



Article 4 - Safety and Environmental Quality

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Chapter 4.1 Introduction to Article 4

4.1.10 Purpose of this Article

The purpose of this Article is to establish regulations governing public health and safety and environmental quality. This Article is referred to as the Safety and Environmental Quality Ordinance of the City of La Habra Heights.

4.1.20 Contracting with Los Angeles County

The City Council may enter into a contract with the Los Angeles County Board of Supervisors for the performance of certain public health, safety, and environmental health functions. These services shall be provided as deemed necessary and appropriate for the maintenance and enforcement of public health, safety and environmental health.



Chapter 4.2 Health Code

4.2.10 Purpose of this Chapter

This Chapter establishes the City of La Habra Heights Public Health Code.

4.2.20 Adoption of Health Code of Los Angeles County

The City of La Habra Heights hereby adopts the Health Code of the County of Los Angeles, Title 11, Division 1, of the Los Angeles County Code as amended and in effect on June 29, 2006, as the Public Health Code of the City of La Habra Heights to regulate matters concerning public health within the City.



Chapter 4.3 Solid Waste (Integrated Waste Management Ordinance)

4.3.10 Purpose of this Chapter

This Chapter is the La Habra Heights Integrated Waste Management Ordinance. The purpose of this Chapter is to establish regulations for the collection, transportation, disposal and recycling of solid waste generated within the City. This Chapter is enacted in accordance with and to ensure that the City is able to meet its obligations under the California Integrated Waste Management Act of 1989 and any amendments thereto.

4.3.20 Requirements and Regulations Governing Solid Waste

All owners and occupants of real property in the City are liable for the solid waste, green-waste and recyclable materials collection charges established by the haulers and contractors operating under the authority of the City Council for the collection, removal and disposal of solid waste, green-waste and recyclable materials. The following requirements govern the disposal and removal of such waste:

- A. **Discarding of Solid Waste, Green-waste and Recyclable Materials.** No person shall illegally dispose of any solid waste, green-waste or recyclable materials on private or public property or upon any street, public right-of-way or open space. This Section does not prohibit the placement of solid waste, green waste or recyclable materials in approved containers or receptacles for collection or composting in accordance with this Chapter.
- B. **Residential Waste Collection.** The City Council shall authorize, permit, regulate and control the regularly scheduled collection, removal and disposal of all solid waste, green-waste and recyclable materials generated at all residential premises. Each owner or occupant shall utilize the services of the City approved contractor(s) for the regularly scheduled collection of solid waste, green-waste and recyclable materials from the owner or occupant's premises. The owner or occupant shall be responsible for the payment of fees for such services as established by the contractor, including any user fees established by the City Council.
- C. **Non-residential Collection.** No person, other than a City-approved contractor, may collect solid waste or recyclable materials from non-residential premises within the City without having first obtained a Waste Hauler Permit from the City pursuant to the provisions of this Section. Any person granted a Waste Hauler Permit by the City, and any City-approved contractor, shall have the nonexclusive right to collect solid waste and recyclable materials from non-residential premises within the City in compliance with this Chapter.
- D. **Self-Haul Exclusion.** Nothing in this Chapter shall prevent a non-residential or residential occupant from, on a regular basis, collecting and disposing of solid waste generated in or on their premises, in lieu of availing themselves of the services of the contractor or hauler. Any resident or commercial business owner who pursuant to this Section seeks on a regular basis to collect and dispose of solid waste generated in or on their premises, must first obtain a Self Haul Permit from the City, and must comply with City procedures for self-hauling. A Self-Haul Permit may be denied based upon a history of non-compliance or any other facts or circumstances that would render self-hauling a risk to public health or safety or create a nuisance.
- E. **General Requirement.** In all cases where the right to a self-haul exclusion pursuant to this Section is exercised, disposal shall be made at a disposal or processing facility which meets all applicable regulatory requirements. Any such disposal by a person exempted under this Section shall not relieve such person from any obligation or liability imposed by this Chapter or



any other City ordinance.

4.3.30 Permits and Licenses

Every contractor and hauler shall obtain and maintain at all times during its operations a business license issued by the City and all applicable permits and licenses required by any public agency having jurisdiction. In addition, every contractor and waste hauler shall be required to obtain a Waste Hauler Permit from the City of La Habra Heights. The requirements and content of such permits are provided in Article 8 of this Municipal Code. The following exceptions are applicable to this Section:

1. The requirements of this Section shall not prevent an owner or resident from collecting and disposing of occasional loads of solid waste generated on the resident's premises, or from composting green-waste, or from selling, donating or disposing of recyclable materials.
2. Any owner or occupant who disposes of solid waste or recyclable materials, including green waste other than by on-site composting, on a regular basis shall obtain a permit from the City Manager to do so, except as prohibited by the California Beverage Container Recycling and Litter Reduction Act. That Self Disposal Permit shall be issued upon payment of any fee that may be established by the City Council and shall require the permittee to report to the City Manager the volume, type and disposition of solid waste or recyclable materials so disposed.
3. No owner or occupant shall employ or engage any solid waste enterprise, other than an approved contractor, to haul or transport solid waste or recyclable materials to a disposal or processing facility; nor shall any owner or occupant regularly collect or dispose of solid waste generated elsewhere than on the owner or occupant's premises, except as permitted by the California Beverage Container Recycling and Litter Reduction Act.
4. Gardeners, tree trimmers or other persons engaged in a similar trade are prohibited from collecting and disposing of green-waste when incidental to providing such gardening, tree trimming or similar services unless a permit to do so is first obtained from the City Manager. The Green Waste Collection and Disposal Permit shall be issued upon payment of any fee that may be established by the City Council and shall require the permittee to report to the City Manager, in a manner he or she shall specify, the volume and disposition of the green-waste collected and disposed of pursuant to the permit.

4.3.40 Source Separated Recyclable Materials

The City may require any recycler, junk dealer or other enterprise engaged in the business of buying and marketing recyclable materials for resale to provide the City with information pertaining to such collection including, without limitation, the amount of recyclable materials collected from within the City's territorial limits, to the extent permitted by the California Beverage Container Recycling and Litter Reduction Act.

- A. **Collection of Source Separated Recyclable Materials.** No provision of this Chapter shall prevent a recycler, junk dealer or other solid waste enterprise engaged in the business of buying and marketing source separated recyclable materials in the stream of commerce and which buys such materials for resale or marketing and not for disposition in a landfill or transfer station (as defined in Public Resources Code Section 40200), from buying recyclable materials for a monetary or other valuable consideration; nor shall any provision of this Chapter prevent such recycler, junk dealer or solid waste enterprise which buys such materials from removing and transporting such materials to a destination for marketing in the stream of commerce.



- B. **Contractors' Exclusions.** No provision of this Chapter shall prevent a licensed contractor from having a contract for the demolition or reconstruction of a building, structure, pavement, or concrete installation from marketing any saleable items salvaged from such demolition or reconstruction. In addition, no provision of this Chapter shall prevent a licensed contractor from causing such salvageable items or construction or demolition waste to be removed and transported from the premises on which such waste is generated if such collection, removal and disposal activity is performed only by the licensed contractor having the contract for the construction or demolition work that generated such salvageable items or construction or demolition waste, or by regularly employed personnel carried on the licensed contractor's payroll records as an employee and if the contractor complies with any applicable requirements of Article 3 of this Code.

4.3.50 Residential Containers, Time of Placement

No owner or occupant who receives street-side collection service shall place or permit to be placed any solid waste, recyclable materials, or green-waste container at the place of collection at the residential premises before 12:00 p.m. of the day preceding the scheduled collection or leave any such container at the place of collection after 10:00 p.m. on the day of collection, or more than two (2) hours after actual collection, whichever is later. If the place of collection is also used for the regular storage of solid waste, then it must be screened from view from adjacent properties and the public right-of-way.

4.3.60 Placement of Bins, Boxes and Containers at Non-residential Uses

Except during times of collection, bins, boxes and containers at non-residential premises shall be maintained within enclosures, with solid access gates or in such locations that are not visible from the street or public right-of-way. The contractor or hauler shall plan with the customer the placement of the bins, boxes, and containers to minimize traffic, aesthetic and other problems associated with their placement. The design of any new, substantially remodeled, or expanded building or other facility shall provide for proper storage, handling, and accessibility that will accommodate the solid waste and recyclable materials screening and loading anticipated and which will allow for efficient and safe collection.

4.3.70 Accumulation of Solid Waste or Recyclable Materials

Every owner or occupant shall keep the solid waste collection bins and storage areas in a clean and sanitary condition and shall not cause or permit any solid waste to accumulate for a period in excess of one (1) calendar week. This provision shall not be construed to prohibit any person from keeping building materials in, on or about any place or premises during the period of active construction, reconstruction or repair of a building or structure thereon under a current valid Building Permit, nor the keeping of wood neatly piled upon such place or premises for household use, nor the composting of yard trimmings, all of which must be kept in compliance with all other applicable laws.

4.3.80 Prohibited Activities

The following activities are prohibited:

1. No person shall burn or bury any solid waste, hazardous waste or recyclable materials within the City at any time.
2. No person shall transfer solid waste or recyclable materials from one collection vehicle to another on any public street or road unless such transfer assists or improves the method of operation or is necessary due to mechanical failure of or accidental damage to a collection



vehicle.

3. No person shall deposit any hazardous waste in any bin, box, or container utilized for the collection of solid waste, green-waste or recyclable materials.
4. No person shall deposit solid waste or green-waste in a bin, box or container utilized for the collection of recyclable materials.
5. No person shall deposit solid waste or recyclable materials in a bin, box or container utilized for the collection of green-waste.
6. The keeping upon any premises solid waste which is offensive, obnoxious, or unsanitary is unlawful, constitutes a public nuisance and may be abated in the manner provided by law for the abatement of nuisances.
7. Waste collection activities, including the compression of trash, may not be allowed to pollute or otherwise adversely impact the ground, water, or air.
8. The accumulation of recyclable materials or green-waste in a manner that in the opinion of the City's Fire Marshal constitutes an unsafe or hazardous condition or otherwise violates any of the applicable laws governing the storage of such materials is expressly prohibited.

4.3.90 Scavenging Prohibited

No person shall tamper with, modify, or otherwise scavenge solid waste or recyclable materials that have been placed in any solid waste or recyclable materials bin, box, or container. No person other than a City-approved contractor shall collect the recyclable materials from residential premises within the City.

4.3.100 Construction and Demolition Recycling

This Chapter governs the recycling of construction and demolition waste. Compliance with the provisions of this Section shall be listed as a condition of approval on any Building or Demolition Permit issued.

