

## Chapter 15.04 BUILDING CODE

### 15.04.010 Title.

The ordinance codified in this chapter shall be known as the “Building Code of the City of Hawaiian Gardens” and may be cited as the “Building Code.” (Ord. 375 § 3, 1991).

### 15.04.020 Adoption of 2016 California Building Code as amended by Title 26 Los Angeles County Building Code.

- A. The 2016 California Building Code as amended by Title 26 Los Angeles County Building Code (adopted November 22, 2016 by the Los Angeles County board of supervisors), together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures within the city, provide for the issuance of permits and collection of fees therefor, are hereby adopted by reference, and conflicting ordinances are hereby repealed.
- B. All of the regulations, provisions, conditions and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk’s office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter.
- C. Section 106.3 of Chapter 1 of Title 26 of the Los Angeles County Building Code is hereby amended to read as follows:

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

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m<sup>2</sup>), the height does not exceed 12 feet (3.69 m), and the maximum roof projection does not exceed 24 inches (610 mm).
2. Wood, wrought iron and similar fences not over 6 feet in height which are not used as a barrier to private swimming pools, spas or hot tubs, and masonry, concrete and similar garden or pilaster fences not over 3 feet high. Fences shall comply with the City’s Zoning Code regardless whether a permit is required or not.
3. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 1-1/2:1.
4. Gantry cranes and similar equipment.
5. Retaining walls that retain not over 4 feet (1,219 mm) in height 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.
6. Motion picture, television and theater stage sets and scenery, except when used as a building.
7. Ground mounted radio and television antennae towers which do not exceed 45 feet (13,716 mm) in height and ground supported dish antennas not exceeding 15 feet (4,572 mm) in height above finished grade in any position.

8. Light standards which do not exceed 30 feet (9,144 mm) in height.
9. Flagpoles not erected upon a building and not more than 15 feet (4,572 mm) high.
10. A tree house provided that:
  - 10.1 It does not exceed 64 square feet (5.94 m<sup>2</sup>) in area nor 8 feet (2,438 mm) in height from floor to roof.
  - 10.2 The ceiling height as established by door height or plate line does not exceed 6 feet (1,829 mm).
11. 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 (1,372 mm) from the exterior wall of the building.
12. Sheds, office or storage buildings, and other structures that are less than 1,500 square feet (139 m<sup>2</sup>) 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.
13. A portable metal hanger located on County-owned airports, provided that:
  - 13.1 It is less than 2,000 square feet (18.58 m<sup>2</sup>) in area;
  - 13.2 It is used exclusively for the parking of aircraft;
  - 13.3 It bears the Department of Motor Vehicles, State of California, insignia of approval for movement on any highway;
  - 13.4 It incorporates as an integral part of its basic construction a hitch or coupling device for towing;
  - 13.5 It can accommodate, without further structural change, wheel and axle assemblies to provide a safe means of portability;
  - 13.6 It is equipped with permanent ventilation to prevent the accumulation of combustible gases; and
  - 13.7 It is not provided with water or sanitary facilities.
14. Oil derricks.
15. Platforms, walks and driveways not more than 30 inches (762 mm) above grade, not over any basement or story below, and which are not part of an accessible route.
16. Prefabricated swimming pools, spas and other bodies of water accessory to a Group R-3 Occupancy and less than 18 inches (0.46 m) deep, and do not exceed 5,000 gallons (18,927 L) and are installed entirely above adjacent grade. Fences, gates, door alarms, and other protection devices that are accessory to the prefabricated swimming pool are not exempt from permit requirements.
17. Playground equipment accessory to a Group R-3 occupancy.
18. One-story buildings or structures used as dog kennels, chicken coops, animal pens, or shade structures provided the gross floor area does not exceed 120 square feet (11.15 m<sup>2</sup>) and the height does not exceed six feet (1,829 mm). Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

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 this Code, or other laws or ordinances.

(Ord. 570 § 1, 2017).

#### **15.04.030 Penalty.**

Every person violating any provision of the California Building Code as amended by Title 26 Los Angeles Building Code and appendices, adopted by reference by Section 15.04.020, or of any permit or license granted hereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction, thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this code that do not conflict herewith shall be applicable. (Ord. 570 § 1, 2017).

