12 Plans shall reflect laws and ordinances in effect at the time a permit is issued
13 except as provided in this section. Nothing in this section shall prohibit modifying
14 the permit set of plans to reflect changes in laws and ordinances that have become
15 effective since the approval of the standard plan. The standard plans shall become
16 null and void where the work required by such changes exceeds five percent of the
17 value of the building or structure.

18 Standard plans shall be valid for a period of one year from the date of approval.
19 This period may be extended by the building official when there is evidence that
20 the plans may be used again and the plans show compliance with this Code,
21 relevant laws, ordinances, rules and regulations.

22 **106.7 Expiration of Plan Check Applications.** Plan check applications for which
23 no permit is issued within one year following the date of application shall expire
24 by limitation and become null and void. Plans and calculations previously
25 submitted may thereafter be returned to the applicant or destroyed by the building
26 official.

27 When requested in writing by the applicant and prior the effective date of a more
28 current code, the Building Official within their discretion may grant extension(s)
not exceeding 1 year provided;

- 1- Circumstances beyond the control of the applicant have prevented action
from being taken;
- 2- An extension fee is paid as determined by the Building Official, not to
exceed 25 percent of the plan check fee.

Once an application and any extension thereof has expired, the applicant shall
resubmit plans and calculations and pay a new application fee.

106.8 Retention of Plans. One set of approved plans, calculations and reports
shall be retained by the building official. Except as required by Section 19850 of
the Health and Safety Code, the building official shall retain such set of the
approved plans, calculations and reports for a period of not less than 90 days from
date of completion of the work covered therein.

SECTION 107 BUILDING PERMIT REQUIREMENTS

107.1 Building Permit Required. No person shall erect, construct, enlarge, alter,
repair, move, improve, remove, connect, convert, demolish, or equip any building,

1 structure, or portion thereof, perform any grading, or cause the same to be done,
2 without first obtaining a separate permit for each such building, structure or
grading from the building official.

3 The issuance of a permit without first requiring a plan review shall not prevent the
4 building official from requesting plans deemed necessary to verify that the work
5 performed under said permit complies with this Code and all relevant laws,
ordinances, rules and regulations.

6 No person shall install, alter, repair, move, improve, remove, connect any
7 automatic fire-protection system regulated by this Code, or cause the same to be
8 done, without first obtaining a separate permit for each such building or structure
from the building official.

9 All structures and devices installed for the protection of pedestrians, regardless of
10 location, are subject to the permit requirements of this section.

11 For additional provisions, applicable to grading, see Appendix J.

12 **107.2 Work Exempted.** A building permit shall not be required for the following:

13 Exemption from permit requirements of this Code shall not be deemed to grant
14 authorization for any work to be done in any manner in violation of the provisions
of this Code or any other laws or ordinances.

15 Unless otherwise exempted by the City of Huntington Park Plumbing, Electrical
16 or Mechanical Codes, separate plumbing, electrical and mechanical permits will
17 be required for the below-exempted items.

18 A building permit shall not be required for the following:

19 1. Work not regulated by the Building Code, except where deemed necessary
20 by the building official to enforce other Federal and/or State Laws, State disabled
21 access requirements, or to enforce City ordinances or policies.

22 2. Painting; wallpapering; installing carpet, vinyl, tile and similar floor
coverings and repairing broken window glass not required by the Building Code
to be safety or security glazing.

23 3. Repairing broken window glass not required by the Building Code to be
safety or security glazing.

24 4. One-story detached accessory buildings used as tool and storage sheds,
playhouses, shade structures, and similar uses, provided the gross floor area does
not exceed 120 square feet, the height does not exceed 12 feet and the maximum
roof projection does not exceed 24 inches.

25 5. Retaining walls that retain not more than 4 feet (1219 mm) in height
26 measured from the bottom of the footing to the top of the wall, unless supporting
a surcharge or impounding a Class I, II, or III-A liquids.

27 6. Ground-mounted radio and television antenna towers that do not exceed
28 45 feet in height and ground-supported dish antennas not exceeding 15 feet in
height above finished grade in any position.

7. Light standards that do not exceed 30 feet in height.
8. Flagpoles not erected upon a building and not more than 15 feet high.
9. A tree house provided that:
 - 9.1 The tree house does not exceed 64 square feet in area or 8 feet in height from floor to roof.
 - 9.2 The ceiling height as established by door height or plate line does not exceed 6 feet.
10. Canopies or awnings, completely supported by the exterior wall, attached to a Group R-3 or U Occupancy and extending not more than 54 inches from the exterior wall of the building.
11. Sheds, office or storage buildings, and other structures that are less than 1,500 square feet and incidental to work authorized by a valid grading or building permit. Such structures must be removed upon expiration of the permit or completion of the work covered by the permit.
12. Decks, walks and driveways not more than 30 inches above grade and not over any basement or story below and that are not part of an accessible route.
13. Prefabricated swimming pools and other bodies of water accessory to a Group R-3 Occupancy that are fewer than 18 inches deep, do not exceed 5,000 gallons (18,927 L), and are installed entirely above adjacent grade.
14. Playground equipment.
15. Membrane structures not regulated by California Title 19, not exceeding 250 square feet in area, used exclusively for residential recreational purposes or as a cover for vehicles, and located in accordance with other City ordinances.
16. Steel tanks supported on a foundation not more than 2 feet (610 mm) above grade when the height does not exceed 1½ times the diameter.
17. Gantry cranes and similar equipment.
18. Bridges not involving buildings.
19. Motion picture, television and theater stage sets and scenery, except when used as a building.
20. Oil derricks.
21. Non fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

For additional provisions, applicable to grading, see Appendix J.

107.3 Application for Permit. To obtain a permit, the applicant shall first file an application in writing on a form furnished by the City for that purpose. Each such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by lot, block, tract, street address, or similar description that will readily identify and locate the proposed building or work.
3. For building plans, show the use and occupancy of all parts of the building.
4. Be accompanied by plans and calculations as required in Section 106.
5. State the valuation of the proposed work or, for grading, the volume of earth to be handled.

6. Give such other information as reasonably may be required by the building official.

107.4 Issuance. The building official shall issue a permit to the applicant for the work described in the application and plans filed therewith when the building official is satisfied that all of the following items comply:

1. The work described conforms to the requirements of this Code, relevant laws, ordinances, rules and regulations.
2. The fees specified by resolution or ordinance have been paid.
3. The applicant has obtained a permit pursuant to Public Resources Code Section 30600 et seq., if such a permit is required.

When the building official issues the permit, the building official shall endorse in writing or stamp on both sets of plans "Reviewed for Substantial Compliance Only." Such stamped plans shall not be changed, modified or altered without authorization from the building official, and all work shall be done in accordance with the currently adopted Codes in effect at the time of permit issuance regardless of the information presented on the plans. The approval of the plans shall not be held to permit or to be an approval of any violation of any Federal, State, County or City laws or ordinances. The issuance of a permit shall not be deemed to certify that the site of the described work is safe.

One set of approved plans and reports shall be returned to the applicant to be kept on such building or work site at all times while the authorized work is in progress.

The building official may issue a permit for the construction of part of a building or structure before the entire plans and calculations for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire building or structure will be granted.

For additional provisions, applicable to grading, see Appendix J.

107.5 Permit Validity. The issuance or granting of a permit or approval of plans and calculations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code, relevant laws, ordinances, rules and regulations. No permit presuming to give authority to violate or cancel the provisions of this Code, relevant laws, ordinances, rules and regulations shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit based on plans and calculations shall not prevent the building official from thereafter requiring the correction of errors in said plans and calculations or from preventing building operations being carried on thereunder when in violation of this Code, relevant laws, ordinances, rules and regulations.

For additional provisions, applicable to grading, see Appendix J.

1 **107.6 Expiration of Permit.** Every permit issued by the building official under
2 the provisions of this Code shall expire automatically by limitation and become
3 null and void one year after the date of the last required building inspection
4 approval by the building official or if work authorized by such permit is not
5 commenced within one year from the issuance date of such permit. Before such
6 work can be commenced or recommenced, a new permit shall be first obtained.
7 For the purposes of this paragraph, "required building inspection" shall mean those
8 inspections listed in Section 117.4.2, and those inspections specifically identified
9 on the Job Record issued with the building permit. No partial inspection shall meet
10 the definition of "required building inspection."

11 Supplementary permits for electrical, grading, mechanical, plumbing, and reroof
12 shall not expire so long as the associated building permit remains active. No
13 electrical, grading, mechanical, plumbing or reroof inspection shall satisfy the
14 requirement to have a required building inspection as defined in this Section.

15 Where a new building permit is issued to complete work previously started under
16 an expired permit, a permit fee and or plan review fee shall be collected in an
17 amount determined by the Building Official, not to exceed 25 percent of the permit
18 fee provided;

- 19 1) Applicant request in writing prior the effective date of a more current code
- 20 2) that the duration of time from the date of expiration has not exceeded one
- 21 3) that no changes have been made or will be made in the original plans and
- 22 calculations for such work;

23 Applicable Plan review fees and Permit fees, in addition to issuance fees, for the
24 remaining work based on the remaining work valuation shall be collected for all
25 permits which do not meet the preceding criteria.

26 All work to be performed under the new permit must be done in accordance with
27 the Building Code in effect on the date of issuance of the new permit.

28 **107.7 Permit Suspension or Revocation.** The building official may, in writing,
suspend or revoke a permit issued under the provisions of this Code, relevant laws,
ordinances, rules and regulations whenever the permit was issued in error or on
the basis of incorrect information supplied, or in violation of any other laws,
ordinances or regulations or any of the provisions of this Code.

The building official may also, in writing, withhold inspections, suspend or revoke
a permit where work is being done in violation of this Code, where work is being
done in violation of the approved plans, where work is being concealed without
approval from the building official, or where work is not in accordance with the
direction of the building official.

For additional provisions, applicable to grading, see Appendix J.

107.8 Cancellation of Permit by Applicant. If no portion of the work or
construction covered by a permit issued by the building official under the
provisions of this Code, relevant laws, ordinances, rules and regulations has been

1 commenced, the person to whom such permit has been issued may deliver such
2 permit to the building official with a request that such permit be cancelled. Only
3 the person to whom such permit was issued may request cancellation of the permit.
4 The building official shall thereupon stamp or write on the face of such permit the
5 words, "Cancelled at the request of the applicant." Thereupon such permit shall be
6 null and void and of no effect. All fees except for issuance fees shall be returned
7 to the applicant.

8
9 For additional provisions applicable to grading, see Appendix J.

10 **107.9 Transfer of Permit by Applicant.**

11 **107.9.1 No Inspection Performed.** When requested in writing by the person to
12 whom the permit was issued, a permit may be transferred from the person to whom
13 the permit was issued to a new individual. Fee credit shall be given where deemed
14 appropriate by the building official and new fees shall be paid as required by
15 ordinance or resolution.

16 **107.9.2 One or More Inspection Performed.** Permits may be transferred to any
17 individual upon completion of a new application. Fee credit shall be given where
18 deemed appropriate by the building official and new fees shall be paid as required
19 by ordinance or resolution.

20 **107.9.3 Permit Duration Remains Unchanged.** Transfer of a permit shall be
21 considered a continuation of the previous permit when determining the permit's
22 duration, and shall in no way extend the duration of the preceding permit.

23 **108 RESERVED**

24 **SECTION 109 USE AND OCCUPANCY**

25 **109.1 General.** No building, structure or premises, or portion thereof, shall be used
26 or occupied, and no change in the existing occupancy classification of a building,
27 structure or premises, or portion thereof, shall be made until the building official
28 has approved the building, structure or premises or portion thereof for such use or
occupancy and until all permits have been approved or a temporary certificate of
completed construction has been issued.

Upon final of a building permit and at the request of the applicant, a certificate of
completed construction shall be issued by the building official for any structure
that is ready to occupy.

Approval of a building, structure or premises, or portion thereof, for use or
occupancy (including, but not limited to, final inspection approval and/or issuance
of a certificate of completed construction or issuance of a temporary certificate of
completed construction) shall not be construed as approval of a violation of the
provisions of this Code, relevant laws, ordinances, rules and/or regulations.
Approvals presuming to give authority to violate or cancel the provisions of this
Code, relevant laws, ordinances, rules and/or regulations are not valid.

1 The building official may, in writing, suspend or revoke any such approvals or
2 certificates whenever the building official determines that the approval or
3 certificate was issued in error, or on the basis of incorrect information supplied, or
4 when it is determined that the building, structure or premises, or portion thereof,
5 is in violation of any provision of this Code, relevant laws, ordinances, rules and/or
6 regulations. Any certificate of completed construction or temporary certificate of
7 completed construction so issued shall be surrendered upon request of the building
8 official.

9
10 **109.2 Unpermitted Structures.** No person shall own, use, occupy or maintain
11 any unpermitted structure.

12 **109.3 Change in Use.** Changes in the character or use of a building shall not be
13 made except as specified in Existing Building Code.

14 **109.4 Issuance of a Certificate of Completed Construction.** When the building,
15 structure or premises, or portion thereof, has passed final inspection, and when the
16 building, structure or premises complies with this Code, relevant laws, ordinances,
17 rules and regulations, and the required fees have been paid, the building official,
18 upon request of the applicant, shall issue a certificate of completed construction,
19 which shall contain the following:

- 20 1. The building permit number.
- 21 2. The address of the building or structure.
- 22 3. A description of that portion of the building for which the certificate is
23 issued.
- 24 4. A statement that the described portion of the building was inspected and
25 found to comply with the requirements of this Code, relevant laws, ordinances,
26 rules and regulations for the group and division of occupancy and the use for which
27 the proposed occupancy is classified.
- 28 5. The date the permit was approved.
6. Any other information deemed necessary by the building official.

For additional provisions, applicable to grading, see Appendix J.

109.5 Issuance of a Temporary Certificate of Completed Construction. If the
building official finds that no substantial hazard will result from occupancy of any
building or portion thereof before the same is completed, the building official may
issue a temporary certificate of completed construction for the use of a portion or
portions of a building, structure or premises, prior to the completion of the entire
building, structure or premises, or portion thereof.

Such temporary certificate of completed construction shall be valid for a period of
time to be specified by the building official. Upon request of the owner or
permittee, the building official may, in writing, extend the temporary certificate of
completed construction when it is determined that the circumstances so warrant.
After the expiration of a temporary certificate of completed construction and any
extension(s) thereof, the building, structure or premises, or portion thereof, shall

not be used or occupied until the building official has approved the building for such use or occupancy.

109.6 Live Load Posted. In new construction, a durable sign that indicates the "live load" shall be required in commercial or industrial buildings where the floor or roof or portion thereof is or has been designed with a live load that exceeds 50 psf. The live load sign shall be posted on that part of each story or roof to which it applies, in a conspicuous place. The live load sign shall be posted as a condition precedent to the issuance of a certificate of completed construction certificate. It shall be unlawful to remove or deface any such sign

109.7 Continued Use of Unpermitted and/or Noncomplying Conditions. When deemed appropriate by the building official, a certificate of continued use of unpermitted and/or noncomplying condition(s) may be issued. The certificate shall not be issued until documentation, satisfactory to the building official, has been provided indicating that 1) the unpermitted and/or noncomplying condition(s) were not created by the current owner, and 2) that the current owner had no knowledge that the conditions were unpermitted and/or noncomplying at the time of purchase.

An application shall be completed that states 1) that the continued use of the existing unpermitted construction and/or noncomplying conditions is permitted by the City only with the owner's understanding that the City in no way assumes responsibility for the method of construction or the materials used; and 2) that it is further understood that this application for continued use is not to be construed as being equivalent in any way to a building permit.

An inspection shall then be made by the building official. Where necessary, permits shall be issued to correct any conditions deemed to pose a potential threat to life, limb or property. Once the inspection(s) have been made; all necessary permits have been obtained, inspected and approved; and all obvious potential threats to life, limb or property have been corrected, the building official may approve the application for unpermitted construction and or noncomplying condition(s). When approved by the building official, conditions deemed not to pose a potential threat to life, limb or property may be permitted to remain.

110 - PROHIBITED USES OF BUILDING SITES

110.1 Flood Hazard.

Buildings are not permitted in an area determined by the Building Official to be subject to flood hazard by reason of inundation, overflow or erosion.

The placement of the building and other structures (including walls and fences) on the building site shall be such that water or mud flow will not be a hazard to the building or adjacent property. This prohibition shall not apply when provision is made to eliminate such hazard to the satisfaction of the Building Official by providing adequate drainage facilities by protective walls, suitable fill, raising the floor level of the building, a combination of these methods, or by other means. The Building Official, in the application of this Section for buildings, structures, and grading located in whole or in part in flood hazard areas, shall enforce, as a

1 minimum, the current Federal Flood Plain Management Regulations defined in
2 Title 44, Code of Federal Regulations, Section 60.3, and may require the applicant
3 or property owner to provide the following information and/or comply with the
4 following provisions:

- 5 1. Delineation of flood hazard areas, floodway boundaries and flood zones,
6 and the design flood elevation, as appropriate;
- 7 2. The elevation of the proposed lowest floor, including basement, in flood
8 hazard areas (A Zones), and the height of the proposed lowest floor, including
9 basement, above the highest adjacent grade;
- 10 3. The elevation of the bottom of the lowest horizontal structural member in
11 coastal high hazard areas (V Zone);
- 12 4. If the design flood elevations are not included on the community's Flood
Insurance Rate Map (FIRM), then the applicant shall obtain and reasonably utilize
any design flood elevation and floodway data available from other sources, as
approved by the Building Official; and
- 13 5. During construction, upon placement of the lowest floor, including
basement, and prior to further vertical construction, the permittee shall provide to
the Building Official documentation, prepared and sealed by a registered design
professional, certifying the elevation of the lowest floor, including basement.

14 **110.2 Geotechnical Hazards.**

15 **110.2.1** No building or grading permit shall be issued under the provisions of this
16 section when the Building Official finds that property outside the site of the
17 proposed work could be damaged by activation or acceleration of a geotechnically
18 hazardous condition and such activation or acceleration could be attributed to the
19 proposed work on, or change in use of, the site for which the permit is requested.
For the purpose of this section, a geotechnically hazardous condition does not
include surface displacement due to earthquake faults.

20 **110.2.2** Except as provided in Section 110.2.3, work requiring a building or
21 grading permit by this Code is not permitted in an area determined by the Building
22 Official to be subject to hazard from landslide, settlement, or slippage. For the
23 purpose of this Section, landslide, settlement, or slippage does not include surface
displacement due to the earthquake faults.

24 **110.2.3** Subject to the conditions of Subsection 110.2.1, permits may be issued in
the following cases.

25 **110.2.3.1** When the applicant has submitted an engineering geology and/or soils
26 engineering report or reports complying with the provisions of Section 111 such
27 that said reports show to the satisfaction of the Building Official that the hazard
28 will be eliminated prior to the use or occupancy of the land or structures.

110.2.3.2 When the applicant has submitted an engineering geology and/or soils
engineering report or reports that comply with the provisions of Section 111, and
that demonstrate, to the satisfaction of the Building Official, that the site is safe
for the intended use.

110.2.3.3 When the proposed work involves the alteration or minor repair of
existing structures and the cost of such alteration or repair does not exceed 25
percent of the current valuation of the existing structure, such value to be based on
assumed continuation of the established legal use. Before a permit may be issued
pursuant to this section, the owner shall do all of the following:

1 1. If required by the Building Official, submit an engineering geology and/or
2 soils engineering report or reports that contain(s), at a minimum, a qualitative
3 and/or conditional finding that the proposed work complies with the provisions of
4 Section 110.2.1 of this Code.

5 2. Record in the office of the Department of Registrar-Recorder, a statement
6 that the owner is aware that the records of the Building Official indicate that the
7 property is potentially subject to hazard from landslide, settlement, or slippage.

8 3. Record in the office of the Department of Registrar-Recorder, an
9 agreement relieving the City and all officers and employees thereof of any liability
10 for any damage or loss which may result from issuance of such a permit. This
11 agreement shall provide that it is binding on all successors in interest of the owner
12 and shall continue in effect until the Building Official records in the office of the
13 Department of Registrar-Recorder a statement that the Building Official has
14 determined that such hazard from landslide, settlement or slippage no longer
15 exists. The repair work shall consist of restoring the original construction. The
16 Building Official may require that provisions be made in anticipation of future
17 settlement. For the purposes of this Section 110.2.3.3, "alteration" does not include
18 an addition or additions.

19 **110.2.3.4** When the proposed work involves an addition or additions to an existing
20 structure but is not a change in use or occupancy and such work does not increase
21 the gross floor area of the structure by more than 25 percent of the area of the
22 structure as it existed on July 6, 1968, and the Building Official determines that
23 the proposed work will not impact a historically active landslide. Before a permit
24 may be issued pursuant to this Section, the owner shall do all of the following:

25 1. Submit an engineering geology and/or soils engineering report or reports
26 that contain(s), at a minimum, a qualitative and/or a conditional finding that the
27 proposed work complies with the provisions of Section 110.2.1.

28 2. Record in the office of the Department of Registrar-Recorder the finding
of such report or reports.

 3. Record in the office of the Department of Registrar-Recorder an agreement
relieving the City and all officers and employees thereof of any liability for any
damage or loss which may result from the issuance of such a permit. This
agreement shall provide that it is binding on all successors in interest of the owner
and shall continue in effect until the Building Official records in the office of the
Department of Registrar-Recorder a statement that the Building Official has
determined that a hazard from landslide, settlement, or slippage no longer exists.

110.2.3.5 When the proposed work involves the repair of a single-family residence
or accessory structures where the cost of such repair exceeds 25 percent of the
current valuation of the existing building.

The scope of the repair work shall be subject to the approval of the Building
Official. Before a permit may be issued pursuant to this Section, the owner shall
do all of the following:

 1. Submit an engineering geology and/or soils engineering report or reports
that contain(s), at a minimum, a qualitative and/or conditional finding that the
proposed work complies with the provisions of Section 110.2.1 of this Code.

2. Record in the office of the Department of Registrar-Recorder a statement by the owner acknowledging that the records of the Building Official indicate that the property is potentially subject to hazard from landslide, settlement, or slippage.

3. Record in the office of the Department of Registrar-Recorder an agreement relieving the County and all officers and employees thereof of any liability for any damage or loss which may result from issuance of such a permit. This agreement shall provide that it is binding on all successors in interest of the owner and shall continue in effect until the Building Official records in the office of the Department of Registrar-Recorder a statement that the Building Official has determined that such hazard from landslide, settlement, or slippage no longer exists.

110.2.3.6 When the proposed work involves the replacement of structures destroyed by causes other than landslide, settlement, or slippage, and the permit applicant was the owner of the property at the time of the loss, their immediate heir(s), or their authorized representative, and the application for a permit under this Section is filed no later than ten (10) years following the date of the loss.

The replacement structure(s) shall not exceed the area, number of stories, load, or number of fixtures and bedrooms of the structure that was destroyed. No change in occupancy type shall be permitted. Before a permit may be issued pursuant to this Section, the owner shall do all of the following:

1. Demonstrate, to the satisfaction of the Building Official, that the replacement structure and/or the associated private sewage disposal system (if any) and/or the replacement landscaping (if any) will not result in a greater amount of groundwater infiltration than occurred under the original condition.

2. Submit an engineering geology and/or soils engineering report or reports that contain, at a minimum, a qualitative and/or conditional finding that the proposed work complies with the provisions of Section 110.2.1 of this Code and that contain recommendations for enhancing the stability of the site.

3. Record in the office of the Department of Registrar-Recorder a statement by the owner acknowledging that the owner is aware that the records of the Building Official indicate that the property is potentially subject to a hazard from landslide, settlement, or slippage.

4. Record in the office of the Department of Registrar-Recorder an agreement relieving the City and all officers and employees thereof of any liability for any damage or loss which may result from issuance of such a permit. This agreement shall provide that it is binding on all successors in interest of the owner and shall continue in effect until the Building Official records in the office of the Department of Registrar-Recorder a statement that the Building Official has determined that such hazard from landslide, settlement, or slippage no longer exists.

110.2.3.7 When the proposed work involves a one-story, detached, light-frame accessory structure not intended or used for human occupancy and not exceeding 400 square feet in gross floor area nor 12 feet in height. Before a permit may be issued pursuant to this Section, the owner shall do all of the following:

1. When required by the Building Official, submit an engineering geology and/or soils engineering report or reports that contain, at a minimum, a qualitative

and/or conditional finding that the proposed work complies with the provisions of Section 110.2.1.

2. Record in the office of the Department of Registrar-Recorder a statement by the owner acknowledging that the owner is aware that the records of the Building Official indicate that the property is potentially subject to hazard from landslide, settlement, or slippage.

3. Record in the office of the Department of Registrar-Recorder an agreement relieving the City and all officers and employees thereof of any liability for any damage or loss which may result from issuance of such a permit. This agreement shall provide that it is binding on all successors in interest of the owner and shall continue in effect until the Building Official records in the office of the Department of Registrar-Recorder a statement that the Building Official has determined that such hazard from landslide, settlement, or slippage no longer exists.

110.2.3.8 When the Building Official determines that the hazard from landslide, settlement, or slippage is based solely on the fact that the area has been identified as a potentially liquefiable area in a seismic hazard zone (pursuant to Public Resources Code section 2690 et seq.) and a foundation investigation is performed in connection with the work in accordance with Section 1803 of this Code.

110.2.3.9 Notwithstanding any other provisions of this Section, the Building Official may, at his or her discretion, deny a permit for any building, structure, or grading subject to hazard from landslide, settlement, or slippage, which cannot be mitigated and may endanger the health or safety of the occupants, adjoining property, or the public.

110.2.3.10 When the proposed work involves the repair and restoration of a slope. Before a permit may be issued pursuant to this Section, the owner shall submit an engineering geology and/or soils engineering report or reports that contain(s) the following:

1. A description and analysis of the existing conditions, including the cause or causes of the failed slope.
2. Recommendations for the repair of the failed slope.
3. A qualitative and/or conditional finding that the proposed work complies with the provisions of Section 110.2.1 of this Code.
4. An analysis demonstrating that future failures originating from the repaired portion of the slope will not impact previously permitted structures.
5. An analysis demonstrating that the proposed work will improve existing slope stability.

111 - ENGINEERING GEOLOGY AND SOILS ENGINEERING REPORTS

The Building Official may require an engineering geology or soils engineering report, or both, where in the Building Official's opinion, such reports are essential for the evaluation of the safety of the site. The engineering geology or soils engineering report or both shall contain a finding regarding the safety of the site of the proposed work against hazard from landslide, settlement or slippage and a

1 finding regarding the effect that the proposed work will have on the geotechnical
2 stability of the area outside of the proposed work. Any engineering geology report
3 shall be prepared by a certified engineering geologist licensed in the State of
4 California. Any soils engineering report shall be prepared by a civil engineer
5 licensed in the State of California, experienced in the field of soil mechanics, or a
6 geotechnical engineer licensed in the State of California. When both an
7 engineering geology and soils engineering report are required for the evaluation
8 of the safety of a building site, the two reports shall be coordinated before
9 submission to the Building Official.

10 **112 - EARTHQUAKE FAULT MAPS**

11 Earthquake fault zone maps within the City prepared under Sections 2622 and
12 2623 of the California Resources Code which show traces of earthquake faults are
13 hereby declared to be, on the date of official issue, a part of this Code, and may be
14 referred to elsewhere in this Code. Earthquake fault zone maps revised under the
15 above sections of the California Resources Code shall, on the date of their official
16 issue, supersede previously issued maps which they replace.

17 **SECTION 113 - EARTHQUAKE FAULTS**

18 **113.1 General.** The construction of a building or structure near a known active
19 earthquake fault and regulated by this Code shall be permitted as set forth in this
20 Section.

21 **113.2 Scope.** The provisions of this Section shall apply only to permits for
22 buildings or structures on individual lots or parcels and are not intended to be
23 supplementary to geologic investigations required to qualify divisions of land as
24 set forth in Title 10 (Subdivisions) the City of Huntington Park Municipal Code.

25 **113.3 Definition.** For the purpose of this Section, a geologist shall be a
26 professional geologist, licensed by the California State Board for Geologists and
27 Geophysicists to practice geology in California.

28 **113.4 Known Active Earthquake Faults.** For the purpose of this Section,
known active earthquake faults are those faults which have had displacement
within Holocene time (approximately the last 11,000 years) as defined in the most
current issue of Special Publication 42 of the California Geological Survey.

113.5 Construction Limitations. No building or structure shall be constructed
over or upon the trace of a known active earthquake fault which is shown on maps
maintained by the Building Official. These maps include, but are not limited to,
earthquake fault zone maps prepared under Sections 2622 and 2623 of the
California Public Resources Code.

The absence of a known active earthquake fault trace at the proposed building
location shall be determined by a professional geologist licensed in the State of
California in the following cases:

1. When the proposed building is within (50) feet (15.24 m) of that line
designated by the Building Official as the assumed location of a known
active earthquake fault on the aforementioned maps.
2. When the proposed building is within 50 feet (15.24 m) of the most
probable ground location of the trace of a known active earthquake fault
shown on the aforementioned maps.

In these cases, the Building Official may require the excavation of a trench, for the
purpose of determining the existence of an active earthquake fault. Such a trench

will be required if a lack of distinguishable fault features in the vicinity prevents the Building Official from determining by a site examination, review of available aerial photographs, or by other means that the fault trace does not underlie the proposed building. The trench shall be approximately perpendicular to the most probable direction of the fault trace, at least 1-1/2 feet (0.15 m) wide, and at least five feet in depth measured from natural grade, or to a depth satisfactory to the Building Official.

The trench must be accessible for mapping and inspection by the Building Official, when requested, and meet the requirements of Title 8 of the California Code of Regulations, Construction Safety Orders. The trench need not extend further than the full width of the proposed structure plus 5 feet (1.52 m) beyond the traversed exterior walls. A known active earthquake fault shall be presumed nonexistent if an exposure is not found by the professional geologist in the walls or floor of the trench.

The Building Official may require a more extensive investigation by a professional geologist as evidence to the absence of a known active earthquake fault prior to the issuance of a permit for Groups A, E, I, H and R, Division 1 Occupancies and B, F, M and S Occupancies over one story in height.

The results of the investigation, conclusions and recommendations shall be presented in a geology report prepared by a professional geologist as defined by Section 113.3. The report shall comply with the guidelines presented in Note 49 prepared by the California Department of Conservation, Geological Survey.

EXCEPTION: The provisions of this Section do not apply to:

1. One-story, detached light-frame buildings not intended or used for human occupancy and not exceeding 1,000 square feet (92.9 m²) in gross floor area or 12 feet (3.66 m) in building height.
2. Alterations or repairs to an existing building provided that the aggregate value of such work within any 12-month period does not exceed 50 percent of the current market value of the existing building. For the purposes of this Section 113.5, "alteration" does not include an addition or additions.
3. Swimming pools, retaining walls, fences and minor work of a similar nature.

SECTION 114 FACTORY-BUILT HOUSING

114.1. Plans shall be submitted for plan review for all field-built portions of factory-built structures that clearly describe all work to be done at the site, including connection and/or anchorage of the factory-built structure to the field-built foundation and connection of utilities. Plans shall indicate compliance with this Code, relevant laws, ordinances, rules and regulations for all work that is to be done at the site.

SECTION 115 FEES

115.1 Plan review fees shall be as adopted by a separate resolution and/or ordinance.

Plan checking fees shall be paid at the time of plan review submittal. In addition to the aforementioned fees, the building official may require additional charges for review required by changes, additions or revisions of approved plans or reports,

1 and for services beyond the first and second check due to changes, omissions or
2 errors the part of the applicant.

3 **115.2** Permit fees shall be as adopted by separate resolution and/or ordinance.
4 Permit fees shall be paid at the time of permit issuance.

5 **115.3** The determination of value or valuation under any of the provisions of this
6 code shall be made by the building official. The valuation to be used in computing
7 the permit and plan check fees shall be the total value of all construction work for
8 which the permit is issued, as well as all finish work, painting, roofing, electrical,
9 plumbing, heating, air conditioning, elevators, fire protection systems and any
10 other permanent work or permanent equipment.

11 **116 REFUNDS**

12 **116.1 Permit Refunds.** In the event that any person shall have obtained a permit
13 and no portion of the work or construction covered by such permit shall have been
14 commenced, and such permit shall have been cancelled as provided for in Section
15 107.8, the permittee may submit a written request to the building official
16 requesting a refund of permit fees. Permit fees in an amount equal to 80 percent
17 may be refunded to the permit applicant, but permit issuance fees shall not. The
18 building official shall satisfy himself or herself as to the right of such applicant to
19 such refund, and each such refund shall be paid to the permit applicant, provided
20 the request has been submitted within one year from the date of cancellation or
21 expiration of the permit.

22 **116.2 Plan Check Refunds.** No portion of the plan checking fee shall be refunded,
23 unless no review has been performed, in which case 80 percent of the plan
24 checking fee shall be refunded. The building official shall satisfy himself or herself
25 as to the right of such applicant to such refund, and each such refund shall be paid
26 to the plan check applicant, provided the request has been submitted within one
27 year from the date of cancellation or expiration of the permit.

28 **SECTION 117 INSPECTIONS.**

117.1 General. All construction or work for which a permit is required shall be
subject to inspection by the building official, and all such construction or work
shall remain accessible and exposed for inspection purposes until approved by the
building official.

In addition to the inspections required to be made by the building official, certain
types of construction shall have continuous inspection as specified in Chapter 17.
Special inspections made in accordance with Chapter 17 shall not relieve the
permit applicant of the responsibility to have the work inspected and approved by
the building official.