- A. **All Permitted Construction, Demolition or Renovation Projects.** Prior to beginning any construction or demolition activities, the applicant shall submit a Recycling Plan to the Community Development Director and shall be subject to all applicable provisions of this article. Failure to comply with any terms of this Section shall subject the project applicant to the full range of enforcement mechanisms as set forth in Article 8.
- B. **Submission of a Recycling Plan.** Applicants for Building or Demolition Permits shall complete and submit a Recycling Plan on a form approved by the City as part of the application packet for the Building or Demolition Permit. In preparing the Recycling Plan, applicants shall consider the recycling of demolition debris, to the maximum extent feasible, and shall make such materials available for salvage prior to disposal at a landfill. The completed Recycling Plan shall indicate all of the following:
 1. The estimated volume or weight of project construction and demolition debris, by material type, to be generated;
 2. The maximum volume or weight of such materials that can feasibly be diverted via reuse or recycling;



3. The vendor or facility that the applicant proposes to use to collect and receive that material; and
 4. The estimated volume or weight of construction and demolition materials that will be disposed of at a landfill.
- C. **Review of Recycling Plan.** No Building or Demolition Permit shall be issued unless and until the Community Development Director has approved the Recycling Plan. Approval shall not be required, however, where an emergency demolition is required to protect public health or safety as determined by the City Manager. If the Community Development Director determines that the Recycling Plan is incomplete or fails to indicate that at least fifty (50) percent of all construction and demolition debris generated by the project will be reused or recycled, the Community Development Director shall either return the Recycling Plan to the applicant marked "Denied," or marked "Further Information Required."
- D. **Compliance with Recycling Plan.** Prior to the completion of any construction and demolition project, the applicant shall submit to the Community Development Director documentation indicating that the diversion requirement has been met. The applicant shall be required to divert at least fifty (50) percent of the total construction and demolition debris generated by the project via reuse or recycling, unless the applicant has been granted an exemption, in which case the diversion requirement shall be the maximum feasible diversion rate established by the Community Development Director for the project. This documentation shall include the following:
1. Receipts from the vendor and facility that collected and received each material showing the actual weight or volume of that material;
 2. A copy of the previously approved Recycling Plan for the project adding the actual volume or weight of each material diverted and landfilled; and
 3. Any additional information the applicant believes is relevant to determining its efforts to comply in good faith with the approved Recycling Plan for the project.
- E. **Weighing of Wastes.** Applicants shall make reasonable efforts to ensure that all construction and demolition debris diverted or landfilled are measured and recorded using the most accurate method of measurement available. To the extent practical, all construction and demolition debris shall be weighed.
- F. **Determination of Compliance and Release of Building Permit.** The Community Development Director shall review the Recycling Plan submitted under Subsection B of this Section and determine whether the applicant has complied with the diversion requirement, as follows:
1. If the Community Development Director determines that the applicant has fully complied with the diversion requirement applicable to the project; the Community Development Director shall release the Building Permit to the applicant.
 2. If the Community Development Director determines that the diversion requirement has not been achieved, he or she shall determine on a case-by-case basis whether the applicant has made a good faith effort to comply with the diversion requirement. In making this determination, the Community Development Director shall consider the availability of markets for the construction and demolition debris landfilled, the size of the project, and the documented efforts of the applicant to divert construction and demolition debris. If the Community Development Director determines that the



applicant has made a good faith effort to comply, the Community Development Director may release the Building Permit to the applicant.

3. If the Community Development Director determines that the applicant has not made a good faith effort to comply with the diversion requirement, or if the applicant fails to submit the documentation required by Subsection B of this Section within the required time period, then the Community Development Director shall notify the applicant. The Building Permit shall not be released until the applicant has complied with this Section.
- G. Exemption from Recycling Plan.** If an applicant for a project experiences unique circumstances that the applicant believes makes it infeasible to comply with the diversion requirement, the applicant may apply for an exemption at the time they submit the Recycling Plan required in this Section. The applicant shall indicate on the Recycling Plan the maximum rate of diversion believed feasible for each material and the specific circumstances that make it infeasible to comply with the diversion requirement.
1. The Community Development Director shall review the information supplied by the applicant and may meet with the applicant to discuss possible ways of meeting the diversion requirement. Based on the information supplied by the applicant the Community Development Director shall determine whether it is possible for the applicant to meet the diversion requirement.
 2. If the Community Development Director determines that it is infeasible for the applicant to meet the diversion requirement due to unique circumstances, the Community Development Director shall determine the maximum feasible diversion rate for each material and shall indicate this rate on the Recycling Plan submitted by the applicant. The Community Development Director shall return a copy of the Recycling Plan to the applicant marked "Approved for Exemption."
 3. If the Community Development Director determines that it is possible for the applicant to meet the diversion requirement, the Community Development Director shall so inform the applicant in writing. The applicant shall resubmit a Recycling Plan in full compliance with this Section. If the applicant fails to resubmit the Recycling Plan, or if the resubmitted Recycling Plan does not comply with this Section, the Community Development Director shall deny the Recycling Plan.
 4. The applicant shall have the right to appeal to the City Manager any decision made by the Community Development Director. The decision made by the City Manager shall be final.

4.3.110 Violations/Penalties

Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor punishable pursuant to the provisions of Article 8.



Chapter 4.4 Fire Code

4.4.10 Purpose of this Chapter

This Chapter serves as the City of La Habra Heights Fire Code.

4.4.20 Fire Prevention Regulations

Except as hereinafter provided, Title 32, Fire Code, of the Los Angeles County Code, as amended and in effect on June 29, 2006, which constitutes an amended version of the California Fire Code, 2001 Edition (Part 9 of Title 24 of the California Code of Regulations), including Appendix I-C, Appendix II-C, Appendix II-D, and Appendix VI-A and excluding all other appendices of the 2001 Edition of the California Fire Code, and adopting and incorporating herein by reference into this Title 32 of the Los Angeles County Code and the 2001 Edition of the California Fire Code, is hereby adopted by reference as the Fire Code of the City of La Habra Heights. The following amendments have been made to Title 32:

- A. **Very High Fire Hazard Severity Zone.** The City Council has designated every parcel within the boundaries of the City as being located in a Very High Fire Hazard Severity Zone as defined in Section 51175 et seq. of the Government Code.
- B. **Periods of High Fire Hazards.** The Fire Chief will be empowered to mandate a curtailment of certain activities during periods where the risk of fire, including wildfire, is higher than normal.
- C. **Fuel Modification Zones.** Specific zones of a property are subject to fuel modification requirements. These fuel modification requirements are designed to lessen the potential for wildfire. Fire fuel modification zones will be installed and maintained around all structures pursuant to the following *Fuel Modification Zone* requirements and as shown in Exhibit 4-1:
 1. Zone 1 extends to a minimum of thirty (30) feet from any structure. This zone is the fuel modification "wet zone" requiring *fire resistant vegetation* and irrigation systems. Land within this zone must be free of debris, dead wood, branches touching the ground, and other dry or dead vegetation.
 2. Zone 2 extends from Zone 1 to a minimum of one hundred (100) feet from any structure, regardless of where such structure is located plus any area within 12 feet of the edge of the pavement on any public road or *private residential access road*. This zone requires either fire resistant and irrigated landscaping or other plant materials (including *native species*) *thinned* by a minimum of fifty (50) percent. Land within this zone must be free of debris, dead wood, branches touching the ground, and other dry or dead vegetation.
 3. Zone 3 extends from Zone 2 to a minimum of two hundred (200) feet from any structure, regardless of where such structure is located. This zone requires either fire resistant and irrigated landscaping or other plant materials (including *native species*) *thinned* by a minimum of thirty (30) percent. Land within this zone must be free of debris, dead wood, branches touching the ground, and other dry or dead vegetation.
- D. **Other Vegetation Control Measures.** In addition to the fuel modification requirements stated in the previous Section, the following requirements shall also apply:
 1. Tree limbs must be trimmed for a minimum distance of ten (10) feet from any chimney



- or stovepipe. Any dead limbs or vegetation hanging over roofs must also be removed.
2. All dry or dead vegetation or other similarly flammable materials must be removed within ten (10) feet of any wooden or combustible fence.
 3. All vegetation must be trimmed so that it does not interfere with roadway and emergency vehicle access. Vegetation must be kept back a minimum distance of three (3) feet from the edge of pavement and to a minimum height of twelve (12) feet above. Property owners shall be responsible for the vegetation clearance and removal along roadways, both public and private. As used in this Subsection, roadway is defined as that portion of a public or private street used for vehicular travel. This Subsection shall not apply to cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