#### **15.04.040 Amendments generally.**

Title 26, as adopted by Section 15.02.020 is hereby amended as follows:

Wherever reference is made to the County of Los Angeles or to the unincorporated area of the County, such area shall be deemed to include within its corporate limits the area of the City of Hawaiian Gardens for purposes of fulfilling the requirements of this Chapter.

(Ord. 375 § 3, 1991).

#### **15.04.050 Conflict.**

Whenever an apparent conflict or inconsistency exists between any provision of Title 26, as adopted in Section 15.04.020 and any provision of the Hawaiian Gardens Municipal Code, each provision shall be construed so as to supplement the other. In the event any apparently conflicting or inconsistent provisions may not reasonably be so construed, the provisions of the Hawaiian Gardens Municipal Code shall prevail. (Ord. 375 § 3, 1991).

#### **15.04.060 No entitlements created hereby.**

The adoption hereby of Title 26, as set forth in Section 15.04.020 shall not be construed for any purpose as creating any entitlement or authorizing any business or use which is prohibited by any provision contained in the Hawaiian Gardens Municipal Code. (Ord. 375 § 3, 1991).

#### **15.04.070 Severability.**

The city council hereby declares that should any provision, section, paragraph, sentence or word of this chapter or Title 26, hereby adopted by reference in Section 15.04.020, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the

remaining provisions, sections, paragraphs, sentences and words of this chapter and Title 26 hereby adopted shall remain in full force and effect. (Ord. 375 § 3, 1991).

## **Chapter 15.06 ELECTRICAL CODE**

### **15.06.010 Title.**

The ordinance codified in this chapter shall be known as the “Electrical Code of the City of Hawaiian Gardens” and may be cited as the “Electrical Code.” (Ord. 376 § 3, 1991).

### **15.06.020 Adoption of 2016 California Electrical Code as amended by Title 27 Los Angeles County Electrical Code.**

A. The 2016 California Electrical Code as amended by Title 27 Los Angeles County Electrical Code (adopted November 22, 2016 by the Los Angeles County board of supervisors), together with their annexes, which provides minimum requirements and standards for the protection of the public health, safety and welfare by regulating the installation or alteration of electrical wiring, equipment, materials, and workmanship in the city, provides for the issuance of permits and collection of fees therefor, with all changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk’s office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter. (Ord. 570 § 1, 2017).

### **15.06.030 Penalty.**

Every person violating any provision of the California Electrical Code as amended by Title 27 Los Angeles County Electrical Code and appendices, adopted by reference by Section 15.06.020, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction, thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this code that do not conflict herewith shall be applicable. (Ord. 570 § 1, 2017).

### **15.06.040 Amendments generally.**

Title 27, as adopted by Section 15.06.020 is hereby amended as follows:

Whenever reference is made to the County of Los Angeles or to the unincorporated area of the County such area shall be deemed to include within its corporate limits the area of the City of Hawaiian Gardens for purposes of fulfilling the requirements of this Chapter.

(Ord. 376 § 3, 1991).

#### **15.06.050 Conflict.**

Whenever an apparent conflict or inconsistency exists between any provision of Title 27, as adopted in Section 15.06.020 and any provision of the Hawaiian Gardens Municipal Code, each provision shall be construed so as to supplement the other. In the event any apparently conflicting or inconsistent provisions may not reasonably be so construed, the provisions of the Hawaiian Gardens Municipal Code shall prevail. (Ord. 376 § 3, 1991).

#### **15.06.060 No entitlements created hereby.**

The adoption hereby of Title 27, as set forth in Section 15.06.020, shall not be construed for any purpose as creating any entitlement or authorizing any business or use which is prohibited by any provision contained in the Hawaiian Gardens Municipal Code. (Ord. 376 § 3, 1991).

#### **15.06.070 Severability.**

The city council hereby declares that should any provision, section, paragraph, sentence or word of this chapter or Title 27, hereby adopted by reference in Section 15.06.020, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this chapter and Title 27 hereby adopted shall remain in full force and effect. (Ord. 376 § 3, 1991).

### **Chapter 15.08 MECHANICAL CODE**

#### **15.08.010 Title.**

The ordinance codified in this chapter shall be known as the “Mechanical Code of the City of Hawaiian Gardens” and may be cited as the “Mechanical Code.” (Ord. 377 § 3, 1991).