Approval as a result of an inspection shall not be construed to be an approval of a
violation of any provision of this Code, relevant laws, ordinances, rules or
regulations. Inspections presuming to give authority to violate or cancel the

provisions of this Code, relevant laws, ordinances, rules and regulations shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

It shall be the duty of the permit applicant to provide access for the inspector to the area of work. Access may include, but shall not be limited to, ladders, scaffolding, catwalks and lifts. It shall be the duty of the permit applicant to maintain a safe access path for the inspector to the area of work. Safety precautions may include, but shall not be limited to, handrails, guardrails and safety harnesses. All components of the access path shall be securely anchored in place. The building inspector shall have the right to refuse to make any inspection in an area that does not have an access path deemed safe for use by said building inspector. It shall be the duty of the permit applicant to make any necessary improvements to the access path to allow inspection by the building inspector.

It shall be the duty of the permit applicant to protect all existing construction from damage caused during inspection. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material damaged during the course of inspection.

For additional provisions, applicable to grading, see Appendix J.

117.2 Inspection Requests. It shall be the duty of the permit holder to notify the building official that work authorized by a permit is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

It shall be the duty of the person requesting any inspection required by this Code, relevant laws, ordinances, rules and regulations to provide access to and means for inspection of such work.

For additional provisions, applicable to grading, see Appendix J.

117.3 Inspection Record Card. When deemed necessary by the building official, work requiring a permit shall not be commenced until the applicant has posted or otherwise made available an inspection record card so as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall continue to be posted or otherwise made available by the permit holder until final approval of the permit has been granted by the building official.

For additional provisions, applicable to grading, see Appendix J.

1 **117.4 Work Ready For Inspection.**

2 **117.4.1 General.** Upon notification from the applicant that the work for which
3 there is a valid permit is ready for inspection, the building official shall be allowed
4 to make all applicable inspections specified in this Code, on the inspection record
5 card and any additional inspections required by the building official.

6
7 No work shall be approved by the building official that was not completely
8 verified. Partial or spot inspections shall not be performed by the building official,
9 nor shall partial or spot inspection be used as a justification for approving any
10 required inspection.

11 Inspection by a special inspector shall not be made in-lieu of any inspections
12 required to be made by the building official.

13 For additional provisions, applicable to grading, see Appendix J.

14 **117.4.2 Minimum Inspection Requirements.** The following inspections shall not
15 be requested until the associated requirements have been satisfied.

- 16 1. Foundation inspection: Shall not be requested until all trenches are
17 excavated and forms erected, any required reinforcing steel is in place, and
18 when all materials for the foundation are delivered to the job. All holdown
19 hardware shall be securely installed in place. Where concrete from a
20 central mixing plant (commonly termed "transit mixed") is to be used,
21 materials need not be on the job.

22 Where any fill more than 8 inches in depth is placed, and/or where required by
23 the building official or the soils engineer, compaction tests shall be
24 submitted to the building official prior to requesting inspection.

25 Where required by the soils engineer, foundation trenching shall be reviewed
26 and approved by the soils engineer prior to requesting inspection.

- 27 2. Concrete slab or under-floor inspection: Shall not be requested until all in-
28 slab or under-floor building service equipment, conduit, piping accessories
and other ancillary equipment items are in place, but before any concrete
is poured and/or floor sheathing installed, including the subfloor.
3. Floor sheathing inspection: Floor sheathing inspection shall not be
requested until all sheathing is in place; all diaphragm nailing is complete;
and all diaphragm ties, chords and/or drag struts have been installed. No
walls shall be erected above the floor sheathing.
4. Roof sheathing inspection: Roof sheathing inspection shall not be
requested until all sheathing is in place; all diaphragm nailing is complete;
and all diaphragm ties, chords and/or drag struts have been installed. No
portion of the roof sheathing shall be covered by crickets or similar
construction.
5. Frame inspection: Shall not be requested until after the roof, all framing,
fire blocking and bracing are in place and all pipes, chimneys, vents and
all rough electrical, plumbing and mechanical work are complete. Roof
coverings shall not be installed.

6. Lath inspection and/or wallboard: Shall not be requested until after all lathing and/or wallboard, interior and exterior, is in place, but before any plastering is applied or before wallboard joints and fasteners are taped and finished.
7. Final inspection: Shall not be requested until after finish grading and the building is completed and is ready for occupancy.
8. Other Inspections: In addition to the inspections specified above, the building official shall be allowed to make all applicable inspections specified on the Inspection Record card. The building official may also make or require any other inspections of any construction work to ascertain compliance with the provisions of this Code, relevant laws, ordinances, rules and regulations that are enforced by the building official.

For additional provisions, applicable to grading, see Appendix J.

117.4.3 Reinspections. An inspection fee may be assessed for reinspection, as determined by the Building Official, for any of the following reasons:

1. The portion of work for which inspection is requested is not complete;
2. Corrections given are not completed;
3. There is inadequate work site access preventing inspection;
4. The inspection record card is not posted or otherwise available on the work site;
5. The approved plans are not available for the inspector;
6. Work has deviated from the approved plans and has not been approved by the Building Official.

This Section is not to be interpreted as requiring additional inspection fees the first time a job is rejected for failure to comply with the requirements of this Code.

To obtain re-inspection, the applicant shall pay the re-inspection fee in advance, as determined per the fee resolution.

117.5 Provisions for Special Inspection.

117.5.1 When Required. In addition to the inspections required elsewhere in this section, the owner shall employ one or more special inspectors who shall provide inspections during construction on the types of work listed under Chapter 17. The special inspector may be employed either directly or through the architect or engineering firm in charge of the design of the structure, or through an independent inspection test firm approved by the building official.

Exception: The building official may waive the requirement for the employment of a special inspector if the construction is of a minor nature.

117.5.2 Identification of Work. When special inspection is required by Section 117.5.1, the architect or engineer of record shall identify on the plans all work that is required to have special inspection.

Where the special inspection method(s) to be employed are not specified elsewhere in this Code, relevant laws, ordinances, rules and/or regulations, the architect or engineer of record shall prepare an inspection program that shall be submitted to and approved by the building official prior to building permit issuance.

The special inspector(s) may be employed by the owner, the engineer or architect of record, or an agent of the owner, but shall not be employed by the contractor, the contractor's employees, representatives or agents of the contractor, or any other person performing the work.

The architect or engineer of record shall identify, on forms provided by the City, the individual(s) and/or firm(s) who are to perform any required special inspection, and where an inspection program is required by this section, shall specify the special inspection duties of the special inspector(s).

117.5.3 Qualifications, Requirements and Duties of the Special Inspector. The special inspector shall be approved by the building official prior to performing any inspection duties. The special inspector shall complete an application form provided by the City and shall submit documentation satisfactory to the building official that the special inspector is qualified to make the special inspection(s) for which application is made. The building official shall have the right to administer a written or verbal examination as deemed appropriate by the building official to verify that the special inspector is qualified to perform the inspection duties for which application is made. A special inspector who fails to pass the examination administered by the building official shall be required to wait a minimum of seven (7) days before submitting a new application to provide special inspection within the City.

The building official shall not be required to accept any documentation provided by a special inspector who was not approved by the building official prior to performing inspection duties. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material(s) or work installed, constructed or placed under the review of a special inspector who was not approved by the building official.

Failure to be approved by the building official prior to performing any special inspection duties may be considered by the building official as a failure to perform properly and shall allow the building official to refuse to allow the special inspector to perform inspection within the City.

The special inspector shall observe the work assigned for conformance with the approved design drawings.

The special inspector shall furnish inspection reports to the building official. All observed discrepancies shall be brought to the immediate attention of the contractor for correction, then if uncorrected, to the proper design authority and to the building official.

1
2 The special inspector shall submit a final signed report stating that the work
3 requiring special inspection was, to the best of the inspector's knowledge, in
4 conformance with the approved plans and the applicable workmanship provisions
5 of this Code.

6 The building official shall have the right to reject any work performed under the
7 review of a special inspector where the work performed fails to meet the minimum
8 requirements of this Code, relevant laws, ordinances, rules and regulations.
9 Regardless of the information communicated between the permit applicant and the
10 special inspector, all work shall comply with the approved plans and this Code,
11 relevant laws, ordinances, rules and regulations.

12 Upon evidence, satisfactory to the building official, of the failure of a special
13 inspector to perform properly and effectively the duties of said office, the building
14 official may revoke, suspend or refuse to allow the special inspector to perform
15 inspection on sites within the City. Prior to such action, the holder shall be given
16 an opportunity to appear before the building official and be heard.

17 **117.6 Provisions for Structural Observation.** When structural observation is
18 required in accordance with the requirements of Chapter 17, the engineer or
19 architect of record shall indicate on the plans what work is required to be observed
20 by the engineer or architect responsible for the structural design, or the engineer
21 or architect responsible for the structural design shall prepare an inspection
22 program and shall name the individuals or firms who are to perform structural
23 observation and describe the stages of construction at which structural observation
24 is to occur. The inspection program shall include samples of inspection reports and
25 provide time limits for the submission of observation reports. The program shall
26 be submitted to and approved by the building official prior to building permit
27 issuance.

28 When required by the engineer or architect responsible for the structural design or
the building official, the owner shall employ the engineer or architect responsible
for the structural design, or another engineer or architect designated by the
engineer or architect responsible for the structural design, to perform structural
observation as defined in Section 202.

When deemed appropriate by the engineer or architect responsible for the
structural design, the owner or owner's representative shall coordinate and call a
preconstruction meeting between the engineer or architect responsible for the
structural design, the structural observer, the contractor, the affected
subcontractors and the special inspector(s). The structural observer shall preside
over the meeting. The purpose of the meeting shall be to identify the major
structural elements and connections that affect the vertical and lateral load systems
of the structure and to review scheduling of the required observations. A record of
the meeting shall be submitted to the building official.

1 All observed discrepancies shall be brought to the immediate attention of the
2 engineer or architect responsible for the structural design and the contractor for
3 correction; then if unresolved, to the building official. The structural observer shall
4 submit to the building official a written statement at each significant construction
5 stage stating that the required site visits have been made and identifying any
6 reported deficiencies which, to the best of the structural observer's knowledge,
7 have not been resolved.

8
9 The structural observer shall submit a final signed report stating that the work
10 requiring structural observation was, to the best of the observer's knowledge, in
11 conformance with the approved plans and the applicable workmanship provisions
12 of this Code.

13
14 **117.7 Required Approvals.** No work shall be done on any part of the building
15 structure or premises beyond the point indicated in each successive inspection
16 without first obtaining the written approval of the building official. The building
17 official, upon notification, shall make the requested inspections and shall either
18 indicate in writing that the work appears to comply as completed, or shall notify
19 the applicant in writing which portion of the work fails to comply with this Code,
20 relevant laws, ordinances, rules and/or regulations. Any work that does not comply
21 shall be corrected and such work shall not be covered or concealed until authorized
22 by the building official.

23
24 There shall be a final inspection and approval of all work when completed and
25 ready for occupancy.

26 For additional provisions applicable to grading, see Appendix J.

27
28 **117.8 Site Requirements.** A survey of the lot may be required by the building
official to verify compliance of the structure with the approved plans.

117.9 Noninspected Work. No person shall own, use, occupy or maintain any
structure on which noninspected work has been performed.

117.10 Utility Release. When deemed appropriate by the building official, gas and
electric utilities may be released. Release of either utility may be done prior to
building final for testing and inspection purposes. The building official shall retain
the right to revoke the release of either utility for just cause, and may have either
utility disconnected at the earliest availability of the utility purveyor.

Attempting to occupy prior to issuance of a certificate of completed construction,
whether temporary or final, may be considered as just cause by the building
official, and may result in disconnection of the utilities.

117.11 Authority to Disconnect Electric Utility. The building official is hereby
empowered to disconnect or to order in writing the discontinuance of electric
utility service to buildings, structures or premises, or portions thereof, or wiring,

1 devices or materials installed without permit or found to be a hazard to life, health
2 and/or property.

3 The building official shall have the power to disconnect or to order in writing the
4 discontinuance of electric utility service as a means of preventing, restraining,
5 correcting or abating any violation of this Code, relevant laws, ordinances, rules
6 or regulations.

7 The electrical service shall remain disconnected or electrical utility service shall
8 remain discontinued until the Code violation has been abated to the satisfaction of
9 the building official, or until the installation of such wiring, devices or materials
10 have been made safe as directed by the building official; or until a permit has been
11 issued and the work has been inspected and approved by the building official.

12 **117.12 Authority to Disconnect Gas Utility.** The building official is hereby
13 empowered to disconnect or to order in writing the discontinuance of gas utility
14 service to buildings, structures, premises, appliances, devices or materials installed
15 without permit or found to be a hazard to life, health and/or property.

16 The building official shall have the power to disconnect or to order in writing the
17 discontinuance of gas utility service as a means of preventing, restraining,
18 correcting or abating any violation of this Code, relevant laws, ordinances, rules
19 or regulations

20 The gas service shall remain disconnected or gas utility service shall remain
21 discontinued until the Code violation has been abated to the satisfaction of the
22 building official, or until the installation of such appliances, devices or materials
23 has been made safe as directed by the building official; or until a permit has been
24 issued and the work has been inspected and approved by the building official.

25 **8-1.02 ADOPTION OF LOS ANGELES COUNTY CODE, TITLE 26, BUILDING** 26 **CODE**

27 Chapters 2 through 35, 66, 67, 96, 98, 99 and Appendices I and J of Title 26, Los Angeles
28 County Building Code, as amended and in effect on or before January 1, 2017, adopting
the 2016 California Building Code, is hereby adopted by reference pursuant to the
provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of
California as though fully set forth herein, and made a part of the Huntington Park
Municipal Code with the same force and effect as though set out herein in full, including
all of the regulations, revisions, conditions and terms contained therein except that those
certain sections thereof which are necessary to meet local conditions, as hereinafter set
forth in 8-1.03 of this code, are hereby repealed, added or amended to read as set forth
therein.

In accordance with Section 50022.6 of the California Government Code, not less than one
copy of said Title 26 of the Los Angeles County Code together with any and all
amendments thereto proposed by the City of Huntington Park, has been and is now filed

1 in the office of the Building and Safety Division, shall be remain on file with the Building
2 Official, shall collectively be known as the *City of Huntington Park Building Code* and
3 may be cited as Title 8 Chapter 1 of the Huntington Park Municipal Code.

4 **8-1.03 BUILDING CODE MODIFIED**

5 Chapters 33, and Appendix J of Title 26 of the Los Angeles County Code (the 2016 Los
6 Angeles County Building Code), adopted by reference as the Building Code of the City
7 of Huntington Park, are hereby amended, deleted or added as follows:

- 8 a. A new Section 3301.3 is added to read:

9 **3301.3 On-Site Fencing During Construction.**

10 **3301.3.1 General.** A fence shall be provided any time grading, demolition, or
11 construction work requiring a grading or building permit is performed. The fence
12 shall totally enclose the perimeter of all property. Locking gates may be provided
13 at any location.

14 Exceptions:

15 1) When approved by the building official, a fence need not enclose
16 residential property when at least one dwelling is continuously occupied. Approval
17 not to fence the property may be revoked in writing by the building official if the
18 property is found to be unoccupied for any length of time. For the purposes of this
19 exception, continuously occupied is not intended to imply that the occupants must
20 be continuously present.

21 2) When approved by the building official, the fence may enclose areas other
22 than the perimeter of the property.

23 **3301.3.2 Fence Construction.** The fence shall be 6 feet in height measured from
24 adjacent grade on the exterior side of the fence, and constructed from chain link,
25 lumber, masonry or other approved materials. The fence shall be self-supporting
26 and shall not incorporate structures or fencing on adjacent property without written
27 approval of the adjacent property owner.

28 **3301.3.3 Duration of Fencing.** The fence shall be erected prior to the start of any
grading, demolition, or construction work and shall remain in place until the work
for which a grading or building permit is required has been completed.

Exceptions:

1) All or portions of the fence may be removed daily during construction so
long as the property is continuously occupied, and all portions of the removed
fence are replaced prior to the property being unoccupied.

2) When approved by the building official, the fence may be removed prior
to completion of the grading, demolition, or construction work, if the property is
determined by the building official to no longer provide an unsafe or hazardous
condition.

1 **3301.3.4 Failure to Comply.** If the property is found unfenced and the building
2 official determines that an unsafe or hazardous condition exists, the City may take
3 action to correct the noncomplying condition by providing the required fence. The
4 building official may then issue a notice to stop work until all fees incurred by the
5 City to properly fence the property have been recovered. If such fees have not been
6 recovered by the City within 30 days, the City may take action to recover the costs
7 in accordance with the requirements of this Code.

8
9 b. Section J103.5 is amended in its entirety to read:

10 **J 103.5 Grading Fees.** Fees shall be assessed in accordance with the provisions
11 of this section. The amount of the fees shall be as specified in Section 115 of this
12 code.

13 **J 103.5.1 Plan Review Fees.** When a plan or other data are required to be
14 submitted, a plan review fee shall be paid at the time of submitting plans and
15 specifications for review. Separate plan review fees shall apply to retaining walls
16 or major drainage structures as required elsewhere in this code. For excavation and
17 fill on the same site, the fee shall be based on the total volume of excavation and
18 fill.

19 **J 103.5.2 Permit Fees.** A fee for each grading permit shall be paid to the Building
20 Official at the time of issuance of the permit. Separate permits and fees shall apply
21 to retaining walls or major drainage structures as required elsewhere in this code.

22 c. Section J 103.6 is amended in its entirety to read:

23 **J 103.6 Compliance with Zoning Code.** The building official may refuse to issue
24 a grading permit for work on a site if either the proposed grading or the proposed
25 land use for the site shown on the grading plan application does not comply with
26 the provisions of “Planning and Zoning” of the City of Huntington Park Municipal
27 Code.

28 d. Section J105.12 is amended in its entirety to read:

J105.12 Completion of work. Upon completion of the rough grading work and at
the final completion of the work, the following reports and drawings and
supplements thereto are required for engineered grading or when professional
inspection is otherwise required by the Building Official:

1. A certification by the Field Engineer that to the best of his or her
knowledge, the work within the Field Engineer’s area of responsibility was done
in accordance with the final approved grading plan.

2. A report prepared by the Soils Engineer retained to provide such
services in accordance with Section J105.4, including locations and elevations of
field density tests, summaries of field and laboratory tests, other substantiating
data, and comments on any changes made during grading and their effect on the
recommendations made in the approved soils engineering investigation report. The

1 report shall include a certification by the Soils Engineer that to the best of his or
2 her knowledge, the work
3 within the Soils Engineer's area of responsibility is in accordance with the
4 approved Soils Engineering report and applicable provisions of this chapter. The
report shall contain a finding regarding the safety of the completed grading and
any proposed structures against hazard from landslide, settlement, or slippage.

5 3. A report prepared by the Engineering Geologist retained to provide
6 such services in accordance with Section J105.5, including a final description of
7 the geology of the site and any new information disclosed during the grading and
8 the effect of such new information, if any, on the recommendations incorporated
9 in the approved grading plan. The report shall contain a certification by the
10 Engineering Geologist that, to the best of his or her knowledge, the work within
11 the Engineering Geologist's area of responsibility is in accordance with the
approved engineering geology report and applicable provisions of this Chapter.
The report shall contain a finding regarding the safety of the completed grading
and any proposed structures against hazard from landslide, settlement or slippage.
The report shall contain a final as-built geologic map and cross-sections depicting
all the information collected prior to and during grading.

12 4. The grading contractor shall certify, on a form prescribed by the
13 building official that the grading conforms to the approved plans and
specifications.

14 **8-1.04 EFFECT OF ADOPTION**

The adoption of the city Building Code and the repeal, addition or amendment of
ordinances by this code shall not affect the following matters:

- 15 (A) Actions and proceedings which began the effective date of this code.
- 16 (B) Prosecution for ordinance violations committed before the effective date of
this code.
- 17 (C) Licenses and penalties due and unpaid at the effective date of this code, and
18 the collection of these licenses and penalties.
- 19 (D) Bonds and cash deposits required to be posted, filed or deposited pursuant
to any ordinance.
- 20 (E) Matters of record which refer to or are connected with ordinances the
substances of which are included in this code; these references shall be construed
21 to apply to the corresponding provisions of the code.

22 **8-1-05 PENALTY; VIOLATIONS.**

23 (A) *General penalty; continuing violations.* Every act prohibited or declared
24 unlawful and every failure to perform an act required by this code is a
25 misdemeanor or an infraction as set forth in the said respective pertinent sections
26 of this code and any person causing or permitting a violation of any such section
of said code shall be subject to the penalties ascribed to each such section as set
forth herein. Where silent as to whether a violation is a misdemeanor or infraction,
the City Attorney may prosecute such violation as either a misdemeanor or
27 infraction in his/her discretion.

1 **(B) Violations including aiding, abetting, and concealing.** Every person who
2 causes, aids, abets or conceals the fact of a violation of this code is guilty of
3 violating this code.

4 **(C) Enforcement by civil action.** In addition to the penalties provided herein,
5 the said code may be enforced by civil action. Any condition existing in violation
6 of this code is a public nuisance and may be summarily abated by the city.

7 **TITLE 8**
8 **BUILDING REGULATIONS**
9 **CHAPTER 4**
10 **RESIDENTIAL CODE**

11 **8-4.01 RESIDENTIAL CODE ADMINISTRATION**

12 Except as hereinafter changed or modified, the administration of the Residential Code
13 shall be as set forth in 8-1.01 Building Code Administration of this Code.

14 **SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE**

15 **101.1 Title.** Title 8 Building Regulations, Chapter 4 of the City of Huntington Park
16 Municipal Code shall be known as the Residential Code of the City of Huntington Park,
17 may be cited as such, and will be referred to herein as “these regulations” or “these
18 building standards “or “this Code.”

19 **8-4.02 LOS ANGELES COUNTY CODE, TITLE 30, RESIDENTIAL CODE**
20 **ADOPTED**

21 Section 1207 of Chapter 12, Chapters 67, 68, 69, 96, 98, 99, and appendix J of Title 26 of
22 the Los Angeles County Code are adopted by reference as amended by City of Huntington
23 Park Building Code (8-1.03) and incorporated in to this Section 8-4.02 as if fully set forth
24 below and shall be known as Section 1207 of Chapter 12, Chapters 67, 68, 69, 96, 98, 99,
25 and appendix J of the City of Huntington Residential Code.

26 Chapters 2 through 10, 44 and Appendix H of Title 30, Los Angeles County Residential
27 Code, as amended and in effect on or before January 1, 2017, adopting the 2016 California
28 Residential Code, is hereby adopted by reference pursuant to the provisions of Sections
50022.1 through 50022.10 of the Government Code of the State of California as though
fully set forth herein, and made a part of the Huntington Park Municipal Code with the
same force and effect as though set out herein in full, including all of the regulations,
revisions, conditions and terms contained therein.

Not less than one copy of said Title 30 of the Los Angeles County Residential Code
together with any and all amendments thereto proposed by the City of Huntington Park,
has been and is now filed in the office of the Building and Safety Division and shall be
remain on file with Building Official, and shall collectively be known as the *City of
Huntington Park Residential Code* and may be cited as Title 8 Chapter 4 of the City of
Huntington Park Municipal Code.

8-4.03 EFFECT OF ADOPTION

1 The adoption of this Code and the repeal, addition or amendment of ordinances by this
2 code shall not affect the following matters:

- 3 (A) Actions and proceedings which began the effective date of this code.
4 (B) Prosecution for ordinance violations committed before the effective date of
5 this code.
6 (C) Licenses and penalties due and unpaid at the effective date of this code, and
7 the collection of these licenses and penalties.
8 (D) Bonds and cash deposits required to be posted, filed or deposited pursuant
9 to any ordinance.
10 (E) Matters of record which refer to or are connected with ordinances the
11 substances of which are included in this code; these references shall be construed
12 to apply to the corresponding provisions of the code.
13

14 **8-4.05 PENALTY; VIOLATIONS.**

15 (A) ***General penalty; continuing violations.*** Every act prohibited or declared unlawful
16 and every failure to perform an act required by this code is a misdemeanor or an infraction
17 as set forth in the said respective pertinent sections of this code and any person causing or
18 permitting a violation of any such section of said code shall be subject to the penalties
19 ascribed to each such section as set forth herein. Where silent as to whether a violation is
20 a misdemeanor or infraction, the City Attorney may prosecute such violation as either a
21 misdemeanor or infraction in his/her discretion.

22 (B) ***Violations including aiding, abetting, and concealing.*** Every person who causes,
23 aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

24 (C) ***Enforcement by civil action.*** In addition to the penalties provided herein, the said
25 code may be enforced by civil action. Any condition existing in violation of this code is a
26 public nuisance and may be summarily abated by the city.
27

28 **TITLE 8 BUILDING REGULATIONS CHAPTER 5 PLUMBING CODE**

29 **8-5.01 PLUMBING CODE ADMINISTRATION**

30 Except as hereinafter changed or modified, the administration of the Plumbing Code shall
31 be as set forth in 8-1.01 Building Code Administration of this Code.

32 **SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE**

33 **101.1 Title.** Title 8 Building Regulations, Chapter 5 of the City of Huntington Park
34 Municipal Code shall be known as the Plumbing Code of the City of Huntington Park,
35 may be cited as such, and will be referred to herein as “these regulations” or “these
36 building standards “or “this Code.”
37
38

1 **101.3 SCOPE.** The provisions of this Code shall apply to the erection, alteration,
2 installation, repair, movement, improvement, removal connection or conversion of any
3 plumbing equipment and/or appliances or any other plumbing work regulated by this Code
4 within the City.

5 Where, in any specific case, different sections of this Code specify different materials,
6 methods of construction or other requirements, the most restrictive shall govern. Where
7 there is a conflict between a general requirement and a specific requirement, the specific
8 requirement shall be applicable.

9 In the event any differences in requirements exist between the accessibility requirements
10 of this Code and the accessibility requirements of the California Code of Regulations,
11 Title 24 (also referred to as the California Building Standards Code), then the California
12 Code of Regulations shall govern.

13 Where the requirements of this Code conflict with the requirements of Mechanical
14 Code, this Code shall prevail.

15 **106.1 Plan Check Requirements.** When required by the building official to verify
16 compliance with this Code, relevant laws, ordinances, rules and regulations; plans and,
17 when deemed necessary by the building official, calculations, and other required data shall
18 be submitted for plan review. The building official may require plans and calculations to
19 be prepared by an engineer registered by the State to practice as such. Only after the plans
20 have been approved may the applicant apply for a plumbing permit for such work. The
21 building official may also require such plans be reviewed by other departments and/or
22 divisions of the City to verify compliance with the laws and ordinances under their
23 jurisdiction.

24 Separate Plumbing Code plan review is required for any of the following:

- 25 (a) For any restaurant which requires a grease trap or a grease interceptor;
- 26 (b) Any facility which requires a sand/grease clarifier;
- 27 (c) Plumbing Systems with more than 216 waste fixture units;
- 28 (d) Potable water supply piping required to be 2" or larger;
- (e) Fuel gas piping required to be 2" or larger;
- (f) Fuel gas piping containing medium- or high-pressure gas;
- (g) Combination waste and vent systems;
- (h) Plumbing fixtures located below the next upstream manhole or below the sewer main;
- (i) Chemical waste systems;
- (j) Rainwater system employing a sump pump;
- (k) Grey water systems;
- (l) Any type of sewer ejection system or lift station;

1 (m) Any installation in a building of Type I-A, Type II-A, Type III-A, Type IV or Type
2 V-A fire-resistive construction where penetrations are required of fire-resistive walls,
floors or ceilings.

3 Plans, calculations, reports or documents for work regulated by this Code, relevant laws,
4 ordinances, rules and regulations shall bear the seal, signature and number of a plumbing
5 engineer when required by the California Business and Professions Code. A seal and
6 number shall not be required for work authorized by the said article to be performed by a
person not registered or certified as an engineer or architect.

7 **106.3 Information Required on Plumbing plans.** Plans shall be drawn to scale upon
8 substantial paper or other material suitable to the building official shall be of sufficient
9 clarity to indicate the nature and scope of the work proposed, and shall show in detail that
the proposed construction will conform to the provisions of this Code and all relevant
laws, ordinances, rules and regulations.

10 The first sheet of each set of plans shall give the street address of the proposed work and
11 the name, address and telephone number of the owner and all persons who were involved
in the design and preparation of the plans.

12 Where the scope of the proposed work involves the following, unless otherwise approved
13 by the building official, the plumbing plans shall indicate the following:

- 14 (a) A complete floor plan showing the location of all proposed plumbing fixtures;
15 (b) A complete plan showing the layout, diameter and material of all proposed piping;
16 (c) A legend of all symbols used and a list of all abbreviations used;
17 (d) Any other information requested by the building official.

18 Plans for buildings more than two stories in height of other than Group R-3 and Group U
19 Occupancies shall indicate how required fire-resistive integrity will be maintained where
a penetration will be made for plumbing piping and similar systems.

20 When deemed necessary by the building official, the first sheet of each set of plans shall
21 indicate the building Type of Construction as defined in the Building Code and the
Plumbing Code in effect on the date of plan check submittal.

22 **107.1 Plumbing permit Required.** No person shall erect, alter, install, repair, move,
23 improve, remove, connect or convert, or cause the same to be done, to any plumbing
24 equipment or fixtures without first obtaining a plumbing permit from the building official.
25 A Plumbing Permit is required for any installation, alteration, reconstruction or repair of
26 any plumbing (including fixtures, traps, tailpieces and valves), drainage piping, vent
piping, waste piping, soil piping, water piping (potable or nonpotable but which is
connected to a potable water source) or gas piping located within or on any building,
structure or premises.

27 **107.2 Work Exempted from Plumbing Permit.** A Plumbing Permit shall not be required
28 for the following:

1 (a) Clearing of stoppages and stopping of leaks which do not involve the replacement
2 of any plumbing (including fixtures, traps, tailpieces and valves), drainage piping, vent
piping, waste piping, soil piping, water piping or gas piping.

3 (b) Change of residential plumbing fixtures which do not involve the replacement of
4 the existing waste and vent piping excluding the trap, to include, residential toilets,
5 residential bathroom hand sinks, bathtub and residential kitchen sinks.

6 (c) Connection of any appliance approved for and intended to be connected by flexible
7 gas piping to a gas shutoff valve which was previously permitted and inspected under a
valid Plumbing permit.

8 Exemption from the permit requirements of this Code shall not be deemed to grant
9 authorization for any work to be done in any manner in violation of the provisions of other
laws or ordinances.

10 The issuance of a permit without first requiring a plan review shall not prevent the building
11 official from requesting plans deemed necessary to verify that the work performed under
12 said permit complies with this Code and all relevant laws, ordinances, rules and
regulations.

13 **8-5.02 LOS ANGELES COUNTY CODE, TITLE 28, PLUMBING CODE** 14 **ADOPTED**

15 Los Angeles County Plumbing Code Chapter 2 through Chapter 17, and Appendices A.B,
16 D, H, I and J, Title 28, the 2017 Los Angeles County Plumbing Code, as amended and in
17 effect on or before January 1, 2017, adopting the 2016 California Plumbing Code, is
18 hereby adopted by reference pursuant to the provisions of Sections 50022.1 through
19 50022.10 of the Government Code of the State of California as though fully set forth
and made a part of the Huntington Park Municipal Code with the same force and
effect as though set out herein in full, including all of the regulations, revisions, conditions
and terms contained therein.

20 Not less than one copy of said Title 28 of the Los Angeles County Plumbing Code together
21 with any and all amendments thereto proposed by the City of Huntington Park, has been
22 and is now filed in the office of the Building and Safety Division and shall be remain on
23 file with Building Official, and shall collectively be known as the *City of Huntington Park
Plumbing Code* and may be cited as Title 8 Chapter 5 of the City of Huntington Park
Municipal Code.

24 **8-5.03 EFFECT OF ADOPTION**

25 The adoption of this code and the repeal, addition or amendment of ordinances by this
code shall not affect the following matters:

26 (A) Actions and proceedings which began the effective date of this code.

27 (B) Prosecution for ordinance violations committed before the effective date of
this code.

28 (C) Licenses and penalties due and unpaid at the effective date of this code, and
the collection of these licenses and penalties.

(D) Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.

(E) Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

8-5.04 PENALTY; VIOLATIONS.

(A) *General penalty; continuing violations.* Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein. Where silent as to whether a violation is a misdemeanor or infraction, the City Attorney may prosecute such violation as either a misdemeanor or infraction in his/her discretion.

(B) *Violations including aiding, abetting, and concealing.* Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

(C) *Enforcement by civil action.* In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city.

TITLE 8 BUILDING REGULATIONS CHAPTER 7 EXISTING BUILDING CODE

8-7.01 EXISTING BUILDING CODE ADMINISTRATION

Except as hereinafter changed or modified, the administration of the Existing Building Code shall be as set forth in 8-1.01 Building Code Administration of this Code.

SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE

101.1 Title. Title 8 Building Regulations, Chapter 7 of the City of Huntington Park Municipal Code shall be known as the Existing Building Code of the City of Huntington Park, may be cited as such, and will be referred to herein as “these regulations” or “these building standards “or “this Code.”

101.3 – SCOPE. The provisions of this Code shall apply to the repair, alteration, change of occupancy, addition to and relocation of any existing building or structure or any other work regulated by this Code within the City, subject to the criteria of Sections 101.3.1 and 101.3.2

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

1 In the event, any differences in requirements exist between the accessibility
2 requirements of this Code and the accessibility requirements of the California Code of
3 Regulations, Title 24 (also referred to as the California Building Standards Code), then
4 the California Code of Regulations shall govern.

5 **101.3.1 Buildings not previously occupied.** A building or portion of a building that
6 has not been previously occupied or used for its intended purpose in accordance with
7 the laws in existence at the time of its completion shall be permitted to comply with the
8 provisions of the laws in existence at the time of its original permit unless such permit
9 has expired. Subsequent permits shall comply with the Building Code or Residential
10 Code, as applicable, for new construction.

11 **101.3.2 Buildings previously occupied.** The legal occupancy of any building existing
12 on the date of adoption of this Code shall be permitted to continue without change,
13 except as is specifically covered in this Code, the Fire Code, or as is deemed necessary
14 by the Building Official for the general safety and welfare of the occupants and the
15 public.

