

July 13, 2006

City Council Meeting  
July 25, 2006

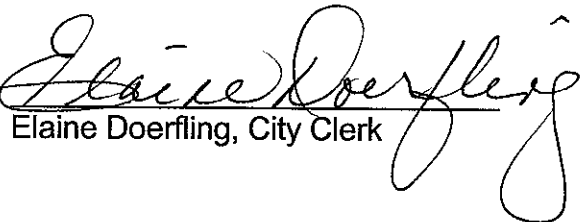
Mayor and Members  
of the City Council

**ORDINANCE NO. 06-1269 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING THE BUILDING CODE (CHAPTER 15.04) TO REQUIRE THE INSTALLATION OF FENCING AND PEDESTRIAN PROTECTION ON CONSTRUCTION AND DEMOLITION SITES, AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE."**

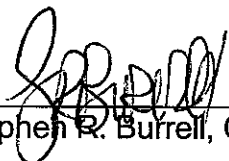
Submitted for **waiver of full reading** and **adoption** is Ordinance **No. 06-1269**, relating to the above subject.

At the meeting of July 11, 2006, the ordinance was presented to the City Council for consideration and was introduced by the following vote:

AYES:	Bobko, Edgerton, Keegan, Reviczky, Mayor Tucker
NOES:	None
ABSENT:	None
ABSTAIN:	None

  
Elaine Doerfling, City Clerk

Noted:

  
Stephen R. Burrell, City Manager

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## ORDINANCE NO. 06-1269

**AN ORDINANCE OF THE CITY OF HERMOSA BEACH,  
CALIFORNIA, AMENDING THE BUILDING CODE  
(CHAPTER 15.04) TO REQUIRE THE INSTALLATION OF  
FENCING AND PEDESTRIAN PROTECTION ON  
CONSTRUCTION AND DEMOLITION SITES AND  
AMENDING THE HERMOSA BEACH MUNICIPAL CODE**

The City Council of the City of Hermosa Beach does hereby ordain as follows:

**SECTION 1.** Findings. The City Council hereby finds as follows:

1. Hermosa Beach is an older city with narrow streets and sidewalks.
2. When construction and demolition projects are located on these streets and sidewalks and inadequately protected with fencing and canopies hazardous conditions are created for pedestrians.
3. The current building code does not sufficiently address the City's constrained building and right of way conditions to ensure pedestrian safety.
4. The purpose of this Ordinance is to assure that the public is protected from the risk of falling construction materials through the installation of fencing and pedestrian protection on construction sites.

**SECTION 2.** The City Council held a duly-noticed public hearing on June 27 and July 11, 2006 to consider the amendment to the California Building Code relative to adoption of this Ordinance requiring the installation of fencing and pedestrian protection at demolition and construction sites at which the Council took testimony from interested persons prior to deliberating and taking action.

**SECTION 3.** Chapter 15.04 of Title 15 of the Hermosa Beach Municipal Code is amended by adding thereto a new Section 15.04.140 to read as follows:

**15.04.140. Pedestrian Protection**

Notwithstanding the provisions of Section 15.04.010, Chapter 3303 of the Building Code is amended by adding thereto a new Section 3303.7.5 to read as follows:

1 **Section 3303.7.5** Fencing and pedestrian protection shall be required at all building and  
2 demolition sites as follows:

3 1. Prior to issuance of a demolition or building permit, a pre-demolition site  
4 inspection shall be performed verifying sewer cap and temporary toilet location, and the capping  
5 of electrical, water and gas service to the property.

6 2. Prior to commencement of work, all new construction or demolition sites shall  
7 install minimum 6 foot high protective chain link fencing or wood fencing consistent with Section  
8 3303 of the California Building Code, and Table 33-A regardless of distance to the property line.  
9 Protective wood canopies shall be installed prior to commencement of work pursuant to the  
10 requirements of Section 3303 and Table 33A of the CBC.

11 3. A Pedestrian Protection Plan shall be approved identifying all areas of required  
12 pedestrian protection for the property, prior to the issuance of demolition or building permits. The  
13 plan shall indicate all areas of pedestrian protection or indicate why such protection is not required  
14 (i.e. exempt due to distance of construction to property line). The Pedestrian Protection Plan, shall  
15 be prepared by a licensed contractor, engineer or owner-builder and indicate the proposed  
16 protection system to be installed and the method of installation. When conditions make installation  
17 of a pedestrian canopy impractical (i.e. a narrow street or alley) an alternative method may be  
18 shown on the plan such as pedestrian diversion through use of flagpersons and barriers.

19 4. Any work encroaching into the public right of way or involving pedestrian  
20 diversion shall require Public Works Department approval of permits and pedestrian protection.

21 5. In addition to the remedies provided in the Building Code, violations of this section  
22 shall result in revocation or suspension of a building permit pursuant to the procedures set forth in  
23 the Code.

24 **SECTION 4.** Adoption of this Ordinance is not a project within the meaning of the  
25 California Environmental Quality Act (CEQA) pursuant to Section 15378 of the State CEQA  
26 Guidelines.

27 **SECTION 5.** This Ordinance shall become effective and be in full force and effect from  
28 and after thirty (30) days of its final passage and adoption.

1           **SECTION 6.** Prior to the expiration of fifteen (15) days after the date of its adoption, the  
2 City Clerk shall cause this Ordinance to be published in the "Easy Reader", a weekly newspaper of  
3 general circulation published and circulated in the City of Hermosa Beach, in the manner provided  
4 by law.

5           **SECTION 7.** The City Clerk shall certify to the passage and adoption of this Ordinance,  
6 shall enter the same in the book of original Ordinances of said city, and shall make minutes of the  
7 passage and adoption thereof in the records of the proceedings of the City Council at which the  
8 same is passed and adopted.

9           **PASSED, APPROVED and ADOPTED** this 25th of July 2006 by the following vote:

10           AYES:           Bobko, Edgerton, Keegan, Reviczky, Mayor Tucker  
11           NOES:           None  
12           ABSENT:       None  
13           ABSTAIN:       None

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14           **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

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16           ATTEST:

17           APPROVED AS TO FORM:

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19           \_\_\_\_\_  
20           City Clerk

21           \_\_\_\_\_  
22           City Attorney