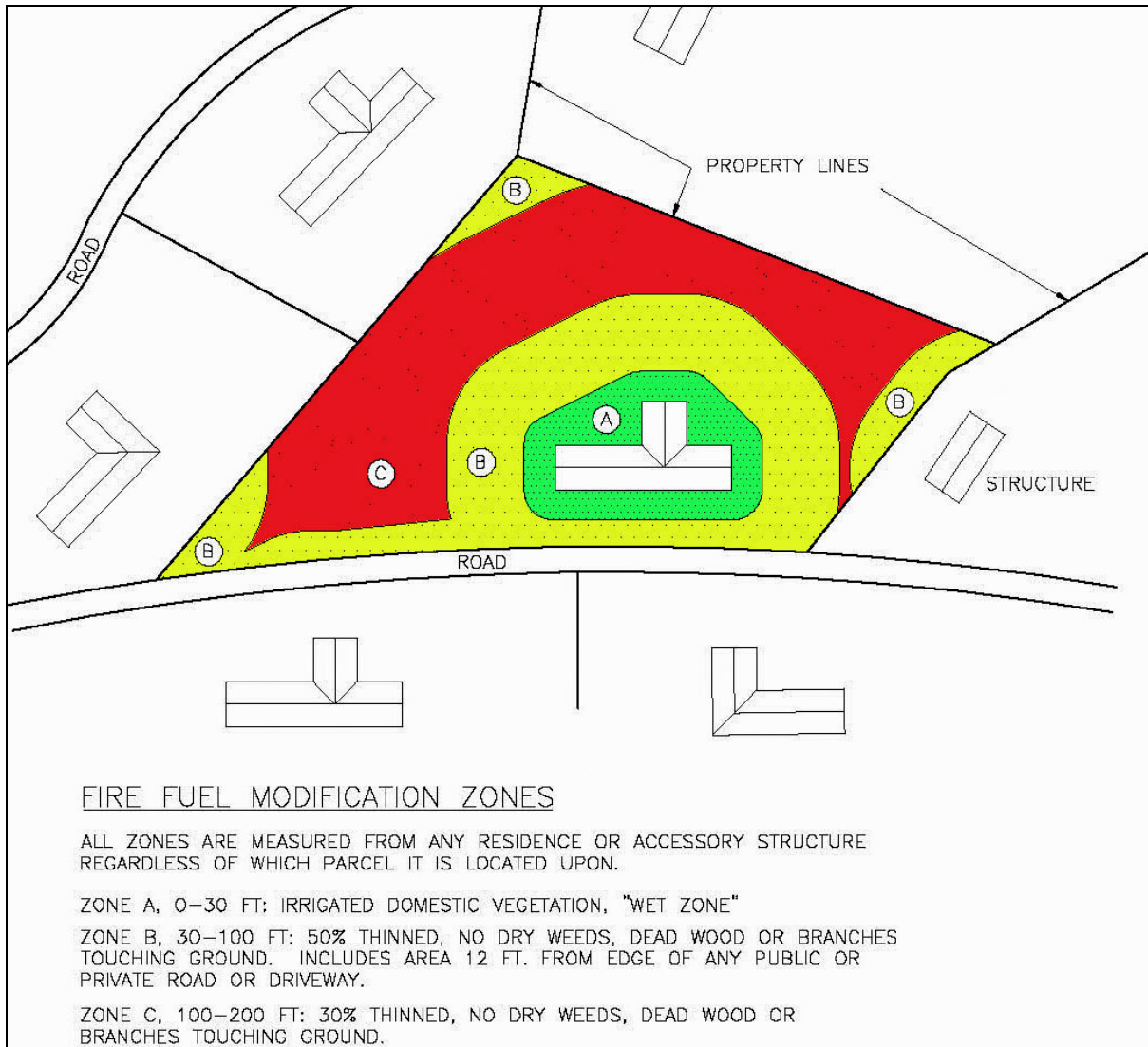


Exhibit 4-1 Fuel Modification Zones



- E. **Other Fire Prevention Requirements Around Structures and Fences.** All flammable material and vegetation must be removed from gutters, roof areas, and eaves and firewood, lumber, flammable chemicals or other combustible materials may not be stored next to any structure.
- F. **Nonconforming Landscaping.** Nonconforming landscaping related to fuel modification zones must conform to current regulations.
- G. **Brush and Grass Clearance on Public and Private Lands.** Brush and grass clearance is required on all land, public and private, developed and undeveloped, along roadways and around any structure, to such distance as established by the City. The City shall also monitor the diligence of Puente Hills Landfill Native Habitat Preservation Authority (or that of any successor agency) brush clearance and fire prevention activities on their properties within and adjacent to the City. The Fire Chief may enter onto public or private property and remove and clear all flammable vegetation or other combustible growth within twelve (12) feet on each side of each roadway, and may charge the responsible party for the cost of such action.
- H. **Development Standards.** The following development standards related to fire prevention and suppression shall be applicable to all new development and significant remodels in the City:
1. An interior fully automatic fire sprinkler system shall be installed in all of the following buildings, or portions of buildings, unless it is established to the satisfaction of the Fire Chief that the installation of such interior fire sprinkler system would impose an undue burden and the absence of an interior fire sprinkler system would not significantly increase the fire risk or hazard:
 - a. Any new residence, detached habitable structure, garage or commercial structure regardless of the construction materials.
 - b. Existing and new portions of an existing building when a story is added, more than seventy-five (75) percent of the existing roof structure is replaced, or floor area is increased by more than seventy-five (75) percent.
 - c. Any residential addition(s), including garages, attics, second stories, or other living areas, exceeding one thousand (1,000) square feet of floor area in any twelve (12)-month period.
 - d. Any structure in which more than fifty (50) percent of the existing drywall is removed or disturbed.
 - e. That portion of any structure having more than one thousand (1,000) square feet of ceiling area removed or disturbed.
 - f. Any attic area greater than fifty (50) square feet in floor area with a roof pitch greater than six (6) feet in twelve (12) linear feet.
 2. All habitable structures must be equipped with automatic natural gas seismic shut-off valves.
 3. New development applications must demonstrate that there is adequate fire-flow to meet the projected demand associated with the proposed development.
 4. The Fire Department shall review the results of the La Habra Heights County Water



District fire flow and fire hydrant tests on an annual basis and maintain a record of the results.

5. The Fire Department shall review all development plans to ensure that construction methods and activities are in accordance with recognized fire prevention and suppression standards.
- I. **Storage of Hazardous Materials.** The following regulations govern the storage of hazardous materials, including those materials and chemicals that are flammable.
1. All combustible and/or hazardous materials shall be stored in proper containers with legible content labels.
 2. Any person that handles or stores or intends to handle or store hazardous materials that require permits from County, State, and/or Federal governments, shall obtain and keep current any applicable permit pursuant to the requirements of Federal, State, and/or County regulations. This provision does not apply to household products available for public sale.
 3. No person or business shall store any hazardous materials regulated by this Chapter until a Hazardous Materials Permit has been issued from the County of Los Angeles and approved by the City of La Habra Heights Fire Department.
 4. All installation, construction, repair or modification, closure, and removal of hazardous materials storage facilities shall be to the satisfaction of the *health officer*. The City shall have the discretion to impose reasonable additional or different requirements in order to better secure the purpose and general obligation of this Chapter for protection of public health, safety and welfare.
- J. **Weed Abatement.** In order to reduce fire hazards and nuisances associated with weeds, refuse, rubbish and dirt upon or in front of private property, the City Council may conduct proceedings pursuant to Article 2 of Chapter 13 of Part 2 of Division 3 of Title 4 of the California Government Code (Section 39560 et seq). The Fire Chief is designated to perform the duties imposed upon the superintendent by that Article.
- K. **Fireflow Requirement.** No Building Permit may be issued prior to receipt by the Community Development Department of a La Habra Heights City Fire Department certificate stating that a minimum fireflow of seven hundred fifty (750) GPM is available at a fire hydrant safely accessible to the Fire Department located not over six hundred (600) paved roadway feet from the proposed residential structure or that the required fireflow for all proposed structures other than residences is adequate. The following exceptions to the requirements of this Section shall apply:
1. The City Council may waive the fireflow requirements when the City Council upon recommendation of the Fire Department finds that there are sufficient alternate sources of water available to adequately protect existing and proposed structures. In waiving the fireflow requirement, the City Council may attach such conditions to the waiver as it deems necessary to protect the public health, safety, and welfare.
 2. Either of the following is exempt from the requirements of this subsection:
 - a. Additions to existing residential structures not exceeding one thousand (1,000) square feet in area in any twelve (12) month period.



- b. Alterations or repairs to existing residential structures in any twelve (12) month period not exceeding fifty (50) percent of the value of existing structures or agricultural and other buildings accessory to existing dwellings.
3. The City Council may establish further exceptions to the fireflow requirements when acting on the recommendation of the Fire Chief that such exceptions will be adequate to protect the health and safety without requiring excessive public or private expenditures.

4.4.30 Prohibited Activities

The following activities are prohibited within the City of La Habra Heights.

- A. **Open Fires.** Outdoor fires, including fires set for the burning of rubbish, debris and vegetation, are prohibited other than in a barbeque or enclosed fire pit.
- B. **Fireworks.** The sale, discharge, firing or use of any fireworks within the City of La Habra Heights is prohibited.
- C. **Explosives.** No persons shall store or keep for sale within the City, any gunpowder, giant powder or blasting powder in quantities greater than five (5) pounds. Caps of the type used for detonating explosives shall not be brought into or stored within the City without the prior written approval of the Fire Department. This Subsection does not apply to loaded cartridges, shells, or powder in shells.
- D. **Smoking.** No person(s) shall smoke within an area set aside for public use. Public use areas may include, but are not limited to, civic uses, parks, open space areas, and trails. Such activities may also be prohibited, by signage or other means, in vehicles using public and private roadways during those periods identified by the Fire Chief as being high fire hazard periods.
- E. **Tampering with Fire Suppression/Detection Devices.** No person shall tamper with fire detection and/or suppression equipment, including, but not limited to, sprinklers, alarms, fire extinguishers and signs.
- F. **Arson/Negligence.** The activities listed in this Subsection shall, at a minimum, constitute misdemeanors and may be prosecuted as felony offenses to the extent permitted by state law:
 1. Any person who individually or through another, willfully, negligently, or in violation of law sets a fire, allows a fire to be set other than in a barbeque or enclosed fire pit.;
 2. Any person that allows a fire to escape from his or her control;
 3. Any person that allows any hazardous material to be handled, stored or transported in a manner not in accordance with this Municipal Code or with nationally recognized standards;
 4. Any person that allows any hazardous material to escape from his or her control; or
 5. Any person that neglects to properly comply with any written notice of the Fire Chief or Fire Marshall.
- G. **Unsafe Structures.** The ownership or maintenance of any structure that has a combustible roof or exhibits other characteristics that constitute a fire hazard is prohibited.



- H. **Gas Shut-off Valves.** Habitable structures that lack automatic seismic natural gas shut-off valves must be so equipped no later than January 1, 2010.
- I. **List of Infractions Designated.** The activities listed in this Subsection shall, at a minimum, constitute infractions of this Fire Code. Every infraction is punishable in such manner, and to such extent, as is provided by Article 8 of the La Habra Heights Municipal Code.
1. Failure to obtain proper and/or required permits.
 2. Failure to properly identify or label hazardous materials containers.
 3. Failure to maintain required address numbering.
 4. Violations of regulations governing fire roads and fire-breaks.
 5. Obstructing access to, or clear passage of, a roadway.
 6. Trespassing on a closed road.
 7. Maintaining a fire alarm system in a manner that does not prevent false alarms.
 8. Failure to notify Fire Department in the event of a fire or other emergency.
 9. Tampering with a fire hydrant.
 10. Failure to maintain required fire extinguishers or extinguishing systems.
 11. Failure to display welding warning signs.
 12. Failure to use asphalt kettles properly.
 13. Improper use of door-locking devices that interfere with emergency response.
 14. Failure to identify required emergency exits within a building and/or failure to conform to sign illumination requirements.
 15. The improper/illegal storage of materials under stairways.
 16. The improper storage of hazardous materials.
 17. Violation of property maintenance requirements governing vegetation clearance.
 18. Failure to display or maintain "No Smoking" sign(s) when required.
 19. The improper storage and/or disposal of hazardous, burning, or dangerous materials
- J. **Citations.** The Fire Chief and his/her designees shall have the authority and duty to enforce the pertinent provisions of this Municipal Code pursuant to the California Penal Code, including Section 830.37. The Fire Chief and his/her designees may make arrests for felony or misdemeanor violations of the Fire Code and may issue citations for infractions or misdemeanor violations of the Fire Code or other related provisions of the Municipal Code, pursuant to the procedures set forth in the California Penal Code.

4.4.40 Violations/Penalties



Any person or entity that violates any provision of this Chapter (the City of La Habra Heights Fire Code), which is punishable as a felony, will be prosecuted as such pursuant to the California Penal Code. Any person or entity that otherwise violates any provision of this Chapter is guilty of a misdemeanor which shall be punishable pursuant to the procedures set forth in Article 8 of the La Habra Heights Municipal Code unless such violation is otherwise declared to be an infraction. Any person who engages in any of the activities identified in Section 4.4.30 is liable for the expense of fighting any resulting fire, or for the expense incurred during a hazardous materials incident. Any such expense shall be a charge against that person and this charge shall constitute a debt and will be collectible by the public agency incurring the expense.



Chapter 4.5 Public Nuisances

4.5.10 Purpose of this Chapter

The purpose of this Chapter is to identify those activities and conditions that shall be considered a public nuisance in the City of La Habra Heights. The *summary abatement* of any public nuisance shall be undertaken at the expense of the person or persons creating, causing, committing or maintaining the nuisance.