16 **8-7.02 LOS ANGELES COUNTY CODE, TITLE 33, EXISTING CODE** 17 **ADOPTED**

18 Los Angeles County Existing Building Code Chapter 2 through 4, 15, 16 and Appendix
19 Chapter A1, A3, A4 and A6 of the Title 33, the 2017 Los Angeles County Existing
20 Building Code, as amended and in effect on or before January 1, 2017, adopting the
21 2016 California Existing Building Code, is hereby adopted by reference pursuant to the
22 provisions of Sections 50022.1 through 50022.10 of the Government Code of the State
23 of California as though fully set forth herein, and made a part of the Huntington Park
24 Municipal Code with the same force and effect as though set out herein in full, including
25 all of the regulations, revisions, conditions and terms contained therein.

26 Not less than one copy of said Title 33 of the Los Angeles County Existing Building
27 Code together with any and all amendments thereto proposed by the City of Huntington
28 Park, has been and is now filed in the office of the Building and Safety Division and
shall be remain on file with Building Official, and shall collectively be known as the
City of Huntington Park Existing Building Code and may be cited as Title 8 Chapter 7
of the City of Huntington Park Municipal Code.

29 **8-7.03 EFFECT OF ADOPTION**

30 The adoption of this Code and the repeal, addition or amendment of ordinances by this
31 code shall not affect the following matters:

- 32 (A) Actions and proceedings which began the effective date of this code.
- 33 (B) Prosecution for ordinance violations committed before the effective date
34 of this code.
- 35 (C) Licenses and penalties due and unpaid at the effective date of this code,
36 and the collection of these licenses and penalties.
- 37 (D) Bonds and cash deposits required to be posted, filed or deposited pursuant
38 to any ordinance.

(E) Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

8-7.04 PENALTY; VIOLATIONS.

(A) *General penalty; continuing violations.* Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein. Where silent as to whether a violation is a misdemeanor or infraction, the City Attorney may prosecute such violation as either a misdemeanor or infraction in his/her discretion.

(B) *Violations including aiding, abetting, and concealing.* Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

(C) *Enforcement by civil action.* In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city.

TITLE 8 BUILDING REGULATIONS CHAPTER 10 ELECTRICAL CODE

8-10.01 ELECTRICAL CODE ADMINISTRATION

Except as hereinafter changed or modified, the administration of the Electrical Code shall be as set forth in 8-1.01 Building Code Administration of this Code.

SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE

101.1 Title. Title 8 Building Regulations, Chapter 10 of the City of Huntington Park Municipal Code shall be known as the Electrical Code of the City of Huntington Park, may be cited as such, and will be referred to herein as “these regulations” or “these building standards “or “this Code.”

101.3 Scope and Applicability The provisions of this Code shall apply to the erection, alteration, installation, repair, movement, improvement, removal connection or conversion of any electrical equipment and/or appliances or any other electrical work regulated by this Code within the City.

Exception: The provisions of this Code shall not apply to public utilities; or to electrical wiring for street lighting or traffic signals located primarily in a public way; or to mechanical equipment not specifically regulated in this Code. The provisions of this Code shall not apply to any electrical work performed by or for any electrical corporation, telephone corporation, telegraph corporation, railroad corporation or street railroad corporation on or with any electrical equipment owned or controlled and operated, or used

1 by and for the exclusive benefit of, such corporation in the conduit of its business as a
2 public utility, or to any other work which any such corporation may be entitled by law to
3 perform without payment of any local tax; but all provisions of this Code shall apply
4 insofar as they may consistently with the above be applicable to all other electrical work
5 performed by or for any such corporation.

6 The terms "electrical corporation", "telephone corporation", railroad corporation", and
7 "street railroad corporation" are herein used as said terms are respectively defined in the
8 Public Utility Code of the State of California; and such terms shall also be deemed to
9 include similar utilities which are municipally or governmentally owned and operated.

10 Where, in any specific case, different sections of this Code specify different materials,
11 methods of construction or other requirements, the most restrictive shall govern. Where
12 there is a conflict between a general requirement and a specific requirement, the specific
13 requirement shall be applicable.

14 In the event any differences in requirements exist between the accessibility requirements
15 of this Code and the accessibility requirements of the California Code of Regulations,
16 Title 24 (also referred to as the California Building Standards Code), then the California
17 Code of Regulations shall govern.

18 **106.1 Plan Check Requirements.** When required by the building official to verify
19 compliance with this Code, relevant laws, ordinances, rules and regulations; plans and,
20 when deemed necessary by the building official, calculations, and other required data shall
21 be submitted for plan review. The building official may require plans and calculations to
22 be prepared by an engineer registered by the State to practice as such. Only after the plans
23 have been approved may the applicant apply for an electrical permit for such work. The
24 building official may also require such plans be reviewed by other departments and/or
25 divisions of the City to verify compliance with the laws and ordinances under their
26 jurisdiction.

27 Separate Electrical Code plan review is required for any of the following:

- 28 1- To verify compliance with State energy requirements when such information is not
shown completely on the building plans;
- 2- Any installation of any equipment rated at 400 amperes or larger;
- 3- Any installation of a subpanel, switchboard or motor control center having a rating of
400 amperes or larger;
- 4- Any installation of a motor rated more than 10 HP;
- 5- Any installation of a transformer, generator, uninterruptable power supply (UPS),
phase converter, capacitor, rectifier or other separately derived system;
- 6- Any installation of a storage batteries;
- 7- Any installation of equipment rated above 600V;
- 8- All motion picture theaters;
- 9- Assembly rooms having an occupant load exceeding 500 occupants;
- 10- All gas stations, repair garages and similar locations classified as Hazardous in
Chapter 5 of this Code;
- 11- Spray booths;
- 12- Installation of lighting fixtures weighing more than 300 pounds;

13- Installation of any illuminated sign.

14- Any installation in a building of Type I-A, Type II-A , Type III-A, Type IV or Type V-A fire-resistive construction where penetrations are required of fire-resistive walls, floors or ceilings.

Plans, calculations, reports or documents for work regulated by this Code, relevant laws, ordinances, rules and regulations shall bear the seal, signature and number of an electrical engineer when required by the California Business and Professions Code. A seal and number shall not be required for work authorized by the said article to be performed by a person not registered or certified as an engineer or architect.

106.3 Information Required on Electrical Plans. Plans shall be drawn to scale upon substantial paper or other material suitable to the building official shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner and all persons who were involved in the design and preparation of the plans.

Where the scope of the proposed work involves the following, unless otherwise approved by the building official, the electrical plans shall indicate the following:

- (1) A complete floor plan showing the location of the proposed service and all proposed subpanels, switchboards, panelboards and/or motor control centers. All required working space dimensions shall also be indicated where required by the building official;
- (2) A complete plan showing the layout, conductor size and insulation type for all proposed electric wiring in all parts of the building or structure;
- (3) A legend of all symbols used and a list of all abbreviations used;
- (4) A complete single line diagram with complete system grounding, water pipe bonding and other metal pipe bonding as required by the building official;
- (5) The location of all proposed outlet boxes for switches, lights, receptacles and similar devices in all parts of the building or structure;
- (6) The location, voltage and wattage or ampere rating for each noninductive piece of equipment;
- (7) The location, voltage and wattage or ampere rating for each transformers, capacitor, ballast, converter, frequency changer and/or similar equipment;
- (8) The location, voltage and horsepower rating for all motors, generators and similar equipment;
- (9) The horsepower rating for all disconnects protecting more than one motor or protecting any piece of HVAC equipment containing more than one motor;
- (10) Panel schedules for all proposed subpanels and similar equipment;
- (11) Lighting fixture schedule;
- (12) Any other information requested by the building official.

Plans for buildings more than two stories in height of other than Group R-3 and Group U Occupancies shall indicate how required fire-resistive integrity will be maintained where

1 a penetration will be made for electrical and communication conduits, pipes and similar
2 systems.

3 When deemed necessary by the building official, the first sheet of each set of plans shall
4 indicate the building Type of Construction as defined in the City Building Code and the
Electrical Code in effect on the date of plan check submittal.

5 **107.1 Electrical Permit Required.** No person shall erect, alter, install, repair, move,
6 improve, remove, connect or convert, or cause the same to be done, any electrical
equipment without first obtaining an electrical permit from the building official.

7 The issuance of a permit without first requiring a plan review shall not prevent the building
8 official from requesting plans deemed necessary to verify that the work performed under
9 said permit complies with this Code and all relevant laws, ordinances, rules and
regulations.

10 **107.2 Work Exempted from Electrical Permit.** An Electrical Permit shall not be
11 required for the following:

- 12 (1) Minor repair work such as the replacement of lamps, switches, receptacle devices
and sockets which were previously permitted and inspected under a valid electrical permit;
- 13 (2) Connection of portable generators, portable motors, appliances, tools, power
outlets and other portable equipment connected by means of a cord or cable having an
14 attachment plug to a permanently installed receptacle which. was previously permitted
and inspected under a valid electrical permit;
- 15 (3) Repair or replacement of overcurrent devices;
- 16 (4) The wiring for temporary theater, motion picture or television stage sets;
- 17 (5) The repair or replacement of ground, slab, floor or roof mounted fixed motors or
appliances of the same type and rating in the same location and which were previously
18 permitted and inspected under a valid electrical permit. Note: Suspended or wall mounted
equipment may be exempted from electrical permit requirements only after
documentation has been submitted to and reviewed by the building official for adequate
19 seismic anchorage. Separate building permit(s) may be required;
- 20 (6) That portion of electrical wiring, devices, appliances, apparatus, or equipment
operating at less than 25 volts and not capable of supplying more than 50 watts of energy;
- 21 (7) That portion of telephone, intercom, sound, alarm, control, communication and/or
signal wiring that is not an integral part of an appliance, and which operates at 30 volts or
22 less. Note: Separate permit may be required from the Fire Department;
- 23 (8) Temporary decorative lighting which is not installed for more than 90 days;
- 24 (9) The installation of temporary wiring for testing or experimental purposes within
suitable facilities specifically approved by the building official for such use.

25 Exemption from the permit requirements of this Code shall not be deemed to grant
26 authorization for any work to be done in any manner in violation of the provisions of other
laws or ordinances.

27 **8-10.02 LOS ANGELES COUNTY CODE, TITLE 27, ELECTRICAL CODE**
28 **ADOPTED**

1 Los Angeles County Electrical Code Article 90, Chapter 1 through 9, and Appendices A,
2 B, C, D, E, F, G, H, I and J, Title 27, The 2017 Los Angeles County Electrical Code, as
3 amended and in effect on or before January 1, 2017, adopting the 2016 California
4 Electrical Code, except as otherwise provided in said Title 27, is hereby adopted by
5 reference pursuant to the provisions of Sections 50022.1 through 50022. 10 of the
6 Government Code of the State of California as though fully set forth herein, and made a
7 part of the Huntington Park Municipal Code with the same force and effect as though set
8 out herein in full, including all of the regulations, revisions, conditions and terms
9 contained therein .

10 Not less than one copy of said Title 27 of the Los Angeles County Electrical Code together
11 with any and all amendments thereto proposed by the City of Huntington Park, has been
12 and is now filed in the office of the Building and Safety Division and shall be remain on
13 file with Building Official, and shall collectively be known as the *City of Huntington Park*
14 *Electrical Code* and may be cited as Title 8 Chapter 10 of the City of Huntington Park
15 Municipal Code.

16 **8-10.03 EFFECT OF ADOPTION**

17 The adoption of this Code and the repeal, addition or amendment of ordinances by this
18 code shall not affect the following matters:

- 19 (A) Actions and proceedings which began the effective date of this code.
- 20 (B) Prosecution for ordinance violations committed before the effective date of
21 this code.
- 22 (C) Licenses and penalties due and unpaid at the effective date of this code, and
23 the collection of these licenses and penalties.
- 24 (D) Bonds and cash deposits required to be posted, filed or deposited pursuant
25 to any ordinance.
- 26 (E) Matters of record which refer to or are connected with ordinances the
27 substances of which are included in this code; these references shall be construed
28 to apply to the corresponding provisions of the code.

29 **8-10.04 PENALTY; VIOLATIONS.**

30 (A) ***General penalty; continuing violations.*** Every act prohibited or declared unlawful
31 and every failure to perform an act required by this code is a misdemeanor or an infraction
32 as set forth in the said respective pertinent sections of this code and any person causing or
33 permitting a violation of any such section of said code shall be subject to the penalties
34 ascribed to each such section as set forth herein. Where silent as to whether a violation is
35 a misdemeanor or infraction, the City Attorney may prosecute such violation as either a
36 misdemeanor or infraction in his/her discretion.

37 (B) ***Violations including aiding, abetting, and concealing.*** Every person who causes,
38 aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

39 (C) ***Enforcement by civil action.*** In addition to the penalties provided herein, the said
40 code may be enforced by civil action. Any condition existing in violation of this code is a
41 public nuisance and may be summarily abated by the city.

**TITLE 8
BUILDING REGULATIONS
CHAPTER 11
MECHANICAL CODE**

8-11.01 MECHANICAL CODE ADMINISTRATION

Except as hereinafter changed or modified, the administration of the Mechanical Code shall be as set forth in 8-1.01 Building Code Administration of this Code.

SECTION 101 – TITLE, PURPOSE, INTENT AND SCOPE

101.1 Title. Title 8 Building Regulations, Chapter 11 of the City of Huntington Park Municipal Code shall be known as the Mechanical Code of the City of Huntington Park, may be cited as such, and will be referred to herein as “these regulations” or “these building standards “or “this Code.”

101.3 – SCOPE. The provisions of this Code shall apply to the erection, alteration, installation, repair, relocation, movement, improvement, removal connection or conversion, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances mechanical equipment and/or appliances or any other mechanical work regulated by this Code within the City. Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

In the event, any differences in requirements exist between the accessibility requirements of this Code and the accessibility requirements of the California Code of Regulations, Title 24 (also referred to as the California Building Standards Code), then the California Code of Regulations shall govern.

106.1 Plan Check Requirements. When required by the building official to verify compliance with this Code, relevant laws, ordinances, rules and regulations; plans and, when deemed necessary by the building official, calculations, and other required data shall be submitted for plan review. The building official may require plans and calculations to be prepared by an engineer registered by the State to practice as such. Only after the plans have been approved may the applicant apply for a mechanical permit for such work. The building official may also require such plans be reviewed by other departments and/or divisions of the City to verify compliance with the laws and ordinances under their jurisdiction.

Separate Mechanical Code plan review is required for any of the following:

- (a) To verify compliance with State energy requirements when such information is not shown completely on the building plans;
- (b) Installations where the aggregate BTU input capacity for either comfort heating or comfort cooling is more than 500,000 BTU;
- (c) Type I or Type II commercial hoods;
- (d) Parking garage exhaust ventilation systems;
- (e) Product conveying duct system;
- (f) Spray booths;

- (g) Stair pressurization systems;
- (h) Installation of fire dampers, smoke dampers and/or combination smoke/fire dampers;
- (i) Air moving systems supplying air in excess of 2000 cfm and where smoke detectors are required in the duct work;
- (j) Any installation in a building of Type I-A, Type II-A, Type III-A, Type IV or Type V-A fire-resistive construction where penetrations are required of fire-resistive walls, floors or ceilings.

Plans, calculations, reports or documents for work regulated by this Code, relevant laws, ordinances, rules and regulations shall bear the seal, signature and number of a mechanical engineer when required by the California Business and Professions Code. A seal and number shall not be required for work authorized by the said article to be performed by a person not registered or certified as an engineer or architect.

106.3 Information Required on Mechanical plans. Plans shall be drawn to scale upon substantial paper or other material suitable to the building official shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner and all persons who were involved in the design and preparation of the plans.

Where the scope of the proposed work involves the following, unless otherwise approved by the building official, the mechanical plans shall indicate the following:

- (a) A complete floor plan showing the location of all proposed mechanical equipment, duct work, vents, etc.;
- (b) A complete plan showing the layout, diameter and material of all proposed piping;
- (c) A legend of all symbols used and a list of all abbreviations used;
- (d) The location of all proposed inlets, outlets, diffusers, etc.;
- (e) The btu/Hr and/or cfm rating of all equipment;
- (f) Any other information requested by the building official.

Plans for buildings more than two stories in height of other than Group R-3 and Group U Occupancies shall indicate how required fire-resistive integrity will be maintained where a penetration will be made for mechanical piping and similar systems.

When deemed necessary by the building official, the first sheet of each set of plans shall indicate the building Type of Construction as defined in the Building Code and the Mechanical Code in effect on the date of plan check submittal.

107.1 Mechanical permit Required. No person shall erect, alter, install, repair, move, improve, remove, connect or convert, or cause the same to be done, any mechanical equipment without first obtaining a mechanical permit from the building official.

The issuance of a permit without first requiring a plan review shall not prevent the building official from requesting plans deemed necessary to verify that the work performed under said permit complies with this Code and all relevant laws, ordinances, rules and regulations.

107.2 Work Exempted from Mechanical permit. A mechanical permit shall not be required for the following:

- 1 (a) Installation of portable appliances or equipment used for heating ventilating, or
2 cooling (refrigeration or evaporative) which does not require either a Building Permit or
3 an Electrical Permit to install;
- 4 (b) Repair or replacement of steam, hot, or chilled water piping, and refrigeration
5 piping which were previously permitted and inspected under a valid mechanical permit;
- 6 (c) Repair or replacement of components to a refrigeration system which were
7 previously permitted and inspected under a valid Mechanical permit.
- 8 (d) Repair or replacement of any component, part or assembly of an appliance which
9 does not alter its original approval and complies with the other applicable requirements of
10 this Code;
- 11 (e) Any unit refrigerating system.
- 12 Exemption from the permit requirements of this Code shall not be deemed to grant
13 authorization for any work to be done in any manner in violation of the provisions of other
14 laws or ordinances.

10 **8-11.02 LOS ANGELES COUNTY CODE, TITLE 29, MECHANICAL** 11 **CODE ADOPTED**

12 Los Angeles County Mechanical Code Chapter 2 through Chapter 17 and Appendices B,
13 C and D, Title 29, the 2017 Los Angeles County Mechanical Code, as amended and in
14 effect on or before January 1, 2017, adopting the 2016 California Mechanical Code, is
15 hereby adopted by reference pursuant to the provisions of Sections 50022.1 through
16 50022.10 of the Government Code of the State of California as though fully set forth
17 herein, and made a part of the Huntington Park Municipal Code with the same force and
18 effect as though set out herein in full, including all of the regulations, revisions, conditions
19 and terms contained therein.

17 Not less than one copy of said Title 29 of the Los Angeles County Mechanical Code
18 together with any and all amendments thereto proposed by the City of Huntington Park,
19 has been and is now filed in the office of the Building and Safety Division and shall be
20 remain on file with Building Official, and shall collectively be known as the *City of
Huntington Park Mechanical Code* and may be cited as Title 8 Chapter 11 of the City of
Huntington Park Municipal Code.

21 **8-11.03 EFFECT OF ADOPTION**

22 The adoption of this code and the repeal, addition or amendment of ordinances by this
23 code shall not affect the following matters:

- 23 (A) Actions and proceedings which began the effective date of this code.
- 24 (B) Prosecution for ordinance violations committed before the effective date of
25 this code.
- 26 (C) Licenses and penalties due and unpaid at the effective date of this code, and
27 the collection of these licenses and penalties.
- 28 (D) Bonds and cash deposits required to be posted, filed or deposited pursuant
to any ordinance.
- (E) Matters of record which refer to or are connected with ordinances the
substances of which are included in this code; these references shall be construed
to apply to the corresponding provisions of the code.

1
2 **8-11.04 PENALTY; VIOLATIONS.**

3 (A) **General penalty; continuing violations.** Every act prohibited or declared unlawful
4 and every failure to perform an act required by this code is a misdemeanor or an infraction
5 as set forth in the said respective pertinent sections of this code and any person causing or
6 permitting a violation of any such section of said code shall be subject to the penalties
ascribed to each such section as set forth herein. Where silent as to whether a violation is
a misdemeanor or infraction, the City Attorney may prosecute such violation as either a
misdemeanor or infraction in his/her discretion.

7 (B) **Violations including aiding, abetting, and concealing.** Every person who causes,
8 aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

9 (C) **Enforcement by civil action.** In addition to the penalties provided herein, the said
10 code may be enforced by civil action. Any condition existing in violation of this code is a
11 public nuisance and may be summarily abated by the city.

12 **SECTION 3: Findings of local conditions.** The Huntington Park City Council hereby
13 finds, determines and declares that those certain amendments to the State Building Code made by
14 the County of Los Angeles are appropriate and necessary to meet local conditions existing in the
15 City of Huntington Park, and this Council hereby further finds, determines and declares that each
such change is required for the protection of the public safety and is reasonably necessary because
of local climatic, geological conditions.

16 **SECTION 4: Continuation of existing law.** Where they are substantially the same as
17 existing law, the provisions of the City of Huntington Park Building Code shall be considered
continuations of existing law and shall not be considered new enactments.

18 **SECTION 5: Maintenance and distribution of code.** Not less than one copy of the
19 City of Huntington Park Building Code, duly certified by the City Clerk, shall be kept on file in
the office of the City Clerk for 15 days for the examination and use by the public. Amendments
20 to this code shall be noted by ordinance number on the appropriate pages of such code of this
code and one complete file of amendatory ordinances, indexed for ready reference, shall be
21 maintained in the office of the City Clerk for use and examination by the public. Distribution or
22 sale of additional copies of this code shall be made as directed by the City Council. In addition,
one copy of said City of Huntington Park Building Code may likewise be maintained by the
23 Community Development Department for examination and use by the public.

24 **SECTION 6: Catchlines of sections.** The catchlines of the several sections of this code
25 printed in boldface type are intended as mere catchwords to indicate the contents of the section
and shall not be deemed or taken to be titles of such sections; nor as any part of the section, nor,
26 unless expressly so provided, shall they be so deemed when any of such sections, including the
catchlines, are amended or reenacted.

27 **SECTION 7:** If any section, subsection, subdivision, paragraph, sentence, clause or
28 phrase in this Chapter, or any part thereof is for any reason, held to be unconstitutional or invalid

1 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
2 effectiveness or the remaining portions of this chapter or any part thereof. The City Council
3 hereby declares that it would have passed each section, subsection, subdivision, paragraph,
4 sentence, clause or phrase thereof irrespective of the fact that any one or more subsections,
5 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, or invalid or
6 ineffective.

7 **SECTION 8: Declaration of Urgency.** This ordinance is hereby declared to be an
8 urgency measure necessary for the immediate protection of the public health, safety and welfare.
9 This Council hereby finds that there is a current and immediate threat to the public health, safety
10 and welfare. Unless the City Council adopts an urgency ordinance effective on January 1, 2017,
11 the 2016 California Codes without amendments necessary to preserve the public peace, health,
12 safety and welfare of the City of Huntington Park will go into effect until such time as the
13 amendment to the code can become legally effective through the standard process of Code
14 adoption. This will result in a gap in the implementation of the more stringent Code regulations
15 necessary for the City of Huntington Park due to its unique climatic, geological and topographical
16 characteristics. The City Council hereby finds that such a gap in the implementation of said more
17 stringent Code regulations will result in an immediate threat to the public health, safety and
18 welfare of the City of Huntington Park. The City Council hereby finds, determines and declares
19 that the immediate preservation of the public peace, health, safety and welfare necessitates the
20 enactment of this ordinance as an urgency ordinance and hereby shall become enforceable on
21 January 1, 2017.

22 **SECTION 9:** This Ordinance shall take effect on January 1st, 2017.

23 **SECTION 10:** The City Clerk shall certify to the passage of this ordinance and shall cause
24 it to be published according to legal requirements.

25 **SECTION 11:** The Building Official shall file this ordinance with the California Building
26 Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833.

27 **PASSED, APPROVED AND ADOPTED** this 6th day of December, 2016.

28 _____
Graciela Ortiz, Mayor

ATTEST:

Donna Schwartz, City Clerk

Findings and Los Angeles County Ordinance adopting and amending the 2016 California Codes and creating the 2017 Los Angeles County Codes, due to volume of the LACO Ordinance, one copy filed with the Office of City Clerk for review and can be viewed at the following links

Building Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108564.pdf>

Residential Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108600.pdf>

Electrical Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108567.pdf>

Plumbing Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108597.pdf>

Mechanical Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108599.pdf>

Existing Building Code <http://file.lacounty.gov/SDSInter/bos/supdocs/108603.pdf>

California Codes can be viewed at <http://www.bsc.ca.gov/codes.aspx>



CITY OF HUNTINGTON PARK

Community Development Department
City Council Agenda Report

December 6, 2016

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

ORDINANCE AMENDING TITLE 4, CHAPTER 7, ARTICLE 19 ENTITLED “MEDICAL MARIJUANA DELIVERY” AND TITLE 3, CHAPTER 1, ARTICLE 24 ENTITLED “MEDICAL MARIJUANA BUSINESSES” OF THE CITY OF HUNTINGTON PARK MUNICIPAL CODE

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Introduce Ordinance No. 2016 - 952 amending Title 4, Chapter 7, Article 19 of the Huntington Park Municipal Code, Relating to Medical Marijuana Deliveries, and Title 3, Chapter 1, Article 24 relating to Medical Marijuana Business Permits of the Huntington Park Municipal Code, approve proposed amendment; and waive first reading; and
2. Schedule the second reading and adoption of said Ordinance for the December 20, 2016 City Council meeting.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On February 16, 2016, the City Council approved a first reading of a proposed Code Amendment (Ordinance No. 2016-945 & 2016-946) to allow for Medical Marijuana Businesses within the Industrial/Manufacturing Planned Development (MPD) Zone as well as establishing standards for such uses.

Subsequently, a second reading of the Ordinance No. 2016-945 & 2016-946 was approved on March 15, 2016 and became effective on April 14, 2016.

Article 19 - Medical Marijuana Delivery

When Article 19 was drafted, the intent was to allow legally established Medical Marijuana Businesses within City limits to provide delivery services. It was not the intent to grant Medical Marijuana Delivery Permits (MMDP) to medical marijuana businesses located outside of the City.

As currently written, one interpretation may lead someone to conclude that medical

ORDINANCE AMENDING TITLE 4, CHAPTER 7, ARTICLE 19 ENTITLED “MEDICAL MARIJUANA DELIVERY” AND TITLE 3, CHAPTER 1, ARTICLE 24 ENTITLED “MEDICAL MARIJUANA BUSINESSES” OF THE CITY OF HUNTINGTON PARK MUNICIPAL CODE

December 6, 2016

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marijuana dispensaries, exclusively located outside of the City, may be eligible for an MMDP. Which is not what the City Council or staff intended. As a result, an amendment to Ordinance No. 2016-946, which established definitions, requirements, and standards for medical marijuana deliveries is required.

Article 24 - Medical Marijuana Business Permits

Article 24 is also proposed to be amended in order to maintain consistency with the proposed changes to the delivery services portion of Article 19 and new State Laws as a result of Proposition 64, the Legalization of Recreational Marijuana. The amendment to Article 24 also includes proposed changes to existing definitions and/or includes new definitions in order to ensure that the section reflects the intent of the City Council and the Medical Marijuana Business Permit.

FISCAL IMPACT/FINANCING

Revenue collected from 3 licensed and regulated medical marijuana businesses that are operating or soon will be operating in the City.

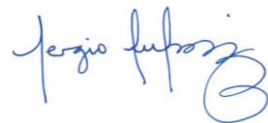
CONCLUSION

Due to the State legalization of Proposition 64 and the recreational legalization of marijuana, the proposed code amendments will clean-up the existing language pertaining to medical marijuana delivery permits. Specifically, it will restrict deliveries to businesses that are approved and operating in the City of Huntington Park. Currently the maximum number of 3 permits have been issued but to this date, none are operating. The amendment would prohibit delivery services from any outside business not conducting a medical marijuana business in Huntington Park.

Respectfully submitted,



EDGAR P. CISNEROS
City Manager



SERGIO INFANZON
Community Development Director

ATTACHMENT(S)

ORDINANCE AMENDING TITLE 4, CHAPTER 7, ARTICLE 19 ENTITLED “MEDICAL MARIJUANA DELIVERY” AND TITLE 3, CHAPTER 1, ARTICLE 24 ENTITLED “MEDICAL MARIJUANA BUSINESSES” OF THE CITY OF HUNTINGTON PARK MUNICIPAL CODE

December 6, 2016

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- A. Red Line Version of Proposed Changes to Title 4, Chapter 7, Article 19 and Title 3, Chapter 1, Article 24 of the City of Huntington Park Municipal Code.
- B. Proposed Ordinance No. 2016-952, Amending Title 4, Chapter 7, Article 19 of the Huntington Park Municipal Code, Relating to Medical Marijuana Deliveries, and Title 3, Chapter 1, Article 24 relating to Medical Marijuana Business Permits of the Huntington Park Municipal Code.

ATTACHMENT A

Ordinance No. XXXX is proposed to be amended and replaced with the following:

Please note language proposed to be removed is identified with a ~~striketrough~~, new language is identified in **bold underline**, and existing language is shown in normal font.

Article 19 – Medical Marijuana Delivery

Sections:

- 4-7.1901 Purpose and Intent.
- 4-7.1902 Definitions.
- 4-7.1903 Medical Marijuana Delivery.
- ~~4-7.1904 Medical Marijuana Delivery Permit Required.~~
- ~~4-7.1905 Permit Application.~~
- ~~4-7.1906 Investigation.~~
- ~~4-7.1907 Review and Issuance of Permit.~~
- ~~4-7.1908 Permit Expiration and Renewal.~~
- ~~4-7.1909 Permit Suspension and Revocation.~~
- ~~4-7.1910 Permit Assignability.~~
- ~~4-7.1911 Regulatory Fee and Seller's Permit.~~
- ~~4-7.1912 Examination of Books, Records, Witnesses.~~
- 4-7.1913 **1904** Liability and Indemnification.
- 4-7.1914 **1905** Violations and Enforcement.

4-7.1901 Purpose and Intent.

The City Council of the City of Huntington Park hereby finds and determines that it is the purpose and intent of this article to regulate medical marijuana delivery services in order to promote the health, safety, morals and general welfare of the residents and businesses within the City.

4-7.1902 Definitions.

For the purposes of this Article, unless otherwise apparent from the context, certain words and phrases used in this Article are defined as follows:

- A. "Applicant" shall mean a person who is required to file an application for a Medical Marijuana Delivery **Business** Permit under this **Title 3, Chapter 1, Article 24 of the Code**, including an individual owner, managing partner, officer of a corporation, or any other operator, manager, employee, or agent of a medical marijuana dispensary.
- B. "Business" means and includes all kinds of vocations, occupations, professions, trades, exhibitions, shows, enterprises, and establishments

and all other kinds of activities and means of livelihood, whether or not carried on for profit or gain.

C. "Distribution" means the procurement, sale, and transport of Medical Cannabis and Medical Cannabis Products to Primary Caregivers and Qualified Patients and between entities licensed pursuant to the MCRSA and Applicable Laws.

~~E.~~**D.** "Marijuana" shall have the same meaning as Health and Safety Code § 11018, as amended from time to time. Marijuana shall also include any marijuana-infused product and any product manufactured from marijuana.

~~D.~~ **E.** "Medical marijuana" means marijuana authorized in strict compliance with Health & Safety Code §§ 11362.5, 11362.7 et seq., as such sections may be amended from time to time. Medical marijuana shall also include any marijuana-infused product and any product manufactured from marijuana.

~~E.~~ **F.** "Medical Marijuana Business Permit" shall mean the permit required to operate a medical marijuana dispensary, **nursery, transportation, distribution,** cultivation and manufacturing facility, or joint medical marijuana dispensary, **nursery** and cultivation and manufacturing facility within the City of Huntington Park pursuant to Title 3, Chapter 1, Article 24, of this Code.

~~F.~~ "Medical Marijuana Delivery Permit," hereinafter "Permit," shall mean the permit required to deliver medical marijuana within the City of Huntington Park.

G. "Medical marijuana dispensary," or "dispensary" shall mean any association, cooperative, affiliation, or collective of persons that offers medical marijuana or medical marijuana products, either individually or in any combination, for retail sale. A dispensary shall not include dispensing by primary caregivers to qualified patients in the following locations, so long as the location of the clinic, health care facility, hospice, or residential care facility is otherwise permitted by the Municipal Code or by applicable state laws

1. A clinic licensed pursuant to Chapter 1 of Division 2 of the state Health and Safety Code;
2. A health care facility licensed pursuant to Chapter Two of Division 2 of the state Health and Safety Code;

3. A residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the state Health and Safety Code;
4. A residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the state Health and Safety Code;
5. A residential hospice or a home health agency licensed pursuant to Chapter 8 of Division 2 of the state Health and Safety Code; provided that any such clinic, health care facility, hospice or residential care facility complies with applicable laws, including, but not limited to, Health and Safety Code § 11362.5.

H. "Transport" shall mean the transfer of Medical Cannabis or Medical Cannabis Products.

~~H.~~ I. "Permittee" shall mean a business that has obtained a Permit under this Article.

~~I.~~ **J.** "Person" shall mean an individual, partnership, co-partnership, firm, association, joint stock company, corporation, limited liability company, or combination of the above in whatever form or character.

