

ORDINANCE NO. 568

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS, CALIFORNIA AMENDING CHAPTER 12.21 OF THE MUNICIPAL CODE RELATING TO PUBLIC SKATE PARK FACILITIES

WHEREAS, previously, the City Council adopted Ordinance NO. 471 on March 26, 2002 to promote the public peace, morals, health, safety and general welfare of persons in the City by regulating the activity on public Skate Park facilities within the City.

WHEREAS, the California State Legislature enacted Health and Safety Code Section 115800 establishing requirements for skateboard park operations and declaring skateboarding at a facility operated by a municipality to be a hazardous recreational activity within the meaning of Section 831.7 of the Government Code if certain requirements are met; and

WHEREAS, the City Council is now amending the Ordinance to achieve consistency in the language, correct clerical errors within the Ordinance and to avoid any potential conflicts with other Chapters of the Hawaiian Gardens Municipal Code.

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

SECTION 1. The Table of Contents of Chapter 12.21 of the Hawaiian Gardens Code is hereby renumbered as follows:

Public Skate Park Facilities

Sec. ~~12.20.010~~ 12.21.010 Statement of Purpose
Sec. ~~12.20.020~~ 12.21.020 Definitions
Sec. ~~12.20.030~~ 12.21.030 Hours of Operation
Sec. ~~12.20.040~~ 12.21.040 Prohibited Conduct
Sec. ~~12.20.050~~ 12.21.050 City Immunity from Liability
Sec. ~~12.20.060~~ 12.21.060 Protective Gear Requirements
Sec. ~~12.20.070~~ 12.21.070 Other Regulations
Sec. ~~12.20.080~~ 12.21.080 Signage and Posting Requirements
Sec. ~~12.20.090~~ 12.21.090 Penalties
Sec. ~~12.20.100~~ 12.21.100 Additional Enforcement

SECTION 2. All section headings for Chapter 12.21 shall be updated and renumbered in accordance with Section 1.

SECTION 3. Section 12.21.020 of the Hawaiian Gardens Municipal Code is hereby amended as follows:

For the purpose of carrying out the intent of this Article, words, phrases and terms used hereon shall have their ordinary meaning, unless otherwise indicated as follows:

(a) "Department" shall be defined as the City of Hawaiian Gardens Human Services and Recreation Department;

(b) "Public Skate Park Facility" shall be defined as any facility, structure or area in which skateboarding, in-line skating and roller skating is permitted pursuant to the provisions of this Article, which is owned, operated and maintained by the City, and which has been designated as a "public skate park facility" by resolution of the City

(c) "Roller Skates" or "in-line skates" including roller blades, shall be defined as any shoe, boot or other footwear to which one or more wheels are attached;

(d) "Skateboard" shall be defined as any platform of any composition or size to which two or more wheels are attached and which is intended to be ridden or propelled by one or more persons standing or kneeling upon it and to which there is not affixed any seat or any other device or mechanism to turn and control the wheels;

(e) "Skate Activity" shall be defined as the use of a skateboard, roller skates or inline skates, including roller blades;

(f) "Skater" shall be defined as any person participating in Skate Activity.

SECTION 4. Section 12.21.030 of the Hawaiian Gardens Municipal Code is hereby amended as follows:

Public skate park facilities shall be opened from 7:00 a.m. until dusk, or as otherwise posted by the Director. It shall be unlawful for any person to use or remain in such facilities in violation of this section without written consent of the Department. Public skate park facilities shall close in the event of rain, rainy conditions or otherwise ~~wt~~ wet areas.

SECTION 5. Section 12.21.070 of the Hawaiian Gardens Municipal Code is hereby amended as follows:

The City ~~Administrator~~ Manager or his or her designee may set forth any other rules and regulations for the use of a public skate park facility, which he or she deems appropriate provided that signs describing such rules ~~an~~ and regulations are placed and posted pursuant to the this Article.