4.5.20 Public Nuisances

The following are considered to be public nuisances:

- A. **Un-maintained Landscaping.** Excessive overgrowth of vegetation, dead, decayed or diseased trees, growth of weeds or deposit of garden waste that are likely to harbor rats or vermin, constitute a fire or health hazard, or may be dangerous to the public health, safety or welfare;
- B. **Dead or Diseased Landscaping.** Overgrown, dead, decayed, diseased or hazardous trees or other vegetation, other than compost, that constitutes a fire hazard, is likely to create a hazard to motor vehicles, bicycles, or pedestrians or otherwise interfere with the safe use of any street or road or is likely to impede drainage within or over a parkway, drainage course, or watercourse;
- C. **Vegetation Extending into Travel Lanes.** Any trees, shrubbery or other vegetation within three (3) feet horizontally of any roadway edge of pavement or not providing a minimum of twelve (12) feet of vertical clearance above roadway surface or extending into or above any street or right-of-way in such manner as to interfere with free passage along, or safe and unobstructed line of sight within, such roadway;
- D. **Impairment of View of Street Signs.** Allowing or permitting vegetation to be located so as to prevent or impede a clear view of public signs;
- E. **Traffic View Impairment by Landscaping.** Allowing or permitting vegetation to be located near a driveway or street intersection, or edge of pavement so as to prevent a clear view of approaching vehicles on a street;
- F. **Defective Structures.** Any defective or deteriorated building that constitutes a potential fire hazard or may result in structural failure or creates an unhealthful condition for surrounding residents;
- G. **Unsafe Buildings and Properties.** Maintaining a property or structure in a manner that is in violation of the Los Angeles County Building Code or the Fire Code;
- H. **Building Maintenance.** Maintaining any unpainted building or structure, or those having dry rot, warping, or termite infestations or any building or structure on which the condition of the paint or stucco has become so deteriorated as to permit termite infestation or maintaining buildings or structures with broken windows or doors so as to constitute a hazardous condition and invite trespassers and malicious mischief;
- I. **Child Safety.** Maintaining or failing to maintain property so as to allow conditions that are dangerous and accessible to children including abandoned, broken or neglected equipment or machinery, hazardous, stagnant or improperly fenced pools, spas, ponds, septic systems or



excavations;

- J. **Road Hazards.** Logs, rocks, sand, dirt or other materials that are likely to create a hazard to motor vehicles, bicycles, or pedestrians or otherwise interfere with the safe use of any street or road or that is likely to impede drainage within or across a parkway, drainage course, or watercourse;
- K. **Abandoned Buildings.** Any abandoned or vacated building or structure, including garden sheds, stables and pens, left in a condition of disrepair that is easily accessible to the public including those that may become a fire or safety hazard;
- L. **Improper Storage.** The outside storage of rubbish or junk, including but not limited to: refuse, garbage, food waste other than compost, trash, scrap metal, scrap lumber, concrete, asphalt, cans, bottles, tires, litter, piles of dirt, discarded building materials, yard waste, abandoned, broken, discarded, inoperable or unused furniture, stoves, sinks, toilets, cabinets, refrigerators, freezers or other fixtures, appliances, or equipment;
- M. **Improperly Discarded Debris.** Abandoned, discarded or unused furniture, appliances, sinks, toilets, cabinets, or other household fixtures or equipment;
- N. **Accumulation of Waste Products.** The keeping or dumping of dead animals, any animal remains, or other waste organic products (waste vegetable matter, ashes, swill or any refuse matter) in any building, premises, public land or water course (all refuse matter must be collected and kept in tightly covered or closed metal cans or vessels);
- O. **Vehicle Repair.** The repair or dismantling of any automobile, boat or other engine-powered vehicle or conveyance in public view;
- P. **Construction Equipment and Machinery.** Keeping on real property construction equipment or machinery of any type in violation of the Home Occupancy Ordinance or when such equipment is parked or stored on the owner's property and is visible from a public easement or an adjoining property, except during construction activities. This does not apply while excavation, construction or demolition operations covered by an active Building Permit are in progress on the subject property or an adjoining property;
- Q. **Other Machinery.** Keeping, operating or maintaining any machinery on real property which by reason of dust, exhaust or fumes creates a health or safety hazard;
- R. **Erosion and Flooding.** The failure to maintain property, the topography or configuration of which, whether in its natural state or as a result of grading operations or other earth movement activities, causes or will cause erosion, subsidence or surface water runoff that will result in debris deposit on public roadways or which may otherwise be injurious to public health or safety;
- S. **Unsafe Animal Keeping.** Keeping or maintaining on property any live or dead animal, reptile or insect in such a manner as to pose a threat, disturbances, danger or menace to the health or safety of the community;
- T. **Animal Waste.** Keeping or maintaining accumulations of animal manure or other animal matter of any kind or character from which smells or odors emanate or which provide or are likely to provide a breeding place for vermin, insects or rodents of any kind or allowing such waste to be conveyed in water runoff from the site;
- U. **Temporary Roofing/Groundcover.** Maintaining plastic or other temporary protective



materials on roofs or the ground (for erosion control) for more than six (6) months;

- V. **Parking of Vehicles.** Failing to keep all vehicle parking on an improved surface (refer to Article 7);
- W. **Abandoned Vehicles.** Parking inoperable or unregistered vehicles in the City for more than thirty (30) days. Vehicles parked for longer periods of time shall be considered abandoned;
- X. **Parking of Large Vehicles.** Failing to park large vehicles, including but not limited to, motor homes and boats, on an approved parking surface and screened from view;
- Y. **Commercial Vehicle Parking.** Parking and/or storing commercial vehicles in all areas except for agricultural and other equipment that is permitted pursuant to Article 7;
- Z. **Charging of Admission to Parties.** Allowing parties which require or accept payment for admission;
- AA. **Illegal Dumping.** The dumping of any solid waste, hazardous material or bulky item, including but not limited to any waste as defined in California Health and Safety Code Section 25117, demolition and construction wastes, any discarded furniture, home or industrial appliance or abandoned vehicle or a part of an abandoned vehicle;
- BB. **Keeping of Animals.** The keeping of animals in setback areas of a property or within 35 feet of an adjacent residence or pool or patio area;
- CC. **Resource Production Operations.** Failure to ensure that all facilities, pipelines, abandoned pipelines, equipment, structures, wells, idle wells, abandoned wells and all associated resource production operations are maintained and conducted in conformance to all applicable current City, County, State and Federal regulations;
- DD. **Unlawful Assembly.** Blocking ingress or egress to any public or private building or facility or obstructing any public or private street or right-of-way;
- EE. **Violations of this Article.** Any other condition or conduct that violates the provisions of this Article or constitutes a public nuisance as defined under California statutory or case law or is contrary to the public peace, health, and safety or otherwise prevents the enjoyment or reasonable use of property;
- FF. **Other Nuisances.** In addition to these enumerated public nuisances, the City Council shall have the power to declare what conditions, acts or omissions constitute a nuisance.

4.5.30 Prevention and Abatement

Every person who owns or is in possession of any property within the City of La Habra Heights shall, at their own expense, maintain their property, including any parkway areas between their property line and edge of pavement, and any improvements or activities within those properties so that they are free from any public nuisance. All property found to be in any condition that is described in this Chapter shall be abated by rehabilitation, demolition or repair pursuant to the procedures set forth in Article 8. The procedures for abatement shall not be exclusive and shall not in any manner limit or restrict the City from enforcing other City ordinances or abating public nuisances in any other manner provided by law.

4.5.40 Summary Abatement of Nuisances that Pose an Immediate Threat to Public Health and Safety



If, upon the determination of the City Manager, a particular public nuisance as described in this Chapter or any other applicable Chapter poses an immediate threat to public health and safety, the City Manager may dispense with the applicable notice and hearing requirements and order the immediate abatement of the activity or activities and/or condition or conditions causing the public nuisance consistent with the provisions set forth in Article 8. Prior to ordering immediate abatement pursuant to this Section, the City Manager must set forth in writing the facts and circumstances establishing why the subject property constitutes a public nuisance and why immediate abatement is essential.

4.5.50 Violations/Penalties

Any person or entity that violates any provision of this Chapter is guilty of a misdemeanor which shall be punishable pursuant to the procedures set forth in Article 8 of the La Habra Heights Municipal Code, unless such violation is otherwise declared to be an infraction.



Chapter 4.6 Security Alarm Ordinance

4.6.10 Purpose of this Chapter

The purpose of this Chapter is to regulate the use of security alarms, including those in vehicles, in the City of La Habra Heights. The ordinance codified in this Chapter shall be known and cited as the City of La Habra Heights Security Alarm Ordinance.

4.6.20 Identification of Alarm Owner

For every audible alarm system, the alarm owner shall be required to post the names and telephone numbers of persons to be notified in the event the alarm is activated. The posting must be placed in a visible location near the property's entryway. An audible alarm shall terminate its operation within five (5) minutes of its being activated.

4.6.30 Operation of Direct-dial Telephone Devices

No person shall use any alarm system that is equipped with a direct-dial device that, when activated, automatically dials any telephone number in any public law enforcement or safety agency.

4.6.40 Audible Alarm Requirements

This Section governs the installation and use of audible alarm systems in the City of La Habra Heights. For purposes of this Section, "audible alarm" means any alarm system which generates a sound which is designed to be heard outside the building or vehicle where the system is installed. Audible alarms, and their installation and use, must conform to the following requirements.

1. No audible alarm shall be installed, maintained, or used that emits or can emit an alarm sound similar to that of an emergency vehicle siren.
2. All audible alarms shall be designed and/or equipped to automatically turn off not more than five (5) minutes after being activated.
3. No subscriber, seller or lessor of alarm systems shall install, equip or utilize an audible alarm that is an *automatically self-resetting alarm system*.
4. All new alarms shall be supplied with an uninterruptible power supply or other provision such that that the failure or interruption of the normal utility electric service will not activate the alarm system.

4.6.50 False Alarms

The following requirements are applicable to false alarms including those in vehicles.

- A. **Activation of False Alarm.** A person shall not knowingly turn in a false alarm. This Section does not prohibit a test of an alarm system.
- B. **False Alarms, Owner Responsibility.** After any false alarm, the alarm owner shall, upon request by the law enforcement agency, submit a written report to the law enforcement agency describing actions taken or to be taken to eliminate the cause of the false alarms. This report shall be submitted within ten (10) days of the date of request by the law enforcement agency.



- C. **Maintaining a Public Nuisance Alarm.** An alarm owner shall not operate an alarm system that generates more than three (3) false alarms in any twelve (12) month period.
- D. **Exemptions.** The provisions of this Section are not applicable to audible alarms affixed to emergency motor vehicles or to a public telephone utility whose only duty is to furnish telephone service pursuant to tariffs on file with California Public Utilities Commission.

4.6.60 Violations/Penalties

Any person or entity that violates any provision of this Chapter is guilty of a misdemeanor which shall be punishable pursuant to the procedures set forth in Article 8 of the La Habra Heights Municipal Code, unless such violation is otherwise declared to be an infraction.



Chapter 4.7 Restrictions Applicable to Minors

4.7.10 Purpose of this Chapter

The purpose of this Chapter is to establish regulations for minors to ensure that curfews are adhered to and that regulations governing truancy are enforced.

4.7.20 Curfew for Minors

The following curfew regulations are applicable to minors.

- A. **Prohibited Act.** It is unlawful for any minor under the age of 18 years to be present in a "public place," as defined in Subsection B of this Section between the hours of 10:00 p.m. on any given day and sunrise of the immediately following day unless the minor satisfies one of the exemptions specified in Subsection C of this Section.
- B. **Restricted Areas.** Minors are prohibited from visiting any public place during those hours when the curfew is in force. For purposes of this Chapter, a "public place" means any place to which the public or a substantial group of the public has access, including, but not limited to, any public street, sidewalk, avenue, highway, road, curb area, alley, park, playground, or other public ground or public building, any common area of any school, hospital, apartment house, office building, transport facility, or shop, or any privately-owned place of business operated for a profit to which the public is invited, including any place of amusement, entertainment, or eating place.
- C. **Exemptions.** The provisions of this Chapter shall not apply when a minor satisfies any of the following:
 1. The minor is accompanied by his or her parent(s), legal guardian(s), or other adult person(s) authorized by said parent(s) or guardian(s) to have the care and custody of the minor.
 2. The minor is on an errand at the direction of the minor's parent(s), legal guardian(s), or other adult person(s) authorized by said parent(s) or guardian(s) to have the care and custody of the minor.
 3. The minor is traveling to, or directly home from, a place or places that is connected with or required by a business, trade, profession or occupation in which such minor is lawfully engaged.
 4. The minor is involved in an "emergency situation," which means for this purpose, any unforeseen set of circumstances that calls for immediate action to prevent serious bodily injury or loss of life.
 5. The minor is within 50 feet of the front door of his or her residence.
 6. The minor is present at, or traveling to or directly home from, a school, religious or recreational activity supervised by adults and sponsored by a school, religious or civic organization or other similar entity or organization that assumes responsibility for the minor.
 7. The minor is present at, or traveling to or directly home from, a political fundraiser, rally or other political activity, or is otherwise exercising his or her First Amendment



rights protected by the United States Constitution, provided that any such political event or other First Amendment-type activity is supervised by adults and/or sponsored by a *political organization*.