~~J.~~ **K.** "Primary Caregiver" shall have the same definition as California Health and Safety Code Section 11362.7, and as may be amended, and which defines "Primary Caregiver" as an individual designated by a qualified patient or by a person with an identification card who has consistently assumed responsibility for the housing, health, or safety of that patient or person, and may include any of the following:

1. In any case in which a qualified patient or person with an identification card receives medical care or supportive services, or both, from a clinic licensed pursuant to Chapter 1 (commencing with Section 1200) of Division 2 of the California Health and Safety Code; a health care facility licensed pursuant to Chapter 2 (commencing with Section 1250) of Division 2 of the California Health and Safety Code; a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 (commencing with Section 1568.01) of Division 2 of the California Health and Safety Code; a residential care facility for the elderly licensed pursuant to Chapter 3.2 (commencing with Section 1569) of Division 2 of the California Health and Safety Code; a hospice, or a home health agency licensed pursuant to Chapter 8 (commencing with Section 1725) of Division 2 of the California Health and Safety Code; the owner or operator, or no more than three employees who are designated by the owner or operator, of the clinic, facility, hospice, or home health agency, if designated as

- a primary caregiver by that qualified patient or person with an identification card.
2. An individual who has been designated as a primary caregiver by more than one qualified patient or person with an identification card, if every qualified patient or person with an identification card who has designated that individual as a primary caregiver resides in the same city or county as the primary caregiver.
 3. An individual who has been designated as a primary caregiver by a qualified patient or person with an identification card who resides in a city or county other than that of the primary caregiver, if the individual has not been designated as a primary caregiver by any other qualified patient or person with an identification card.

~~K.~~ L. "Qualified patient" shall have the same definition as California Health and Safety Code Section 11362.7 et seq., and as may be amended, and which means a person who is entitled to the protections of California Health & Safety Code Section 11362.5. For purposes of this ordinance, qualified patient shall include a person with an identification card, as that term is defined by California Health and Safety Code Section 11362.7 et seq.

4-7.1903 Medical Marijuana Delivery.

- A. Medical marijuana dispensaries, exclusively located ~~outside of~~ within the City, are permitted to deliver medical marijuana and/or medical marijuana-infused products within the City of Huntington Park, only if such medical marijuana dispensaries are granted a ~~City business license and Permit~~ **Medical Marijuana Business Permit pursuant to Title 3, Chapter 1, Article 24, of this Code** as prescribed by this Article.
- ~~B. Those medical marijuana dispensaries with a Medical Marijuana Business Permit pursuant to Title 3, Chapter 1, Article 24 of this Code, may deliver medical marijuana and/or medical marijuana infused product within the City.~~
- ~~C.~~ B. All medical marijuana deliveries not expressly permitted by this Article are hereby prohibited.

~~4-7.1904 Medical Marijuana Delivery Permit Required.~~

- ~~A. It is unlawful for any business described in Section 4-7.1903(A) of this Article to deliver medical marijuana and/or medical marijuana-infused products within the City of Huntington Park unless there exists a valid Permit therefore, granted and existing in compliance with the provisions of this Article.~~

- ~~B. Except as specified in Section 4-7.1903(B) of this Article, possession of other types of State, City, or other local permits or licenses does not exempt an applicant from the requirement of obtaining a Permit under this Article.~~
- ~~C. All businesses described in Section 4-7.1903(A) of this Article shall be required to apply for and obtain a City business license as a prerequisite to obtaining a Permit pursuant to the terms of this Article. Medical marijuana sales shall be subject to sales tax in a manner required by state law.~~

~~4-7.1905 Permit Application.~~

- ~~A. On April 14, 2016, the City shall make available Permit application forms and a related administrative policy. Each business interested in operating pursuant to this Article may submit an application together with a nonrefundable processing fee in an amount established by the City Council within twenty (20) days after April 14, 2016.~~
- ~~B. Applications for Permits shall be in writing on forms prepared and provided by the City and shall be filed with the City. Such applications shall be under oath, in duplicate, and shall contain the following information:~~
- ~~1. A complete identification of the applicant.~~
 - ~~2. The name and residence and business address of the owner, manager, or person to be in charge.~~
 - ~~3. Whether or not the applicant has had a permit for the same or any similar business suspended or revoked anywhere and, if so, the circumstances of such suspension or revocation.~~
 - ~~4. Whether or not the applicant or any member has ever been convicted in any court for any crime.~~
 - ~~5. A criminal background check.~~
 - ~~6. Such other information deemed necessary to conduct any investigation or background check of the applicant, and for the City to determine compliance with this Article, the City's Municipal Code and Zoning Code.~~
- ~~C. All applicants shall demonstrate compliance with State law, during the course of the application procedure described under this Section, prior to issuing a Permit, and upon the issuance of a Permit, thereafter.~~
- ~~D. Any applicant hereunder is seeking the granting of a privilege. Therefore, the burden of proving qualifications to receive such a Permit is at all times on the applicant. By making an application for such a Permit applicant accepts all risks of adverse public notice, publicity, embarrassment, criticism, financial loss, or all other actions and consequences which may~~

~~result from activities with respect to reviewing, processing, approving or disapproving any application. An applicant is expressly permitting the city to make such investigation and inquiry that the city determines appropriate and is further expressly authorizing the city to conduct such verification of criminal history and financial condition as the city elects to pursue. An application shall include an express written waiver of any claims for damages against the city or its agent resulting therefrom and waiving any claims for damages against the city for denying an application, such waivers expressly constitutes a material consideration for the city agreeing to consider and process such application.~~

~~4-7.1906 Investigation.~~

- ~~A. The City Council shall cause investigations to be made to ascertain what effect, if any, the issuance of the Permit will have on the public peace, health, safety, and general welfare of the City and its inhabitants.~~
- ~~B. The Police Chief shall ascertain whether or not the applicant or other persons interested in the Permit have been convicted of a felony or any crime involving theft, embezzlement, or moral turpitude or have had a license or permit for a similar business suspended, canceled, or revoked.~~
- ~~C. Reports. The Police Chief shall make a report to the City Council of his or her findings, together with his or her recommendations, if any.~~
- ~~D. If any of the investigating officers shall find, after the investigation as provided in this section, that the applicant does not comply with applicable laws or such granting of a Permit would result in a violation of any law, he or she shall recommend that the application be denied.~~

~~4-7.1907 Review and Issuance of Permit.~~

- ~~A. The City Council shall review all applications and shall consider the issuance of Permits at the second City Council meeting following the submittal of an application. The issuance of a Permit by the City Council shall be discretionary based on the following review criteria:~~
 - ~~1. That the proposed delivery service is consistent with the intent of state law, the provisions of this Article and the Municipal Code, including the application submittal.~~
 - ~~2. That the proposed delivery service will not result in significant crime issues.~~
 - ~~3. That all required application materials have been provided.~~
 - ~~4. That issuance of the Permit would serve the needs of residents.~~

- ~~5. That the location is not prohibited by the provisions of this Article or any local or State law, statute, rule or regulation and no significant nuisance issues or problems are anticipated or resulted.~~
- ~~6. That no medical marijuana owner, licensee, agent, or employee affiliated with the applicant has violated any provision of this Article.~~
- ~~7. That the proposed delivery service would not adversely affect the health, peace or safety of persons living or working in the City, overly burden a specific neighborhood with special needs or high impact uses, or contribute to a public nuisance.~~
- ~~8. That the applicant has not violated any local or State law, statute, rule or regulation respecting the distribution, possession, or consumption of medical marijuana.~~
- ~~9. That the applicant has not knowingly made a false statement of material fact or has knowingly omitted to state a material fact in the application for a Permit.~~
- ~~10. That the applicant, his or her agent or employees, or any person who is exercising managerial authority on behalf of the applicant has not been convicted of a felony, or of a misdemeanor involving moral turpitude, or has engaged in misconduct related to the qualifications, functions or duties of a permittee. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.~~
- ~~11. That the applicant has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.~~
- ~~12. The capacity, capitalization, and complaint history of the proposed delivery service.~~

~~B. The City Council shall grant, conditionally grant, or deny the application.~~

~~C. The determination of the City Council shall be final.~~

~~4-7.1908 Permit Expiration and Renewal.~~

~~All Permits shall automatically renew annually unless the Permit is revoked or suspended.~~

~~4-7.1909 Permit Suspension and Revocation.~~

~~A. In the event the permittee has violated any provisions, rules or regulations of this Article or has violated or permitted the infraction of any law of the State or the City, the permittee shall be provided notice and given twenty (20) days to cure the violation. The 20 day cure period shall not apply to any business that is required to have a Permit under this Article that is delivering medical marijuana and/or medical marijuana-infused products within the City of Huntington Park without a valid Permit.~~

- ~~B. In the event the permittee fails to cure the violation within 20 days, any Permit issued pursuant to the Article shall be summarily suspended. Notice of the suspension shall be provided by posting on the premises.~~
- ~~C. At its next regular meeting, the City Council shall hear the matter, giving at least twenty (20) days' notice of such hearing to the permittee. The hearing may be continued from time to time at the discretion of the City Council.~~
- ~~D. Upon the conclusion of the hearing, the City Council may continue the suspension, revoke the Permit, or terminate the suspension and reinstate the Permit. If the permittee fails to attend the hearing the Permit shall be terminated. The decision of the City Council shall be final and conclusive.~~

~~4-7.1910 Permit Assignability.~~

~~It shall be unlawful for any permittee to transfer, assign or attempt to assign any Permit issued pursuant to the Article without written approval from the City Council and compliance with any other City requirements and approvals.~~

~~4-7.1911 Regulatory Fee and Seller's Permit.~~

- ~~A. In addition to the Permit application fee, the applicant shall pay an annual Regulatory Fee. The Regulatory Fee shall be set by City Council resolution, as modified from time to time. The Regulatory Fee shall cover staff time for monitoring, regulation, documenting breach, and nullifying Permits. The Regulatory Fee will be cost recovering.~~
- ~~B. The State Board of Equalization has determined that medical marijuana transactions are subject to sales tax, regardless of whether the individual or group makes a profit, and those engaging in transactions involving medical marijuana must obtain a seller's permit from the State Board of Equalization.~~

~~4-7.1912 Examination of Books, Records, Witnesses.~~

- ~~A. The City shall be provided access to any and all financial information at any time, as needed.~~
- ~~B. The City is authorized to examine the books, papers, tax returns and records of any permittee for the purpose of verifying the accuracy of any information provided.~~
- ~~C. The City is authorized to examine a person under oath, for the purpose of verifying the accuracy of any information provided.~~

D. ~~Every permittee is directed and required to furnish to the City the means, facilities and opportunity for making such financial examinations and investigations.~~

E. ~~Any permittee refusal to comply with this Section shall be deemed a violation of this Article.~~

4-7.4913**1904** Liability and Indemnification.

A. To the fullest extent permitted by law, any actions taken by a public officer or employee under the provisions of this Article shall not become a personal liability of any public officer or employee of the City.

B. The permittees under this Article hereby agree to save, defend, indemnify and keep harmless the City and its officials, officers, employees, representatives, agents and volunteers from all actions, claims, demands, litigation, or proceedings, including those for attorneys' fees, against the City in consequence of the granting of this permit, and will in all things strictly comply with the conditions under which this permit is granted, if any.

4-7.4914**1905** Violations and Enforcement.

A. Cure period. In the event the permittee has violated any provisions, rules or regulations of this Article or has violated or permitted the infraction of any law of the State or the City, the permittee shall be provided notice and given twenty (20) days to cure the violation before any penalties begin to accrue. **The 20 day cure period shall not apply to any medical marijuana business operating within the City of Huntington Park without a valid Permit, or any business that is required to have a Permit under Title 3, Chapter 1, Article 24 of this Code, that is delivering medical marijuana and/or medical marijuana-infused products within the City of Huntington Park without a valid Permit and penalties shall begin to accrue immediately.** ~~The 20 day cure period shall not apply to any medical marijuana business operating within the City of Huntington Park without a valid Permit, or any business that is required to have a Permit under Title 3, Chapter 1, Article 24 of the this Code, that is delivering medical marijuana and/or medical marijuana-infused products within the City of Huntington Park without a valid Permit and penalties shall begin to accrue immediately.~~

B. Violations. After the cure period, each and every violation of this Article shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by this Code and the State of California.

- C. Penalties. Any person guilty of a misdemeanor pursuant to the provisions of this Article shall be punishable as set forth in Chapter 2 of Title 1 of this Code.
- D. Public nuisances. In addition to the penalties provided for violations, any condition caused or permitted to exist in violation of any of the provisions of this Article after the cure period shall be deemed a public nuisance and may be summarily abated as such by the City, and each day such violation continues shall be regarded as a new and separate offense.

Article 24 – Medical Marijuana Business Permits

Sections:

- 3-1.2401 Purpose and Intent.
- 3-1.2402 Definitions.
- 3-1.2403 Medical Marijuana Business Permit Required.
- 3-1.2404 Permit Application.
- 3-1.2405 Investigation.
- 3-1.2406 Review and Issuance of Permit.
- 3-1.2407 Permit Expiration and Renewal.
- 3-1.2408 Permit Suspension and Revocation.
- 3-1.2409 Permit Assignability.
- 3-1.2410 Regulatory Fee and Seller's Permit.
- 3-1.2411 Use of Revenue.
- 3-1.2412 Operating Requirements and Standards.
- 3-1.2413 Examination of Books, Records, Witnesses.
- 3-1.2414 Liability and Indemnification.
- 3-1.2415 Prohibited Operations.
- 3-1.2416 Violations and Enforcement.

3-1.2401 Purpose and Intent.

The purpose and intent of this Article is to regulate the locations and operations of medical marijuana businesses in the City of Huntington Park in order to promote the health, safety, and general welfare of residents and businesses within the City. Medical marijuana businesses shall be limited to medical marijuana dispensaries, **nurseries, transportation, distribution,** cultivation and manufacturing facilities, and joint dispensary, **nursery** and cultivation and manufacturing facilities. It is neither the intent nor the effect of this Article to condone or legitimize the use or possession of marijuana except as allowed by California law.

3-1.2402 Definitions.

For the purposes of this Article, unless otherwise apparent from the context, certain words and phrases used in this Article are defined as follows:

- A. "Applicant" shall mean a person who is required to file an application for a permit under this Article, including an individual owner, managing partner, officer of a corporation, or any other operator, manager, employee, or agent of a medical marijuana business.
- B. "Collective" means any association, affiliation, or establishment jointly owned and operated by its members that facilitates the collaborative efforts of qualified patients and primary caregivers.
- C. "Cultivation Area" shall mean the actual area in use for the entire cultivation process of marijuana plants (including seedling production, vegetation, and maturation), as well as reasonable walking space. **For cultivation calculations stacking vertically shall be added to the calculation, such that, for example, two trays used for maturation, each measuring ten square feet and stacked vertically on top of each other shall be counted as 20 square feet of cultivation area (stacking calculation shall not apply for clone/vegetative state areas, regular calculations shall apply). Cultivation Area shall not include a greenhouse.**
- D. **"Distribution" shall mean the procurement, sale, and transport of Medical Cannabis and Medical Cannabis Products to Primary Caregivers and Qualified Patients and between entities licensed pursuant to the MCRSA and Applicable Laws.**
- ~~D.~~ **E.** "Industrial Marijuana Cultivation, Processing, Manufacturing Facility" hereinafter "cultivation and manufacturing facility" shall mean any facility used for cultivating, warehousing, storing, processing and/or manufacturing more than 48 ounces of dried marijuana, and/or cultivating or storing medical marijuana in an area greater than 50 square feet of total area within one parcel of land. Any establishment engaged in, permitted to be engaged in or carrying on any medical marijuana cultivation, processing, or manufacturing or other activity mentioned in this Article shall be deemed a cultivation and manufacturing facility.
- ~~E.~~ **F.** "Marijuana" shall have the same meaning as Health and Safety Code § 11018, as amended from time to time. Marijuana shall also include any marijuana-infused product and any product manufactured from marijuana.

F. G "Marijuana cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.

G. H "Medical marijuana" means marijuana authorized in strict compliance with Health & Safety Code §§ 11362.5, 11362.7 et seq., as such sections may be amended from time to time. Medical marijuana shall also include any marijuana-infused product and any product manufactured from marijuana.

H. I "Medical marijuana business" shall mean a medical marijuana dispensary, nursery, transportation, distribution, cultivation and manufacturing facility, or joint dispensary, nursery and cultivation and manufacturing facility.

I. J "Medical Marijuana Business Permit," hereinafter "Permit," shall mean the permit required to operate a medical marijuana dispensary, nursery, transportation, distribution, cultivation and manufacturing facility, or joint medical marijuana dispensary, nursery and cultivation and manufacturing facility within the City of Huntington Park.

J. K "Medical marijuana dispensary," or "dispensary" shall mean any association, cooperative, affiliation, or collective of persons that offers medical marijuana or medical marijuana products, either individually or in any combination, for retail sale. A dispensary shall not include dispensing by primary caregivers to qualified patients in the following locations, so long as the location of the clinic, health care facility, hospice, or residential care facility is otherwise permitted by the Municipal Code or by applicable state laws

1. A clinic licensed pursuant to Chapter 1 of Division 2 of the state Health and Safety Code;
2. A health care facility licensed pursuant to Chapter Two of Division 2 of the state Health and Safety Code;
3. A residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the state Health and Safety Code;
4. A residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the state Health and Safety Code;
5. A residential hospice or a home health agency licensed pursuant to Chapter 8 of Division 2 of the state Health and Safety Code;

provided that any such clinic, health care facility, hospice or residential care facility complies with applicable laws, including, but not limited to, Health and Safety Code § 11362.5.

~~K.~~ L. "One Parcel of Land" shall mean any single piece of real property as identified by the County Assessor's parcel number (APN) that is used to identify real property, its boundaries, and all the rights contained therein.

~~L.~~ M. "Permittees" shall mean medical marijuana businesses that have obtained a Permit under this Article.

~~M.~~ N. "Person" shall mean an individual, partnership, co-partnership, firm, association, joint stock company, corporation, limited liability company, or combination of the above in whatever form or character.

~~N.~~ O. "Primary Caregiver" shall have the same definition as California Health and Safety Code Section 11362.7, and as may be amended, and which defines "Primary Caregiver" as an individual designated by a qualified patient or by a person with an identification card who has consistently assumed responsibility for the housing, health, or safety of that patient or person, and may include any of the following:

1. In any case in which a qualified patient or person with an identification card receives medical care or supportive services, or both, from a clinic licensed pursuant to Chapter 1 (commencing with Section 1200) of Division 2 of the California Health and Safety Code; a health care facility licensed pursuant to Chapter 2 (commencing with Section 1250) of Division 2 of the California Health and Safety Code; a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 (commencing with Section 1568.01) of Division 2 of the California Health and Safety Code; a residential care facility for the elderly licensed pursuant to Chapter 3.2 (commencing with Section 1569) of Division 2 of the California Health and Safety Code; a hospice, or a home health agency licensed pursuant to Chapter 8 (commencing with Section 1725) of Division 2 of the California Health and Safety Code; the owner or operator, or no more than three employees who are designated by the owner or operator, of the clinic, facility, hospice, or home health agency, if designated as a primary caregiver by that qualified patient or person with an identification card.
2. An individual who has been designated as a primary caregiver by more than one qualified patient or person with an identification card, if every qualified patient or person with an identification card who has designated that individual as a primary caregiver resides in the same city or county as the primary caregiver.
3. An individual who has been designated as a primary caregiver by a qualified patient or person with an identification card who resides in a city or county other than that of the primary caregiver, if the

individual has not been designated as a primary caregiver by any other qualified patient or person with an identification card.

~~Θ.~~ **P.** "Qualified patient" shall have the same definition as California Health and Safety Code Section 11362.7 et seq., and as may be amended, and which means a person who is entitled to the protections of California Health & Safety Code Section 11362.5. For purposes of this ordinance, qualified patient shall include a person with an identification card, as that term is defined by California Health and Safety Code Section 11362.7 et seq.

~~P.~~ **Q.** "Serious medical condition" shall have the same definition as California Health and Safety Code Section 11362.7 et seq., and as may be amended, and which means all of the following medical conditions:

1. Acquired immune deficiency syndrome (AIDS);
2. Anorexia;
3. Arthritis;
4. Cachexia;
5. Cancer;
6. Chronic pain;
7. Glaucoma;
8. Migraine;
9. Persistent muscle spasms, including, but not limited to, spasms associated with multiple sclerosis;
10. Seizures, including, but not limited to, seizures associated with epilepsy;
11. Severe nausea;
12. Any other chronic or persistent medical symptom that either:
 - a. Substantially limits the ability of the person to conduct one or more major life activities as defined in the Americans with Disabilities Act of 1990.
 - b. If not alleviated, may cause serious harm to the patient's safety or physical or mental health.

3-1.2403 Medical Marijuana Business Permit Required.

A. Except for hospitals and research facilities that obtain written permission for marijuana cultivation under federal law, it is unlawful for any person to own, conduct, operate or maintain, or to participate therein, or to cause or to permit to be conducted, operated, or maintained, any medical marijuana business in the City unless there exists a valid Permit therefore, granted and existing in compliance with the provisions of this Article 24. It is unlawful to establish any outdoor cultivation and manufacturing facility within the City. It is unlawful for any entity organized on a for-profit basis,

except for hospitals and research facilities, to engage in any medical marijuana business whatsoever.

- B. Any use or activity that involves possessing, cultivating, processing and/or manufacturing and/or more than 50 square feet of cultivation area in the City shall constitute industrial cultivation of medical marijuana and shall only be allowed upon the granting of a Permit as prescribed in this Article.
- C. Possession of other types of State or City permits or licenses does not exempt an applicant from the requirement of obtaining a Permit under this Article.
- D. An operator of a medical marijuana business shall be required to apply for and obtain a City business license as a prerequisite to obtaining a Permit pursuant to the terms of this Article. Medical marijuana business sales shall be subject to sales tax in a manner required by State law.
- E. The proposed location of a medical marijuana business shall only be in Industrial/Manufacturing Planned Development ("MPD") Zones of the City of Huntington Park; provided, however, that no vested or other right shall inure to the benefit of any permittee.

3-1.2404 Permit Application.

- A. On April 14, 2016, the City shall make available Permit application forms and a related administrative policy. Each medical marijuana business interested in operating pursuant to this Article may submit an application together with a nonrefundable processing fee in an amount established by the City Council within twenty (20) days after April 14, 2016. The City shall not accept applications or process applications after this time. Thereafter, whenever a medical marijuana business permit becomes available staff shall notify City Council, and after receiving direction from City Council, staff shall notify the public and open the application process for twenty (20) days from the public notice. The City shall not accept applications or process applications after this time.
- B. Applicants are prohibited from lobbying members of the City Council regarding the approval of a Permit. Applicants are prohibited from contacting any City Council member regarding a medical marijuana business or a Permit between the date that the applications become available and the date that the City Council acts on an application. Any attempt to contact a City Council member during this period shall disqualify the applicant from consideration for a Permit.
- C. Applications for Permits shall be in writing on forms prepared and provided by the City and shall be filed with the City. Applicants are not required to

have secured a final location for the medical marijuana business at the time of applying. However, final approval of a Permit is subject to having a location selected and approved by the City. Such applications shall be under oath, in duplicate, and shall contain the following information:

1. A complete identification of the applicant.
2. The name and residence and business address of the owner, manager, or person to be in charge.
3. Whether or not the applicant has had a permit for the same or any similar business suspended or revoked anywhere and, if so, the circumstances of such suspension or revocation.
4. Whether or not the applicant or any member has ever been convicted in any court for any crime.
5. A description of the type, nature and extent of the enterprise to be conducted.
6. A detailed operating plan describing how the medical marijuana business is envisioned to operate consistent with the intent of State law and the provisions of this Article, including but not limited to:
 - a. Site Plan. A site plan showing the applicants plans for the medical marijuana business. If a final location has not been selected the site plan should demonstrate the applicants vision for the medical marijuana business.
 - b. Floor Plan. If the Permit is for a dispensary or a joint dispensary and cultivation and manufacturing facility, the dispensary shall have a lobby waiting area at the entrance to the dispensary to receive clients, and a separate and secure designated area for dispensing medical marijuana to qualified patients or designated caregivers. The primary entrance shall be located and maintained clear of barriers, landscaping and similar obstructions so that it is clearly visible from public streets, sidewalks or site driveways.
 - c. Storage. A medical marijuana business shall have suitable locked storage on premises, identified and approved as a part of the security plan, for after-hours storage of medical marijuana.
 - d. Security Plans. A medical marijuana business shall provide adequate security on the premises, in accordance with a security plan approved by the Chief of Police and as reviewed by the City Council, including provisions for adequate lighting and alarms, in order to ensure the safety of persons and to protect the premises from theft. The medical marijuana business shall have twenty-four hour armed security.
 - e. Security Cameras. Security surveillance cameras shall operate twenty-four hours per day and be installed to

monitor the main entrance and exterior of the premises to discourage and to report loitering, crime, illegal or nuisance activities. Security video shall be maintained for a period of not less than 30 days.

- f. Alarm System. Professionally monitored robbery alarm and burglary alarm systems shall be installed and maintained in good working condition within the medical marijuana business at all times.
 - g. Emergency Contact. A medical marijuana business shall provide an emergency contact with the name, cell phone number, and facsimile number of an on-site community relations staff person to whom the City may provide notice of any operating problems associated with the dispensary.
 - h. Controls to verify membership to ensure medical marijuana will be dispensed only to qualified patients and primary caregivers, and
 - i. Controls to acquire, possess, and distribute marijuana to and from members, and plans to ensure marijuana is acquired as part of a closed-circuit of marijuana cultivation and consumption.
- 7. A criminal background check.
 - 8. Such other information deemed necessary to conduct any investigation or background check of the applicant, and for the City to determine compliance with this Article, the City's Municipal Code and Zoning Code.

D. All applicants shall demonstrate compliance with State law, during the course of the permit application procedure described under this Section, prior to issuing a Permit, and upon the issuance of a Permit, thereafter.

E. Any applicant hereunder is seeking the granting of a privilege. Therefore, the burden of proving qualifications to receive such a Permit is at all times on the applicant. By making an application for such a Permit applicant accepts all risks of adverse public notice, publicity, embarrassment, criticism, financial loss, or all other actions and consequences which may result from activities with respect to reviewing, processing, approving or disapproving any application. An applicant is expressly permitting the city to make such investigation and inquiry that the city determines appropriate and is further expressly authorizing the city to conduct such verification of criminal history and financial condition as the city elects to pursue. An application shall include an express written waiver of any claims for damages against the city or its agent resulting therefrom and waiving any claims for damages against the city for denying an application, such waivers expressly constitutes a material consideration for the city agreeing to consider and process such application.

3-1.2405 Investigation.

- A. The City Council shall cause investigations to be made to ascertain what effect, if any, the issuance of the Permit will have on the public peace, health, safety, and general welfare of the City and its inhabitants.
- B. The Police Chief shall ascertain whether or not the applicant or other persons interested in the Permit have been convicted of a felony or any crime involving theft, embezzlement, or moral turpitude or have had a license or permit for a similar business suspended, canceled, or revoked.
- C. Duty of Building Official and Fire Chief. The Fire Chief and the Building Official, within the jurisdiction and duties of their particular departments, shall ascertain whether or not the premises to be used are suitable, proper, adequate, and comply with applicable laws for the issuance of the Permit.
- D. Reports. The Police Chief shall make a report to the City Council of his or her findings, together with his or her recommendations, if any. The Fire Chief and Building Official shall each investigate and report to the City Council as to compliance with building and fire regulations, and floor area regulations. Such investigating officers shall include in their respective reports any information they may have regarding the character and reputation of the applicant, manager, other person to be in charge of the premises, and/or the person owning the business.
- E. If any of the investigating officers shall find, after the investigation as provided in this section, that the premises do not comply with applicable laws or such use of the premises would result in a violation of any law, he or she shall recommend that the application be denied.

3-1.2406 Review and Issuance of Permit.

- A. The City Council shall review all applications and shall consider the issuance of Permits at the first City Council meeting after close of the application submittal period. The issuance of a Permit by the City Council shall be discretionary based on the following review criteria:
 - 1. That the proposed medical marijuana business is consistent with the intent of State law, the provisions of this Article and the Municipal Code, including the application submittal and operating requirements herein.
 - 2. That the proposed medical marijuana business will not result in significant crime issues.
 - 3. That all required application materials have been provided.

4. That the requested Permit would not exceed limitations on number of licenses allowed by this Article.
5. That issuance of a Permit for the size requested is justified to meet the needs of residents.
6. That issuance of the Permit would serve the needs of residents.
7. That the location is not prohibited by the provisions of this Article or any local or State law, statute, rule or regulation and no significant nuisance issues or problems are anticipated or resulted.
8. That the site plan, floor plan, and security plan have incorporated features necessary to assist in reducing potential crime-related problems and as specified in the operating requirements of this Article.
9. That no medical marijuana owner, licensee, agent, or employee affiliated with the applicant has violated any provision of this Article.
10. That all reasonable measures have been incorporated into the plan and consistently taken to successfully control the medical marijuana businesses' patrons' conduct resulting in disturbances, vandalism, uncontrolled crowds, traffic control problems, ingesting medical marijuana in public, or creation of a public or private nuisance, or interference of the operation of another business.
11. That the medical marijuana business would not adversely affect the health, peace or safety of persons living or working in the surrounding area, overly burden a specific neighborhood with special needs or high impact uses, or contribute to a public nuisance.
12. That the applicant has not violated any local or state law, statute, rule or regulation respecting the distribution, possession, or consumption of medical marijuana.
13. That the applicant has not knowingly made a false statement of material fact or has knowingly omitted to state a material fact in the application for a Permit.
14. That the applicant, his or her agent or employees, or any person who is exercising managerial authority on behalf of the applicant has not been convicted of a felony, or of a misdemeanor involving moral turpitude, or has engaged in misconduct related to the qualifications, functions or duties of a permittee. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
15. That the applicant has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.
16. The capacity, capitalization, and complaint history of the proposed medical marijuana business.

B. The City Council shall grant, conditionally grant, or deny the application.

- C. The City Council shall issue no more than three (3) Permits for the operation of medical marijuana businesses in the City. If legalization of recreational marijuana passes at the state level, the number of Permits shall still be limited to the three (3) Permits referred to and stated in this subsection; **if necessary due to state regulations and state permit requirements, the City shall have the authority to divide a permittee's permit into multiple licenses in order to meet all state requirements while keeping the permittees' current operation.** A permittee may choose to open and operate a dispensary, a cultivation and manufacturing facility, or expand from either a dispensary or cultivation and manufacturing facility to both a dispensary and cultivation and manufacturing facility at the same location with City Manager approval.
- D. The determination of the City Council shall be final.

3-1.2407 Permit Expiration and Renewal.

All Permits shall automatically renew annually unless the Permit is revoked or suspended.

3-1.2408 Permit Suspension and Revocation.

- A. In the event the permittee has violated any provisions, rules or regulations in this Article or has violated or permitted the infraction of any law of the State or the City, the permittee shall be provided notice and given twenty (20) days to cure the violation. The 20 day cure period shall not apply to medical marijuana business operating within the City of Huntington Park without a valid Permit.
- B. In the event the permittee fails to cure the violation within 20 days, any Permit issued pursuant to the Article shall be summarily suspended. Notice of the suspension shall be provided by posting on the premises.
- C. At its next regular meeting, the City Council shall hear the matter, giving at least twenty (20) days' notice of such hearing to the permittee. The hearing may be continued from time to time at the discretion of the City Council.
- D. Upon the conclusion of the hearing, the City Council may continue the suspension, revoke the Permit, or terminate the suspension and reinstate the Permit. If the permittee fails to attend the hearing the Permit shall be terminated. The decision of the City Council shall be final and conclusive.

3-1.2409 Permit Assignability.

- A. It shall be unlawful for any permittee to transfer, assign or attempt to assign any Permit issued pursuant to the Article without written approval from the City Council **or the City Manager** and compliance with any other City requirements and approvals; **if legalization of recreational marijuana passes and/or new state laws, requirements or options are available for the permittee to change its identity from a collaborative/non-profit to a corporation, LLC or other business structure, the necessary administrative transfer shall be done administratively by the City Manager.**
- B. It shall be unlawful for any permittee to move to a new location within the permitted zone without written approval from the City Manager and compliance with any other City requirements and approvals.

3-1.2410 Regulatory Fee and Seller's Permit.

- A. In addition to the Permit application fee, the medical marijuana business shall pay an annual Regulatory Fee. The Regulatory Fee shall be set by City Council resolution, as modified from time to time. The Regulatory Fee shall cover staff time for monitoring, regulation, documenting breach, and nullifying Permits. The Regulatory Fee will be cost recovering.
- B. The State Board of Equalization has determined that medical marijuana transactions are subject to sales tax, regardless of whether the individual or group makes a profit, and those engaging in transactions involving medical marijuana must obtain a seller's permit from the State Board of Equalization.

3-1.2411 Use of Revenue.

- A. Fifteen percent (15%) of revenues collected by the City from the medical marijuana business shall be set aside and used by the City to fund an Educational, Youth and/or Senior Programs Fund for the City Council to use at its discretion. City Council approval shall be required prior to use of such funds. The Educational and/or Youth Programs Fund shall be established prior to the first City Council meeting after close the application submittal period.
- B. Fifteen percent (15%) of revenue collected by the City from the medical marijuana business shall be set aside and used by the City to fund a Residents Water Rate Fund account for the City Council's discretionary use to lower and/or prevent water rate increase. City Council approval shall be required prior to use of such funds. The Residents Water Rate Fund account shall be established prior to the first City Council meeting after close the application submittal period.

3-1.2412 Operating Requirements and Standards.