#### **15.08.020 Adoption of 2016 California Mechanical Code as amended by Title 29 Los Angeles County Mechanical Code.**

A. The 2016 California Mechanical Code as amended by Title 29 Los Angeles County Mechanical Code (adopted November 22, 2016 by the Los Angeles County board of supervisors), together with their appendices, which regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, venting, cooling, refrigeration systems, or other miscellaneous heat-producing appliances in the city, provides for the issuance of permits and collection of fees therefor, with certain changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk’s office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter. (Ord. 570 § 1, 2017).

#### **15.08.030 Penalty.**

Every person violating any provision of the California Mechanical Code as amended by Title 29 Los Angeles County Mechanical Code and appendices, adopted by reference by Section 15.08.030, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction, thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this code that do not conflict herewith shall be applicable. (Ord. 570 § 1, 2017).

#### **15.08.040 Amendments generally.**

Title 29, as adopted by Section 15.08.020 is hereby amended as follows:

Whenever reference is made to the County of Los Angeles or to the incorporated area of the County, such area shall be deemed to include within its corporate limits the area of the City of Hawaiian Gardens for purposes of fulfilling the requirements of this Chapter.

(Ord. 377 § 3, 1991).

#### **15.08.050 Conflict.**

Whenever an apparent conflict or inconsistency exists between any provision of Title 29, as adopted in Section 15.08.020 and any provision of the Hawaiian Gardens Municipal Code, each provision shall be construed so as to supplement the other. In the event any apparently conflicting or inconsistent provisions may not reasonably be so construed, the provisions of the Hawaiian Gardens Municipal Code shall prevail. (Ord. 377 § 3, 1991).

#### **15.08.060 No entitlements created hereby.**

The adoption hereby of Title 29, as set forth in Section 15.08.020, shall not be construed for any purpose as creating any entitlement or authorizing any business or use which is prohibited by any provision contained in the Hawaiian Gardens Municipal Code. (Ord. 377 § 3, 1991).

#### **15.08.070 Severability.**

The city council hereby declares that should any provision, section, paragraph, sentence or word of this chapter or Title 29, hereby adopted by reference in Section 15.08.020, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this chapter and Title 29 hereby adopted shall remain in full force and effect. (Ord. 377 § 3, 1991).

### **Chapter 15.10 PLUMBING CODE**

#### **15.10.010 Title.**

The ordinance codified in this chapter shall be known as the “Plumbing Code of the City of Hawaiian Gardens” and may be cited as the “Plumbing Code.” (Ord. 378 § 3, 1991).

**15.10.020 Adoption of 2016 California Plumbing Code as amended by Title 28 Los Angeles County Plumbing Code.**

A. The 2016 California Plumbing Code as amended by Title 28 Los Angeles County Plumbing Code (adopted November 22, 2016 by the Los Angeles County board of supervisors), together with their appendices, which provide minimum requirements and standards for the protection of the public health, safety and welfare by regulating the installation or alteration of plumbing and drainage, materials, venting, wastes, traps, interceptors, water systems, sewers, gas piping, water heaters and other related products, and workmanship in the city, provide for the issuance of permits and collection of fees therefor, with certain changes and amendments thereto, are hereby adopted by reference and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk’s office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter. (Ord. 570 § 1, 2017).

**15.10.030 Penalty.**

Every person violating any provision of the California Plumbing Code as amended by Title 28 Los Angeles County Plumbing Code and appendices, adopted by reference by Section 15.10.020, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction, thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation

occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this code that do not conflict herewith shall be applicable. (Ord. 570 § 1, 2017).

**15.10.040 Amendments generally.**

Title 28, as adopted by Section 15.10.020, is hereby amended as follows:

Whenever reference is made to the County of Los Angeles or to the unincorporated area of the County, such area shall be deemed to include within its corporate limits the area of the City of Hawaiian Gardens for purposes of fulfilling the requirements of this Chapter.

(Ord. 378 § 3, 1991).

**15.10.050 Conflict.**

Whenever an apparent conflict or inconsistency exists between any provision of Title 28, as adopted in Section 15.10.020, and any provision of the Hawaiian Gardens Municipal Code, each provision shall be construed so as to supplement the other. In the event any apparently conflicting or inconsistent provisions may not reasonably be so construed, the provisions of the Hawaiian Gardens Municipal Code shall prevail. (Ord. 378 § 3, 1991).

#### **15.10.060 No entitlements created hereby.**

The adoption hereby of Title 28, as set forth in Section 15.10.020, shall not be construed for any purpose as creating any entitlement or authorizing any business or use which is prohibited by any provision contained in the Hawaiian Gardens municipal code. (Ord. 378 § 3, 1991).

