

ORDINANCE NO. 834

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ADOPTING THE MANHATTAN BEACH MUNICIPAL CODE, TOGETHER WITH THE FOLLOWING SECONDARY CODES THEREIN ADOPTED BY REFERENCE, TO WIT: THAT CERTAIN CODE ENTITLED, "FIRE PREVENTION CODE EDITION OF NINETEEN FIFTY-THREE", ESTABLISHED BY THE NATIONAL BOARD OF FIRE UNDERWRITERS OF THE UNITED STATES OF AMERICA, SAVE AND EXCEPT SUCH PORTIONS THEREOF AS ARE DELETED, MODIFIED OR AMENDED BY THE PROVISIONS OF THE MANHATTAN BEACH MUNICIPAL CODE; THAT CERTAIN CODE ENTITLED, "UNIFORM BUILDING CODE 1958 EDITION VOLUME III", PUBLISHED BY THE PACIFIC COAST BUILDING OFFICIALS CONFERENCE OF LOS ANGELES, CALIFORNIA, SAVE AND EXCEPT SUCH PORTIONS THEREOF AS ARE DELETED, MODIFIED OR AMENDED BY THE PROVISIONS OF THE MANHATTAN BEACH MUNICIPAL CODE; THAT CERTAIN CODE ENTITLED, "UNIFORM ELECTRICAL CODE" PUBLISHED BY THE PACIFIC COAST ELECTRICAL BUREAU, 1947 EDITION AND THAT CERTAIN CODE ENTITLED, "1947 NATIONAL ELECTRICAL CODE", SAVE AND EXCEPT SUCH PORTIONS THEREOF AS ARE DELETED, MODIFIED OR AMENDED BY THE PROVISIONS OF THE MANHATTAN BEACH MUNICIPAL CODE; AND THAT CERTAIN CODE ENTITLED, "UNIFORM PLUMBING CODE 1958 EDITION", PUBLISHED BY THE WESTERN PLUMBING OFFICIALS ASSOCIATION OF LOS ANGELES, SAVE AND EXCEPT SUCH PORTIONS THEREOF AS ARE DELETED, MODIFIED OR AMENDED BY THE PROVISIONS OF THE MANHATTAN BEACH MUNICIPAL CODE; PRESCRIBING CERTAIN PENALTIES FOR THE VIOLATION OF THE PROVISIONS THEREOF; AND REPEALING CERTAIN ORDINANCES AS SPECIFIED THEREIN.

The Council of the City of Manhattan Beach does ordain as follows:

SECTION 1. ADOPTION OF THE MANHATTAN BEACH MUNICIPAL CODE.

That certain document entitled, "MANHATTAN BEACH MUNICIPAL CODE", including the Appendix thereto, three (3) copies of which have been filed and are on file in the office of the City Clerk for public inspection, together with the secondary codes therein adopted by reference, is hereby adopted as a comprehensive ordinance code for the City of Manhattan Beach, pursuant to the provisions of Sections 50022.1 through 50022.7 of the Government Code of the State of California. Each and all of the provisions, terms and penalties of said Code on file in the office of the City Clerk are hereby referred to, adopted, incorporated herein, and hereby made a part hereof as if fully set forth in this ordinance.

SECTION 2. REPEAL OF ORDINANCES. Except as otherwise pro-

1 vided in this ordinance and in the Manhattan Beach Municipal Code,
2 all ordinances of the City of Manhattan Beach in force upon the
3 effective date of this ordinance are hereby repealed.

4 SECTION 3. CERTAIN ORDINANCES TO REMAIN IN EFFECT. Those
5 certain ordinances of the City of Manhattan Beach which are listed
6 in Tables 2, 3 and 4 of the Appendix to the Manhattan Beach
7 Municipal Code shall not be repealed by this ordinance, but shall
8 remain in full force and effect.