The medical marijuana business shall comply with operating requirements and standards. Noncompliance of such operating requirements and standards shall constitute a breach of the Permit issued hereunder and may render such Permit suspended or revoked. In addition to any other operating requirements and standards established by the City Council, permittees must comply with the following operating requirements and standards:

- A. Operating Agreement. All Permittees under this Article shall enter into an operating agreement with the City and shall comply with all terms within such negotiated and agreed upon operating agreement.
- B. Location. The final location of a medical marijuana business is subject to compliance with the City Municipal Code and must be approved by the City. The location of the medical marijuana business shall not be within 600 feet of a public or private school, park, or religious structure.
- C. Hours of Operation. A medical marijuana business may only operate between the hours of 9:00 am to **10 pm**, Monday through Sunday.
- D. Cash Management System. Cash handling and all cash transactions by employees are prohibited at any medical marijuana business. All medical marijuana transactions shall operate through a cash management system that includes and has a point of sale and seed to sale system, all integrated into one cash management operating system. All transactions must be completed through this system.
- E. Use of Marijuana. No marijuana shall be smoked, ingested or otherwise consumed on the premises of the medical marijuana business.
- F. Minors. It is unlawful for any medical marijuana business permittee, operator, or other person in charge of any medical marijuana business to employ any person who is not at least 18 years of age. Persons under the age of 18 shall not be allowed on the premises of a medical marijuana business. The entrance to a medical marijuana business shall be clearly and legibly posted with a notice indicating that persons under the age of 18 are precluded from entering the premises.
- G. Alcohol. The medical marijuana business shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages.
- H. Operating Plan. A medical marijuana business must operate in accordance with the operating plan, as detailed in Section 3-1.2404, submitted as part of the permittees' Permit application.

- I. Exterior Signage. All exterior signage must comply with the City's existing sign ordinance.
- J. Loitering. Loitering shall not be permitted in front of or at the medical marijuana business.
- K. If the medical marijuana business is a medical marijuana dispensary or a joint medical marijuana dispensary, nursery and cultivation and manufacturing facility, the following operating standards shall apply to the dispensary:
 - 1. Dispensing. A dispensary shall only dispense to qualified patients or primary caregivers with a currently valid physician's approval or recommendation in compliance with the criteria in California Health and Safety Code Section 11362.5 et seq or a state or county issued Medical Marijuana Identification Card. Dispensaries shall require such persons to provide valid official identification, such as a Department of Motor Vehicles driver's license or State Identification Card. Prior to dispensing medical cannabis, the dispensary shall obtain a verification from the recommending physician's office personnel that the individual requesting medical cannabis is or remains a qualified patient pursuant to state Health & Safety Code Section 11362.5.
 - 2. Access. The entrance area of the dispensary building shall be strictly controlled. A viewer or video camera shall be installed in the door that allows maximum angle of view of the exterior entrance.
- L. If the medical marijuana business is a cultivation and manufacturing facility or a joint medical marijuana dispensary and cultivation and manufacturing facility, the following operating standards shall apply to the cultivation and manufacturing facility:
 - 1. Indoor cultivation. A cultivation and manufacturing facility may only cultivate marijuana indoors, no outdoor cultivation shall be permitted.
 - 2. Access. The entrance area of the cultivation and manufacturing facility shall be strictly controlled. A viewer or video camera shall be installed in the door that allows maximum angle of view of the exterior entrance.
- M. If the medical marijuana business is a transporter or distributor it must utilize real-time geo-tracking and must give the city access to the real-time geo-tracking feed.**

3-1.2413 Examination of Books, Records, Witnesses.

- A. The City shall be provided access to any and all financial information at any time, as needed.
- B. The City is authorized to examine the books, papers, tax returns and records of any permittee for the purpose of verifying the accuracy of any information provided.
- C. The Police Department is authorized to review the security video maintained by the medical marijuana business.
- D. The City is authorized to examine a person under oath, for the purpose of verifying the accuracy of any information provide.
- E. Every permittee is directed and required to furnish to the City the means, facilities and opportunity for making such financial examinations and investigations.
- F. Any permittee refusal to comply with this Section shall be deemed a violation of this Article.

3-1.2414 Liability and Indemnification.

- A. To the fullest extent permitted by law, any actions taken by a public officer or employee under the provisions of this Article shall not become a personal liability of any public officer or employee of the City.
- B. The permittees under this Article hereby agree to save, defend, indemnify and keep harmless the City and its officials, officers, employees, representatives, agents and volunteers from all actions, claims, demands, litigation, or proceedings, including those for attorneys' fees, against the City in consequence of the granting of this permit, and will in all things strictly comply with the conditions under which this permit is granted, if any.

3-1.2415 Prohibited Operations.

- A. All medical marijuana businesses that do not have a Permit under this Article are expressly prohibited. All medical marijuana businesses in violation of California Health and Safety Code Section 11326.7 et seq. and 11362.5 and this Article are expressly prohibited. It is unlawful for any medical marijuana business in the City, or any agent, employee or representative of such business, to permit any breach of peace therein or any disturbance of public order or decorum by any tumultuous, riotous or disorderly conduct on the premises of the dispensary.

- B. No use which purports to have delivered, cultivated or distributed marijuana prior to the enactment of this chapter shall be deemed to have been a legally established use under the provisions of the Huntington Park Zoning Code, this Article, or any other local ordinance, rule or regulation, and such use shall not be entitled to claim legal nonconforming status.

3-1.2416 Violations and Enforcement.

- A. Cure period. In the event the permittee has violated any provisions, rules or regulations of this Article or has violated or permitted the infraction of any law of the State or the City, the permittee shall be provided notice and given twenty (20) days to cure the violation before any penalties begin to accrue. The 20 day cure period shall not apply to any medical marijuana business operating within the City of Huntington Park without a valid Permit, **or any business that is required to have a Permit under this Article that is delivering medical marijuana and/or medical marijuana-infused products within the City of Huntington Park without a valid Permit and penalties shall begin to accrue immediately.**
- B. Violations. After the cure period, each and every violation of this Article shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by this Code and the State of California.
- B. Penalties. Any person guilty of a misdemeanor pursuant to the provisions of this Article shall be punishable as set forth in Chapter 2 of Title 1 of this Code.
- C. Public nuisances. In addition to the penalties provided for violations, any condition caused or permitted to exist in violation of any of the provisions of this Article after the cure period shall be deemed a public nuisance and may be summarily abated as such by the City, and each day such violation continues shall be regarded as a new and separate offense.

ATTACHMENT “B”

ORDINANCE NO. 2016-952

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF HUNTINGTON PARK AMENDING ARTICLE 19 OF
CHAPTER 7, OF TITLE 4 OF THE HUNTINGTON PARK
MUNICIPAL CODE, RELATING TO MEDICAL MARIJUANA
DELIVERIES, AND AMENDING CHAPTER 1 OF TITLE 3
OF THE HUNTINGTON PARK MUNICIPAL CODE BY
ADDING ARTICLE 24 RELATING TO MEDICAL
MARIJUANA DISPENSARY AND CULTIVATION PERMITS

WHEREAS, California Constitution Article 11, Section 7 authorizes the City of Huntington Park ("City") to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws;

WHEREAS, in 1996, with the adoption of Proposition 215, the California voters approved the Compassionate Use Act (Health and Safety Code § 11362.5) to grant seriously ill Californians the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician, without fear of criminal prosecution under limited, specified circumstances;

WHEREAS, subsequent State legislation sought to clarify the scope of the Compassionate Use Act and provide additional statutory guidance regarding medical marijuana use, these statutes are codified at Health and Safety Code § 11362.7 et seq. and allow cities and counties to adopt supplemental rules and regulations;

WHEREAS, In 2011, Assembly Bill 1300 was adopted and codified as Health & Safety Code Section 11362.83 to clarify that cities are free to adopt and enforce local ordinances that regulate the location, operation, or establishment of medical marijuana cooperatives or collectives;

WHEREAS, in City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc. (2013) 56 Cal.4th 729, the California Supreme Court held that "[n]othing in the CUA or the MMP expressly or impliedly limits the inherent authority of a local jurisdiction, by its own ordinances, to regulate the use of its land. . . ." Additionally, in Maral v. City of Live Oak (2013) 221 Cal.App.4th 975, the Court of Appeal held that "there is no right – and certainly no constitutional right – to cultivate medical marijuana. . . ." The Court in Maral affirmed the ability of a local governmental entity to regulate the cultivation of marijuana under its land use authority;

WHEREAS, on October 9, 2015 Governor Brown signed 3 bills into law (AB 266, AB 243, and SB 643) which collectively are known as the Medical Marijuana Regulation and Safety Act (hereafter "MMRSA"). The MMRSA set up a State licensing scheme for commercial medical marijuana uses while protecting local control by requiring that all such businesses must have a local license or permit to operate in addition to a State license. The MMRSA allows the City to regulate commercial medical marijuana activities and marijuana cultivation;

1 **WHEREAS**, the City Zoning Code currently allows medical marijuana
2 businesses within the City;

3 **WHEREAS**, it is the desire of the City Council that City residents suffering from
4 life threatening or serious illnesses have access to a safe and affordable supply of
5 medical marijuana;

6 **WHEREAS**, the unregulated presence of marijuana cultivation operations and
7 medical marijuana dispensaries have the potential to lead to: (1) an increase in
8 break-ins and thefts due to the high monetary value of marijuana plants; (2)
9 dangerous alterations to the electrical wiring of buildings; (3) an increase in the
10 amount of mold spores present in buildings; (4) the potential for exposure to or
11 increased usage by school aged children; and (5) the emittance of strong or noxious
12 odors from the marijuana plants;

13 **WHEREAS**, the City has a compelling interest in protecting the public health,
14 welfare and safety of its residents, as well as preserving the peace and quiet of the
15 neighborhoods in the City;

16 **WHEREAS**, it is the desire of the City Council to permit and regulate medical
17 marijuana cultivation, medical marijuana dispensaries, and medical marijuana
18 delivery within the City and has established a permitting process in order to impose
19 regulations that will allow for limited medical marijuana deliveries within the City and
20 a limited number of regulated medical marijuana dispensaries and medical marijuana
21 cultivation facilities to operate within the City while protecting the peace, health,
22 safety and welfare of patients, and the community as a whole;

23 **WHEREAS**, in recent years a number of California cities have adopted
24 ordinances permitting and regulating medical marijuana dispensaries and/or medical
25 marijuana cultivation;

26 **WHEREAS**, an initiative that would permit the use of recreational marijuana
27 within the State was approved by voters on November 8, 2016;

28 **WHEREAS**, marijuana will become recreationally legal within the State the
State of California and will further regulate the use of marijuana;

WHEREAS, the City desires to adopt an amendment to the marijuana business
regulatory scheme within the City in order to ensure that the community is
safeguarded from negative impacts associated with medical marijuana deliveries;

WHEREAS, it is the City Council's intention that nothing in this ordinance shall
be construed to allow persons to engage in conduct that endangers others or causes
a public nuisance, to allow the use of marijuana for non-medical purposes, or to allow
any activity relating to marijuana that is otherwise illegal and not permitted by state
law.

1
2 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE**
3 **CITY OF HUNTINGTON PARK AS FOLLOWS:**

4 **SECTION 1.** Findings and Purpose. The City Council finds and declares that
5 the above recitals are true and correct and hereby incorporate them herein by this
6 reference.

7 **SECTION 2.** Authority. This ordinance is adopted pursuant to the authority
8 granted by the California Constitution and State law, including but not limited to
9 Article XI, Section 7 of the California Constitution, the Compassionate Use Act, the
10 Medical Marijuana Program, and The Medical Marijuana Regulation and Safety Act.

11 **SECTION 3.** Article 19 of Title 4, Chapter 7, of the Huntington Park Municipal
12 Code, entitled "Mobile Marijuana Dispensaries," is hereby amended in its entirety to
13 read as follows:

14 **Article 19 – Medical Marijuana Delivery**

15 **Sections:**

16 **4-7.1901 Purpose and Intent.**

17 **4-7.1902 Definitions.**

18 **4-7.1903 Medical Marijuana Delivery.**

19 **4-7.1904 Liability and Indemnification.**

20 **4-7.1905 Violations and Enforcement.**

21 **4-7.1901 Purpose and Intent.**

22 The City Council of the City of Huntington Park hereby finds and determines
23 that it is the purpose and intent of this article to regulate medical marijuana delivery
24 services in order to promote the health, safety, morals and general welfare of the
25 residents and businesses within the City.

26 **4-7.1902 Definitions.**

27 For the purposes of this Article, unless otherwise apparent from the context,
28 certain words and phrases used in this Article are defined as follows:

A. "Applicant" shall mean a person who is required to file an application for
a Medical Marijuana Business Permit under this Title 3, Chapter 1,
Article 24 of the Code, including an individual owner, managing partner,
officer of a corporation, or any other operator, manager, employee, or
agent of a medical marijuana dispensary.

B. "Business" means and includes all kinds of vocations, occupations,
professions, trades, exhibitions, shows, enterprises, and establishments
and all other kinds of activities and means of livelihood, whether or not
carried on for profit or gain.

- 1
- 2 C. "Delivery" shall mean the transfer of Medical Cannabis or Medical Cannabis Products.
- 3
- 4 D. "Distribution" means the procurement, sale, and delivery of Medical Cannabis and medical Cannabis Products to Primary Caregivers and Qualified Patents and between entities licensed pursuant to the MCRSA and Applicable Laws.
- 5
- 6 E. "Marijuana" shall have the same meaning as Health and Safety Code § 11018, as amended from time to time. Marijuana shall also include any marijuana-infused product and any product manufactured from marijuana.
- 7
- 8
- 9 F. "Medical marijuana" means marijuana authorized in strict compliance with Health & Safety Code §§ 11362.5, 11362.7 et seq., as such sections may be amended from time to time. Medical marijuana shall also include any marijuana-infused product and any product manufactured from marijuana.
- 10
- 11
- 12 G. "Medical Marijuana Business Permit" shall mean the permit required to operate a medical marijuana dispensary, nursery, delivery, distribution, cultivation and manufacturing facility, or joint medical marijuana dispensary, nursery and cultivation and manufacturing facility within the City of Huntington Park pursuant to Title 3, Chapter 1, Article 24, of this Code.
- 13
- 14
- 15
- 16
- 17 H. "Medical marijuana dispensary," or "dispensary" shall mean any association, cooperative, affiliation, or collective of persons that offers medical marijuana or medical marijuana products, either individually or in any combination, for retail sale. A dispensary shall not include dispensing by primary caregivers to qualified patients in the following locations, so long as the location of the clinic, health care facility, hospice, or residential care facility is otherwise permitted by the Municipal Code or by applicable state laws
- 18
- 19
- 20
- 21
- 22 1. A clinic licensed pursuant to Chapter 1 of Division 2 of the state Health and Safety Code;
- 23 2. A health care facility licensed pursuant to Chapter Two of Division 2 of the state Health and Safety Code;
- 24 3. A residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the state Health and Safety Code;
- 25 4. A residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the state Health and Safety Code;
- 26 5. A residential hospice or a home health agency licensed pursuant to Chapter 8 of Division 2 of the state Health and Safety Code;
- 27
- 28

provided that any such clinic, health care facility, hospice or residential care facility complies with applicable laws, including, but not limited to, Health and Safety Code § 11362.5.

I. "Permittee" shall mean a business that has obtained a Permit under this Article.

J. "Person" shall mean an individual, partnership, co-partnership, firm, association, joint stock company, corporation, limited liability company, or combination of the above in whatever form or character.

K. "Primary Caregiver" shall have the same definition as California Health and Safety Code Section 11362.7, and as may be amended, and which defines "Primary Caregiver" as an individual designated by a qualified patient or by a person with an identification card who has consistently assumed responsibility for the housing, health, or safety of that patient or person, and may include any of the following:

1. In any case in which a qualified patient or person with an identification card receives medical care or supportive services, or both, from a clinic licensed pursuant to Chapter 1 (commencing with Section 1200) of Division 2 of the California Health and Safety Code; a health care facility licensed pursuant to Chapter 2 (commencing with Section 1250) of Division 2 of the California Health and Safety Code; a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 (commencing with Section 1568.01) of Division 2 of the California Health and Safety Code; a residential care facility for the elderly licensed pursuant to Chapter 3.2 (commencing with Section 1569) of Division 2 of the California Health and Safety Code; a hospice, or a home health agency licensed pursuant to Chapter 8 (commencing with Section 1725) of Division 2 of the California Health and Safety Code; the owner or operator, or no more than three employees who are designated by the owner or operator, of the clinic, facility, hospice, or home health agency, if designated as a primary caregiver by that qualified patient or person with an identification card.
2. An individual who has been designated as a primary caregiver by more than one qualified patient or person with an identification card, if every qualified patient or person with an identification card who has designated that individual as a primary caregiver resides in the same city or county as the primary caregiver.
3. An individual who has been designated as a primary caregiver by a qualified patient or person with an identification card who resides in a city or county other than that of the primary caregiver, if the individual has not been designated as a primary caregiver by any other qualified patient or person with an identification card.

L. "Qualified patient" shall have the same definition as California Health and Safety Code Section 11362.7 et seq., and as may be amended, and which means a person who is entitled to the protections of California

1 Health & Safety Code Section 11362.5. For purposes of this ordinance,
2 qualified patient shall include a person with an identification card, as that
3 term is defined by California Health and Safety Code Section 11362.7 et
4 seq.

4-7.1903 Medical Marijuana Delivery.

- 5 A. Medical marijuana dispensaries, exclusively located within the City, are
6 permitted to deliver medical marijuana and/or medical marijuana-infused
7 products within the City of Huntington Park, only if such medical
8 marijuana dispensaries are granted a Medical Marijuana Business
9 Permit pursuant to Title 3, Chapter 1, Article 24, as prescribed by this
10 Article.
- 11 B. All medical marijuana deliveries not expressly permitted by this Article
12 are hereby prohibited.

4-7.1904 Liability and Indemnification.

- 12 A. To the fullest extent permitted by law, any actions taken by a public
13 officer or employee under the provisions of this Article shall not become
14 a personal liability of any public officer or employee of the City.
- 15 B. The permittees under this Article hereby agree to save, defend,
16 indemnify and keep harmless the City and its officials, officers,
17 employees, representatives, agents and volunteers from all actions,
18 claims, demands, litigation, or proceedings, including those for
19 attorneys' fees, against the City in consequence of the granting of this
20 permit, and will in all things strictly comply with the conditions under
21 which this permit is granted, if any.

4-7.1905 Violations and Enforcement.

- 20 A. Cure period. In the event the permittee has violated any provisions, rules
21 or regulations of this Article or has violated or permitted the infraction of
22 any law of the State or the City, the permittee shall be provided notice
23 and given twenty (20) days to cure the violation before any penalties
24 begin to accrue. The 20 day cure period shall not apply to any business
25 that is required to have a Permit under this Article that is delivering
26 medical marijuana and/or medical marijuana-infused products within the
27 City of Huntington Park without a valid Permit and penalties shall begin
28 to accrue immediately.
- 29 B. Violations. After the cure period, each and every violation of this Article
shall constitute a separate violation and shall be subject to all remedies
and enforcement measures authorized by this Code and the State of
California.

1 C. Penalties. Any person guilty of a misdemeanor pursuant to the
2 provisions of this Article shall be punishable as set forth in Chapter 2 of
3 Title 1 of this Code.

4 D. Public nuisances. In addition to the penalties provided for violations, any
5 condition caused or permitted to exist in violation of any of the provisions
6 of this Article after the cure period shall be deemed a public nuisance
7 and may be summarily abated as such by the City, and each day such
8 violation continues shall be regarded as a new and separate offense.

9 **SECTION 4.** Chapter 1 of Title 3 of the Huntington Park Municipal Code is
10 hereby amended by adding a new article, Article 24 entitled "Medical Marijuana
11 Business Permits," which reads as follows:

12 **Sections:**

13 **3-1.2401 Purpose and Intent.**

14 **3-1.2402 Definitions.**

15 **3-1.2403 Medical Marijuana Business Permit Required.**

16 **3-1.2404 Permit Application.**

17 **3-1.2405 Investigation.**

18 **3-1.2406 Review and Issuance of Permit.**

19 **3-1.2407 Permit Expiration and Renewal.**

20 **3-1.2408 Permit Suspension and Revocation.**

21 **3-1.2409 Permit Assignability.**

22 **3-1.2410 Regulatory Fee and Seller's Permit.**

23 **3-1.2411 Use of Revenue.**

24 **3-1.2412 Operating Requirements and Standards.**

25 **3-1.2413 Examination of Books, Records, Witnesses.**

26 **3-1.2414 Liability and Indemnification.**

27 **3-1.2415 Prohibited Operations.**

28 **3-1.2416 Violations and Enforcement.**

3-1.2401 Purpose and Intent.

The purpose and intent of this Article is to regulate the locations and operations of medical marijuana businesses in the City of Huntington Park in order to promote the health, safety, and general welfare of residents and businesses within the City. Medical marijuana businesses shall be limited to medical marijuana dispensaries, nurseries, transpiration, distribution, cultivation and manufacturing facilities, and joint dispensary, nursery and cultivation and manufacturing facilities. It is neither the intent nor the effect of this Article to condone or legitimize the use or possession of marijuana except as allowed by California law.

3-1.2402 Definitions.

For the purposes of this Article, unless otherwise apparent from the context, certain words and phrases used in this Article are defined as follows:

- 1
- 2 A. "Applicant" shall mean a person who is required to file an application for
- 3 a permit under this Article, including an individual owner, managing
- 4 partner, officer of a corporation, or any other operator, manager,
- 5 employee, or agent of a medical marijuana business.
- 6
- 7 B. "Collective" means any association, affiliation, or establishment jointly
- 8 owned and operated by its members that facilitates the collaborative
- 9 efforts of qualified patients and primary caregivers.
- 10
- 11 C. "Cultivation Area" shall mean the actual area in use for the entire
- 12 cultivation process of marijuana plants (including seedling production,
- 13 vegetation, and maturation), as well as reasonable walking space, such
- 14 that, for example, two trays used for maturation, each measuring ten
- 15 square feet and stacked vertically on top of each other shall be counted
- 16 as 20 square feet of cultivation area. Cultivation Area shall not include a
- 17 greenhouse used by a Permittee.
- 18
- 19 D. "Delivery" shall mean the transfer of Medical Cannabis or Medical
- 20 Cannabis Products.
- 21
- 22 E. "Distribution" shall the procurement, sale, and delivery of Medical
- 23 Cannabis and Medical Cannabis Products to Primary Caregivers and
- 24 Qualified Patients and between entities licensed pursuant to the MCRSA
- 25 and Applicable Laws.
- 26
- 27 F. "Industrial Marijuana Cultivation, Processing, Manufacturing Facility"
- 28 hereinafter "cultivation and manufacturing facility" shall mean any facility
- used for cultivating, warehousing, storing, processing and/or
- manufacturing more than 48 ounces of dried marijuana, and/or
- cultivating or storing medical marijuana in an area greater than 50
- square feet of total area within one parcel of land. Any establishment
- engaged in, permitted to be engaged in or carrying on any medical
- marijuana cultivation, processing, or manufacturing or other activity
- mentioned in this Article shall be deemed a cultivation and
- manufacturing facility.
- 22 G. Marijuana" shall have the same meaning as Health and Safety Code §
- 23 11018, as amended from time to time. Marijuana shall also include any
- 24 marijuana-infused product and any product manufactured from
- 25 marijuana.
- 26
- 27 H. "Marijuana cultivation" means any activity involving the planting, growing,
- 28 harvesting, drying, curing, grading, or trimming of marijuana.
- I. "Medical marijuana" means marijuana authorized in strict compliance
- with Health & Safety Code §§ 11362.5, 11362.7 et seq., as such
- sections may be amended from time to time. Medical marijuana shall

also include any marijuana-infused product and any product manufactured from marijuana.

J. "Medical marijuana business" shall mean a medical marijuana dispensary, nursery, delivery, distribution, cultivation and manufacturing facility, or joint dispensary, nursery and cultivation and manufacturing facility.

K. "Medical Marijuana Business Permit," hereinafter "Permit," shall mean the permit required to operate a medical marijuana dispensary, nursery, delivery, distribution, cultivation and manufacturing facility, or joint medical marijuana dispensary, nursery and cultivation and manufacturing facility within the City of Huntington Park.

L. "Medical marijuana dispensary," or "dispensary" shall mean any association, cooperative, affiliation, or collective of persons that offers medical marijuana or medical marijuana products, either individually or in any combination, for retail sale. A dispensary shall not include dispensing by primary caregivers to qualified patients in the following locations, so long as the location of the clinic, health care facility, hospice, or residential care facility is otherwise permitted by the Municipal Code or by applicable state laws

1. A clinic licensed pursuant to Chapter 1 of Division 2 of the state Health and Safety Code;
2. A health care facility licensed pursuant to Chapter Two of Division 2 of the state Health and Safety Code;
3. A residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the state Health and Safety Code;
4. A residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the state Health and Safety Code;
5. A residential hospice or a home health agency licensed pursuant to Chapter 8 of Division 2 of the state Health and Safety Code;

provided that any such clinic, health care facility, hospice or residential care facility complies with applicable laws, including, but not limited to, Health and Safety Code § 11362.5.

M. "One Parcel of Land" shall mean any single piece of real property as identified by the County Assessor's parcel number (APN) that is used to identify real property, its boundaries, and all the rights contained therein.

N. "Permittees" shall mean medical marijuana businesses that have obtained a Permit under this Article.

O. "Person" shall mean an individual, partnership, co-partnership, firm, association, joint stock company, corporation, limited liability company, or combination of the above in whatever form or character.

1
2 P. "Primary Caregiver" shall have the same definition as California Health
3 and Safety Code Section 11362.7, and as may be amended, and which
4 defines "Primary Caregiver" as an individual designated by a qualified
5 patient or by a person with an identification card who has consistently
6 assumed responsibility for the housing, health, or safety of that patient
7 or person, and may include any of the following:

- 8 1. In any case in which a qualified patient or person with an identification
9 card receives medical care or supportive services, or both, from a clinic
10 licensed pursuant to Chapter 1 (commencing with Section 1200) of
11 Division 2 of the California Health and Safety Code; a health care facility
12 licensed pursuant to Chapter 2 (commencing with Section 1250) of
13 Division 2 of the California Health and Safety Code; a residential care
14 facility for persons with chronic life-threatening illness licensed pursuant
15 to Chapter 3.01 (commencing with Section 1568.01) of Division 2 of the
16 California Health and Safety Code; a residential care facility for the
17 elderly licensed pursuant to Chapter 3.2 (commencing with Section
18 1569) of Division 2 of the California Health and Safety Code; a hospice,
19 or a home health agency licensed pursuant to Chapter 8 (commencing
20 with Section 1725) of Division 2 of the California Health and Safety
21 Code; the owner or operator, or no more than three employees who are
22 designated by the owner or operator, of the clinic, facility, hospice, or
23 home health agency, if designated as a primary caregiver by that
24 qualified patient or person with an identification card.
- 25 2. An individual who has been designated as a primary caregiver by more
26 than one qualified patient or person with an identification card, if every
27 qualified patient or person with an identification card who has
28 designated that individual as a primary caregiver resides in the same city
or county as the primary caregiver.
3. An individual who has been designated as a primary caregiver by a
qualified patient or person with an identification card who resides in a
city or county other than that of the primary caregiver, if the individual
has not been designated as a primary caregiver by any other qualified
patient or person with an identification card.

22 Q. "Qualified patient" shall have the same definition as California Health
23 and Safety Code Section 11362.7 et seq., and as may be amended, and
24 which means a person who is entitled to the protections of California
25 Health & Safety Code Section 11362.5. For purposes of this ordinance,
26 qualified patient shall include a person with an identification card, as that
27 term is defined by California Health and Safety Code Section 11362.7 et
28 seq.

R. "Serious medical condition" shall have the same definition as California
Health and Safety Code Section 11362.7 et seq., and as may be
amended, and which means all of the following medical conditions:

1. Acquired immune deficiency syndrome (AIDS);

2. Anorexia;
3. Arthritis;
4. Cachexia;
5. Cancer;
6. Chronic pain;
7. Glaucoma;
8. Migraine;
9. Persistent muscle spasms, including, but not limited to, spasms associated with multiple sclerosis;
10. Seizures, including, but not limited to, seizures associated with epilepsy;
11. Severe nausea;
12. Any other chronic or persistent medical symptom that either:
 - a. Substantially limits the ability of the person to conduct one or more major life activities as defined in the Americans with Disabilities Act of 1990.
 - b. If not alleviated, may cause serious harm to the patient's safety or physical or mental health.

3-1.2403 Medical Marijuana Business Permit Required.

- A. Except for hospitals and research facilities that obtain written permission for marijuana cultivation under federal law, it is unlawful for any person to own, conduct, operate or maintain, or to participate therein, or to cause or to permit to be conducted, operated, or maintained, any medical marijuana business in the City unless there exists a valid Permit therefore, granted and existing in compliance with the provisions of this Article 24. It is unlawful to establish any outdoor cultivation and manufacturing facility within the City. It is unlawful for any entity organized on a for-profit basis, except for hospitals and research facilities, to engage in any medical marijuana business whatsoever.
- B. Any use or activity that involves possessing, cultivating, processing and/or manufacturing and/or more than 50 square feet of cultivation area in the City shall constitute industrial cultivation of medical marijuana and shall only be allowed upon the granting of a Permit as prescribed in this Article.
- C. Possession of other types of State or City permits or licenses does not exempt an applicant from the requirement of obtaining a Permit under this Article.
- D. An operator of a medical marijuana business shall be required to apply for and obtain a City business license as a prerequisite to obtaining a Permit pursuant to the terms of this Article. Medical marijuana business sales shall be subject to sales tax in a manner required by State law.
- E. The proposed location of a medical marijuana business shall only be in Industrial/Manufacturing Planned Development ("MPD") Zones of the

City of Huntington Park; provided, however, that no vested or other right shall inure to the benefit of any permittee.

3-1.2404 Permit Application.

- A. On April 14, 2016, the City shall make available Permit application forms and a related administrative policy. Each medical marijuana business interested in operating pursuant to this Article may submit an application together with a nonrefundable processing fee in an amount established by the City Council within twenty (20) days after April 14, 2016. The City shall not accept applications or process applications after this time. Thereafter, whenever a medical marijuana business permit becomes available staff shall notify City Council, and after receiving direction from City Council, staff shall notify the public and open the application process for twenty (20) days from the public notice. The City shall not accept applications or process applications after this time.
- B. Applicants are prohibited from lobbying members of the City Council regarding the approval of a Permit. Applicants are prohibited from contacting any City Council member regarding a medical marijuana business or a Permit between the date that the applications become available and the date that the City Council acts on an application. Any attempt to contact a City Council member during this period shall disqualify the applicant from consideration for a Permit.
- C. Applications for Permits shall be in writing on forms prepared and provided by the City and shall be filed with the City. Applicants are not required to have secured a final location for the medical marijuana business at the time of applying. However, final approval of a Permit is subject to having a location selected and approved by the City. Such applications shall be under oath, in duplicate, and shall contain the following information:
1. A complete identification of the applicant.
 2. The name and residence and business address of the owner, manager, or person to be in charge.
 3. Whether or not the applicant has had a permit for the same or any similar business suspended or revoked anywhere and, if so, the circumstances of such suspension or revocation.
 4. Whether or not the applicant or any member has ever been convicted in any court for any crime.
 5. A description of the type, nature and extent of the enterprise to be conducted.
 6. A detailed operating plan describing how the medical marijuana business is envisioned to operate consistent with the intent of State law and the provisions of this Article, including but not limited to:
 - a. Site Plan. A site plan showing the applicants plans for the medical

- 1 marijuana business. If a final location has not been selected the site plan
2 should demonstrate the applicants vision for the medical marijuana business.
- 3 b. Floor Plan. If the Permit is for a dispensary or a joint dispensary and
4 cultivation and manufacturing facility, the dispensary shall have a lobby
5 waiting area at the entrance to the dispensary to receive clients, and a
6 separate and secure designated area for dispensing medical marijuana
7 to qualified patients or designated caregivers. The primary entrance
8 shall be located and maintained clear of barriers, landscaping and
9 similar obstructions so that it is clearly visible from public streets,
10 sidewalks or site driveways.
- 11 c. Storage. A medical marijuana business shall have suitable locked
12 storage on premises, identified and approved as a part of the security
13 plan, for after-hours storage of medical marijuana.
- 14 d. Security Plans. A medical marijuana business shall provide adequate
15 security on the premises, in accordance with a security plan approved
16 by the Chief of Police and as reviewed by the City Council, including
17 provisions for adequate lighting and alarms, in order to ensure the safety
18 of persons and to protect the premises from theft. The medical
19 marijuana business shall have twenty-four hour armed security.
- 20 e. Security Cameras. Security surveillance cameras shall operate twenty-
21 four hours per day and be installed to monitor the main entrance and
22 exterior of the premises to discourage and to report loitering, crime,
23 illegal or nuisance activities. Security video shall be maintained for a
24 period of not less than 30 days.
- 25 f. Alarm System. Professionally monitored robbery alarm and burglary
26 alarm systems shall be installed and maintained in good working
27 condition within the medical marijuana business at all times.
- 28 g. Emergency Contact. A medical marijuana business shall provide an
emergency contact with the name, cell phone number, and facsimile
number of an on-site community relations staff person to whom the City
may provide notice of any operating problems associated with the
dispensary.
- h. Controls to verify membership to ensure medical marijuana will be
dispensed only to qualified patients and primary caregivers, and
- i. Controls to acquire, possess, and distribute marijuana to and from
members, and plans to ensure marijuana is acquired as part of a closed-
circuit of marijuana cultivation and consumption.
7. A criminal background check.
8. Such other information deemed necessary to conduct any investigation
or background check of the applicant, and for the City to determine
compliance with this Article, the City's Municipal Code and Zoning Code.
- D. All applicants shall demonstrate compliance with State law, during the
course of the permit application procedure described under this Section,
prior to issuing a Permit, and upon the issuance of a Permit, thereafter.
- E. Any applicant hereunder is seeking the granting of a privilege.
Therefore, the burden of proving qualifications to receive such a Permit
is at all times on the applicant. By making an application for such a

1 Permit applicant accepts all risks of adverse public notice, publicity,
2 embarrassment, criticism, financial loss, or all other actions and
3 consequences which may result from activities with respect to reviewing,
4 processing, approving or disapproving any application. An applicant is
5 expressly permitting the city to make such investigation and inquiry that
6 the city determines appropriate and is further expressly authorizing the
7 city to conduct such verification of criminal history and financial condition
8 as the city elects to pursue. An application shall include an express
written waiver of any claims for damages against the city or its agent
resulting therefrom and waiving any claims for damages against the city
for denying an application, such waivers expressly constitutes a material
consideration for the city agreeing to consider and process such
application.