#### **15.10.070 Severability.**

The city council hereby declares that should any provision, section, paragraph, sentence or word of this chapter or Title 28, hereby adopted by reference in Section 15.10.020, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this chapter and Title 28 hereby adopted shall remain in full force and effect. (Ord. 378 § 3, 1991).

### **Chapter 15.12 RESIDENTIAL CODE**

#### **15.12.010 Title.**

The ordinance codified in this chapter shall be known as the “Residential Code of the City of Hawaiian Gardens” and may be cited as the “Residential Code.” (Ord. 535U § 9, 2010; Ord. 534 § 9, 2010).

#### **15.12.020 Adoption of 2016 California Residential Code as amended by Title 30 Los Angeles County Residential Code.**

A. The 2016 California Residential Code as amended by Title 30 Los Angeles County Residential Code (adopted November 22, 2016, by the Los Angeles County board of supervisors), together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of certain residential buildings or structures within the city, provide for the issuance of permits and collection of fees therefor, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk’s office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter. (Ord. 570 § 1, 2017).

#### **15.12.030 Penalty.**



Every person violating any provision of the California Residential Code as amended by Title 30 Los Angeles County Residential Code and appendices, adopted by reference by Section 15.12.020, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction, thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this code that do not conflict herewith shall be applicable. (Ord. 570 § 1, 2017).

#### **15.12.040 Amendments generally.**

Title 30, as adopted by Section 15.12.020 is hereby amended as follows:

Whenever reference is made to the County of Los Angeles or to the incorporated area of the County, such area shall be deemed to include within its corporate limits the area of the City of Hawaiian Gardens for purposes of fulfilling the requirements of this Chapter.

(Ord. 535U § 9, 2010; Ord. 534 § 9, 2010).

#### **15.12.050 Conflict.**

Whenever an apparent conflict or inconsistency exists between any provision of Title 30, as adopted in Section 15.12.020 and any provision of the Hawaiian Gardens Municipal Code, each provision shall be construed so as to supplement the other. In the event any apparently conflicting or inconsistent provisions may not reasonably be so construed, the provisions of the Hawaiian Gardens Municipal Code shall prevail. (Ord. 535U § 9, 2010; Ord. 534 § 9, 2010).

#### **15.12.060 No entitlement created hereby.**

The adoption hereby of Title 30 as set forth in Section 15.12.020 shall not be construed for any purpose as creating any entitlement or authorizing any business or use, which is prohibited by any provision contained in the Hawaiian Gardens Municipal Code. (Ord. 535U § 9, 2010; Ord. 534 § 9, 2010).

#### **15.12.070 Severability.**

The city council hereby declares that should any provision, section, paragraph, sentence or word of this chapter or Title 30, hereby adopted by reference in Section 15.12.020, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this chapter and Title 30 hereby adopted shall remain in full force and effect. (Ord. 535U § 9, 2010; Ord. 534 § 9, 2010).

### **Chapter 15.14 EXISTING BUILDING CODE**

#### **15.14.010 Title.**

The ordinance codified in this chapter shall be known as the “Existing Building Code of the City of Hawaiian Gardens” and may be cited as the “Existing Building Code.” (Ord. 570 § 1, 2017).

**15.14.020 Adoption of 2016 California Existing Building Code as amended by Title 33 Los Angeles County Existing Building Code.**

A. The 2016 California Existing Building Code as amended by Title 33 Los Angeles County Existing Building Code (adopted November 22, 2016, by the Los Angeles County board of supervisors), together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of certain existing buildings or structures within the city, provide for the issuance of permits and collection of fees therefor, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter. (Ord. 570 § 1, 2017).

**15.14.030 Penalty.**

Every person violating any provision of the California Existing Building Code as amended by Title 33 Los Angeles County Existing Building Code and appendices, adopted by reference by Section 15.14.020, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction, thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this code that do not conflict herewith shall be applicable. (Ord. 570 § 1, 2017).

**15.14.040 Amendments generally.**

Title 33, as adopted by Section 15.14.020 is hereby amended as follows:

Whenever reference is made to the County of Los Angeles or to the incorporated area of the County, such area shall be deemed to include within its corporate limits the area of the City of Hawaiian Gardens for purposes of fulfilling the requirements of this Chapter.