8. The minor is present at, or traveling to or directly home from, a public meeting, or place of public entertainment, such as a movie, play, sporting event, dance or school activity, provided such meeting, event or activity is a school-approved activity for the minor or is otherwise supervised by school personnel of the minor's school.
9. The minor has entered into a valid marriage, is on active duty with the armed forces of the United States or is legally emancipated.

4.7.30 Daytime Restrictions for Minors

It is unlawful for any minor under the age of 18 years, who is subject to compulsory education or to compulsory continuation education, to be "absent from school and found in a public place," unless the minor has one of the valid excuses specified in Subsection B of this Section.

- A. **Restrictions Defined.** For purposes of this Chapter, a minor is "absent from school and found in a public place" if said minor is found idling, wandering, strolling, playing, or aimlessly driving or riding about in or upon any public street, avenue, highway, road, curb area, alley, park, playground, or other public ground, public place or public building, place of amusement or eating place, vacant lot or unsupervised place, or any place open to the public during the hours of 8:30 a.m. and 1:30 p.m. of the same day on days when the minor's school is in session.
- B. **Valid Excuses.** The provisions of this Chapter shall not apply when a minor meets one of the following exceptions:
 1. The minor has in his or her possession a written excuse from the minor's parent(s), legal guardian(s), or other adult person(s) having the legal care or custody of the minor, which excuse provides a reasonable explanation, as determined by the court, for the minor's absence from school.
 2. The minor is accompanied by his or her parent(s), legal guardian(s) or other adult person(s) having the legal care or custody of the minor.
 3. The minor is upon an emergency errand directed by said minor's parent(s), legal guardian(s), or other adult person(s) having the legal care or custody of the minor.
 4. The minor is going to or returning directly from a medical appointment.
 5. The minor has permission to leave the school campus and said minor has in his or her possession a valid, school-issued, Off-Campus Permit.
 6. The minor is going to or returning directly from a public meeting, or place of public entertainment, such as a movie, play, sporting event, dance or school activity, provided such meeting, event or activity is a school-approved activity for the minor or is otherwise supervised by school personnel of said minor's school.
 7. The presence of the minor in a place that is connected with or required by a school-approved or school-related business, trade, profession or occupation in which the minor is lawfully engaged.



4.7.40 Violations/Penalties

Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor that shall be punishable pursuant to the procedures set forth in Article 8. Any parent(s), legal guardian(s), or other adult person(s) authorized by said parent(s) or guardian(s) to have the care and custody of a minor, who knowingly permits, or by insufficient control allows, a minor to violate the restrictions of this Chapter is guilty of a misdemeanor.



Chapter 4.8 Graffiti Control

4.8.10 Purpose of this Chapter

The purpose of this Chapter is to establish regulations for the control and abatement of graffiti. This Section of the Municipal Code shall be referred to as the City of La Habra Heights Graffiti Control Ordinance.

4.8.20 Graffiti Deemed a Nuisance

The City Council hereby declares and finds graffiti to be a nuisance subject to abatement according to the provisions and procedures herein contained. Furthermore, the City Council finds that it is the duty of both the owner of the property to which the graffiti has been applied and any person who may be in possession or who has the right to possess such property to keep such property clear and free of graffiti at all times. The existence of any surface of a structure on any property within the City of La Habra Heights where such surface has been defaced with graffiti after removal more than five (5) times in a twelve (12) month period is hereby deemed to be a nuisance, and may be abated by the City according to the provisions and procedures adopted by the City.

4.8.30 Possession of Graffiti Implements

The following governs the possession of implements that may be used in defacing property and structures with graffiti.

1. It is unlawful for any person under the age of eighteen (18) years to have in his or her possession any *graffiti implement* while on any school property, grounds, facilities, buildings, or structures, or in areas immediately adjacent to these specific locations upon public property, or upon private property, without the prior written consent of the owner or occupant of such private property. The provisions of this Subsection shall not apply to the possession of felt-tip markers by minors attending, or traveling to or from school at which the minor is enrolled, if the minor is participating in a class at said school that formally requires the possession of felt-tip markers. The burden of proof in any prosecution for violation of this Section shall be upon the minor student to establish the need to possess a felt-tip marker.
2. It is unlawful for any person to have in his or her possession any graffiti implement while in or upon any public facility, park, playground, or other public owned or operated building or within one hundred (100) feet of an underpass, bridge abutment, storm drain or similar types of infrastructure.
3. It is unlawful for any person, other than a parent or legal guardian, to sell, exchange, give, loan or otherwise furnish or cause to permit to be exchanged, given, loaned, or otherwise furnished, any graffiti implement to any minor without the consent of the parent or other lawfully designated guardian.

4.8.40 Removal of Graffiti by Perpetrator

Any person applying graffiti must remove the graffiti within twenty-four (24) hours after notice by the City or the private owner of the property involved. Such removal shall be done in a manner prescribed by the law enforcement agency, the Community Development Director or any additional department head as authorized by the City Manager. In addition, the following provisions governing the removal of graffiti shall also apply:



1. Any person applying graffiti shall be responsible for such removal or for the payment for removal. Failure of any person to so remove graffiti or pay for its removal shall constitute an additional violation of this Chapter.
2. The parent(s) or legal guardian(s) of a minor who applies graffiti shall be responsible for such removal or for the payment of the removal.
3. The public law enforcement agency, the Community Development Director or any additional department head, as authorized by the City Manager, may convert such payment into equivalent forms of community service hours. Such payments or equivalent forms of community service hours shall be in addition to any other penalties imposed.

4.8.50 Property Owner's Responsibility

The property owner or the person(s) responsible for maintaining the property must adhere to the following requirements:

1. It is unlawful for any person who is the owner, or who has primary responsibility for control of property, to permit said property which is defaced with graffiti to remain so defaced for a period of five (5) days after service of notice by first-class mail, personal service, or posting of notice on the property.
2. The requirements of Subsection 1 of this Section will not apply if the responsible party demonstrates by a preponderance of the evidence that he or she does not have the financial ability to remove the defacing graffiti.
3. The requirements of Subsection 1 will not apply if the responsible party demonstrated that they have an active program for the removal of graffiti and has scheduled the removal of the graffiti as part of that program, in which case it shall be unlawful to permit such property to remain defaced with graffiti for a period of 15 days after service of notice by first-class mail personal service, or posting of notice on the property.

4.8.60 Punishment/Public Nuisance

Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor punishable pursuant to the procedures set forth in Article 8.

4.8.70 Rewards for Information

The City of La Habra Heights may offer rewards for information leading to the identification and apprehension of any person who willfully applies graffiti or otherwise defaces, damages or destroys any public or privately owned property.

4.8.80 Penalties and Civil Liability of Parents

Any parent(s), legal guardian(s), or other adult person(s) authorized by said parent(s) or guardian(s) to have the care and custody of a minor, who knowingly permits, or by insufficient control allows, a minor to violate the restrictions of this Chapter is guilty of a misdemeanor punishable pursuant to the procedures set forth in Article 8.



Chapter 4.9 Solicitation

4.9.10 Purpose of this Chapter

The purpose of this Chapter is to establish regulations for the control of *solicitation* in the public rights-of-way or upon public property within the City of La Habra Heights.

4.9.20 Solicitations Permit Required

No person shall engage in solicitation, as that term is defined in Article 12, within the City without having obtained a permit from the City Manager authorizing such solicitation; but when a permit has been issued to any person the agents and solicitors for such person shall not be required to obtain individual permits.

4.9.30 Exemptions

The provisions of this Chapter do not apply to solicitations made upon premises owned or occupied by the organization on whose behalf such solicitation is made.

4.9.40 Application for Permit

The requirements for application for a Solicitation Permit are as follows:

1. An application for permit to solicit shall be made to the City Manager upon forms prescribed by the City Manager and signed under oath. The application shall be sworn to or affirmed and filed with the City Manager at least fifteen (15) calendar days prior to the time at which the permit to conduct a solicitation shall become effective; provided, however, that the City Manager may for good cause shown allow the filing of an application within this required period prior to the effective date of the permit applied for. The City Manager shall either grant or deny the required permit to conduct a solicitation within fifteen (15) calendar days of the date the application is made. In the event the City Manager fails to act upon a permit within the time prescribed herein, the permit shall be deemed granted.
2. The application herein required shall contain at least the following information: address, telephone and other contact information for the applicant; the purpose for which the solicitation is to be made; the total amount of any funds to be raised thereby, if any; and the use or disposition to be made of any receipts there from; an outline of the method or methods to be used in conducting the solicitations, including dates and times for the commencement, conduct and termination of the solicitation; a statement to the effect that if a permit is granted, it will not be used or represented in any way as an endorsement by the City or by any department, officer or employee thereof; the names of other cities in which the person registering has solicited; and an explanation of the reasons, if the applicant is unable to provide any of the foregoing information, why such information is not available.
3. If, while any application is pending, or during the term of any permit granted thereon, there is any change in fact, policy, or method that would alter the information given in the application, the applicant shall notify the City Manager in writing thereof within twenty-four (24) hours after such change.

4.9.50 Issuance of Permit

The City Manager shall issue a permit for solicitation unless any of the following have been



demonstrated:

1. That the applicant has failed to provide the required information;
2. That any statement made in the application is untrue; or
3. That the proposed time, place and manner of solicitation is inconsistent with any provision of this Code or poses a threat to the public's health or safety.

In the event the City Manager denies a permit to any applicant, the City Manager, within five (5) business days thereof, shall send by registered mail or give the applicant in person written notice of the denial, stating the reasons for such denial.

4.9.60 Term of Permits

All permits issued under this Chapter shall be valid for a period of thirty (30) calendar days unless renewed, revoked or suspended pursuant to the provisions of this Chapter. Upon good cause shown, the City Manager may issue a permit that may be valid for more than thirty (30) calendar days, but in no event shall a permit be valid for more than six (6) months. Any permit issued under this Chapter shall not be transferable or assignable.

4.9.70 Identification Card

All persons to whom permits have been issued hereunder shall furnish an identification card to their agents and solicitors which card is required to be in the possession of each agent and solicitor and presented when soliciting. Identification cards shall include the permit number, the name and address of the permittee, a statement describing the permittee's purpose and activity, the signature of the permittee's chief executive officer (if applicable), the name and signature of the solicitor to whom the card is issued, the specific period of time during which the solicitation is authorized, and shall have printed prominently thereon in red: 'This identification card is not an endorsement of the solicitation by the City of La Habra Heights or any of its officers or employees.'

No person shall solicit unless he or she exhibits an identification card of a form approved by the City Manager and, before commencing the solicitation, the solicitor shall read it to the person solicited or present it to the person solicited, allowing sufficient time for perusal.

4.9.80 Revocation of Permits

Whenever it shall be shown that any person to whom a permit has been issued under this Chapter has violated any of the provisions hereof or has violated any other law in connection with the solicitation, the City Manager shall immediately suspend the permit, and within two (2) business days thereof, shall either send by registered mail or give the permit holder in person written notice of suspension, stating the reasons for the suspension.