9 **3-1.2405 Investigation.**

- 10 A. The City Council shall cause investigations to be made to ascertain what
11 effect, if any, the issuance of the Permit will have on the public peace,
12 health, safety, and general welfare of the City and its inhabitants.
- 13 B. The Police Chief shall ascertain whether or not the applicant or other
14 persons interested in the Permit have been convicted of a felony or any
15 crime involving theft, embezzlement, or moral turpitude or have had a
license or permit for a similar business suspended, canceled, or
revoked.
- 16 C. Duty of Building Official and Fire Chief. The Fire Chief and the Building
17 Official, within the jurisdiction and duties of their particular departments,
18 shall ascertain whether or not the premises to be used are suitable,
proper, adequate, and comply with applicable laws for the issuance of
the Permit.
- 19 D. Reports. The Police Chief shall make a report to the City Council of his
20 or her findings, together with his or her recommendations, if any. The
21 Fire Chief and Building Official shall each investigate and report to the
22 City Council as to compliance with building and fire regulations, and floor
23 area regulations. Such investigating officers shall include in their
24 respective reports any information they may have regarding the
25 character and reputation of the applicant, manager, other person to be
26 in charge of the premises, and/or the person owning the business.
- 27 E. If any of the investigating officers shall find, after the investigation as
28 provided in this section, that the premises do not comply with applicable
laws or such use of the premises would result in a violation of any law,
he or she shall recommend that the application be denied.

3-1.2406 Review and Issuance of Permit.

- 1 A. The City Council shall review all applications and shall consider the
2 issuance of Permits at the first City Council meeting after close of the
3 application submittal period. The issuance of a Permit by the City
4 Council shall be discretionary based on the following review criteria:
- 5 1. That the proposed medical marijuana business is consistent with the
6 intent of State law, the provisions of this Article and the Municipal Code,
7 including the application submittal and operating requirements herein.
 - 8 2. That the proposed medical marijuana business will not result in
9 significant crime issues.
 - 10 3. That all required application materials have been provided.
 - 11 4. That the requested Permit would not exceed limitations on number of
12 licenses allowed by this Article.
 - 13 5. That issuance of a Permit for the size requested is justified to meet the
14 needs of residents.
 - 15 6. That issuance of the Permit would serve the needs of residents.
 - 16 7. That the location is not prohibited by the provisions of this Article or any
17 local or State law, statute, rule or regulation and no significant nuisance
18 issues or problems are anticipated or resulted.
 - 19 8. That the site plan, floor plan, and security plan have incorporated
20 features necessary to assist in reducing potential crime-related problems
21 and as specified in the operating requirements of this Article.
 - 22 9. That no medical marijuana owner, licensee, agent, or employee
23 affiliated with the applicant has violated any provision of this Article.
 - 24 10. That all reasonable measures have been incorporated into the plan and
25 consistently taken to successfully control the medical marijuana
26 businesses' patrons' conduct resulting in disturbances, vandalism,
27 uncontrolled crowds, traffic control problems, ingesting medical
28 marijuana in public, or creation of a public or private nuisance, or
interference of the operation of another business.
 11. That the medical marijuana business would not adversely affect the
health, peace or safety of persons living or working in the surrounding
area, overly burden a specific neighborhood with special needs or high
impact uses, or contribute to a public nuisance.
 12. That the applicant has not violated any local or state law, statute, rule or
regulation respecting the distribution, possession, or consumption of
medical marijuana.
 13. That the applicant has not knowingly made a false statement of material
fact or has knowingly omitted to state a material fact in the application
for a Permit.
 14. That the applicant, his or her agent or employees, or any person who is
exercising managerial authority on behalf of the applicant has not been
convicted of a felony, or of a misdemeanor involving moral turpitude, or
has engaged in misconduct related to the qualifications, functions or
duties of a permittee. A conviction within the meaning of this section
means a plea or verdict of guilty or a conviction following a plea of nolo
contendere.
 15. That the applicant has not engaged in unlawful, fraudulent, unfair, or
deceptive business acts or practices.

1 16. The capacity, capitalization, and complaint history of the proposed
2 medical marijuana business.

3 B. The City Council shall grant, conditionally grant, or deny the application.

4 C. The City Council shall issue no more than three (3) Permits for the
5 operation of medical marijuana businesses in the City. If legalization of
6 recreational marijuana passes at the state level, the number of Permits
7 shall still be limited to the three (3) Permits referred to and stated in this
8 subsection. A permittee may choose to open and operate a dispensary,
9 a cultivation and manufacturing facility, or expand from either a
10 dispensary or cultivation and manufacturing facility to both a dispensary
11 and cultivation and manufacturing facility at the same location with City
12 Manager approval.

13 D. The determination of the City Council shall be final.

14 **3-1.2407 Permit Expiration and Renewal.**

15 All Permits shall automatically renew annually unless the Permit is revoked or
16 suspended.

17 **3-1.2408 Permit Suspension and Revocation.**

18 A. In the event the permittee has violated any provisions, rules or
19 regulations in this Article or has violated or permitted the infraction of
20 any law of the State or the City, the permittee shall be provided notice
21 and given twenty (20) days to cure the violation. The 20 day cure period
22 shall not apply to medical marijuana business operating within the City
23 of Huntington Park without a valid Permit.

24 B. In the event the permittee fails to cure the violation within 20 days, any
25 Permit issued pursuant to the Article shall be summarily suspended.
26 Notice of the suspension shall be provided by posting on the premises.

27 C. At its next regular meeting, the City Council shall hear the matter, giving
28 at least twenty (20) days' notice of such hearing to the permittee. The
hearing may be continued from time to time at the discretion of the City
Council.

D. Upon the conclusion of the hearing, the City Council may continue the
suspension, revoke the Permit, or terminate the suspension and
reinstate the Permit. If the permittee fails to attend the hearing the
Permit shall be terminated. The decision of the City Council shall be
final and conclusive.

3-1.2409 Permit Assignability.

1 A. It shall be unlawful for any permittee to transfer, assign or attempt to
2 assign any Permit issued pursuant to the Article without written approval
3 from the City Council and compliance with any other City requirements
and approvals.

4 B. It shall be unlawful for any permittee to move to a new location within the
5 permitted zone without written approval from the City Manager and
compliance with any other City requirements and approvals.

6 **3-1.2410 Regulatory Fee and Seller's Permit.**

7 A. In addition to the Permit application fee, the medical marijuana business
8 shall pay an annual Regulatory Fee. The Regulatory Fee shall be set by
9 City Council resolution, as modified from time to time. The Regulatory
10 Fee shall cover staff time for monitoring, regulation, documenting
breach, and nullifying Permits. The Regulatory Fee will be cost
recovering.

11 B. The State Board of Equalization has determined that medical marijuana
12 transactions are subject to sales tax, regardless of whether the
13 individual or group makes a profit, and those engaging in transactions
14 involving medical marijuana must obtain a seller's permit from the State
Board of Equalization.

15 **3-1.2411 Use of Revenue.**

16 A. Fifteen percent (15%) of revenues collected by the City from the medical
17 marijuana business shall be set aside and used by the City to fund an
18 Educational, Youth and/or Senior Programs Fund for the City Council to
19 use at its discretion. City Council approval shall be required prior to use
20 of such funds. The Educational and/or Youth Programs Fund shall be
established prior to the first City Council meeting after close the
application submittal period.

21 B. Fifteen percent (15%) of revenue collected by the City from the medical
22 marijuana business shall be set aside and used by the City to fund a
23 Residents Water Rate Fund account for the City Council's discretionary
24 use to lower and/or prevent water rate increase. City Council approval
shall be required prior to use of such funds. The Residents Water Rate
Fund account shall be established prior to the first City Council meeting
after close the application submittal period.

25 **3-1.2412 Operating Requirements and Standards.**

26 The medical marijuana business shall comply with operating requirements and
27 standards. Noncompliance of such operating requirements and standards shall
28 constitute a breach of the Permit issued hereunder and may render such Permit
suspended or revoked. In addition to any other operating requirements and

standards established by the City Council, permittees must comply with the following operating requirements and standards:

- A. Operating Agreement. All Permittees under this Article shall enter into an operating agreement with the City and shall comply with all terms within such negotiated and agreed upon operating agreement.
- B. Location. The final location of a medical marijuana business is subject to compliance with the City Municipal Code and must be approved by the City. The location of the medical marijuana business shall not be within 600 feet of a public or private school, park, or religious structure.
- C. Hours of Operation. A medical marijuana business may only operate between the hours of 9:00 am to 8 pm, Monday through Sunday.
- D. Cash Management System. Cash handling and all cash transactions by employees are prohibited at any medical marijuana business. All medical marijuana transactions shall operate through a cash management system that includes and has a point of sale and seed to sale system, all integrated into one cash management operating system. All transactions must be completed through this system.
- E. Use of Marijuana. No marijuana shall be smoked, ingested or otherwise consumed on the premises of the medical marijuana business.
- F. Minors. It is unlawful for any medical marijuana business permittee, operator, or other person in charge of any medical marijuana business to employ any person who is not at least 18 years of age. Persons under the age of 18 shall not be allowed on the premises of a medical marijuana business. The entrance to a medical marijuana business shall be clearly and legibly posted with a notice indicating that persons under the age of 18 are precluded from entering the premises.
- G. Alcohol. The medical marijuana business shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages.
- H. Operating Plan. A medical marijuana business must operate in accordance with the operating plan, as detailed in Section 3-1.2404, submitted as part of the permittees' Permit application.
- I. Exterior Signage. All exterior signage must comply with the City's existing sign ordinance.
- J. Loitering. Loitering shall not be permitted in front of or at the medical marijuana business.

1 K. If the medical marijuana business is a medical marijuana dispensary or
2 a joint medical marijuana dispensary, nursery and cultivation and
3 manufacturing facility, the following operating standards shall apply to
the dispensary:

4 1. Dispensing. A dispensary shall only dispense to qualified patients or
5 primary caregivers with a currently valid physician's approval or
6 recommendation in compliance with the criteria in California Health and
7 Safety Code Section 11362.5 et seq or a state or county issued Medical
8 Marijuana Identification Card. Dispensaries shall require such persons to
9 provide valid official identification, such as a Department of Motor
10 Vehicles driver's license or State Identification Card. Prior to dispensing
11 medical cannabis, the dispensary shall obtain a verification from the
12 recommending physician's office personnel that the individual requesting
13 medical cannabis is or remains a qualified patient pursuant to state
14 Health & Safety Code Section 11362.5.

15 2. Access. The entrance area of the dispensary building shall be strictly
16 controlled. A viewer or video camera shall be installed in the door that
17 allows maximum angle of view of the exterior entrance.

18 L. If the medical marijuana business is a cultivation and manufacturing
19 facility or a joint medical marijuana dispensary and cultivation and
20 manufacturing facility, the following operating standards shall apply to
the cultivation and manufacturing facility:

21 1. Indoor cultivation. A cultivation and manufacturing facility may only
22 cultivate marijuana indoors, no outdoor cultivation shall be permitted.

23 2. Access. The entrance area of the cultivation and manufacturing facility
24 shall be strictly controlled. A viewer or video camera shall be installed in
25 the door that allows maximum angle of view of the exterior entrance.

26 M. If the medical marijuana business is a delivery service or distributor it
27 must utilize real-time geo-tracking and must give the city access to the
28 real-time tracking feed.

29 **3-1.2413 Examination of Books, Records, Witnesses.**

30 A. The City shall be provided access to any and all financial information at
31 any time, as needed.

32 B. The City is authorized to examine the books, papers, tax returns and
33 records of any permittee for the purpose of verifying the accuracy of any
34 information provided.

35 C. The Police Department is authorized to review the security video
36 maintained by the medical marijuana business.

37 D. The City is authorized to examine a person under oath, for the purpose
38 of verifying the accuracy of any information provide.

1
2 E. Every permittee is directed and required to furnish to the City the means,
3 facilities and opportunity for making such financial examinations and
4 investigations.

5 F. Any permittee refusal to comply with this Section shall be deemed a
6 violation of this Article.

7
8
9
10 **3-1.2414 Liability and Indemnification.**

11 A. To the fullest extent permitted by law, any actions taken by a public
12 officer or employee under the provisions of this Article shall not become
13 a personal liability of any public officer or employee of the City.

14 B. The permittees under this Article hereby agree to save, defend,
15 indemnify and keep harmless the City and its officials, officers,
16 employees, representatives, agents and volunteers from all actions,
17 claims, demands, litigation, or proceedings, including those for
18 attorneys' fees, against the City in consequence of the granting of this
19 permit, and will in all things strictly comply with the conditions under
20 which this permit is granted, if any.

21
22 **3-1.2415 Prohibited Operations.**

23 A. All medical marijuana businesses that do not have a Permit under this
24 Article are expressly prohibited. All medical marijuana businesses in
25 violation of California Health and Safety Code Section 11326.7 et seq.
26 and 11362.5 and this Article are expressly prohibited. It is unlawful for
27 any medical marijuana business in the City, or any agent, employee or
28 representative of such business, to permit any breach of peace therein
or any disturbance of public order or decorum by any tumultuous, riotous
or disorderly conduct on the premises of the dispensary.

B. No use which purports to have delivered, cultivated or distributed
marijuana prior to the enactment of this chapter shall be deemed to
have been a legally established use under the provisions of the
Huntington Park Zoning Code, this Article, or any other local ordinance,
rule or regulation, and such use shall not be entitled to claim legal
nonconforming status.

3-1.2416 Violations and Enforcement.

A. Cure period. In the event the permittee has violated any provisions, rules
or regulations of this Article or has violated or permitted the infraction of
any law of the State or the City, the permittee shall be provided notice
and given twenty (20) days to cure the violation before any penalties
begin to accrue. The 20 day cure period shall not apply to any medical
marijuana business operating within the City of Huntington Park without

1 a valid Permit, or any business that is required to have a Permit under
2 this Article that is delivering medical marijuana and/or medical
3 marijuana-infused products within the City of Huntington Park without a
valid Permit and penalties shall begin to accrue immediately.

4 B. Violations. After the cure period, each and every violation of this Article
5 shall constitute a separate violation and shall be subject to all remedies
6 and enforcement measures authorized by this Code and the State of
California.

7 B. Penalties. Any person guilty of a misdemeanor pursuant to the
8 provisions of this Article shall be punishable as set forth in Chapter 2 of
Title 1 of this Code.

9 C. Public nuisances. In addition to the penalties provided for violations, any
10 condition caused or permitted to exist in violation of any of the provisions
11 of this Article after the cure period shall be deemed a public nuisance
and may be summarily abated as such by the City, and each day such
12 violation continues shall be regarded as a new and separate offense.

13 **SECTION 5.** The City Council finds and determines that the adoption of
14 this Ordinance is exempt from CEQA under Sections 15061(b)(3) (common sense
exemption) of the State CEQA Guidelines.

15 **SECTION 6.** If any section, subsection, subdivision, sentence, clause,
16 phrase or portion of this Ordinance, is for any reason held to be invalid or
unconstitutional by the decision of any court of competent jurisdiction, such decision
17 shall not affect the validity of the remaining portions of this Ordinance. The City
Council hereby declares that it would have adopted this Ordinance and each section,
18 subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of
the fact that any one or more sections, subsections, subdivisions, sentences,
19 clauses, phrases, or portions thereof be declared invalid or unconstitutional.

20 **SECTION 7.** Any amendment to any section, subsection, subdivision,
21 sentence, clause, phrase or portion of Article 19 of Title 4, Chapter 7 of the
Huntington Park Municipal Code or Article 24 of Title 3, Chapter 1 of the Huntington
22 Park Municipal Code requires a four-fifths (4/5) vote of the Huntington Park City
Council.

23 **SECTION 8.** The City Clerk shall certify to the adoption of this
24 Ordinance and cause the same to be published in the manner prescribed by law.
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PASSED, APPROVED and ADOPTED this ____ day of Month, 2016.

Graciela Ortiz, Mayor

ATTEST:

Donna G. Schwartz, CMC
City Clerk



CITY OF HUNTINGTON PARK

Community Development Department
City Council Agenda Report

December 6, 2016

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

APPROVE AMENDMENT NUMBER TWO (SUBSTANTIAL) TO THE FISCAL YEAR (FY) 2016-2017 ANNUAL ACTION PLAN (AAP) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FEDERAL FUNDS

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Conduct a public hearing;
2. Consider public testimony;
3. Approve the Substantial Amendment Number Two (Attachment A) to the Annual Action Plan for FY 2016-2017, inclusive of any comments received by the City Clerk during the 30-day public comment period preceding today's date and during this evening's public hearing; and
4. Authorize City staff to electronically transmit the amended components of the FY 2016/17 Annual Action Plan to the U.S. Department of Housing and Urban Development Department (HUD) via the eCon Planning Suite in the Integrated Disbursement and Information System (IDIS).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Each year, the City prepares an Annual Action Plan in connection with the Five-Year Consolidated Plan which details how the City will expend federal funds that it receives from the Department of Housing and Urban Development (HUD). The Annual Action Plan is a multi-purpose document with two principal purposes:

- The Annual Action Plan identifies the projects and programs to be undertaken during the upcoming fiscal year, and the proposed objectives and outcomes to be achieved within the overall context of the Five-Year Consolidated Plan; and

APPROVE AMENDMENT NUMBER TWO (SUBSTANTIAL) TO THE FISCAL YEAR (FY) 2016-2017 ANNUAL ACTION PLAN (AAP) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FEDERAL FUNDS

December 6, 2016

Page 2 of 3

- The Annual Action Plan acts as the City's application process for federal formula grants, principally comprised of as the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs.

The purpose of this agenda item is to present Amendment Number Two (Substantial) to the FY 2016-17 Annual Action Plan. In May 2016, the Mayor and City Council approved the FY 2016-17 Annual Action Plan for the use of CDBG and HOME Entitlement funds. When the City contemplates making substantial revisions to its adopted Annual Action Plan, a Substantial Amendment is necessary.

The City proposes the following substantial actions:

- Cancel the Pacific Boulevard Revitalization Project which was originally allocated \$520,000 in CDBG funds in the FY 2016/17 Annual Action.
- Allocate \$520,000 in CDBG public facility funds to the Pacific Boulevard Lighting and Beautification Project.

In summary, Amendment Number Two (Substantial) revises the FY 2016-17 Annual Action Plan accordingly:

Project	Current Allocation	Amendment #2 (Substantial)	Revised Allocation
Pacific Blvd Revitalization Project	\$520,000	(\$520,000)	\$0
Pacific Blvd Lighting and Beautification Project	\$0	\$520,000	\$520,000

The newly funded Pacific Boulevard Lighting and Beautification Project will include the following improvements to Pacific Boulevard: new Cobra Head LED Lighting on street lights to replace existing double acorn lights; painting of street furniture, traffic signals, and street lights; purchase and installation of street clock; new bus shelter lighting and/or new bus shelters; and various street and pedestrian improvements including slurry seal, pavement markings, striping, AC and PPC pavement, curb ramps, paving stones, landscaping, irrigation, and street furniture.

FISCAL IMPACT/FINANCING

The City's fair construction cost estimate for the project is an amount not to exceed \$520,000. It is our current expectations that construction bids will be well below this current estimate. There is no impact to the City's General Fund.

APPROVE AMENDMENT NUMBER TWO (SUBSTANTIAL) TO THE FISCAL YEAR (FY) 2016-2017 ANNUAL ACTION PLAN (AAP) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FEDERAL FUNDS

December 6, 2016

Page 3 of 3

CONTRACTING PROCESS

Advertising for bids will be in accordance with the City's standard Instruction Sheet for Publishing Legal Advertisements.

AMENDMENT NO. TWO TO 2016-17 AAP

AMENDMENT NO. TWO TO 2016-17 AAP

December 6, 2016

Page 3 of 3

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will have little impact on current city services. All construction of the Pacific Boulevard Lighting and Beautification Project will be completed by the contractor who is awarded the bid.

NEGATIVE DECLARATION/ENVIRONMENTAL IMPACT REPORTS

Action to approve the Pacific Boulevard Lighting and Beautification Project will invoke an environmental review under Part 58, the implementing regulation for the National Environmental Policy Act (NEPA). The environmental review process is to be completed prior to undertaking a physical action on a site or contractually committing or expending HUD or non-HUD funds for a federally assisted project.

CONCLUSION

Following tonight's public hearing, Amendment Number Two to the Fiscal Year 2016-2017 Annual Action Plan will be submitted to the U.S. Department of Housing and Urban Development (HUD) and staff will proceed with the development of the Pacific Boulevard Lighting and Beautification Project.

Respectfully submitted,



EDGAR P. CISNEROS

City Manager



MANUEL ACOSTA

Economic Development Manager

ATTACHMENT(S)

A. FY 2016-17 Annual Action Plan Amendment No. Two (Substantial)



CITY OF HUNTINGTON PARK

ANNUAL ACTION PLAN

JULY 1, 2016 – JUNE 30, 2017

**Amendment No. Two (Substantial)
December 2016**

**CITY OF HUNTINGTON PARK
COMMUNITY DEVELOPMENT DEPARTMENT
6550 MILES AVENUE
HUNTINGTON PARK, CA 90255**

CITY OF HUNTINGTON PARK 2016/17 ANNUAL ACTION PLAN

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Appendices

Appendix A – Certifications

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Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The Consolidated Plan is designed to help the City of Huntington Park assess affordable housing and community development needs and market conditions in order to make data-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from the Community Development Block Grant (CDBG) and Home Investment Partnership Act (HOME) programs. The goals are to assist low and moderate-income persons, provide decent housing, create suitable living environments, and expand economic opportunities. Included in the 2015/16 – 2019/20 Consolidated Plan are broad five-year objectives and strategies to accomplish these goals. Specific identifiable benchmarks for measuring progress in realizing the City's strategy are proposed in the Action Plan for 2016/17.

The 2016/17 Annual Action Plan includes an application for funds under two different HUD entitlement programs - Community Development Block Grant (CDBG) and the HOME Investment Partnership Program). Current year entitlements combined with reallocations from prior years bring the total funding for program year 2016/17 to approximately \$3.35 million. The following Annual Action Plan describes resources, programs, activities and actions Huntington Park will use in the coming 2016/17 fiscal year to implement its strategic plan and ultimately achieve its Consolidated Plan goals and objectives, summarized in Table 1 on the following page.

Table 1 - 2015-2019 Consolidated Plan Priorities, Goals, Implementing Programs, and FY 2016/17 Goals

Consolidated Plan 5-Year Priority	Consolidated Plan Goals	Implementing Programs	2016/17 Goal	Outcome/ Objective*
Priority Housing Needs	Sustain and Strengthen Neighborhoods	<ul style="list-style-type: none"> Code Enforcement 	800 housing units	SL-3
Priority Housing Needs	Preserve Existing and Create New Affordable Housing	<ul style="list-style-type: none"> Marconi Bungalows Project Acquisition / Rehabilitation / New Construction Residential Rehabilitation Minor Home Repair Program 	2 housing units 2 housing units 4 housing units 3 housing units	DH-2 DH-2 DH-1 DH-1
Priority Homeless Needs	Support Social Service Agencies that Assist Homeless Populations	<ul style="list-style-type: none"> Southeast Churches Service Center Salvation Army Southeast Communities 	300 persons 180 persons	SL-1 SL-1
Priority Special Needs Populations	Support Social Service Agencies that Assist Special Needs Populations	<ul style="list-style-type: none"> HP Senior Program 	300 persons	SL-1
Priority Community Facilities	Preserve Existing Public Facilities	<ul style="list-style-type: none"> Salt Lake Park Splash Pad Project 	58,310 persons	SL-1
Priority Infrastructure Needs	Preserve for Needed Infrastructure Improvements	<ul style="list-style-type: none"> Pacific Boulevard Revitalization Project Pacific Boulevard Lighting and Beautification Project 	3,611 persons	SL-1
Priority Community Services	Provide Needed Community Services to Low/Mod Persons	<ul style="list-style-type: none"> After School Program HP Library Homework Center Hire HP Youth, Workforce and Civic Engagement Pilot Program Community Beautification 	500 persons 75 persons 18 persons 58,310 persons	SL-1 SL-1 SL-1 SL-1
Economic Opportunity	Economic Opportunity	<ul style="list-style-type: none"> Commercial Rehabilitation Business Assistance and Economic Development 	4 Businesses 40 Businesses	EO-3 EO-1

Consolidated Plan 5-Year Priority	Consolidated Plan Goals	Implementing Programs	2016/17 Goal	Outcome/ Objective*
Other Housing and Community Development Needs	Planning for Housing and Community Development	<ul style="list-style-type: none"> • CDBG Administration • Fair Housing Foundation • HOME Administration 	N/A	N/A

2. Summarize the objectives and outcomes identified in the Plan

See Table 1 above.

3. Evaluation of past performance

During the previous five-year period, the City of Huntington Park used CDBG and HOME funds to accomplish the following objectives:

Decent Housing

- On April 18, 2011, the City Council approved an Affordable Housing Agreement with LINC-Huntington Park Apartment Investors LP (LINC CDC). The Agreement committed \$1.50 million in Federal HOME funds for the development of an affordable housing project at 6337 Middleton Street known as the Mosaic Gardens Project. The project is also located within the Middleton/Malabar focus neighborhood. The property was a 55-room motel situated on the back portion of the Rodeway Inn located on Santa Fe Avenue. LINC CDC redeveloped the motel into a 24-unit rental housing project that includes such on-site amenities as a community room for resident services and programs, a computer room for resident use, and community open space. Additionally, the project provided housing for a population with special needs, which has limited housing opportunities. The City's previous Five-Year Consolidated Plan acknowledged the need for special needs housing. It noted that youth leaving the foster care system ("emancipated youth") are a high risk of special needs population. This project helped to meet the housing needs of this special needs population.
- The Residential Rehabilitation Program provides assistance up to \$50,000 for property renovations and rehabilitation for owner-occupied single family homes and rental units. The City did not meet its 2010-2014 Consolidated Plan goal to fund 30 residential rehabilitation loans/grants (it funded 17); accordingly, the City will enter into an agreement with Los Angeles County Neighborhood Housing Services (NHS) to leverage City HOME funds to provide eligible Huntington Park residences homeownership and residential rehabilitation opportunities during the 2015-2019 Consolidated Plan period.
- During the previous Consolidated Plan period, the City entered into a subrecipient agreement with a nonprofit agency to operate a city-wide Tenant-Based Rental Assistance Program using tenant selection policies and criteria consistent with the 2010-2014 Consolidated Plan. The City gave local preference to 100 very low-income elderly persons. The program was completed in 2015/16.

Suitable Living Environment

- The City funded a Minor Home Repair program in the first three years of the previous Consolidated Plan. Unfortunately, the program was defunded in the 4th year as CDBG funds decreased. Only 16% of the City's goal of providing 150 households with minor home repairs was met. The program was reinstated in FY 2015/16, but with staff shortages and other demands, the program was not implemented. In FY 2016/17, in City

will again fund this program with the assistance of a local non-profit, Los Angeles County Neighborhood Housing Services (NHS).

- The City's Code Enforcement program continues to exceed the goal of assisting 300 housing units each year.
- The Commercial Rehabilitation Program continues to be a popular program with business owners in the City's downtown area (Pacific Boulevard). While the City only met 60% of its 2010-2014 goal to provide 15 loans, due mostly to reductions in staff to implement the program, the program has continued into the new 2015-2019 Consolidated Plan period as a high priority program.
- The City assisted various public service agencies during the previous five-year period. While the City has had to reduce the number of public service programs offered with CDBG funds because of decreases in CDBG entitlement funds, coupled with a past HUD recommendation to fund less organizations because of the high cost to manage each contract, the City continues to exceed its goals in providing youth, homeless, community beautification, and fair housing services to the Huntington Park community.
- The City met its goal to fund two community facility rehabilitation projects. More facility improvement projects are slated for the current 2015-2019 Consolidated Plan period. In 2015/16 specifically, the City allocated \$100,000 for the Soccer Field Lighting Project which was completed during the fiscal year.
- The City did not provide any CDBG assistance towards infrastructure improvements in FY 2015/16; however, this remains a high priority and staff is recommending an allocation of \$520,000 to fund the Pacific Boulevard Revitalization Project.

Economic Opportunity

- Huntington Park operated a popular Business Assistance and Economic Development program that provided technical support, business resources, and referrals to Huntington Park businesses citywide. The program also served to increase business retention and attraction services by providing business and financial planning assistance to new and existing businesses and served as a local resource center. Funds were used to host workshops and seminars with industry experts to help persons grow their business in Huntington Park. The program was administered by LA Business Connect, a locally based entrepreneur and small business services company. During the 2015-2019 Consolidated Plan period, the City will pursue a new partnership with an economic development subrecipient, Hub Cities Consortium, to continue to assist Huntington Park's business community.

4. Summary of citizen participation process and consultation process

The City of Huntington Park adopted a Citizen Participation Plan to guide the City's citizen participation process. All of Huntington Park's citizens are encouraged to participate in the planning, development, and implementation of the Annual Action Plan. Three public hearings are held by the City each year to discuss issues related to the Consolidated Plan as well as the Annual Action Plan. The first two hearings focus on the needs of the community and development of the Annual Action Plan and provide citizens with an opportunity to comment on the draft Annual

Action Plan. The third public hearing focuses on performance as they relate to housing, homelessness, hazards associated with lead-based paint, accessibility, and community development needs, such as infrastructure and public services. In all cases, a Notice of Public Hearing was published at least 15 days prior to the hearing to provide residents with adequate notice.

A draft 2016/17 Annual Action Plan was available for public comment for a minimum 30-day period (March 31 – May 3, 2016). City Council public hearings were held on March 15 and May 3, 2016, providing residents and interested parties a final opportunity to comment on the Annual Action Plan prior to adoption and submittal to HUD.

According to the City's Citizen Participation Plan, the City published a public notice on November 3, 2016 announcing a 30-day public comment period for Amendment No. Two (Substantial) to the FY 2016/17 Annual Action Plan. The notice also notifies interested parties of a public hearing scheduled for December 6, 2016 to adopt the Amendment.

5. Summary of public comments

The City did not receive any written comments on the FY 2016/17 Annual Action Plan during the 30-day public review, or any public comments at the May 3, 2016 City Council public hearing.

[Insert public comments received on Amendment No. Two (Substantial) to the FY 2016/17 Annual Action Plan here.]

6. Summary of comments or views not accepted and the reasons for not accepting them

The City did not receive any written comments on the FY 2016/17 Annual Action Plan during the 30-day public review, or any public comments at the May 3, 2016 City Council public hearing.

[Insert public comments or views not accepted and reasons on Amendment No. Two (Substantial) to the FY 2016/17 Annual Action Plan here.]

7. Summary

Key findings of the Needs Assessment include:

- Housing overpayment is the most prevalent housing problem, with 64% of Huntington Park's low and moderate income renter households (<80% AMI) facing a cost burden (>30% of income on housing costs), and over one-third facing a severe cost burden (>50% of income towards housing). As depicted in Figure 4 (Appendix B), high levels of severe renter overpayment are located in neighborhoods throughout the City, and generally correspond to areas with high levels of poverty, senior households, and renter overcrowding.
- Household overcrowding, defined as greater than one person per room, has decreased from 63% of all renters in 2000 to 48% a decade later (as documented by the 2007-2011

ACS). Severe overcrowding (greater than 1.5 persons per room) impacts 27% of renters in the City. Figure 5 depicts several neighborhoods with concentrations of severe renter overcrowding (over 45%): north of Florence immediately east of Santa Fe; the neighborhood on either side of State bound by Gage and Saturn; both sides of Pacific bound by Randolph and Slauson; and the northernmost portion of the city directly to the east of Santa Fe.

- An estimated 15% of the City's housing is in substandard condition (2,300 units). The biggest contributors to substandard housing are the City's aging housing stock, household overcrowding, and absentee landlords.
- For homeless persons or persons at-risk of becoming homeless, the most significant problem is the lack of affordable rental housing. This problem has been compounded by decreases in funding available through Section 8 and HOME, and the loss of Redevelopment Housing funds. For chronically homeless persons and transitional age youth, there is an insufficient inventory of transitional housing and permanent housing with supportive services designed to meet the specific needs of these populations who often struggle with physical and mental health problems in addition to substance abuse issues.
- Priority community facility needs include park facility upgrades, including soccer field lighting and a splash pad at Salt Lake Park. The Consolidated Plan community needs survey named the need for youth centers and general parks and recreation facilities within the top ten priority needs.
- Priority infrastructure needs include streets and alleys, and bicycle transportation improvements in the City's low and moderate income neighborhoods. The City's 2015 Pavement Management Plan reviews the existing street conditions within the transit system and identifies a cost-to-improve each segment of the transit system. Street and alley improvements ranked within the top ten priority needs in the community needs survey.
- Priority public service needs include services for youth, seniors, homeless and anti-crime services. These needs were determined by the public via the Community Needs Survey, comments received at a Consultation Workshop with various public service and housing providers, and specific comments received from the Huntington Park City Council at a Needs and Priorities public hearing on March 2, 2015.

PR-05 Lead & Responsible Agencies 24 CFR 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	HUNTINGTON PARK	Community Development Department
CDBG Administrator	Manuel Acosta, Economic Development Manager	Community Development Department
HOME Administrator	Manuel Acosta, Economic Development Manager	Community Development Department

Table 2 – Responsible Agencies

Narrative

The Lead Agency for the five year (2015/2016 - 2019/2020) Consolidated Plan and the FY 2016/17 Annual Action Plan is the City of Huntington Park, Community Development Department.