(Ord. 570 § 1, 2017).

**15.14.050 Conflict.**

Whenever an apparent conflict or inconsistency exists between any provision of Title 33, as adopted in Section 15.14.020 and any provision of the Hawaiian Gardens Municipal Code, each provision shall be construed so as to supplement the other. In the event, any apparently conflicting or inconsistent provisions may not reasonably be so construed, the provisions of the Hawaiian Gardens Municipal Code shall prevail. (Ord. 570 § 1, 2017).

**15.14.060 No entitlements created hereby.**

The adoption hereby of Title 33, as set forth in Section 15.14.020, shall not be construed for any purpose as creating any entitlement or authorizing any business or use which is prohibited by any provision contained in the Hawaiian Gardens Municipal Code. (Ord. 570 § 1, 2017).

**15.14.070 Severability.**

The city council hereby declares that should any provision, section, paragraph, sentence or word of this chapter or Title 33, hereby adopted by reference in Section 15.14.020, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this chapter and Title 33 hereby adopted shall remain. (Ord. 570 § 1, 2017).

**Chapter 15.20 FIRE CODE**

**15.20.010 County fire code adopted by reference.**

- A. Title 32 of the Los Angeles County Code entitled, “The Fire Code,” as that title currently exists, and/or as it may be amended from time to time by the county of Los Angeles, is adopted by reference, as the Fire Code Ordinance of the city of Hawaiian Gardens.
- B. This chapter shall be known as the “Fire code of the city of Hawaiian Gardens and may be cited as such.
- C. Three copies of Title 32 of the county of Los Angeles Code, together with amendments included in this chapter, have been deposited in the office of the city clerk of the city and shall be at all times maintained by the clerk for use and examination of the public.
- D. Section 78 of the county fire code is deleted. (Ord. 433 § 6, 1996; Ord. 307 § 1, 1986; Ord. 220 § 1, 1979; Ord. 97 § 2, 1969).

**15.20.020 Definitions.**

- A. Wherever the words “Board of Supervisors” appear in said ordinance the words “City Council of the City of Hawaiian Gardens” shall be substituted therefor. The chief of the fire department and the fire department officers designated in said ordinance shall be deemed to be the chief of the fire department and fire department officers of the city so long as a contractual relationship exists between the city and county, whereby the county, through its officers and employees, provides fire protection service for the city.
- B. Wherever in said ordinance reference is made to the unincorporated area of Los Angeles County, such area shall be deemed to include in its true geographical location the area of the city.
- C. Wherever in said fire code reference is made to the “County” or to “Los Angeles County” or the “County of Los Angeles,” the same is amended to read “City” or “City of Hawaiian Gardens,” respectively. (Ord. 97 § 3, 1969).

**15.20.030 Previous permits.**

Any permit heretofore issued by the county or the city pursuant to the fire prevention code of said county or of said city for work within the territorial limits of the city shall remain in full force and effect according to its terms. (Ord. 97 § 4, 1969).

#### **15.20.040 Penalty for violation.**

Every person violating any provision of this chapter or of any permit, license or exception granted hereunder is guilty of a misdemeanor. Upon conviction thereof he/she shall be punishable by a fine not to exceed five hundred dollars or by imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment. Each separate day, or any portion thereof, during which any violation of this chapter occurs or continues, constitutes a separate offense, and upon conviction thereof shall be punishable as herein provided. (Ord. 97 § 5, 1969).

### **Chapter 15.22 SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM**

#### **15.22.010 Intent and purpose.**

The intent and purpose of this chapter is to adopt an expedited, streamlined solar permitting process that complies with AB 2188 (Chapter 521, Statutes 2014; California Government Code Section 65850.5) to achieve timely and cost-effective installations of small residential rooftop solar energy systems. This chapter is designed to encourage the use of solar systems by removing unreasonable barriers, minimizing costs to property owners and the city, and expanding the ability of property owners to install solar energy systems. This chapter allows the city to achieve these goals while protecting the public health and safety. (Ord. 560 § 1, 2015).

#### **15.22.020 Definitions.**

As used in this chapter:

“Building department” means the building and safety division of the community development department of the city.

“Building official” means the community development director of the city, or the community development director’s designee.

“City” means the city of Hawaiian Gardens.

“Electronic submittal” means the utilization of one or more of the following:

1. Email;
2. The Internet;
3. Facsimile.

“Expedited permitting” and “expedited review” means the process outlined in Section 15.22.060, Permit review and inspection requirements.