9 SECTION 4. EXCEPTIONS TO REPEALS. No rights, obligations,
10 duties, privileges or encumbrances arising from any ordinance which
11 is repealed by this ordinance and which said ordinance relates to
12 any of the following matters shall be affected by the repealing
13 provisions of this ordinance or of the Manhattan Beach Municipal
14 Code:

15 (a) The public debt or the public credit;

16 (b) The establishment, naming, width, grade, construction,
17 improvement or vacation of a public street, sidewalk, alley or
18 other public property or facility;

19 (c) The annexation of territory;

20 (d) Any contract to which the City is a party or any con-
21 tract inuring to the City's benefit;

22 (e) The acquisition or disposition of any interest in real
23 or personal property;

24 (f) A municipal election;

25 (g) Any appropriation or expenditure of public funds;

26 (h) The levy or imposition of property taxes or fixing
27 the tax rate;

28 (i) Levying of a special benefit assessment or creating a
29 lien or debt against the owner of any property or said property; or

30 (j) The granting of any franchise, license or right by the
31 City, which license, grant, power or franchise is legally in force
32 and effect upon the effective date of this ordinance. Every such

1 license, grant and power or franchise shall expire as originally
2 provided.

3 SECTION 5. SAVINGS PROVISIONS. The repealing provisions
4 of this ordinance or of the Manhattan Beach Municipal Code shall
5 not affect or impair any act done or right vested or approved or
6 any proceeding, suit or prosecution had or commenced in any cause
7 before such repeal shall take effect; but every such act done, or
8 right vested or accrued, or proceeding, suit or prosecution had or
9 commenced shall remain in full force and effect to all intents and
10 purposes as if such ordinance or part thereof so repealed had
11 remained in force. No offense committed and no liability, penalty
12 or forfeiture, either civilly or criminally incurred prior to the
13 time when any such ordinance or part thereof shall be repealed or
14 altered by said Code, shall be discharged or effected by such
15 repeal or alteration; but prosecutions and suits for such offenses,
16 liabilities, penalties or forfeitures shall be instituted and pro-
17 ceeded with in all respects as if such prior ordinance or part
18 thereof had not been repealed or altered.

19 SECTION 6. VIOLATION OF CODE. It shall be unlawful for
20 any person to violate any provision, or fail to comply with any
21 requirement of said Code. Any person violating any of the pro-
22 visions or failing to comply with any of the mandatory requirements
23 of said Code shall be guilty of a misdemeanor. Any person
24 convicted of a misdemeanor under the provisions of said Code shall
25 be punishable by a fine of not more than Five Hundred Dollars
26 (\$500.00), or by imprisonment in the City Jail or the County Jail
27 for a period not exceeding six (6) months, or by both such fine
28 and imprisonment. Each such person shall be guilty of a separate
29 offense for each and every day during any portion of which any
30 violation of any provision of said Code is committed, continued
31 or permitted by such person and shall be punishable accordingly.

32 In addition to the penalties hereinabove provided, any

1 condition caused or permitted to exist in violation of any of the
2 provisions of said Code shall be deemed a public nuisance and may
3 be, by this City, summarily abated, and each day such condition
4 continues shall be regarded as a new and separate offense.
5

6 SECTION 7. PUBLICATION AND EFFECTIVE DATE. This ordinance
7 shall be published once in the Manhattan Beach News within fifteen
8 (15) days from and after its adoption and shall take effect and be
9 in force thirty (30) days from and after its adoption.

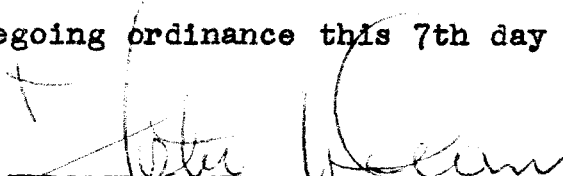
10 The foregoing ordinance was introduced at a regular meeting
11 of the City Council of the City of Manhattan Beach held on the
12 3rd day of March, 1959, and finally passed and adopted by said
13 Council at a regular meeting held on the 7th day of April, 1959,
14 by the following vote:

15 AYES: Councilmen Beverly, Suppe, Walker, Warner and Mayor Dean


16 NOES: None

17 ABSENT: None

18 I hereby sign the foregoing ordinance this 7th day of April,
19 1959.

20 
21 Mayor of the City of Manhattan Beach,
California.

22 ATTEST:

23 
24 City Clerk of the City of
25 Manhattan Beach, California.

26
27 (SEAL)
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