4.9.90 Appeals from Action of City Manager

If an applicant or permit holder is aggrieved by any action to deny, suspend or revoke a permit by the City Manager, such applicant or permit holder may appeal to the City Council by filing within fifteen (15) calendar days of the City Manager's decision with the City Clerk a written statement addressed to the City Council requesting an appeal and setting forth the facts and circumstances regarding the action by the City Manager. The City Clerk shall set a time and place for hearing the appeal and notify the applicant or permit holder. The City Council may affirm, reverse or reverse with conditions the decision of the City Manager. The action of the City Council shall be final.



4.9.100 Manner of Solicitation and Prohibitions

1. No person shall solicit without a permit and identification card;
2. No person shall solicit within the City after the permit issued by the City has expired;
3. No person shall solicit at any dwelling, including but not limited to a house, apartment, or condominium where there is a sign indicating "No Solicitations," "Do Not Disturb," or any other indication that the occupants do not wish to be solicited or in any other way have their privacy disturbed;
4. No person shall touch, come into physical contact with, or affix any object to the person of any member of the public, without first receiving express permission therefore from such member of the public;
5. No person shall persistently and importunately solicit any member of the public after such member of the public expresses his or her desire not to be solicited;
6. No person shall intentionally and deliberately obstruct the free movement of any member of the public on any street, sidewalk or other place or in any place open to the public generally;
7. No person shall threaten any injury or damage to any member of the public who declines to be solicited;
8. No person shall misrepresent his or her physical or mental health while soliciting;
9. No person shall alter an identification card issued or approved by the City without the express approval of the City Manager;
10. No person shall solicit funds in the City for any purpose other than purpose(s) specified in the application upon which the permit was issued;
11. No person shall, while standing in any portion of the public right-of-way, including but not limited to public streets, highways, sidewalks and driveways, solicit, or attempt to solicit, employment, business, or contributions of money or other property, from any person traveling in a vehicle along a public right-of-way, including, but not limited to, public streets, highways or driveways; and
12. No person shall, while the occupant of a moving vehicle, solicit, or attempt to solicit, business or contributions of money or other property, from a person that is within the public right-of-way.

4.9.110 Violations/Penalties

Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor that shall be punishable pursuant to the procedures set forth in Article 8.



Chapter 4.10 Animal Control

4.10.10 Purpose of this Chapter

The purpose of this Chapter is to establish animal control procedures in the City of La Habra Heights. Except as hereinafter provided, Division 1 of Title 10, Animals, of the Los Angeles County Code, as amended and in effect on June 29, 2006, is hereby adopted by reference as the Animal Control Ordinance of the City of La Habra Heights. In addition to Division 1 of Title 10 of the Los Angeles County Code, the requirements enumerated in this Chapter shall also apply. Development standards pertaining to the keeping of animals are contained in Article 7 of the City of La Habra Heights Municipal Code.

4.10.20 License and Permit Requirements

Every person owning or having custody or control of any dog over the age of four months in the City of La Habra Heights shall obtain a license for each dog(s) and shall pay the fees for such licenses as set forth in Title 10 of the Los Angeles County Code. All *large animal* keeping uses must be established and maintained in accordance with the terms of a Large Animal Keeping Permit from the City of La Habra Heights.

4.10.30 Exhibition of License

All dogs (domesticated pets and guard dogs) found within the City of La Habra Heights, regardless of where the owner may reside, must have a dog license. The license tag must be securely affixed to the dog's collar.

4.10.40 Animal Noise

The continued *nuisance noise* by domestic pets and/or livestock is prohibited.

4.10.50 Environmental Controls/Housekeeping

Animal keeping uses and activities are not permitted to create a nuisance for neighboring properties. Such nuisances include, but are not limited to, noise, light and glare, odors, or fugitive dust. Animal keeping uses and facilities must be maintained in a safe and clean condition at all times and kept free of debris, trash, odors, and accumulated animal waste. Animal keeping uses and activities shall not be permitted to unduly interfere with the free and unencumbered enjoyment and use of adjoining or nearby residential lots nor result in environmental pollution including, but not limited to, the pollution of surface water or the creation of odors or fugitive dust.

4.10.60 Vector Control

All animal-keeping facilities must be kept free of vectors and in compliance with all applicable vector control standards. Periodic pest control inspections of animal keeping facilities shall be permitted pursuant to Title 10 of the Los Angeles County Code.

4.10.70 Wild Animals as Pets Prohibited

Only domestic and *non-dangerous wild* animals may be kept or maintained within the City.

4.10.80 Apiaries



All apiaries and the ancillary improvements must be installed and maintained pursuant to the Los Angeles County Code Title 10, Division 3, Chapter 10.76. The owner of any hive located in the City or of any new hive to be established in the City shall register the hive or hives with the Los Angeles County Apiary Inspector and thereafter shall annually re-register pursuant to applicable regulations. Hives shall be placed as close to the center of the parcel on which they are located as practical. Africanized bees are not permitted and must be destroyed if found.

4.10.90 Animals Causing Injury or Property Damage

The keeping of animals that may cause injury or property damage, or any *dangerous animal*, is prohibited.

4.10.100 Unrestrained Animals

All animals must be restrained when off the property on which it is kept.

4.10.110 Violations/Penalties

Any person or entity that violates any provision of this Chapter is guilty of a misdemeanor that shall be punishable pursuant to the procedures set forth in Article 8.



Chapter 4.11 Noise Control

4.11.10 Purpose of this Chapter

The purpose of this Section is to establish noise control regulations in the City of La Habra Heights.

4.11.20 Exterior Noise Standards

No noise levels shall exceed the noise levels specified in Article 7 of this Municipal Code.

4.11.30 Stationary Non-Emergency Signaling Devices

The following requirements are applicable to stationary non-emergency signaling devices.

1. The sounding or permitting the sounding of any amplified signal from any stationary bell, chime, siren, whistle, or similar device intended primarily for non-emergency purposes, from any place, for more than five (5) consecutive seconds in any hourly period is prohibited.
2. Sound sources covered by this provision and not exempted under Section 4.11.230 may be exempted by a variance issued by the Community Development Director.

4.11.40 Refuse Collection Vehicles

The following regulations govern noise generated during refuse collection activities.

1. Operating or permitting the operation of the compacting mechanism of any motor vehicle which compacts refuse and which creates, during the compacting cycle, a sound level in excess of eighty-six (86) dBA when measured at fifty (50) feet from any point of the vehicle is prohibited.
2. Operating or permitting the operation of the compacting mechanism of any motor vehicle which compacts refuse between the hours of 7:00 p.m. and 7:00 a.m. in a residential area or within five-hundred (500) feet thereof is prohibited.
3. Collecting refuse with collection vehicle between the hours of 7:00 p.m. and 7:00 a.m. in a residential area or within five-hundred (500) feet thereof, is prohibited.
4. In the case of conflict between this Chapter and any other ordinance regulating refuse collection, provisions of any specific ordinance regulating refuse collection shall control.

4.11.50 Residential Air Conditioning Equipment

Operating or permitting the operation of any air conditioning or refrigeration equipment in such a manner as to exceed any of the following sound levels is prohibited.

1. 60 dBA at any point on property line if the unit was installed prior to January 1, 1980 and 55 dBA at any property line if the unit was installed after that date.
2. 55 dBA at the center of a neighboring patio if unit was installed prior to January 1, 1980 and 50 dBA at the center of a neighboring patio if the unit was installed after that date.
3. 55 dBA outside of the neighboring living area window located nearest the equipment if



the unit was installed prior to January 1, 1980 and 50 dBA if the unit was installed after that date.

4. The unit may not be placed in any yard setback area.

4.11.60 Street Sales

Offering for sale, selling anything, or advertising by shouting or outcry within any residential zone is prohibited. Vehicles that employ external speakers or other audible sound devices to advertise their presence are prohibited within any residential zone in the City.

4.11.70 Vehicle or Motorboat Repairs and Testing

Repairing, rebuilding, modifying or testing any motor vehicle, motorcycle or motorboat in such a manner as to cause a noise disturbance across a real-property boundary or within 500 feet of a residential zone is prohibited.

4.11.80 Vibration

Operating or permitting the operation of any device that creates vibration that is above the vibration perception threshold of any individual at or beyond the property boundary of the source if on private property, or at one hundred and fifty (150) feet from the source if on a public space or public right-of-way, is prohibited. For the purposes of this Chapter, the perception threshold shall be a motion velocity of 0.01 in/sec over the range of 1 to 100 Hertz.

4.11.90 Residential Noise

No person shall make or permit the generation of noise that interferes with the reasonable peace and comfort of the residents or any guests located on adjacent properties.

4.11.100 Unnecessary Noise

No person shall make or permit any unnecessary noises, sounds or vibrations that are physically annoying to reasonable persons of ordinary sensitivity.

4.11.110 Harmful Noise

No person shall make or permit the generation of noise that is so harsh, prolonged, or unusual that it creates unnecessary or unreasonable discomfort to any persons.

4.11.120 Construction Noise

The operation of construction equipment or conducting construction-related activities (including demolition, grading, site preparation, etc.) is prohibited weekdays and Saturdays between the hours of 7:00 p.m. and 7:00 a.m., or at any time on Sundays or holidays unless such is specifically exempted from this restriction in writing by the City Manager in response to exigent circumstances.

4.11.130 Resource Production

Normal servicing, remedial or maintenance work performed within an existing well site is restricted to the hours between 7:00 a.m. and 7:00 p.m. on weekdays. The installation and construction of new wells and facilities must conform to the requirements of Article 7.



4.11.140 Audio Equipment

The use of any audio equipment at a sound volume sufficiently loud to disturb the peace and quiet of persons with ordinary and normal sensitivity is prohibited.

4.11.150 Band or Orchestral Rehearsals

Musical concerts, practices or rehearsals between the hours of 10:00 p.m. and 7:00 a.m. are prohibited outdoors in all areas of the City and indoors if such activities are audible in areas exterior to the building in which such activities occur.

4.11.160 Engines, Motors and Mechanical Devices

The sustained operation or use of any mechanical device, including but not limited to air conditioning units and pool pumps, is prohibited between the hours of 10:00 p.m. and 7:00 a.m. unless the device complies with sound level limitations provided in this Article.

4.11.170 Motor Vehicles

The operation of a motor vehicles and motorcycles in such a manner so as to cause unnecessary noise, whether stationary or moving, is prohibited.

4.11.180 Loading and Unloading

The loading, unloading, opening, closing, or handling of goods, containers, building materials, or other objects in such a manner as to cause a noise disturbance is prohibited between the hours of 7:00 p.m. and 7:00 a.m.

4.11.190 Amplified Signaling Devices

The use of any amplified signaling device including, but not limited to bells, chimes, sirens, or whistles is prohibited for other than emergency use.

4.11.200 Mechanical Equipment/Accessory Noise

The operation of any internal combustion engine or other equipment without a proper muffler or other factory installed noise attenuation equipment is prohibited.

4.11.210 Noisy Hawking and Advertising Prohibited

The generation of any loud or raucous noise by using any loudspeaker, blowing any bugle, horn or trumpet, or by beating any drum, or ringing any bell, or in any other manner, for the purpose of advertising or selling goods or services upon any highway or sidewalk, or in any doorway or entrance to any building opening onto any such highway or sidewalk, is prohibited.

