

**ORDINANCE NO. 2023-610**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS, CALIFORNIA, ADOPTING BY REFERENCE TITLE 32, FIRE CODE, OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA FIRE CODE, 2022 EDITION, WITH CERTAIN CHANGES AND AMENDMENTS; AMENDING CHAPTER 15.20 OF THE HAWAIIAN GARDENS MUNICIPAL CODE; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, in July 2022, the California Building Standards Commission adopted the 2022 Edition of the California Building Standards Code (“CBSC”), effective January 1, 2023, and codified in Title 24 of the California Code of Regulations (“CCR”).

**WHEREAS**, the CBSC consists of building standards that regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, electrical systems, plumbing, mechanical systems, and maintenance of all buildings in the state and includes the California Fire Code (CCR, Title 24, Part 9).

**WHEREAS**, on January 31, 2023, the Los Angeles County Board of Supervisors adopted Ordinance No. 2023-0008, amending Title 32 of the Los Angeles County Code by repealing and replacing it with the 2022 Edition of the California Fire Code and making certain local changes and amendments thereto.

**WHEREAS**, pursuant to California Government Code Section 50022.2, the City of Hawaiian Gardens (“City”) may adopt the 2022 Edition of the California Fire Code by reference.

**WHEREAS**, pursuant to sections 17958.7 and 18941.5 of the California Health & Safety Code, the City may adopt local amendments to the California Fire Code determined by the City Council to be reasonably necessary because of local climatic, geological, or topographical conditions.

**WHEREAS**, the City desires to adopt Title 32 of the Los Angeles County Code and the 2022 Edition of the California Fire Code without further local amendments.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS DOES ORDAIN AS FOLLOWS:**

**Section 1. Recitals.** The City Council hereby finds and determines that the Recitals above are true and correct and are incorporated herein.

**Section 2. Amendments to Chapter 15.20.** Proposed additions to the existing Municipal Code are noted by *italicization* and underlining; deletions from the existing

Municipal Code are noted by ~~strike~~throughs. These notations are for reference only and shall not appear in the codified version of the City's Municipal Code. Chapter 15.20 of Title 15 of the Hawaiian Gardens Municipal Code is hereby amended in its entirety to read as follows:

**“Chapter 15.20  
Fire Code**

- 15.20.010 County Fire Code adopted by reference.**
- 15.20.020 Adoption Repeal of 2019 California Fire Code as amended by Title 32 Los Angeles County Fire Code.**
- 15.20.030 Previous permits.**
- 15.20.040 Penalty for violation.**

**15.20.010 County Fire Code adopted by reference.**

- A. Title 32 of the Los Angeles County Code entitled, “the Fire Code,” as amended and in effect on March 2, 2023, which constitutes an amended version of the California Fire Code 2022 Edition (Part 9 of Title 24 of the California Code of Regulations) 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.~~

**15.20.020 Adoption Repeal of 2019 California Fire Code as amended by Title 32 Los Angeles County Fire Code.**

- A. The 2019 California Fire Code, as amended by Title 32 Los Angeles County Fire Code (adopted November 26, 2019, by the Los Angeles County Board of Supervisors), together with their appendices, ~~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.~~

#### **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.

#### **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 \$500.00 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.”

**Section 3. Filing.** The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission pursuant to section 17958.7 of the California Health and Safety Code.

**Section 4. Environmental.** The City Council finds that the adoption of the California Fire Code and Title 32 of the Los Angeles County Code of Ordinances is exempt from the California Environmental Quality Act (“CEQA”) under CEQA Guideline section 15061(b)(3) (the common sense exemption). The action is largely administrative in nature and designed to improve and not degrade environmental quality such that there is no possibility that adopting this Ordinance would adversely affect the environment in any manner that could be significant.

**Section 5. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect any remaining provision hereof. The City Council of the City of Hawaiian Gardens hereby declares that it would have adopted this Ordinance despite any partial invalidity of its provisions.

**Section 6. Effective Date.** This Ordinance shall take effect thirty (30) days after its final passage and adoption, consistent with California Government Code section 36937.

**Section 7. Adoption, Certification, and Publication.** The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

**Section 8. Recordation of Proceedings.** The documents and materials associated with this ordinance that constitute the record of proceedings on which these findings are based are located at 21815 Pioneer Boulevard, Hawaiian Gardens, CA 90716. The City Clerk is the custodian of the record of proceedings.

**PASSED, APPROVED and ADOPTED**, by the City Council of the City of Hawaiian Gardens, California, at a regular meeting of the City Council held on the 13<sup>th</sup> day of June, 2023.

/S/  
Maria Teresa Del Rio, Mayor

ATTEST:

/S/  
Pablo Rubio  
City Clerk

APPROVED AS TO FORM:

/S/  
Megan K. Garibaldi  
City Attorney

**CITY OF HAWAIIAN GARDENS  
CITY CLERK'S OFFICE  
CERTIFICATION**

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF HAWAIIAN GARDENS   )

I, Pablo Rubio, City Clerk of the City of Hawaiian Gardens, do hereby certify that **Ordinance No. 2023-610**, was duly and regularly introduced, adopted, and passed at a Regular meeting of the City Council on the **13<sup>th</sup> day of June 2023** by the following votes as the same appears on file and of record in the Office of the City Clerk.

<b>AYES:</b>	DE PAULA, ROA, VARGAS, FARFAN, DEL RIO
<b>NOES:</b>	NONE
<b>ABSENT:</b>	NONE
<b>ABSTAIN:</b>	NONE

/S/ \_\_\_\_\_  
Pablo Rubio  
City Clerk