Consolidated Plan Public Contact Information

Manuel Acosta, Economic Development Manager

City of Huntington Park
Community Development Department
6550 Miles Avenue
Huntington Park, CA 90255
Phone: (323) 584-6213
Email: MAcosta@hpca.gov

AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

The City developed its five-year (2015/2016 - 2019/2020) Consolidated Plan through consultation with City departments; housing and public service providers; and adjacent local governments. As a means of gaining input from housing, homeless and social service providers, the City conducted a consultation workshop in August 2014 to discuss what each of these agencies define as the key housing and social service issues in Huntington Park, to identify gaps in service, and to brainstorm potential recommendations. Another function of the workshop was to establish a dialogue among agencies/departments to enhance collaboration and sharing of information.

In addition to those agencies/departments participating in the workshop, additional agencies were contacted as necessary to gain comprehensive information on the community's needs, such as the Los Angeles County Housing Authority and Los Angeles Homeless Services Authority.

For development of the FY 2016/17 Annual Action Plan, staff solicited a Request for Proposals from local service providers and City Departments to implement the goals and objectives identified in the City's Strategic Plan (Consolidated Plan). The City received 12 applications for FY 2016/17 funds.

Additionally, the City held a Needs and Priorities public hearing in March 2016 to hear the views and opinions from local agencies and residents on what they perceive to be the biggest needs and priorities in Huntington Park. While no comments were made, the Huntington Park City Council, nonetheless, offers the opportunity to its residents.

Lastly, the City notified six neighboring local jurisdictions of the availability of the Draft Annual Action Plan for comment.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The City participates in Service Planning Area (SPA) 7 of the Continuum of Care for Los Angeles City and County, and coordinates with the LAHSA, local communities and various service agencies to provide a continuum of services and facilities for the homeless and persons at-risk of becoming homeless.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

The City of Huntington Park does not receive ESG funds so this is not applicable.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

Agency/Group/ Organization	Agency/Group/ Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/ Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
City of Huntington Park	Other government - Local	Housing Need Assessment Homeless Needs Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Non-Housing Community Development Strategy Anti-Poverty Strategy Lead-based Paint Strategy	Agency Consultation Workshop. Interdepartmental Workshop. City will continue maintaining its strong relationships with service providers and local jurisdictions to implement the 5-year strategy.
Huntington Park City Council	Civic Leaders	Housing Need Assessment Non-Homeless Special Needs Market Analysis Economic Development Non-Housing Community Development Strategy Anti-Poverty Strategy	Public hearings. City Council members reflect the needs of their constituents in the community, which have been reflected in the needs and priorities identified in the Plan.
Los Angeles County Housing Authority	PHA	Housing Need Assessment Public Housing Needs Market Analysis	Email correspondence. The City will continue its strong partnership with the Housing Authority.
Los Angeles County – Huntington Park Library	Services – Children	Non-Housing Community Development Strategy Anti-Poverty Strategy	Special Needs Service Provider Survey. The City will continue supporting the Library's educational programs for Huntington Park youth.
Old Timers Housing Development Corporation	Housing	Housing Needs Non-Homeless Special Needs	Agency Consultation Workshop. The City will continue supporting housing programs targeted to low income and at-risk families.

Agency/Group/ Organization	Agency/Group/ Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/ Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
Fair Housing Foundation	Services-Fair Housing	Housing Needs Assessment	Agency Consultation Workshop. The City will continue to provide fair housing and tenant/landlord services to residents.
Southeast Churches Service Center	Services - Homeless	Homeless Needs: Chronically Homeless, Families with Children, Veterans, Unaccompanied youth Homeless Strategy	Agency Consultation Workshop. The City will continue supporting programs for homeless and persons and families at risk of homelessness.

Table 3 – Agencies, groups, organizations who participated

Identify any Agency Types not consulted and provide rationale for not consulting

The City of Huntington Park developed its Consolidated Plan through consultation with housing, social and health service providers; local agencies/governments; and the Los Angeles County Housing Authority. The City is unaware of any Agency types relevant to the Consolidated Plan that were not consulted.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care for Los Angeles County and City	Los Angeles Homeless Services Authority	LAHSA uses housing and demographic data obtained through HMIS and Homeless Counts to determine needs and to pinpoint gaps in housing and services. This in turn helps LAHSA to pool and coordinate resources with the County and cities to develop coordinated homeless access and assessment centers. Huntington Park participates with LAHSA in building the regional continuum of care to address the homeless and persons at-risk of homelessness.
Huntington Park Housing Element	City of Huntington Park Planning Division	The City is currently updating its Housing Element for the 2013-2021 period. All housing-related programs in the Consolidated Plan will be directly reflected within the Housing Element.

Table 4 – Other local / regional / federal planning efforts

AP-12 Participation - 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The City followed HUD's guidelines for citizen and community involvement in preparation of the Consolidated Plan and Action Plan. To encourage citizen participation in the preparation of the documents, the City undertook several activities as summarized below.

Housing and Community Development Needs Survey

In order to evaluate public opinion of specific housing and community development needs, the City utilized an on-line Needs Survey in which the respondent was asked to rank the level of need for a particular service, capital improvement, and public benefit. Hard copies of the survey were also made available at the Community Development Department, the Clerk's Office, and were emailed to the Parks and Recreation Department's resident contact list. Questions about specific needs were grouped into these areas:

- Housing Needs;
- Homeless Needs;
- Public Service Needs;
- Infrastructure Needs; and
- Economic Development Needs.

A total of 88 residents completed the Needs Survey. Survey responses were then totaled to provide an overall average need rating for each of the 36 identified activities. The top needs identified (in rank order) were as follows, with the complete survey results included in Appendix C of the Consolidated Plan:

- Anti-Crime Services
- Youth Centers
- Youth Services
- Job Creation/Retention
- Employment Training
- New Affordable Ownership Housing
- Street/Alley Improvements
- Park and Recreation Facilities
- Property Maintenance/Code Enforcement
- Child Care Services

Focus Groups

On August 27, 2014, key City stakeholders and representatives of housing and social service organizations participated in a focus group meeting that covered the following:

- Barriers to fair housing and access to affordable housing
- Housing, homeless and public service needs and gaps in service
- Community priorities

Attendees of the focus group expressed the immediate needs to serve the community, with the need for additional affordable housing opportunities, services for seniors and families, homeless housing and services, and code enforcement most commonly cited as Huntington Park's priority needs. A summary of the input received at the meeting is included in Appendix C.

Community Meetings

The City Council conducted a Needs Assessment Public Hearing on March 2, 2015. The meeting was advertised in the El Aviso and noticed per the Ralph M. Brown Act. Invitations were also included as part of the Housing and Community Development Needs Survey.

At the Needs Assessment Public Hearing, City staff provided background on the Consolidated Plan, and the process for preparation of Huntington Park's 2015/16-2019/20 Plan. Three members of the public spoke, citing the dire need for additional affordable housing, especially for seniors and persons with disabilities; the impact of rising rents on household overcrowding and added stress on families; the need to consider high rise housing as a means of addressing the housing shortage; and opposition to additional high density housing around the downtown as the area is already too crowded and schools impacted. Each member of the City Council provided input on community needs and priorities for the Plan, summarized in Appendix C of the Consolidated Plan.

FY 2016/17 Annual Action Plan

The City of Huntington Park has a citizen participation plan to guide the City's CDBG citizen participation process. All of Huntington Park's citizens are encouraged to participate in the planning, development, and implementation of the Annual Action Plan. Organizations receiving direct CDBG funding are in regular contact with City staff. Other organizations are consulted as-needed or have been present at various public hearings held by the City. Three public hearings are held each year by the City to discuss issues related to the Consolidated Plan as well as the Annual Action Plan. The first two hearings focus on the needs of the community and development of the Annual Action Plan and provide citizens with an opportunity to comment on the draft Annual Action Plan. The third public hearing focuses on performance as they relate to housing, homelessness, hazards associated with lead-based paint, accessibility, and community development needs, such as infrastructure and public services. In all cases, a Notice of Public Hearing was published at least 15 days prior to the hearing to provide residents with adequate notice.

A draft 2016/17 Annual Action Plan was available for public comment for a 30-day period (March 31 – May 3, 2016). City Council public hearings were held on March 15 and May 3, 2016, providing residents and interested parties a final opportunity to comment on the Annual Action Plan prior to adoption and submittal to HUD.

FY 2016/17 Annual Action Plan Substantial Amendment – December 2016

According to the City's Citizen Participation Plan, the City published a public notice on November 3, 2016 announcing a 30-day public comment period for Amendment No. Two (Substantial) to

the FY 2016/17 Annual Action Plan. The notice also notifies interested parties of a public hearing scheduled for December 6, 2016 to adopt the Amendment.

Citizen Participation Outreach Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
Newspaper Ad	Non-targeted/broad community	A newspaper advertisement was published inviting citizens to attend the Needs and Priorities public hearing on 3/15/16.	No comments were received.	No comments were received.	N/A
Public Hearing	Non-targeted/broad community	A public meeting was held before the City Council to solicit input on needs and priorities for the Consolidated Plan. (3/15/16)	No comments were received.	No comments were received.	N/A
Public Meeting	Non-targeted/ broad community	A public meeting was held before the City Council to present the draft FY 2016/17 Annual Action Plan and initiate the 30-day public review.	No comments were received.	No comments were received.	N/A
Newspaper Ad	Non-targeted/ broad community	A newspaper advertisement was published to solicit public comment on the draft 2016/17 Annual Action Plan and to invite citizens to attend the final public hearing to adopt the FY 2016/17 Annual Action Plan.	No comments were received.	No comments were received.	N/A

Citizen Participation Outreach Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
Public Hearing	Non-targeted/ broad community	A final public hearing was held before the City Council for adoption of the FY 2016/17 Annual Action Plan (5/3/16)	No comments were received.	N/A	N/A
Newspaper Ad	Non-targeted/ broad community	A newspaper advertisement was published to solicit public comment on the draft 2016/17 Annual Action Plan Substantial Amendment and to invite citizens to attend a public hearing to adopt the FY 2016/17 Annual Action Plan Substantial Amendment.	[Insert Comments]	[Insert Comments]	N/A
Public Hearing	Non-targeted/ broad community	A final public hearing will be held before the City Council for adoption of the FY 2016/17 Annual Action Plan Amendment on 12/6/16	[Insert Comments]	[Insert Comments]	N/A

Table 5 - Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Table 6 summarizes the major sources of funding available to carry out housing and community development activities during the 2016/17 fiscal year.

For fiscal year 2016/17, the City of Huntington Park will have an estimated total of \$2,241,790 in CDBG funds. This total amount is comprised of \$1,247,328 in Fiscal 2016/17 CDBG entitlement funds and \$994,462 in prior year unallocated CDBG funds carried forward. The City does not have any income from float-funded activities or surplus from urban renewal settlements, sale of real property, prior period adjustments, loans outstanding or written off, CDBG acquired property available for sale, or lump sum drawdown payments. Nor is the City funding any “urgent need activities.” CDBG funds will be used for public services, public facility improvements, infrastructure improvements, code enforcement, a minor home repair program, and CDBG administration. An estimated 80 percent in CDBG funds will be used for activities that benefit persons of low and moderate income.

The City of Huntington Park will also have an estimated \$1,106,767 in HOME Program funds comprised of a FY 2016/17 allocation of \$466,785, and an estimated carryover balance of \$639,982. The City will use HOME funds for administration of the HOME program, residential rehabilitation, a rehabilitation project with a local CHDO, the Oldtimers Housing Development Corporation (OHDC), at 6303 ½ Marconi Street, and for another potential acquisition and rehabilitation project.

The City will pursue competitive public and private grants for the development and preservation of programs, housing, and services.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 2				Expected Amount Available Reminder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	Public-federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$1,247,328	\$0	\$994,462	\$2,241,790	\$3,741,984	Entitlement funds allocation plus prior-year resources.
HOME	Public – federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	\$466,785	\$0	\$639,982	\$1,106,767	\$1,400,355	Entitlement allocation plus prior-year resources.

Table 6 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Federal funds play a crucial role in implementing the Annual Action Plan. Local private and non-federal funds are usually insufficient to meet the heavy demand for housing and services in our community. Agencies receiving CDBG and HOME funds use those funds as a commitment to receiving other funding sources. Likewise, the City also leverages other resources among the formula grant programs. For example, the HOME program is matched by a variety of sources, including: private investment, public investment, and tax credits.

The HOME Program requires a match of every dollar drawn; however, the City remains exempt from meeting this mandate. Since its inception, the City of Huntington Park has received a 100% match reduction, and expects to receive such a reduction until otherwise indicated by HUD.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Not applicable.

AP-20 Annual Goals and Objectives

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome +1Indicator
1	Sustain and Strengthen Neighborhoods	2016	2017	Non-Housing Community Development	City of Huntington Park	Priority Housing Needs	\$436,937 (CDBG)	Housing Code Enforcement/ Foreclosed Property Care – 800 Housing Units (Code Enforcement)
2	Preserve Existing and Create New Affordable Housing	2016	2017	Affordable Housing	City of Huntington Park	Priority Housing Needs	\$130,000 (CDBG) \$1,060,089 (HOME)	Rental Units Constructed – 3 Household Housing Units (Marconi Bungalows; Acquisition/Rehab) Rental Units Rehabilitated – 1 Household Housing Units (Marconi Bungalows) Homeowner Units Rehabilitated – 30 Household Housing Units (Residential Rehabilitation; Minor Home Repair)
3	Support Social Service Agencies that Assist Homeless Populations	2016	2017	Homeless Non-Housing Community Development	City of Huntington Park	Priority Homeless Needs	\$30,000 (CDBG)	Public service activities other than Low/Mod Income Housing Benefit - 480 Persons Assisted (Southeast Churches Service Center; Salvation Army Southeast Communities)
4	Support Social Service Agencies that Assist Special Needs Populations	2016	2017	Non-Homeless Special Needs	City of Huntington Park	Priority Special Needs Populations	\$20,000 (CDBG)	Public service activities other than Low/Mod Income Housing Benefit – 300 Persons Assisted (HP Senior Program)

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
5	Preserve Existing Public Facilities	2016	2017	Non-Housing Community Development	City of Huntington Park	Priority Community Facilities	\$160,000 (CDBG)	Public Facility or Infrastructure Activities other than Low/Mod Income Housing Benefit – 58,310 Persons Assisted (Salt Lake Park Splash Pad Project)
6	Provide for Needed Infrastructure Improvements	2016	2017	Non-Housing Community Development	City of Huntington Park	Priority Infrastructure Needs	\$520,000 (CDBG)	Public Facility or Infrastructure Activities other than Low/Mod Income Housing Benefit – 3,611 Persons Assisted (Pacific Boulevard Revitalization Project; Pacific Boulevard Lighting and Beautification Project)
7	Provide Needed Community Services to Low/Mod Persons	2016	2017	Non-Housing Community Development		Priority Community Services	\$137,099 (CDBG)	Public service activities other than Low/Mod Income Housing Benefit – 593 Persons Assisted (Youth: P&R After School Project; HP Library Homework Center; HP Youth Workforce & Civic Engagement Program) Public service activities other than Low/Mod Income Housing Benefit – 58,310 Persons Assisted (General Public Services: Community Beautification)
8	Provide Economic Opportunity	2016	2017	Non-Housing Community Development	City of Huntington Park	Economic Opportunity	\$424,173 (CDBG)	Businesses assisted – 40 Businesses assisted (Business Assistance & Economic Development Program) Façade treatment/business building rehabilitation – 4 Businesses (Commercial Rehabilitation)

9	Planning for Housing and Community Development	2016	2017	Other: Administration	City of Huntington Park	Other Housing and Community Development Needs	\$249,466 (CDBG) \$46,678 (HOME)	CDBG Administration Fair Housing Foundation HOME Administration
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Table 8 – Goals Summary

Goal Descriptions

1	Goal Name	Sustain and Strengthen Neighborhoods
	Goal Description	Using CDBG funds, the City will sustain and strengthen neighborhoods by eliminating unsafe conditions and blight while improving the quality of life of residents within the community. (Project: Code Enforcement)
2	Goal Name	Preserve Existing and Create New Affordable Housing
	Goal Description	HOME funds will also be used to assist affordable housing developers in the acquisition, construction and/or rehabilitation of low-income rental and/or owner housing units. The City will also use CDBG funds for minor rehabilitation programs for low and moderate income homeowners. (Projects: Marconi Bungalows; Acquisition/Rehab, New Construction; Residential Rehab; Minor Home Repair)
3	Goal Name	Support Social Service Agencies that Assist Homeless Populations
	Goal Description	Using CDBG public service funds, the City will provide assistance to homeless service providers including, but not limited to, Southeast Churches Service Center and Salvation Army. (Project: Southeast Churches Service Center Emergency Food Program; Salvation Army Southeast Communities Family Services Program)
4	Goal Name	Support Social Service Agencies that Assist Special Needs Populations
	Goal Description	Using CDBG public service funds, the City will provide assistance to special needs service providers including, but not limited to, the Huntington Park Parks and Recreation Department for the Huntington Park Senior Program. (Project: HP Senior Program)
5	Goal Name	Preserve Existing Public Facilities
	Goal Description	Using CDBG funds, the City will provide financial assistance to improve public facilities and parks. (Projects: Salt Lake Park Splash Pad Project; other TBD)
6	Goal Name	Provide for Needed Infrastructure Improvements
	Goal Description	Infrastructure improvements cover such issues as upgrades or expansion of streets, sidewalks, curbs and gutters, sewer and drainage systems, and street lights, and are in general an eligible expenditure for CDBG funds within low and moderate-income areas. (Projects: Pacific Boulevard Revitalization Project ; Pacific Boulevard Lighting and Beautification Project)

7	Goal Name	Provide Needed Community Services to Low/Mod Persons
	Goal Description	Using CDBG public service funds, the City will provide assistance to various social service agencies for programs for youth, fair housing, anti-crime, and general public services. Services must benefit at least 51 percent low/mod persons. (Projects: P&R After School Program; HP Library Homework Center; Community Beautification; Hire HP Youth, Workforce, and Civic Engagement Program)
8	Goal Name	Provide Economic Opportunity
	Goal Description	Using CDBG funds, the City will support projects and programs targeted to low and moderate-income business owners, or persons wishing to start or expand a business. The city will pursue a partnership with a local Small Business Assistance Center to administer the City's Economic Development Program and to implement the goals outlined in the City's 2013 Economic Development strategy. (Projects: Commercial Rehabilitation; Business Assistance and Economic Development)
9	Goal Name	Planning for Housing and Community Development
	Goal Description	The City will conduct the following administration/planning activities: (1) General Administration of the overall CDBG and HOME Program, including preparation of budget, applications, certifications and agreements, (2) Coordination of all CDBG-funded capital improvement projects, (3) Coordination of the Public Service Subrecipients, (4) Coordination of all HOME-funded housing projects, (5) Monitoring of all CDBG and HOME projects/programs to ensure compliance with federal regulations, (6) Preparation of the Annual Action Plan, and (7) Preparation of the Consolidated Annual Performance and Evaluation Report (CAPER). The City may use up to 20% of its annual CDBG entitlement on administration activities; and 10% is allowed for HOME administration activities. (Project: CDBG Administration; Fair Housing Services; HOME Administration)

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b)

As presented in Table 7 above, the City's one-year goal is to provide affordable housing opportunities to 8 extremely low, low, and moderate income households through the following activities:

- Marconi Bungalows (6303 ½ Marconi Street): Working with a local CHDO, the Oldtimers Housing Development Corp., the City will rehabilitate 1 unit and construct 1 one unit which will make them subject to occupancy and affordability restrictions affordable to low income households under HOME and previously provided NSP funds.
- Acquisition / Rehabilitation: Huntington Park will pursue another affordable housing project with approximately 2 units to be managed and operated by local CHDO.
- Residential Rehabilitation Program: The City will offer rehabilitation assistance to 4 extremely low, low, and moderate income households.

AP-35 Projects – 91.220(d)

The following projects are based on the City's identified priority needs and activities. Projects/programs operated citywide are noted. The majority of the projects are targeted low and moderate income persons, or neighborhoods in census tracts with 51% or more who are low- or moderate-income. All proposed activities are eligible and meet program service targets.

Projects

Project Name	Target Area	Goals Supported	Needs Addressed	Funding
Code Enforcement	City of Huntington Park	Sustain and Strengthen Neighborhoods	Priority Housing Needs	CDBG: \$436,937
Marconi Bungalows (6303 ½ Marconi Street)	City of Huntington Park	Preserve Existing and Create New Affordable Housing	Priority Housing Needs	HOME: \$340,400
Acquisition / Rehabilitation / New Construction	City of Huntington Park	Preserve Existing and Create New Affordable Housing	Priority Housing Needs	HOME: \$519,689
Residential Rehabilitation	City of Huntington Park	Preserve Existing and Create New Affordable Housing	Priority Housing Needs	HOME: \$200,000
Minor Home Repair	City of Huntington Park	Preserve Existing and Create New Affordable Housing	Priority Housing Needs	CDBG: \$130,000
Southeast Churches Service Center Emergency Food Program	City of Huntington Park	Support Social Service Agencies that Assist Homeless Populations	Priority Homeless Needs	CDBG: \$15,000
Salvation Army Southeast Communities Family Services Program	City of Huntington Park	Support Social Service Agencies that Assist Homeless Populations	Priority Homeless Needs	CDBG: \$15,000
Huntington Park Senior Program	City of Huntington Park	Support Social Service Agencies that Assist Special Needs Populations	Priority Special Needs	CDBG: \$20,000
Salt Lake Park Splash Pad Project	City of Huntington Park	Preserve Existing Public Facilities	Priority Community Facilities	CDBG: \$160,000
Pacific Boulevard Revitalization Project	City of Huntington Park	Provide for Needed Infrastructure Improvements	Priority Infrastructure Needs	CDBG: \$520,000
Pacific Boulevard Lighting and Beautification Project	City of Huntington Park	Provide for Needed Infrastructure Improvements	Priority Infrastructure Needs	CDBG: \$520,000
Parks and Recreation After School Program	City of Huntington Park	Provide Needed Community Services to Low/Mod Persons	Priority Community Services	CDBG: \$75,000
Huntington Park Library Homework Center	City of Huntington Park	Provide Needed Community Services to Low/Mod Persons	Priority Community Services	CDBG: \$10,000

Project Name	Target Area	Goals Supported	Needs Addressed	Funding
Hire HP Youth, Workforce, and Civic Engagement Program	City of Huntington Park	Provide Needed Community Services to Low/Mod Persons	Priority Community Services	CDBG: \$30,000
Community Beautification (Graffiti Removal)	City of Huntington Park	Provide Needed Community Services to Low/Mod Persons	Priority Community Services	CDBG: \$22,099
Fair Housing Services	City of Huntington Park	Provide Needed Community Services to Low/Mod Persons	Priority Community Services	CDBG: \$10,000
Commercial Rehabilitation	City of Huntington Park	Economic Opportunity	Economic Opportunity	CDBG: \$399,173
Business Assistance and Economic Development	City of Huntington Park	Economic Opportunity	Economic Opportunity	CDBG: \$25,000
CDBG Administration	City of Huntington Park	Planning for Housing and Community Development	Other Housing and Community Development Needs	CDBG: \$239,466
HOME Administration	City of Huntington Park	Planning for Housing and Community Development	Other Housing and Community Development Needs	HOME: \$46,678

Table 8 – FY 2015/16 Projects

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The Housing and Homeless Needs Assessment of the Consolidated Plan discusses housing need by income category. Income levels identified are 1) extremely low-income; 2) very low-income, and; 3) low- and moderate-income households. Based on HUD recommendations, general relative priorities for funding will be as follows:

HIGH PRIORITY: Activities to address this need will be funded during the five-year period.

MEDIUM PRIORITY: If funds are available, activities to address this need may be funded by the City during the five-year period. The City may also use other sources of funds and take actions to locate other sources of funds.

LOW PRIORITY: It is not likely the City will fund activities to address this need during the five-year period.

The highest priority has been assigned to the needs of the lowest income residents, based on the assumption that in this high cost real estate market, they are at greater risk of displacement, homelessness or other serious housing situations due to limited financial resources and other limitations they may face.

The Consolidated Plan identifies several obstacles in meeting underserved needs, including the high and sustained demand for public services, as well as the shortage of funding to address the community's needs.

AP-38 Projects Summary

Project Summary Information

1	Project Name	Code Enforcement
	Target Area	City of Huntington Park
	Goals Supported	Sustain and Strengthen Neighborhoods
	Needs Addressed	Priority Housing Needs
	Funding	CDBG: \$436,937
	Description	This program provides for property inspections near CDBG funded activities, target areas, and in census tracts having a predominance of low and moderate-income residents. This project also funds the Neighborhood Improvement Program, which focuses on improving the physical appearance of the City, promoting neighborhood improvement projects, and community empowerment. The implementing agency is the City Police Department.
	Target Date	
	Location Description	Citywide.
	Planned Activities	Same as description.
2	Project Name	Marconi Bungalows (6303 ½ Marconi Street)
	Target Area	City of Huntington Park
	Goals Supported	Preserve Existing and Create New Affordable Housing
	Needs Addressed	Priority Housing Needs
	Funding	HOME: \$340,400
	Description	The City is contributing \$295,400 in HOME Program funds to the CHDO, Oldtimers Housing Development Corporation-IV, to construct a one-bedroom single-family dwelling built over a four-car garage with tandem parking, and to complete rehabilitation of a two-bedroom detached unit. The proposal provides for on-site improvements, as well as \$45,000 in project delivery soft costs, e.g., underwriting and property inspections. Both two units will be subject to occupancy and affordability restrictions affordable to low income households under HOME and previously provided NSP funds.
	Target Date	
	Location Description	6303 ½ Marconi Street, Huntington Park
	Planned Activities	Same as in description.

3	Project Name	Acquisition / Rehabilitation / New Construction
	Target Area	City of Huntington Park
	Goals Supported	Preserve Existing and Create New Affordable Housing
	Needs Addressed	Priority Housing Needs
	Funding	HOME: \$519,689
	Description	HOME funds will be used to gap finance an affordable housing project at a location yet to be determined. The implementing agency is the City's Community Development Department.
	Target Date	
	Location Description	To be determined.
	Planned Activities	Same as in description.
4	Project Name	Residential Rehabilitation
	Target Area	City of Huntington Park
	Goals Supported	Preserve Existing and Create New Affordable Housing
	Needs Addressed	Priority Housing Needs
	Funding	HOME: \$200,000
	Description	This program provides financial assistance to owners of single-family homes (one to four units) and rental properties for rehabilitation improvements. Loans of up to \$50,000 are provided to qualified low and moderate income households, with a forgivable component of up to \$25,000 for repairs that correct health and safety violations. The implementing agency is the City's Community Development Department.
	Target Date	
	Location Description	Various
	Planned Activities	Same as in description.

5	Project Name	Minor Home Repair
	Target Area	City of Huntington Park
	Goals Supported	Preserve Existing and Create New Affordable Housing
	Needs Addressed	Priority Housing Needs
	Funding	CDBG: \$130,000
	Description	The program provides on a citywide basis free exterior minor home repairs, energy conversation activities, security and safety improvements, exterior refurbishing and painting to eligible low and moderate-income households. The program offers a grant of up to \$7,500 to the homeowner for labor and materials and minor repairs to the property.
	Target Date	
	Location Description	Various
	Planned Activities	Same as description.
6	Project Name	Southeast Churches Service Center
	Target Area	City of Huntington Park
	Goals Supported	Support social service agencies that assist homeless populations
	Needs Addressed	Priority Homeless Needs
	Funding	CDBG: \$15,000
	Description	This program provides a delivery system of essential food products to low and moderate income persons via grocery bags to homeless and at-risk of becoming homeless persons.
	Target Date	
	Location Description	2780 Gage Avenue, Huntington Park CA 90255
	Planned Activities	Same as description.

7	Project Name	Salvation Army Southeast Communities/Family Services Program
	Target Area	City of Huntington Park
	Goals Supported	Support social service agencies that assist homeless populations
	Needs Addressed	Priority Homeless Needs
	Funding	CDBG: \$15,000
	Description	This program provides services to the homeless, those at-risk of being homeless and low-income families/persons through the provision of various activities including emergency food service for families, senior food bags, showers, clothing and furniture vouchers, emergency motel vouchers and bus tokens.
	Target Date	
	Location Description	2965 Gage Avenue, Huntington Park CA 90255
	Planned Activities	Same as description.
8	Project Name	Huntington Park Senior Program
	Target Area	City of Huntington Park
	Goals Supported	Support social service agencies that assist special needs populations
	Needs Addressed	Priority Special Needs Populations
	Funding	CDBG: \$20,000
	Description	The HP Senior Program promotes the benefits of leading a healthier lifestyle among older adults through educational workshops, coordinated physical activities, excursions and other recreation-based events and activities.
	Target Date	
	Location Description	Huntington Park Community Center 3401 East Florence Avenue, Huntington Park CA 90255
	Planned Activities	Same as description.

9	Project Name	Salt Lake Park Splash Pad Project
	Target Area	City of Huntington Park
	Goals Supported	Preserve Existing Public Facilities
	Needs Addressed	Priority Community Facilities
	Funding	CDBG: \$160,000
	Description	The development of the Salt Lake Park Splash Pad project addresses the recreational needs identified by community residents during the 2008 Parks and Recreation Master Plan process and subsequent park planning meetings. The construction of this water play facility will responsibly consider the state of California's limited water resources and will feature an eco-friendly water filtration system. Low-income families residing in Huntington Park and the surrounding cities of southeast Los Angeles County, will therefore enjoy and benefit from an amenity that will be built with full consideration to future generations. The allocation of \$160,000 in FY 2016/17 is in addition to the \$150,000 allocated in FY 2015/16, for a total CDBG allocation of \$310,000.
	Target Date	
	Location	Salt Lake Park
	Description	3401 East Florence Avenue, Huntington Park CA 90255
	Planned Activities	Same as description.
10	Project Name	Pacific Boulevard Revitalization Project
	Target Area	City of Huntington Park
	Goals Supported	Provide for Needed Infrastructure Improvements
	Needs Addressed	Priority Infrastructure Needs
	Funding	CDBG: \$520,000
	Description	CDBG funds will be used for the design and construction of street improvements targeted in the downtown, census tract 5326.05. Street improvements include lighting, sidewalk construction and landscape treatments in parkways and street improvements including crosswalks.
	Target Date	
	Location	Pacific Boulevard, Randolph Street, and Florence Street.
	Description	
	Planned Activities	Same as description.

10	Project Name	Pacific Boulevard Lighting and Beautification Project
	Target Area	City of Huntington Park
	Goals Supported	Provide for Needed Infrastructure Improvements
	Needs Addressed	Priority Infrastructure Needs
	Funding	CDBG: \$520,000
	Description	The newly funded Pacific Boulevard Lighting and Beautification Project will include the following improvements to Pacific Boulevard: new Cobra Head LED Lighting on street lights to replace existing double acorn lights; painting of street furniture, traffic signals, and street lights; purchase and installation of street clock; new bus shelter lighting and/or new bus shelters; and various street and pedestrian improvements including slurry seal, pavement markings, striping, AC and PPC pavement, curb ramps, paving stones, landscaping, irrigation, and street furniture.
	Target Date	
	Location Description	Pacific Boulevard, Randolph Street, and Florence Street.
	Planned Activities	Same as description.
11	Project Name	Park and Recreation After School Program
	Target Area	City of Huntington Park
	Goals Supported	Provide Needed Community Services to Low/Mod Persons
	Needs Addressed	Priority Community Services
	Funding	CDBG: \$75,000
	Description	This program provides after school supervision at City parks and offers a variety of recreational activities such as sports, a nutrition program, arts and crafts, field trips, and homework assistance. The program serves to improve the safety of the parks for all users, and helps deter crime, vandalism, graffiti and drug use among youth by offering positive alternatives. Program locations include Robert H. Keller Park, Salt Lake Park, Freedom Park, and will feature a Summer Swim Program at Linda Marquez High School, seven days a week during the months of July and August.
	Target Date	
	Location Description	Various Locations
	Planned Activities	Same as description.

12	Project Name	Huntington Park Library Homework Center
	Target Area	City of Huntington Park
	Goals Supported	Provide Needed Community Services to Low/Mod Persons
	Needs Addressed	Priority Community Services
	Funding	CDBG: \$10,000
	Description	The Center benefits the children of the Huntington Park community by providing a quiet environment where learning and completion of school assignments are encouraged and promoted. Students in grades one through eight may drop in during established hours to receive supervised guidance and assistance in homework related areas, as well as access to online educational resources.
	Target Date	
	Location	Huntington Park Library
	Description	6518 Miles Avenue, Huntington Park, CA 90255
	Planned Activities	Same as description.
13	Project Name	Hire HP Youth Workforce and Civic Engagement Program
	Target Area	City of Huntington Park
	Goals Supported	Provide Needed Community Services to Low/Mod Persons
	Needs Addressed	Priority Community Services
	Funding	CDBG: \$30,000
	Description	The Hire Huntington Park Youth Workforce and Civic Engagement Pilot Program is designed as a 7-week internship program targeting local Huntington Park high school juniors and seniors, as well as freshman college students. The program will provide support for local youth by building their workforce readiness skills and experience with local businesses and City departments. Interns will end their summer experience by attending a UCLA Unicamp whereby youth participants will participate in a one-week wilderness camping team building experience. Overall, the program provides tutoring, literacy, employment preparation, supportive services, and leadership development.
	Target Date	
	Location	Citywide.
	Description	
	Planned Activities	Same as Description.

14	Project Name	Community Beautification / Graffiti Removal
	Target Area	City of Huntington Park
	Goals Supported	Provide Needed Community Services to Low/Mod Persons
	Needs Addressed	Priority Community Services
	Funding	CDBG: \$22,099
	Description	This program provides contracted services to remove graffiti throughout the City, including all streets, public sidewalks, and public and private buildings. All residents of Huntington Park receive improved access to this public service for the purpose of creating a suitable living environment.
	Target Date	
	Location	Citywide.
	Description	
	Planned Activities	Same as Description.
15	Project Name	Fair Housing Services
	Target Area	City of Huntington Park
	Goals Supported	Planning for Housing and Community Development
	Needs Addressed	Other Housing and Community Development Needs
	Funding	CDBG: \$10,000
	Description	The City funds the Fair Housing Foundation to affirmatively further fair housing by providing fair housing related services, including housing discrimination counseling and investigative services, landlord-tenant housing dispute resolution services and education and outreach services.
	Target Date	
	Location	Citywide
	Description	
	Planned Activities	Same as description.