SECTION 6. Section 12.21.080 of the Hawaiian Gardens Municipal Code is hereby amended as follows:

In order to provide reasonable notice to the public, the City ~~Administrator~~ Manager or his or her designee shall place and post signs in one or more conspicuous and visible

area(s) of a public skate park facility designating the facility, structure or area as a public skate park facility, specifying the rules and regulations established pursuant this Article, and prohibiting the activities described herein.

SECTION 7. Section 12.21.100 of the Hawaiian Gardens Municipal Code is hereby amended as follows:

The City ~~Administrator~~ Manager of his or her designee shall have the authority to eject and expel from the skate park any person who is in violation of any provision of this Article.

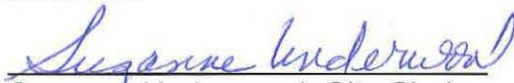
SECTION 8. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance or any part thereof is for any reason, held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction such decision shall not affect the validity of effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivisions paragraphs, sentences, clauses or phrases be declared unconstitutional, or invalid, or ineffective.


SECTION 9. Severability. If any section, subsection, subdivision, sentence, clause of phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional.

SECTION 10. Effective Date. This Ordinance shall take effect thirty days after its adoption. The City Clerk or his duly appointed deputy shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.


PASSED, APPROVED AND ADOPTED by the City Council of Hawaiian Gardens this 13th day of December, 2016

ATTEST:


Suzanne Underwood, City Clerk


Mayor

APPROVED AS TO FORM:


Arnold Alvarez-Glasman, City Attorney
Asst.

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

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

I, Suzanne Underwood, City Clerk of the City of Hawaiian Gardens, do hereby certify that **Ordinance No. 568**, was duly and regularly introduced and placed upon its first reading at a Special meeting of the City Council on the **17th day of NOVEMBER, 2016**, and that thereafter, said Ordinance was duly adopted and passed at a Regular meeting of the City Council on this **13TH day of DECEMBER, 2016** by the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES: TRIMBLE , BRUCE, RODRIGUEZ, MARAVILLA, RIOS
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE


SUZANNE UNDERWOOD
CITY CLERK/RECORDS MANAGER



CITY OF HAWAIIAN GARDENS CITY COUNCIL STAFF REPORT

Agenda Item No.: B-2

Meeting Date: 11/17/2016

City Manager: *[Signature]*

CITY OF HAWAIIAN GARDENS

ACTION:

☒ Approved
☐ Denied
☐ Amended
☐ Receive & File

☒ Other
1st Reading

VOTE: *5-0*

DATE: *11/17/2016*

TO: Honorable Mayor and Members of the City Council

THROUGH: Linda Hollinsworth, Interim City Manager

FROM: Arnold M. Alvarez-Glasman, City Attorney

DATE: November 17, 2016

SUBJECT: **CONDUCT FIRST READING OF ORDINANCE 568 TO AMEND CHAPTER 12.21 OF THE HAWAIIAN GARDENS MUNICIPAL CODE, PERTAINING TO THE ESTABLISHMENT AND USE OF SKATE PARK FACILITIES**

BACKGROUND:

On March 26, 2002, the City Council adopted Ordinance No. 471 of the City of Hawaiian Gardens ("City"), amending chapter 12.21 of the Hawaiian Gardens municipal code as it relates to the designation and usage of skate parks. The City must now amend the Ordinance to correct clerical errors within the Ordinance and to grant the City Manager authority to effectuate the Ordinance.

DISCUSSION:

Currently, the provisions of Chapter 12.21 are incorrectly numbered, creating a conflict in the Hawaiian Gardens Municipal Code ("HGMC"). When the Ordinance was initially adopted in March 26, 2002, the provisions were numbered by referencing Chapter 12.20 related to Parks. Therefore, the numbering scheme used by the Skate Park Ordinance was already being utilized by the Parks ordinance. In order to correct this clerical error, the table of contents and the provisions of Chapter 12.21 must be renumbered as follows:

Sec. 12.21.010	Statement of Purpose
Sec. 12.21.020	Definitions
Sec. 12.21.030	Hours of Operation
Sec. 12.21.040	Prohibited Conduct
Sec. 12.21.050	City Immunity From Liability
Sec. 12.21.060	Protective Gear Requirements
Sec. 12.21.070	Other Regulations
Sec. 12.21.080	Signage and Posting Requirements
Sec. 12.21.090	Penalties
Sec. 12.21.100	Additional Enforcement

Furthermore, the Ordinance will be amended to delegate the City Manager authority to effectuate this Ordinance.