“Feasible method to satisfactorily mitigate or avoid the specific, adverse impact” includes, but is not limited to, any cost-effective method, condition or mitigation imposed by the city on another similarly situated application in a prior successful application for a similar permit.

“Small residential rooftop solar energy system” means all of the following:

1. A solar energy system that is no larger than ten kilowatts alternating current nameplate rating or thirty kilowatts thermal.
2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the city and all state of California health and safety standards.
3. A solar energy system that is installed on a single- or duplex-family dwelling.
4. A solar panel or module array that does not exceed the maximum legal building height permitted by city regulations, including Title 18 of this code (Zoning Code) and the provisions of Title 15 (Building Codes).

“Solar energy system” means either of the following:

1. Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating.
2. Any structural design feature of a building whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating, space cooling or water heating.

“Specific, adverse impact” means a significant, quantifiable, direct and unavoidable impact, based on objective, identified and written public health or safety standards, policies or conditions as they existed on the date the application was deemed complete. (Ord. 560 § 1, 2015).

#### **15.22.030 Applicability.**

This chapter applies to the permitting of all small residential rooftop solar energy systems in the city. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of this chapter are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements with no structural alterations shall not require a permit. (Ord. 560 § 1, 2015).

#### **15.22.040 Solar energy system requirements.**

- A. All solar energy systems shall meet applicable health and safety standards and requirements imposed by the city and the state of California.
- B. Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Code.
- C. Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability. (Ord. 560 § 1, 2015).

#### 15.22.050 Applications and documents.

- A. All documents required for the submission of a small residential rooftop solar energy system application shall be made available on the city's website.
- B. Electronic submittal of the required application and documents via email, the city's website, or facsimile shall be made available to all small residential rooftop solar energy system permit applicants.
- C. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.
- D. The building department shall develop and implement a standard plan and checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review. The standard plan and checklist shall substantially conform to the checklist and standard plans contained in the most current version of the *California Solar Permitting Guidebook* adopted by the Governor's Office of Planning and Research.
- E. All fees prescribed for the permitting of small residential rooftop solar energy systems must comply with California Government Code Sections 65850.55 and 66015 and California Health and Safety Code Section 17951. (Ord. 560 § 1, 2015).

#### 15.22.060 Permit review and inspection requirements.

- A. The building department shall implement the following administrative, nondiscretionary review process to expedite the approval of small residential rooftop solar energy system applications.
- B. Review of an application for a small residential rooftop solar energy system shall be limited to the building official's review of whether the applicant meets local, state and federal health and safety requirements.
- C. For an application for a small residential rooftop solar energy system that meets the requirements of the city's checklist and standard plan, the building department shall issue a building permit or other non-discretionary permit or authorization within three business days.
- D. If an application for a small residential rooftop solar energy system is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permitting shall be sent to the applicant for resubmission.
- E. The community development director may require an administrative review process if he or she finds, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to the city planning commission in accordance with Section 18.100.170 of this code.
- F. The community development director may not deny an application for an administrative review process required under subsection E unless the community development director makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. Such decisions may be appealed to the city planning commission in accordance with Section 18.100.170 of this code.

G. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

H. Approval of an application shall not be conditioned upon the approval of an association, as defined in Section 4080 of the California Civil Code.

I. Only one inspection shall be required and performed by the building department for small residential rooftop solar energy systems eligible for expedited review.

1. The inspection shall be done in a timely manner and should include consolidated inspections. An inspection will be scheduled within two business days of a request.

2. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized but need not conform to the requirements made applicable to the first inspection. (Ord. 560 § 1, 2015).

## **Chapter 15.28 CURB, SIDEWALK AND GUTTER CONSTRUCTION**

### **15.28.010 Findings.**

The existence of dirt shoulders adjoining dwellings and buildings within the city and conversely, the lack of concrete curbs, gutters and sidewalks in some areas is found and declared to be dangerous to the public, health, safety and welfare of the inhabitants of said city. (Ord. 34 § 1, 1965).

### **15.28.020 Constructions to include curbs, sidewalks and gutters.**

Any person constructing or arranging for the construction of a building or dwelling in the city shall also provide for the construction of cement curbs and gutters and sidewalks, in accordance with the city specification, unless adequate curbs, gutters and sidewalks already exist on the property where the building or dwelling is to be constructed. (Ord. 34 § 2, 1965).