16	Project Name	Commercial Rehabilitation
	Target Area	City of Huntington Park
	Goals Supported	Economic Opportunity
	Needs Addressed	Economic Opportunity
	Funding	CDBG: \$399,173
	Description	The program provides up to \$50,000 in rehabilitation assistance to commercial properties for facade and other exterior improvements, to improve handicap accessibility, and to correct code violations. The program also funds project delivery costs related to commercial rehabilitation projects, such as a portion of one staff position, labor compliance consulting fees and architectural consulting fees.
	Target Date	
	Location	Various locations
	Description	
	Planned Activities	Same as description.
17	Project Name	Business Assistance and Economic Development
	Target Area	City of Huntington Park
	Goals Supported	Economic Opportunity
	Needs Addressed	Economic Opportunity
	Funding	CDBG: \$25,000
	Description	The City's business assistance and economic development program, to be administered by the Hub Cities Consortium via a subrecipient agreement with the City of Huntington Park, will outreach to businesses in the city. The program, called the Huntington Park Business Assessment and Economic Development Program, will offer services including: free Labor Market Survey Analysis (LMSA); Business Needs Analyses (BNA); employment/job training; and job placement. The goal of Hub Cities Consortium is to offer valuable resources, expertise, and business assistance tools to the business community.
	Target Date	
	Location	Community Development Department
	Description	6550 Miles Avenue, Huntington Park CA 90255
	Planned Activities	Same as description.

18	Project Name	CDBG Administration
	Target Area	City of Huntington Park
	Goals Supported	Planning for Housing and Community Development
	Needs Addressed	Other Housing and Community Development Needs
	Funding	CDBG: \$239,466
	Description	This program provides for the overall development, financial management, coordination and monitoring of the CDBG program, HUD communication, public participation, as well as planning and urban environmental design and studies. The implementing agency is the City Community Development Department.
	Target Date	
	Location	Community Development Department
	Description	6550 Miles Avenue, Huntington Park CA 90255
	Planned Activities	Same as description.
19	Project Name	HOME Administration
	Target Area	City of Huntington Park
	Goals Supported	Planning for Housing and Community Development
	Needs Addressed	Other Housing and Community Development Needs
	Funding	HOME: \$46,678
	Description	Funds provide for the overall development, management, coordination and monitoring of the HOME program as implemented by the Community Development Department.
	Target Date	
	Location	Community Development Department
	Description	6550 Miles Avenue, Huntington Park CA 90255
	Planned Activities	Same as description.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City utilizes CDBG and HOME funds for projects and programs operated citywide. However, the majority of CDBG-funded facility projects are targeted to the most-needy neighborhoods: those census tracts where 51% or more of the residents are low- or moderate-income. Of Huntington Park's twenty census tracts, seventeen are majority (>50%) low/mod income, and are thus designated "low/mod" tracts by HUD. Census tract 5326.03, block group 1, census tract 5335.03, block group 2, and census tract 5345.01, block group 1 are <50% low/mod and thus do not qualify as a low/mod tract per HUD guidelines. Subtracting the population in these three non-qualifying block groups (2,925) from the city's total population of 61,235 residents results in a balance of 58,310 low/mod residents.

The City's Code Enforcement and Graffiti Removal programs are provided on a citywide basis and are funded in part through the City's General Fund for the three census block groups in the City that are not designated low-moderate income areas. All other activities funded as part of this Consolidated Plan are offered on a citywide basis to low and moderate-income Huntington Park residents, except for HOME-funded Housing Development activities and the CDBG-assisted Commercial Rehabilitation Program in the downtown. The City's rationale for implementing activities on a citywide basis, rather than geographically targeting certain neighborhoods is as follows:

- 95% of Huntington Park's population falls within a designated low/mod area; and
- Huntington Park faces significant needs for neighborhood improvement, code enforcement, residential rehabilitation and other community improvements throughout the City.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Based on the CHAS tables provided by HUD (extrapolated from 2007-2011 ACS data), the following summarizes two key housing problems in Huntington Park:

- **Renter Cost Burden:** Among Huntington Park's approximately 9,325 low and moderate income (<80% AMI) renter households, 5,998 (64%) face a cost burden of spending greater than 30% of income on rent. Over one-third of the City's low and moderate income renters face a severe cost burden, with 3,104 spending more than 50% of income on rent. As depicted in Figure 4, high levels of severe renter overpayment are located in neighborhoods throughout the City, and generally correspond to areas with high levels of poverty, senior households, and renter overcrowding.
- **Household overcrowding:** Defined as greater than one person per room, household overcrowding has decreased from 63% of all renters in 2000 to 48% a decade later (as documented by the 2007-2011 ACS). Severe overcrowding (greater than 1.5 persons per room) impacts 27% of renters in the City. Figure 5 depicts several neighborhoods with concentrations of severe renter overcrowding (over 45%): north of Florence immediately east of Santa Fe; the neighborhood on either side of State bound by Gage and Saturn; both sides of Pacific bound by Randolph and Slauson; and the northernmost portion of the city directly to the east of Santa Fe.

For homeless persons or persons at-risk of becoming homeless, the most significant problem is the lack of affordable rental housing. This problem has been compounded by decreases in funding available through Section 8 and HOME, and the loss of Redevelopment Housing funds. For chronically homeless persons and transitional age youth, there is an insufficient inventory of transitional housing and permanent housing with supportive services designed to meet the specific needs of these populations who often struggle with physical and mental health problems in addition to substance abuse issues.

In addition to the lack of affordable rental housing, the City's Consolidated Plan recognizes the need for owner and renter rehabilitation. The age of a community's housing stock can provide an indicator of overall housing conditions. Typically housing over 30 years in age is likely to need rehabilitation work to major elements of the structure, such as roofing, siding, plumbing and electrical systems. As a mature community, the majority of Huntington Park's housing stock consists of units older than 30 years of age. Among owner-occupied housing, 78% of units were constructed prior to 1980. Similarly, a substantial proportion of Huntington Park's rental housing is greater than 30 years in age (83%); this housing typically suffers more wear-and-tear from tenants than owner-occupied housing. Additionally, an estimated 15% of the City's housing is in substandard condition (2,300 units). The biggest contributors to substandard housing are the City's aging housing stock, household overcrowding, and absentee landlords.

One Year Goals for the Number of Households to be Supported	
Homeless	
Non-Homeless	21
Special-Needs	
Total	21

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	
The Production of New Units	1
Rehab of Existing Units	20
Acquisition of Existing Units	
Total	21

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

The City is proposing to use HOME funds to rehabilitate one unit and construct one unit, for a total of two units, at 6303 ½ Marconi Street, Huntington Park. The project is being done with a local CHDO, the Oldtimers Housing Development Corp. Both units will be subject to occupancy and affordability restrictions affordable to low income households under HOME and previously provided NSP funds. Also, the City will implement a residential rehabilitation program to address the substandard issues described above. The City will also pursue another affordable housing project with a local Community Housing Development Organization (CHDO). The City will extend gap financing to acquire and support construction of affordable permanent rental housing, likely to be made available to transition aged youth (TAY). While a location is yet to be determined, the City will attempt to address the two key problems described above: 1) renter cost burden; and 2) household overcrowding. Lastly, the City is proposing to fund 13 Minor Home Rehabilitation grants with CDBG funds to eligible homeowners.

For larger rental projects, such as the Marconi Bungalows project described above, the City of Huntington Park selected a local CHDO, Oldtimers Housing Development Corporation, to partner with the City in the development of the site. They were selected through a Request for Proposals (RFP) process issued in 2007, and have continued in a successful partnership with the City since then.

The City's HOME-funded Residential Rehabilitation and CDBG-funded Minor Home Repair Programs are available to low-to-moderate income single-family homeowners (up to four units) on a first-come-first-serve basis. The programs are marketed on the City's website and newsletter, and informational flyers are available at various counters at City Hall.

AP-60 Public Housing – 91.220(h)

Huntington Park's Housing Assistance Voucher (formerly Section 8) rental assistance program is administered by the Los Angeles County Housing Authority (HACoLA). HACoLA's Housing Assistance Voucher program currently assists approximately 23,000 families through a partnership with over 13,000 property owners throughout the County. Within Huntington Park, HACoLA administers 458 tenant-based vouchers for low income households (November 2014). There is no public housing within Huntington Park. The inventory of 557 units of assisted rental housing in Huntington Park, and units at risk of conversion to market rate, is discussed in the Consolidated Plan, section MA-10.

Actions planned during the next year to address the needs to public housing

Not applicable.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Not applicable.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

The Los Angeles Homeless Services Authority (LAHSA) coordinates the biennial Greater Los Angeles Homeless Count for the Los Angeles County/City Continuum of Care (LA CoC) as part of the national effort required by HUD to enumerate the homeless population. For purposes of reporting homeless count data to HUD, all Continuum of Care use a “literal homeless” definition: “Men, women, and children who are:

- Sleeping in places not meant for human habitation, including on the street, in parks, along rivers, in backyards, unconverted garages, cars and vans, along freeways or under overpasses, and the like; or
- Sleeping in emergency shelters, safe havens, or transitional housing programs and were homeless upon entry to the program.”

LAHSA’s 2013 “point in time” count enumerated 58,423 homeless individuals in the County, reflecting a 16% increase from the 2011 count. Specifically, for the Los Angeles CoC (LA CoC excludes the cities of Glendale, Pasadena and Long Beach), LAHSA reports a population of 53,798 homeless individuals, up by over 8,000 persons since 2011. Of this number, 12,934 are sheltered, 22,590 are unsheltered, and 18,274 are “hidden homeless,” meaning homeless persons who would not have been seen in the street or shelter count.

Table 12 – Changes in Homeless Population in LA CoC (Including Hidden Homeless) 2011-2013

	Sheltered Homeless		Unsheltered Homeless		Hidden Homeless		Total	
	#	%	#	%	#	%	#	% of County
2011	16,882	37%	17,740	39%	10,800	24%	45,422	
2013	12,934	24%	22,590	42%	18,274	34%	53,798	93%
Changes	-3,948	-23%	+4,850	27%	+7,474	69%	+8,376	18%

Data Source: 2013 Greater Los Angeles Homeless Count Report, January 2014

Furthermore, 46,303 are single adults, 6,678 are families with children, and 817 are unaccompanied youth. Over 70 percent of the total number of homeless persons were male. Finally, shelter counts fell 23% since 2011: emergency shelters fell over 34 percent from 9,855 in 2011 to 6,468 in 2013; transitional shelters fell almost 8 percent from 6,982 in 2011 to 6,445 in 2013; and safe haven shelters decreased over 50 percent from 45 in 2011 to 21 in 2013.

Table 13 – Changes in LA CoC Homeless Population, 2011-2013

	Single Adults		Family Members		Unaccompanied Youth		Total	
	#	%	#	%	#	%	#	%
2011	35,838	79%	9,218	20%	366	1%	45,422	100%
2013	46,303	86%	6,678	12%	817	2%	53,798	100%
Changes	+10,465	+29%	-2,540	-28%	+451	+123%	+8,376	18%

Data Source: 2013 Greater Los Angeles Homeless Count Report, January 2014

Table 14 – Changes in LA CoC Shelter Counts, 2011-2013

	Emergency Shelters		Transitional Shelters		Safe Haven Shelters		Total	
	#	%	#	%	#	%	#	%
2011	9,855	58%	6,982	41%	45	.3%	16,882	100%
2013	6,468	50%	6,445	50%	21	.2%	12,934	100%
Changes	-3,387	-34%	-537	-8%	-24	-53%	-3,948	-23%

Data Source: 2013 Greater Los Angeles Homeless Count Report, January 2014

According to LAHSA, the increase in the homeless population over just the last few years can be attributed to a continuing, persistent recession; loss of critical resources under the American Recovery and Reinvestment Act; a lack of affordable housing options for low income households and increasing rental rates; prison realignment which released prisoners without adequate funding and coordination of services and housing options; less Federal McKinney-Vento funding because of the new use of CDBG funding formulas; and in-migration of homeless persons to Los Angeles County.

While the homeless counts display an increase from 2011 to 2013 in the LA CoC as a whole, certain smaller geographic areas show differing trends. To explain, LAHSA has further divided the County into eight geographic areas designated as Service Planning Areas (SPA's) to provide better local control and planning efforts. The East Los Angeles Service Planning Area (SPA 7) which includes the city of Huntington Park, had a total homeless population of 2,430 persons, down 24 percent from 3,208 persons in 2011 (excludes hidden homeless). Of this population, 78 percent (1,901) are single adults, 21 percent (499) are family members, and 1 percent (30) are unaccompanied youth. Additionally, 37 percent (897) are sheltered, and 63 percent (1,533) are unsheltered. The 2013 shelter counts for SPA 7 include the following:

- Emergency Shelters: 151 beds, 111 units
- Transitional Housing: 679 beds, 517 units
- Permanent Supportive Housing: 924 beds, 361 units
- Winter Shelter Program: 64 beds, 64 units

Included in the Permanent Supportive Housing count is Huntington Park's Mosaic Gardens at Huntington Park project which includes 34 beds in 23 units. The project was developed by LINC Housing with the assistance of Federal HOME dollars from the City of Huntington Park.

Huntington Park's homeless population is estimated to range between 30-50 persons. City Code Enforcement staff indicate there are approximately 30 chronic homeless in the City, consisting predominately of single men. According to City staff, a large majority of the City's homeless are chronic substance abusers, have been homeless for several years and are more service resistant than those who have only been homeless for a short period of time. While staff reports no "visible" homeless families, the City is the only jurisdiction in the immediate area that allows

overnight street parking, and as a result temporarily homeless individuals and families from the greater area come to Huntington Park to sleep in their cars overnight.

Despite Huntington Park's relatively limited homeless population given the City's size, a much larger segment of the community is at risk of becoming homeless. Over one-quarter of the City's residents live below the poverty line, with 44 percent of female-headed households with children in poverty, placing them at particular risk of homelessness. Another at-risk group includes the approximately 450 households in Huntington Park receiving Section 8 vouchers. While many of the aforementioned households are not living in shelters or on the street, many face problems of overcrowding and overpayment in an effort to afford housing. Others may live with friends or relatives or in substandard units such as converted garages.

Rising rents in Huntington Park have placed many lower-income persons at greater risk of homelessness. In particular, family households and single mothers are vulnerable due to the high costs associated with childcare. Rent increases have also hurt those with low-wage jobs. A lack of available Section 8 vouchers as well as a decline in apartment owners willing to accept these vouchers also places households at risk.

Almost all service agencies cited a need for more affordable housing in Huntington Park. Affordable housing for special needs groups such as large families and single mothers with children was seen as critical to alleviating overcrowding and preventing homelessness.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City of Huntington Park does not administer a homeless prevention program; however, two CDBG supported local homeless providers, the Southeast Churches Service Center and the Salvation Army Southeast Communities, both provide a referral service and transportation to the nearby Salvation Army Bell Shelter in the city of Bell. The Bell Shelter assesses the individual needs of homeless persons including case management, supportive and transitional housing, individual or group counseling, a drug and alcohol program, job search assistance, homeless veteran's reintegration, adult education, and a mobile medical clinic.

Addressing the emergency shelter and transitional housing needs of homeless persons

Huntington Park addresses the emergency and transitional needs of the homeless and other persons needing shelter by actively participating in programs administered by public and quasi-public agencies. While no emergency shelters are located in Huntington Park, a 340-bed regional shelter is located in the adjacent city of Bell. The Bell Shelter, operated by the Salvation Army, provides emergency and transitional care for up to 340 homeless adults, including 154 in the shelter, 128 in the drug and alcohol program, and 49 in longer-term transitional housing. In

addition to a place to stay, the Bell Shelter provides case management; substance abuse rehabilitation; counseling; on-site health care and medical referrals; computer training, job training and job search program; veterans' reintegration program; and life skills classes. On-site adult education classes are offered through the LA Unified School District, which can lead to various vocational certificates. ESL classes are also offered. Bell Shelter collaborated with the County of Los Angeles Department of Mental Health and the Veterans Administration to provide a new, 76,000-foot renovated shelter, targeting homeless, mentally ill, veterans and persons seeking alcohol and drug recovery.

The City's Zoning Code currently allows transitional housing and emergency shelter to be located within its City limits. To further these uses, the City revised its Zoning Code in 2009 to identify emergency shelters as a permitted use in the MPD zone, and transitional and supportive housing as permitted uses within residential zoning districts.

Huntington Park also responds to the emergency needs of the homeless and other persons needing emergency shelter by participating in programs administered by homeless service agencies. The City supports the motel voucher program administered by the local Salvation Army and the Southeast Churches Service Center in Huntington Park. Both organizations will continue to provide transportation assistance to those individuals who wish to go to the Bell regional shelter, or other shelters in neighboring communities.

Lastly, Huntington Park used local HOME funds to develop a transitional housing project, Mosaic Gardens, on Middleton Street in Huntington Park. Partnering with LINC Housing, the City restored and renovated the building to serve as a home for limited-income families and transition age youth (TAY), ages 18-24, who also receive services from the Los Angeles County Department of Mental Health (LACDMH). The former 55 motel rooms were converted into 24 apartments to provide each family a space of their own. The location provides easy access to transportation, grocery stores, and job opportunities. The project also boasts a large community courtyard with a tot lot and barbecues for residents to enjoy. A community room, private counseling rooms, and computers provide space for social activities and services that will support residents at Mosaic Gardens at Huntington Park.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

In an ongoing effort to continue to address the needs of the homeless and those at risk of homelessness, the City will include a greater focus on the development of sustainable and

effective programming, which will consist of: applying for short and long-term available funding; partnerships with experienced service providers capable of leveraging other funding; the ability to create or secure affordable housing; perform homeless case management; and engage the homeless through a street outreach component in order to connect them to available services. The City's goal is to expand on current homeless programs and activities with a greater emphasis on homeless veterans and families to assist with their successful transition toward self-sufficiency.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

Huntington Park will continue to contract with a fair housing provider to provide a wide range of fair housing services to ensure equal housing opportunities for its residents.

Homeless individuals or families and those at-risk of homelessness have the opportunity to get connected to supportive services, treatments, public resources and support groups through the Salvation Army and Southeast Churches Service Center (SCSC). The City supports both of these organizations through CDBG funds.

Lastly, lower income households overpaying for housing are likely to be at risk of becoming homeless upon loss of employment. The City will continue to coordinate with the Los Angeles County Housing Authority to provide Section 8 rental assistance to homeless individuals and families as well as those at risk of becoming homeless.

AP-75 Barriers to affordable housing – 91.220(j)

Huntington Park has a strong history of supporting affordable housing. The City has adopted numerous provisions in its Zoning Ordinance that facilitate a range of residential development types and encourage affordable housing, including flexible development standards for affordable housing, a density bonus ordinance, and reasonable accommodation procedures for persons with disabilities. In addition, the City and its former Redevelopment Agency have provided direct financial assistance to support affordable and mixed income housing projects. The loss of Redevelopment Housing Funds, combined with reductions in federal HOME funds, will, however, will dampen the level of future affordable housing production in the City.

In addition to funding constraints, the primary barrier to the provision of affordable housing in Huntington Park is the lack of vacant land suitable for residential development. Separate owners of smaller parcels hold much of the underdeveloped and residentially zoned land in the City. This calls for alternative policy tools such as lot consolidation and/or demolition of existing older structures to accommodate higher density infill development.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City firmly believes that its policies and current practices do not create barriers to affordable housing. In January 2015, the City updated its Analysis of Impediments to Fair Housing Choice in which it reviewed various City policies and regulations, and has determined that none of these is an impediment to housing. The City will continue to review any new policies and procedures to ensure they do not serve as an actual constraint to development.

The State Department of Housing and Community Development, in their review of Huntington Park's 2008-2014 Housing Element, determined the City's land use controls, building codes, fees and other local programs intended to improve the overall quality of housing do not serve as a development constraint. Furthermore, the City's Housing Element sets forth the following programs as a means of continuing to facilitate the production of affordable housing:

- Affordable Housing Development Assistance
- Homeownership Assistance
- Affordable Housing Incentives Ordinance
- Modified Standards for Affordable and Special Needs Housing
- Provision of Sites in the CBD and Affordable Housing Overlay Districts
- By-Right Zoning Provisions for Emergency Shelters, Transitional Housing, Supportive Housing and Second Units

To specifically address the removal of barriers for persons with disabilities, Huntington Park recently adopted a Reasonable Accommodation Ordinance. The Ordinance clearly sets forth the procedures under which a disabled person may request a reasonable accommodation in application of the City's land use and zoning regulations. Such a request may include a modification or exception to the requirements for siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers. Reasonable accommodation requests may be approved administratively by the Community Development Director, eliminating the requirement for the disabled applicant to undergo a zoning variance.

AP-85 Other Actions – 91.220(k)

Actions planned to address obstacles to meeting underserved needs

The City of Huntington Park has identified long-range strategies, activities and funding sources to implement the goals in the areas of housing and community development services for the benefit of the residents.

- The City will continue to seek other resources and funding sources to address the biggest obstacle to meeting the community's underserved needs, which is the lack of funding and/or inadequate funding.
- The City will look for innovative and creative ways to make its delivery systems more comprehensive and will continue existing partnerships with both for-profit and not-for-profit organizations.
- The City has restructured its use of HOME funds to concentrate on both affordable rental housing and homeowner rehabilitation programs.
- The City is currently addressing certain housing needs with federal funds such as availability, condition, and fair housing practices to prevent homelessness.
- The City is also addressing community development needs with federal funds such as infrastructure, improving public facilities and code enforcement.

Actions planned to foster and maintain affordable housing

The City's Consolidated Plan has identified the preservation of existing, and the creation of new, affordable housing as a priority need during the 2015/16 – 2019/20 timeframe. During FY 2016/17, the City proposes to use HOME funds on an affordable housing project with the Oldtimers Housing Development Corp. which will be made available to low income households at restricted rents. The project is located at 6303 ½ Marconi Street and consists of the rehabilitation of one unit, and the construction of one unit, for a total of two restricted units.

While a site for an affordable housing project is yet to be determined for an additional project, the City will endeavor to alleviate household overcrowding and renter cost burden, while at the same time, addressing the fundamental need for affordable housing for those at-risk of being homeless, three of the main housing issues described in the Consolidated Plan.

The City is providing funding support to local public service agencies such as the Salvation Army and Southeast Churches Service Center to that address the service needs of the homeless and those at risk of becoming homeless.

The City has also provided tenant based rental assistance to seniors in Huntington Park to help maintain their housing at affordable levels. The TBRA program ended in FY 2015/16.

Actions planned to reduce lead-based paint hazards

As a means of better protecting children and families against lead poisoning, in 1999 HUD instituted revised lead-based paint regulations focused around the following five activities:

- Notification
- Lead Hazard Evaluation
- Lead Hazard Reduction
- Ongoing Maintenance
- Response to Children with Environmental Intervention Blood Lead Level

The City has implemented HUD Lead Based Paint Regulations (Title X), which requires federally funded rehabilitation projects to address lead hazards. Lead-based paint abatement is part of the City's Residential Rehabilitation Program and the Acquisition/Rehabilitation of Affordable Rental Housing Program. Units within rental housing projects selected for rehabilitation are tested if not statutorily exempt. Elimination or encapsulation remedies are implemented if lead is detected, and is paid for through CDBG or HOME funds, as appropriate.

The Community Development Department coordinates the City's efforts to reduce lead-based paint hazards pursuant to HUD Lead Based Paint Regulations (Title X). To reduce lead in existing housing, all rehabilitation and minor home repair projects funded with CDBG and HOME are tested for lead and asbestos. When a lead-hazard is present, a lead consultant is hired to provide abatement or implementation of interim controls.

The City will also coordinate with the L.A. County Childhood Lead Prevention Program (CCLPP). CCLPP is responsible for enforcement of L.A. County's Lead Abatement Ordinance, including inspection, regulations and consultation. The CCLPP provides the City with the address of any household where there is evidence of lead poisoning or elevated blood levels in children or any other evidence of lead from a physical inspection of a property. The City will contact the property owner and offer financial aid to assist in the abatement of the hazard. The City will provide lead hazard education and outreach through its newsletter and at other information distribution outlets (e.g., City Hall, Parks and Recreation, and the Library).

In late 2015, the City was awarded a \$1.75 million HUD Lead Based Paint Hazard Control Grant, allowing significant expansion of its lead prevention and abatement activities. The grant will enable the City to identify and remediate lead hazards in residences occupied by lower income families with children, and educate the community about lead poisoning prevention, healthy homes and integrated pest management. This the second HUD Lead Based Paint Hazard Control Grant City awarded to the City of Huntington Park. In 2009, the City was awarded \$1.57 million which allowed the City to remediate lead hazards from 90 homes.

Lastly, the City's Minor Home Repair program can provide weatherization services, and as needed exterior paint, and perform healthy home interventions focusing on repairs for integrated pest management, moisture problems, smoke alarms, and correction or replacement of faulty appliances.

Actions planned to reduce the number of poverty-level families

The 2007-2011 American Community Survey reported that one-fourth of City residents had incomes below the poverty level. Of greatest concern is an increase in the number of individuals and families becoming homeless or at risk of becoming homeless due to poor economic conditions. Major factors affecting the increase in poverty are unemployment and underemployment and climbing costs, especially of safety-net expenditures like insurance and health care.

Based on the Consolidated Plan's Needs Assessment and available resources for program year 2015-16, the City will allocate available resources (CDBG and HOME) to support public service programs for the benefit of low to moderate-income residents. The City will also expand and create new partnerships with service providers and community based organizations to provide community enrichment programming, affordable housing, case management services, and the development of life skills and self-sufficiency. These actions will be achieved by:

- Creating new affordable housing by leveraging limited funding resources with private, federal, and state governmental subsidies and grants.
- Allocating 15 percent of CDBG entitlement funds for public services to increase family stability for lower income households.
- Enhancing employment opportunities for all residents and promoting self-sufficiency. This includes creating job opportunities, additional tax revenue, new investment opportunities and overall community improvement to Huntington Park residents by supporting existing businesses and bringing additional economic investment to the City.

Additionally, the City encourages the efforts of social service providers, government, housing providers/developers and the private sector to provide services and development programs that enhance job opportunities for Huntington Park residents, particularly low-income persons.

The City will fully comply with Section 3 of the Housing and Community Development Act, which helps foster local economic development and individual self-sufficiency. This set of regulations require that to the greatest extent feasible, the City will provide job training, employment, and contracting opportunities for low or very low-income residents in connection with housing and public construction projects.

Actions planned to develop institutional structure

As the recipient of CDBG and HOME funds, the City has delegated the Community Development Department to be the lead department responsible for the overall administration of HUD grants. In that regard, the Department will prepare the Consolidated Plan and Analysis of Impediments to Fair Housing Choice every five years, draft the Annual Action Plan and CAPER, as well as all other reports required by federal rules and regulations.

The City will work with non-profit agencies, for-profit developers, advocacy groups, clubs, and organizations, neighborhood leadership groups, City departments and with the private sector to implement the City's five-year strategy to address the priority needs outlined in the Consolidated Plan for Fiscal Years 2015/2016 – 2019/2020. Engaging the community and stakeholders in the delivery of services and programs for the benefit of low to moderate residents will be vital in overcoming gaps in service delivery. The City will also utilize public notices, Community Workshops and Meetings (as appropriate), the City's website, and other forms of media to deliver information on carrying out the Consolidated Plan strategies.

Actions planned to enhance coordination between public and private housing and social service agencies

In an ongoing effort to bridge the gap of various programs and activities, the City has developed partnerships and collaborations with local service providers and City departments that have been instrumental in meeting the needs and demands of the homeless, low income individuals and families, and other special needs. Over the years, the City has expanded partnerships and created new ones along the way. The array of partners includes, but are not limited to: The Huntington Park Police, Parks and Recreation, and Public Works Departments; Oldtimers Housing Development Corporation; Southeast Churches Service Center, Los Angeles Legal Center; the Salvation Army; the YMCA; and the Los Angeles Homeless Services Authority (LAHSA) (Los Angeles County Continuum of Care). During FY 2016/17, the City will continue to develop these partnerships.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

The City of Huntington Park participates in HUD's CDBG Program that is used for creating decent affordable housing, suitable living environments, and economic opportunities. The new program year (2016/17) will begin on July 1, 2016. The FY 2016/17 CDBG allocation is \$1,247,328.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	The City's program income for FY 2016/17 has been programmed.
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	The City does not participate in a Section 108 Loan Guarantee Program.
3. The amount of surplus funds from urban renewal settlements	The City does not receive any urban renewal settlement funds.
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	At this time, there have been no additional grant funds returned to the line of credit for new activities or programs.
5. The amount of income from float-funded activities	The City's CDBG Program does not receive income from float-funded activities.
Total Program Income	Total Program Income anticipated in FY 2016/17 is \$0.

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low to moderate income.	80%

The City's CDBG Program will not have activities to fund in FY 2016/17 under Urgent Needs.

HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220(l)(2)

The City of Huntington Park participates in HUD's HOME Program that can be used to promote affordable housing in the City through activities such as homeowner rehabilitation, homebuyer activities, rental housing development, and tenant-based rental assistance. The 2016/17 Program Year will commence on July 1, 2016. The FY 2016/17 HOME allocation is \$466,785.

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The City will provide grants, interest-bearing and non-interest-bearing deferred payment loans or residual receipts loans permitted under 24 CFR 92.206 (b) (1). The City will not institute other forms of investment forms not described in the aforementioned section nor provide loan guarantees described under 24 CFR 92.206 (b) (21).

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

Huntington Park is not proposing any homebuyer activities in FY 2016/17, however the following resale or recapture guidelines will apply should the City opt to fund these homebuyer activities:

HOME Loan. The City provides a "silent second" deferred trust deed mortgage to fund the difference between the market sales price (up to a maximum sale price established by HUD) and a mortgage amount that will provide an affordable housing cost to low and moderate-income households. The City loan is structured as a junior deferred loan to allow the borrower's repayment ability to be fully utilized under the primary loan. The City HOME loan will be recorded as a lien on the property, and will be due upon sale or transfer of title or when the borrower no longer occupies the home as his/her principal residence as required under 24 CFR 92.254. Homebuyers will sign a HOME Agreement pursuant to §92.504(c)(5) of the HOME rule, which outlines the affordability restrictions and recapture guidelines, as well as a Promissory Note and Deed of Trust.

Affordability Requirements. The affordability period in connection with the resale of HOME-assisted units will be 30 years.

Recapture Provisions. Should the property cease to be the principal residence of the homebuyer, the City will recapture the full amount of HOME investment (HOME subsidy) to the extent there are net proceeds following the sale of the property and repayment of non-HOME loan repayments and closing costs. Net proceeds are defined as the amount of sale proceeds remaining (if any) after payment of any superior loan(s) (non-HOME funds) and

customary closing costs. This limitation applies regardless of the nature of the sale (voluntary sales including short sales, and involuntary sales including foreclosures). This indebtedness becomes due and payable upon sale or transfer of the property, prior to the expiration of the period of affordability, to the extent there are sufficient “net proceeds”. If upon the voluntary or involuntary sale of the property prior to the expiration of the period of affordability there are insufficient net proceeds to pay the balance remaining of the City HOME loan, the Homebuyer is relieved from any further obligation to pay the indebtedness.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

The City does not propose to use HOME funds for a homebuyer program. However, should the City decide to fund such a program, Protocols will be developed to include the following characteristics:

- The City loan is structured as a junior deferred loan to allow the borrower’s repayment ability to be fully utilized under the primary loan. The City HOME loan will be recorded as a lien on the property, and will be due upon sale or transfer of title or when the borrower no longer occupies the home as his/her principal residence as required under 24 CFR 92.254. Homebuyers will sign a HOME Agreement pursuant to §92.504(c)(5) of the HOME rule, which outlines the affordability restrictions and recapture guidelines, as well as a Promissory Note and Deed of Trust.
 - Affordability Requirements. The affordability period in connection with the resale of HOME-assisted units will be 30 years.
 - Recapture Provisions. Should the property cease to be the principal residence of the homebuyer, the City will recapture the full amount of HOME investment (HOME subsidy) to the extent there are net proceeds following the sale of the property and repayment of non-HOME loan repayments and closing costs. Net proceeds are defined as the amount of sale proceeds remaining (if any) after payment of any superior loan(s) (non-HOME funds) and customary closing costs. This limitation applies regardless of the nature of the sale (voluntary sales including short sales, and involuntary sales including foreclosures). This indebtedness becomes due and payable upon sale or transfer of the property, prior to the expiration of the period of affordability, to the extent there are sufficient “net proceeds”. If upon the voluntary or involuntary sale of the property prior to the expiration of the period of affordability there are insufficient net proceeds to pay the balance remaining of the City HOME loan, the Homebuyer is relieved from any further obligation to pay the indebtedness.
4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

The City does not propose to provide refinancing with HOME funds as described under 24 CFR 92.206(b). However, when lending HOME funds for single-family dwellings, the City may find it necessary to allow refinancing to permit or continue affordability under §92.252. If so, the City will amend its Consolidated Plan to describe refinancing guidelines that include the following refinancing general guidelines:

- a) Demonstrate the rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing.
- b) Require review of management practices to demonstrate that disinvestment in the property has not occurred, that the long-term needs of the project can be met and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated.
- c) State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.
- d) Specify the required period of affordability, whether it is the minimum 15 years or longer.
- e) Specify whether the investment of HOME funds may be jurisdiction-wide or limited to a specific geographic area.
- f) State that HOME funds cannot be used to refinance multifamily loans made or insured by any Federal program, including CDBG.