4.11.220 Loud, Unnecessary and Unusual Noise

Notwithstanding any other provisions of this Chapter, it shall be unlawful for any person to willfully make any loud, unnecessary and unusual noise that disturbs or causes discomfort or annoyance to any reasonable person of normal sensitivity. The standard that may be considered in determining whether a violation of the provisions of this Section exists may include, but not be limited to, the following:



1. The level of noise.
2. Whether the nature of the noise is usual or unusual.
3. Whether the origin of the noise is natural or unnatural.
4. The level and intensity of any background noise.
5. The proximity of the noise to residential sleeping facilities.
6. The nature and zoning of the area within which the noise emanates.
7. The density of the inhabitation of the area within which the noise emanates.
8. The time of the day or night the noise occurs.
9. The duration of the noise.
10. Whether the noise is recurrent, intermittent, or constant.
11. Whether the noise is produced by a non-residential activity (resource production, recreation, etc).

4.11.230 Exempt Noise

The following activities are exempt from the provisions of this Chapter.

1. The emission of sound for the purpose of alerting persons to the existence of an emergency or sound emissions related to the performance of emergency work.
2. The collection of residential refuse between the weekday hours of 7:00 a.m. and 7:00 p.m. and the collection of commercial refuse on weekdays between the hours of 7:00 a.m. and 6:00 p.m.
3. Emergency work performed within an existing well site.
4. Special outdoor public events conducted pursuant to a written approval issued by the City Manager or which constitute a regular or usual function sponsored by the City.

4.11.240 Violations/Penalties

Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor that shall be punishable pursuant to the procedures set forth in Article 8.



Chapter 4.12 Light and Glare Control

4.12.10 Purpose of this Chapter

The purpose of this Chapter is to establish regulations governing nuisance light and glare in the City of La Habra Heights.

4.12.20 Lighting Plans Required

All development plans must include an outdoor lighting plan submitted as part of the development application as specified in Article 7. Outdoor sport courts must also have an outdoor lighting plan as part of the applicable Conditional Use Permit.

4.12.30 Limit Light Trespass

All outdoor light fixtures shall limit light trespass and glare through the use of shielding and directional lighting. All exterior lights shall be designed, located, installed and directed to prevent objectionable light glare across property lines. Landscaping shall be required in areas where plantings can reduce visible glare.

4.12.40 Standard Outdoor Lighting

Outdoor light fixtures shall use a narrow cone of light to confine the light to the area of interest and to minimize light trespass and glare. Such lighting must be equipped with automatic shut-off timers or otherwise shut-off when not in use. In addition, the lighting of these features and other monuments shall conform to the light levels indicated in Article 7 of this Municipal Code.

4.12.50 Recreational Lighting

Light fixtures used for outdoor recreational facilities shall be fully shielded to prevent light trespass beyond the immediate area in which the activity is conducted. Such lighting must be equipped with automatic shut-off timers or otherwise shut-off when not in use.

4.12.60 Driveway and Parking Area Lighting

Lighting fixtures located along driveways and parking areas shall be fitted with glare shields or be cut-off type fixtures. Such lighting must be equipped with automatic shut-off timers or otherwise shut-off when not in use.

4.12.70 Lighting Levels Standards

Light trespass shall be minimized by designs that result in no more than 0.25 foot candles measured at a point located five (5) feet inside the adjacent property and five (5) feet above the ground.

4.12.80 Violations/Penalties

Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor that shall be punishable pursuant to the procedures set forth in Article 8.



Chapter 4.13 Local Air Pollution Control

4.13.10 Purpose of this Chapter

The purpose of this Chapter is to establish regulations relating to land use, maintenance and development that prevent excessive, unnecessary and avoidable impacts on air quality.

4.13.20 Odors

No land use or activity will be permitted to generate an obnoxious odor that is perceived at a neighboring property line.

4.13.30 Visibility

No land use or activity will be permitted to generate visible emissions.

4.13.40 Fugitive Dust

No activity, including construction, will be permitted to generate significant quantities of fugitive dust as defined by the South Coast Air Quality Management District (SCAQMD).

4.13.50 Paints, Sandblasting and Architectural Coatings

The City shall require the use of low-polluting construction and sandblasting materials and architectural coatings.

4.13.60 Fugitive Dust from Off-Road Use and Weed Abatement

As a means to control fugitive dust from off-road vehicles, the use of recreational off-road vehicles on unpaved surfaces is prohibited. This prohibition does not apply to agricultural activities or property maintenance. All weed abatement activities must conform to the requirements of the SCAQMD.

4.13.70 Vehicle Emissions Controls

All vehicles operating within the City are required to maintain emissions control equipment pursuant to the applicable requirements.

4.13.80 Stationary Sources

All stationary emissions sources shall be required to obtain any required operating permits.

4.13.90 Stationary Emissions from Oil Production Facilities

Oil producing equipment must employ Best Available Control Technology (BACT) and be required to obtain all requisite permits from the South Coast Air Quality Management District.

4.13.100 Construction Activities

All construction activities must conform to all applicable South Coast Air Quality Management District regulations.

4.13.110 Violations/Penalties



Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor that shall be punishable pursuant to the procedures set forth in Article 8.



Chapter 4.14 Public Properties and Facilities

4.14.10 Purpose of this Chapter

The purpose of this Chapter is to provide regulation of behavior in all public facilities within the City of La Habra Heights.

4.14.20 Public Properties and Facilities

The following regulations are applicable at public facilities in the City of La Habra Heights.

1. The hours of operation of City controlled public facilities shall be determined by resolution of the City Council.
2. Dogs and other domestic animals are allowed in The Park if kept restrained. Patrons with animals must clean up after their animals.
3. Motorized vehicles or radio-controlled devices are not allowed in The Park. (An exception is motorized wheelchairs and sit-down type carts for disabled individuals.)
4. All trash and debris must be placed in the appropriate containers.
5. A person shall not camp or sleep overnight in The Park or any public land in the City without obtaining City approval. The City Manager may issue an Overnight Camping Permit to any group so long as the group has agreed to the conditions contained in the permit. Upon the granting of such permit, the members of such group, including the adult supervisors, may camp at the time, location and under the conditions specified in the permit.
6. It is unlawful for any person to discard rubbish or other materials on public land or within a public right-of-way.

4.14.30 Public Restrooms

This Section governs the use of public restrooms in the City. For purposes of this Section, a "public restroom" is defined as any structure or facility situated on public or private property equipped with toilets, urinals or washbowls, or other similar facilities, erected and maintained for use by members of the general public for personal hygiene and comfort.

- A. **Use of Restrooms By Opposite Sex Prohibited.** Entering a restroom marked for use by the opposite sex is prohibited
- B. **Sign requirements.** All public restrooms maintained for the exclusive use of either males or females shall be marked in a manner so as to give appropriate notice to members of the public that the facility is for the exclusive use of males or females. The markings or signs may be written in the English language or may be of other customary design giving reasonable notice of the exclusive use of that facility.
- C. **Exceptions.** This Chapter shall not apply to those restrooms within the City that are designed, erected and maintained so as to accommodate only one person at a time and are equipped with an appropriate locking device. Subsection A of this Section shall not apply to minors under the age of seven years when accompanied by a responsible adult charged with the care of such minor, any person employed to perform janitorial or maintenance duties in public restrooms, or any public officer while in the performance of his or her official duties.



Subsection A of this Section shall not apply to physically or mentally handicapped persons or to those assisting such persons.

4.14.40 Violations/Penalties

Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor that shall be punishable pursuant to the provisions set forth in Article 8.



Chapter 4.15 Pest Control

4.15.10 Purpose of this Chapter

The purpose of this Chapter is to establish regulations governing the control of pests and vectors.

4.15.20 Pest Control

The following pest and vector control requirements apply to all properties in the City of La Habra Heights:

1. No person shall operate or maintain any premise so as to permit the breeding or harboring of insect vectors or other vectors. No person shall permit on his or her premises, the accumulation of any material that could lead to the breeding of *undesirable insects* and other vectors.
2. All animal or fowl manure, excrement, and all other fly breeding materials, shall be removed from all premises as often as is necessary to prevent the breeding or harboring of flies.
3. No person shall permit the exposed carcass or body of any dead animal or fowl to remain on their premises for a period in excess of twenty-four (24) hours. All carcasses must be promptly secured until the carcass is properly disposed of. No carcass shall be left exposed to predators.

4.15.30 Violations/Penalties

Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor that shall be punishable pursuant to the provisions set forth in Article 8.



Chapter 4.16 Surface Water, Ground Water, Water Quality and Sanitation and Storm Water Runoff

4.16.10 Purpose of this Chapter

The purpose of this Chapter is to establish regulations governing surface water, ground water and water quality in the City. It is unlawful and a nuisance for any landowner or person leasing, occupying, or having charge or possession of any real property in the City to undertake the activities prohibited by this Chapter.

4.16.20 Impairment of Natural Drainage Course

It is unlawful for any person or entity to deposit any refuse, rubbish, stones, or any other materials that may impede, retard or change the normal direction or velocity of the flow of, or deteriorate the quality of the surface water and ground water in the channel or bed or bank of any river, stream, wash, natural drainage course or arroyo in the City of La Habra Heights.

4.16.30 Flowing of Water, Mud and Other Materials onto Streets and Highways

It is unlawful for any person or entity to deposit any material other than storm water runoff, including but not limited to mud, rotary mud, sand, water, oil or other hazardous materials, onto or upon any public or private street, highway, drainage ditch, storm drain or flood control channel.

4.16.40 Pools Breeding Insects

It is unlawful and a nuisance for any person or entity to maintain or operate, or cause to be maintained or operated, a pool or other water feature in such a manner which allows it to become a breeding place for mosquitoes or other insects. For purposes of this Section, the term pool means any public or private above-grade, at-grade or below-grade basin, chamber, tank or structure used or intended to be used for wading, swimming, diving, bathing or any form of water recreation, therapy or sport or for water gardens or fish ponds.

4.16.50 Adoption of Title 20 of the Los Angeles County Code

The following Divisions of Title 20 of the Los Angeles County Code have been adopted by reference:

1. Except as hereinafter provided, Title 20, Utilities, Division 2, Sanitary Sewers and Industrial Waste, of the Los Angeles County Code, as amended and in effect on June 29, 2006, is adopted by reference as the Sanitary Sewer and Industrial Waste Ordinance of the City of La Habra Heights.
2. Except as hereinafter provided, Title 20, Utilities, Division 5, Flood Control District Property and Facilities, of the Los Angeles County Code, as amended and in effect on June 29, 2006, is adopted by reference as the Flood Control Channel Ordinance of the City of La Habra Heights.

4.16.60 Amendments and Additions to Title 20 of the Los Angeles County Code

The Sanitary Sewer and Industrial Waste Ordinance (Title 20, Division 2) is amended as follows:

1. Section 20.28.050 is amended to provide that the City Engineer may recommend that the City Council approve an agreement to reimburse a subdivider, school district, an improvement



district formed under special assessment procedures, or person for the cost of constructing sanitary sewers for public use where such sewers can or will be used by areas outside of the proposed development; and to establish a reimbursement district and collection rates as described in the agreement under the provisions of this Chapter.