### **15.28.030 Construction or guarantee prior to approval.**

The building department shall deny final approval and acceptance or final public utility connection to any building or dwelling until said curbs, gutters and sidewalks exist or are constructed or construction is guaranteed by cash or bond deposited with the city in a sum equal to the building department's estimated costs for cement curbs, gutters and sidewalks for such property. (Ord. 34 § 3, 1965).

### **15.28.040 Street width—Dedication.**

Such curbs, gutters and sidewalks shall be installed in accordance with a street width to be established by the city engineer; the property owner shall, if required, dedicate such additional frontage as may be necessary to install curb, gutter and sidewalk in accord with the width of street as designated by the city engineer. (Ord. 34 § 4, 1965).

### **15.28.050 Exceptions.**

In cases of unusual hardship any person aggrieved by the provisions of Sections 15.28.020 or 15.28.030 may appeal to the city council, and the council with or without public hearing on the matter may except

some or all of the parcel of property from said provisions upon such conditions as it may deem just. (Ord. 34 § 5, 1965).

## **Chapter 15.36 GROWTH REQUIREMENTS CAPITAL FEE**

### **15.36.010 New development defined.**

“New development” includes all residential, commercial and industrial construction projects except as specifically exempted in Section 15.36.070. “Capital improvements,” for purposes of this chapter, means costs related to acquisition of land and improvements thereto, construction of buildings and other facilities, equipment and debt service relating to any of the foregoing. (Ord. 267 § 1, 1983).

### **15.36.020 Applicability.**

This chapter applies to any building permit issued by the city after August 1, 1983. (Ord. 267 § 8, 1983).

### **15.36.030 Fee schedule.**

Each new development shall pay a growth requirements capital fee of four percent of the building valuation of that development. (Ord. 267 § 2, 1983).

### **15.36.040 Payment when.**

Any applicants for a building permit for a new development shall pay the growth requirements capital fee at the same time as payment is made for the building permit fee. (Ord. 267 § 4, 1983).

### **15.36.050 Alternative payments.**

The timing and amount of the payment of the growth requirements capital fee may only be altered pursuant to an agreement approved by the city council. (Ord. 267 § 5, 1983).

### **15.36.060 Fee for mobile home developments.**

In addition to the fee required by Section 15.36.030, the portion of mobile home developments which do not have a building valuation shall be assessed a fee of fifteen hundred dollars per mobile home space. The fee shall be automatically adjusted annually on the first day of July of each year following the year of adoption of the ordinance codified in this chapter to reflect any percentage increase or decrease in building costs as determined by the construction cost index for Los Angeles for the preceding year as reflected in the periodical, Engineering News Record. (Ord. 267 § 3, 1983).

### **15.36.070 Exemptions.**

Any proposed development which meets the following criteria shall be exempt from paying the growth requirements capital fee:

- A. Alterations which do not increase the floor area of a structure; or



B. Additions to single-family residential dwellings which do not constitute the addition of a living unit as defined by the building code. (Ord. 267 § 6, 1983).

**15.36.080 Use of funds.**

All funds received by the city in connection with the payment of the growth requirements capital fee shall be placed in the general fund of the city and may be used for any general government purpose. It is the determination of the city council that over time the capital improvements contemplated as the basis of this chapter will be paid by the city out of general fund revenues, including funds received from the growth requirements capital fee. (Ord. 267 § 7, 1983).

**15.36.090 Redevelopment agency as developer.**

In the event the city is called upon to be a party to any tax exempt bond financing for the purpose of providing mortgage revenue bonds or other construction loan financing for residential, commercial or industrial projects within the city, the city may require the payment of the entire growth requirements capital fee attributable to the project from the proceeds of the bonds or other type of financing, at the time the proceeds are paid over to the city or to the redevelopment agency of the city; in the event that the redevelopment agency of the city should sell bonds or other types of financing for the purpose of financing residential, commercial or industrial development, the city may, at its option, treat the redevelopment agency as the developer and require the payment of the fee to be paid directly by the redevelopment agency at the time the agency receives the proceeds of any bonds or other types of financing for the projects. In such event the agency shall pay the amount estimated as the building valuation of the project at the time bonds are issued and in the event the actual valuation differs from the estimate, the city and the agency shall adjust the fee accordingly. (Ord. 273 § 9, 1983).