FISCAL IMPACT:

There is no fiscal impact as a result of this action.

RECOMMENDATION:

The staff recommends that the City Council introduce for first reading the attached Ordinance to Amend Chapter 12.21 of the Hawaiian Gardens Municipal Code, relating to the establishment and use of Skate Park Facilities

ATTACHMENTS:

Ordinance 568

PROOF OF PUBLICATION
(2015.5 C.C.P.)
Los Cerritos Community Newspaper Group
13079 E. Artesia Blvd., B-108
Cerritos CA 90703
(562) 407-3873

County Clerk's Filing Stamp

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter.

I am the principal clerk of the printer of the Los Cerritos Community News, a newspaper of general circulation, printed and published one time each week in the County of Los Angeles, and

have been adjudged a newspaper of the Superior Court of the County of California, under the date of Case Number V5005861 that annexed is a printed copy (set nonpareil), has been published in the issue of said newspaper a thereof on the following date:

12/2/16

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED AT CERRITOS, CA

THIS 2nd DAY OF DECEMBER

Signature


Brian E.

Los Cerritos Community Newspaper Group
13079 Artesia Blvd. Suite B-
562-407-

LCCN FORM 82180 PROOF

Proof of Publication of

CITY OF HAWAIIAN GARDENS
SUMMARY OF ORDINANCE

SUMMARY OF ORDINANCE TO BE CONSIDERED
FOR ADOPTION BY THE HAWAIIAN GARDENS CITY COUNCIL

Pursuant to Government Code section 36933(c), the following summary shall serve as the publication requirement for adoption of an ordinance amending Chapter 12.21 of the Hawaiian Gardens Municipal Code regarding skate park facilities. The Ordinance, as summarized below, will be considered for adoption by the Hawaiian Gardens City Council at its meeting of December 13, 2016, beginning at 6:00 p.m. in the Council Chambers, 21815 Pioneer Blvd., Hawaiian Gardens, CA 90716.

ORDINANCE NO. 568

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HAWAIIAN GARDENS, COUNTY OF LOS ANGELES, STATE OF
CALIFORNIA, AMENDING CHAPTER 12.21 OF THE MUNICIPAL
CODE RELATING TO PUBLIC SKATE PARK FACILITIES

On March 26, 2002, the City Council adopted Ordinance No. 471 of the City of Hawaiian Gardens ("City"), amending chapter 12.21 of the Hawaiian Gardens municipal code as it relates to the designation and usage of skate parks. The City must now amend the Ordinance to correct clerical errors within the Ordinance and to grant the City Manager authority to effectuate the Ordinance.

A copy of Ordinance No. 568 is available for review in the City Clerk's Office, City Hall, 21815 Pioneer Blvd., Hawaiian Gardens, CA 90716, during posted business hours. A copy is also available in the City Council's agenda packet for said Council meetings which is posted at the City's website at <http://www.hgcity.org>.

For additional information, contact the City of Hawaiian Gardens at (562) 420-2641.

Suzanne Underwood
City Clerk

Published at Los Cerritos Community Newspaper 11/25/16



**CITY OF HAWAIIAN GARDENS
SUMMARY OF ORDINANCE**

**SUMMARY OF ORDINANCE TO BE CONSIDERED
FOR ADOPTION BY THE HAWAIIAN GARDENS CITY COUNCIL**

Pursuant to Government Code Section 36933(c), the following summary shall serve as the publication requirement for adoption of an Ordinance amending Section 12.20.010 of the Hawaiian Gardens Municipal Code regarding animals in City parks. The Ordinance, as summarized below, was adopted by the Hawaiian Gardens City Council at its meeting of November 17, 2016.

ORDINANCE NO. 567

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF HAWAIIAN GARDENS, COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA, AMENDING TITLE 12, SECTION
12.20.010, OF THE HAWAIIAN GARDENS MUNICIPAL CODE
REGULATING ANIMALS IN CITY PARKS**

The Ordinance will amend Hawaiian Gardens Municipal Code Title 12, Section 12.20.010, to prohibit dogs in City parks except for leashed service dogs and dogs in designated dog parks.

The Ordinance was adopted by the following vote of the City Council: For: Bruce, Rodriguez, Maravilla, Trimble, Rios; Against: None. Copies of the Ordinance are available for review in the City Clerk's Office, City Hall, 21815 Pioneer Blvd., Hawaiian Gardens, CA 90716

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For additional information, contact the City of Hawaiian Gardens at (562) 420-2641.

Suzanne Underwood
City Clerk

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

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

I, Suzanne Underwood, City Clerk of the City of Hawaiian Gardens, do hereby certify that **Ordinance No. 567**, was duly and regularly introduced and placed upon its first reading at a Regular meeting of the City Council on **OCTOBER 25TH, 2016**, and that thereafter, said Ordinance was duly adopted and passed at a Regular meeting of the City Council on this **13TH day of DECEMBER, 2016** by the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES:	BRUCE, RODRIGUEZ, MARAVILLA, TRIMBLE, RIOS
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE



CITY OF HAWAIIAN GARDENS CITY COUNCIL STAFF REPORT

Agenda Item No.: B-2

Meeting Date: 12/13/2016

CITY OF HAWAIIAN GARDENS
City Manager: *[Signature]*

ACTION:

☒ Approved
☐ Denied
☐ Amended
☐ Receive & File
☐ Other

VOTE:

DATE:

2nd Reading
5-0
12/13/2016

TO: Honorable Mayor and Members of the City Council

THROUGH: Linda Hollinsworth, Interim City Manager

FROM: Arnold M. Alvarez-Glasman, City Attorney

DATE: December 13, 2016

SUBJECT: **CONDUCT SECOND READING OF ORDINANCE 568 TO AMEND CHAPTER 12.21 OF THE HAWAIIAN GARDENS MUNICIPAL CODE, PERTAINING TO THE ESTABLISHMENT AND USE OF SKATE PARK FACILITIES**

BACKGROUND:

On March 26, 2002, the City Council adopted Ordinance No. 471 of the City of Hawaiian Gardens ("City"), amending chapter 12.21 of the Hawaiian Gardens municipal code as it relates to the designation and usage of skate parks. The City must now amend the Ordinance to correct clerical errors within the Ordinance and to grant the City Manager authority to effectuate the Ordinance.

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Currently, the provisions of Chapter 12.21 are incorrectly numbered, creating a conflict in the Hawaiian Gardens Municipal Code ("HGMC"). When the Ordinance was initially adopted in March 26, 2002, the provisions were numbered by referencing Chapter 12.20 related to Parks. Therefore, the numbering scheme used by the Skate Park Ordinance was already being utilized by the Parks ordinance. In order to correct this clerical error, the table of contents and the provisions of Chapter 12.21 must be renumbered as follows:

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Sec. 12.21.070	Other Regulations
Sec. 12.21.080	Signage and Posting Requirements
Sec. 12.21.090	Penalties
Sec. 12.21.100	Additional Enforcement

Furthermore, the Ordinance will be amended to delegate the City Manager authority to effectuate this Ordinance.

FISCAL IMPACT:

There is no fiscal impact as a result of this action.

RECOMMENDATION:

It is recommended that the City Council conduct the second reading and adopt Ordinance No. 568 by title and waive the full reading to amend Chapter 12.21 of the Hawaiian Gardens Municipal Code, relating to the establishment and use of Skate Park Facilities

ATTACHMENTS:

Ordinance 568

Staff Report from First Reading on November 17, 2016