2. Section 20.32.130 is amended by adding the following: "The City Council may waive said fee, except in reimbursement projects, for any existing residential property when said connection is made within six (6) months of the construction by the City of the line to which the residences will be connected if the City Council finds that said waiver will encourage connection to the City project and if the City project is being constructed in the vicinity of a Federal project for which no connection charges were required."
3. Section 20.32.150 is amended to specify that in the event the City Engineer determines that the property described in the application for a permit is included within a sewer reimbursement district that has been formed by the City Council in accordance with Section 20.28.050, the charge for connecting to the public sewers shall be as set forth in the agreement.
4. Section 20.32.280 is amended by adding the following: "All monies collected under this Section for sewer maintenance are to be submitted directly to the County Sewer Maintenance District for inclusion in the Maintenance District's Funds."
5. Section 20.32.290 is hereby deleted.
6. Section 20.32.300 is amended to state that all money received under Section 20.32.200 shall be deposited with the County Treasurer and credited to the Special Sewer Maintenance Fund.
7. Section 20.32.690 is amended by adding the following: "In the event the damaged public sewer is not in a Sewer Maintenance District, the violator shall reimburse the City within thirty (30) days after the City shall render an invoice for the same. The amount when paid shall be deposited in the City Treasury."
8. Section 20.32.325 is amended to read as follows: The City Council shall, by resolution, establish a sewer connection fee to be charged and collected by the City for each connection to any public sewer or trunk sewer in the City, whenever all or any portion of such public sewer or trunk sewer, including man-holes, wyes, laterals or other related facilities and appurtenances, is, was, or is to be paid for by the City, and reimbursement of which expenditure is not or has not been otherwise provided for by bond issue, private contract, special assessment district or otherwise. Such resolution shall authorize and direct the City Engineer to charge and collect such sewer connection fee at the time a Sewer Connection Permit is issued, and such sewer connection fee shall be in addition to all permit, connection inspection, and other fees and charges which are otherwise required to be paid.

4.16.70 Local Regulations Governing Illicit Discharges

The following local regulations govern illicit discharges that could affect the quality of surface waters and storm water runoff.

- A. **Discharges and Connections.** No person shall cause or permit or allow to be caused or permitted, any discharge, from such person's property, of non-storm water runoff to enter the storm drain system, unless such discharge is authorized by an NPDES Permit or fully complies with a City approved *Storm Water Pollution Prevention Plan*. No person shall construct or use an illicit connection that operates intentionally or unintentionally.
- B. **Illicit Disposal.** No person shall spill, dump, dispose place or otherwise allow any material,



other than storm water runoff into any storm drain system. Disposal in the City shall comply with Best Management Practices (BMPs) adopted by the City that apply to such activities.

- C. **Construction Projects.** All residential and nonresidential construction activities shall be in conformance with the BMPs procedures adopted by the City that apply to such construction activities. A Building or Grading Permit for residential or nonresidential construction activity will not be issued prior to issuance of a required NPDES Permit. If an NPDES Permit is required for such construction activity, the NPDES Permit shall be maintained at the site of said activity and shall be shown upon request to the City's employees or agents.
- D. **Resource Production Sites.** All persons engaged in resource production activity in the City, if any, shall acquire an NPDES Permit prior to discharging any non-storm water runoff into the storm drain system. The NPDES Permit shall be retained on site and shall be available for review by City officers or inspectors or those persons authorized to inspect on behalf of the City, at the request of any such person. All resource production activities shall comply with Best Management Practices (BMPs).
- E. **Septic Waste.** No person shall leave, deposit, discharge, dump, or otherwise expose any chemical or septic waste to precipitation in an area where discharge to City streets or storm drain system may occur.
- F. **Illicit Discharges and Connections.** No person shall establish, use, maintain, or continue any illicit connection or any illicit discharge to the municipal separate storm water system. This prohibition applies to the use, maintenance, or continuation of any illicit connection, whether that connection was established prior to, or after, the effective date of the ordinance that adopted this Chapter.
- G. **Littering.** No person shall throw, deposit, place, leave, maintain, keep, or permit to be thrown, deposited, placed, left, or maintained or kept, any refuse, rubbish, garbage, or any other discarded or abandoned objects, articles or accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or drainage structure, business place, or upon any public or private plot of land in the City, so that the same might be or become a pollutant. No person shall throw or deposit litter in any fountain, pond, lake, stream, or other body of water within the City. This paragraph shall not apply to refuse, rubbish or garbage deposited in containers, bags or other appropriate receptacles which are placed in designated locations for regular solid waste pick up and disposal.
- H. **Disposal of Landscape Debris.** No person shall intentionally dispose of leaves, dirt, or other landscape debris into the municipal separate storm water system.
- I. **Use of Water.** Runoff of water used for irrigation purposes shall be minimized to the maximum extent practicable. Runoff of water from the washing down of paved areas shall be minimized to the maximum extent practicable.
- J. **Storage of Materials, Machinery, and Equipment.** Machinery or equipment that is to be repaired or maintained in areas susceptible to or exposed to storm water shall be placed in a manner so that leaks, spills and other maintenance-related pollutants are contained and not discharged to the municipal separate storm water system.
- K. **Removal and Disposal of Debris from Parking Lots.** Non-residential vehicle parking lots with more than twenty-five (25) parking spaces that are located in areas potentially exposed to storm water shall be swept to prevent accumulation of debris or other equally effective measures shall be utilized to remove accumulation of debris.



- L. **Food Wastes.** Food wastes generated by nonresidential food service and food distribution sources shall be properly disposed of in a manner so such wastes are not discharged to the municipal separate storm water system.
- M. **Animal Wastes.** Animal waste, including but not limited to, waste accumulation in stables, dressage rings, other equestrian facilities, poultry pens, private kennels, and other facilities must be regularly impounded and cleaned and the waste disposed of in a manner that does not lead to contamination of the soil and/or surface or groundwater. Such wastes may not be discharged into any municipal waste system where such systems are provided. The storage and removal of animal waste must adhere to the requirements of a Large Animal Keeping Permit.
- N. **Septic Tank Permits.** All uses requiring septic tanks for the disposal and treatment of effluent must maintain a Septic Permit pursuant to Title 20 of the Los Angeles County Code.
- O. **Septic Tank Inspections.** No future residential development shall be approved until soil and drainage conditions have been analyzed to assure that septic tank and cesspool liquid waste disposal systems can function adequately to protect the water table unless the development covers the cost of connection to a sewer system. If there are areas of the City in which organic waste disposal systems are failing, special assessment districts shall be formed to finance small area sewage treatment facilities or connections to regional sewer systems.
- P. **Maintenance of Water Courses.** Property owners are required to keep the courses of *blue line streams*, or other surface water bodies including intermittent streams, running clear and unimpeded through their properties.

4.16.80 Septic Systems

The following requirements apply to the installation and maintenance of septic systems.

- A. **Soils Testing Required.** Soils will be tested following Los Angeles County procedures to assure their receptivity and appropriateness for leaching liquid waste prior to installation of any new system.
- B. **Approval Required.** A private sewage disposal system may be installed provided that prior to the issuance of a Building Permit for any new structure, or prior to a change in use of an existing structure, where the sewage disposal system is to be utilized, written approval must be obtained from the City as provided in this Chapter.
- C. **Permit Required.** It is unlawful for any person to alter, expand, or otherwise modify an existing sewage disposal system without first submitting plans of the proposed work and obtaining a permit. **Maintenance and Repair.** In case of failure, malfunction or breakdown of a private sewage disposal system, if not corrected within the time designated by the City, the City may order or cause the necessary corrections to be made. The property owner will be responsible for the costs of correction. The City may also order vacation of the premises pursuant to applicable provisions of this Chapter. E. **Abandoned Septic Systems.** Every private sewage disposal system that has been abandoned or has been discontinued from further use or to which no waste discharge pipe from a plumbing fixture is connected shall be treated in accordance with the applicable standards.
- F. **Septic Systems Verification.** When homes and other properties equipped with septic systems are offered for sale, verification as to the functionality of the septic systems must be provided following procedures maintained by the Community Development Department.



4.16.90 National Pollutant Discharge Elimination System (NPDES)

Best Management Practices (BMP) for the removal and lawful disposal of all fuels, chemicals, fuel and chemical wastes, animal wastes, garbage, batteries, or other materials that have potential adverse impacts on water quality shall be used in areas exposed to storm water.

- A. **Requirements for Industrial or Commercial and Construction Activities.** Each industrial discharger, discharger associated with construction activity, or other discharger described in any general storm water permit addressing such discharges, granted by the United States Environmental Protection Agency, the State Water Resources Control Board, or the Regional Board shall comply with all requirements of such permit. Each discharger identified in a NPDES Permit shall comply with and undertake all activities required by such permit. Proof of compliance with any such permit may be required in a form acceptable to the City Manager prior to the issuance of any grading, building or occupancy permits, or any other type of permit or license issued by the City.
- B. **Standard Urban Storm Water Mitigation Plan ("SUSMP") Requirements for New Development and Redevelopment Projects.** New development and redevelopment specified in this Chapter shall require a storm water mitigation plan that complies with the most recent SUSMP and any local storm water mitigation requirements.
- C. **Incorporation of SUSMP into Project Plans.** An applicant for a new development or a redevelopment project subject to the requirements of this Chapter shall incorporate a storm water mitigation plan into the development plan that includes those Best Management Practices (BMPs) necessary to control storm water pollution from construction activities and facility operations. Structural or treatment control BMPs set forth in project plans shall meet the design standards set forth in the SUSMP. If a project applicant has included or is required to include structural or treatment control BMPs in project plans, the applicant shall provide verification of maintenance provisions. The verification shall include the applicant's signed statement, as part of the project application, accepting responsibility for all structural and treatment control BMP maintenance until such time, if any, that the property is transferred.
- D. **Issuance of Discretionary Permits.** No discretionary permit may be issued for any new development or redevelopment project identified in Subsection B. of this Section until the Community Development Director confirms that either (i) the project plans comply with the applicable SUSMP requirements, or (ii) compliance with the applicable SUSMP requirements is impracticable for one (1) or more of the reasons set forth in Subsection F of this Section regarding issuance of waivers. Where a project results in an increase of less than fifty (50) percent of the impervious surfaces of a previously existing development, and the existing development did not require a SUSMP at the time the last discretionary approval was granted by the City, the design standards set forth in the SUSMP will apply only to the addition, and not to the entire development.
- E. **Issuance of Certificates of Occupancy.** As a condition of issuing a certificate of occupancy for a new development or redevelopment project identified in Subsection B. of this Section, the Community Development Director shall require facility operators and/or owners to implement all BMPs that are shown on the approved project plans and to submit a signed certification statement stating that the site and all structural or treatment control BMPs will be maintained in compliance with the SUSMP and other applicable regulatory requirements.
- F. **Granting of Waiver.** The Community Development Director shall have the authority to grant a waiver from the requirements of the SUSMP for a development or redevelopment project if it can be shown to be impractical. An impracticability waiver may be granted only when all



structural or treatment control BMPs have been considered and rejected as unfeasible. Recognized situations of impracticability are limited to the following, unless approved by the Regional Board:

1. Extreme limitations of space for treatment on a redevelopment project;
2. Unfavorable or unstable soil conditions at a site to attempt infiltration; or
3. Risk of ground water contamination because a known unconfined aquifer lies beneath the land surface or an existing or potential underground source of drinking water is less than ten (10) feet from the soil surface.

G. Transfer of Properties Subject to Requirement for Maintenance of Structural and Treatment Control BMPs. The transfer or lease of a property subject to a requirement for maintenance of structural and treatment control BMPs shall include conditions requiring the transferee and its successors and assigns to either: (i) assume responsibility for maintenance of any existing structural or treatment control BMP or, (ii) to replace an existing structural or treatment control BMP with new control measures or BMPs meeting the then current standards of the City and the SUSMP. Such requirement shall be included in any sale or lease agreement or deed for such property. The condition of transfer shall include a provision that the successor property owner or lessee conducts maintenance inspections of all structural or treatment control BMPs at least once a year and retain proof of inspection. Residential properties where the structural or treatment control BMPs are located within a common area which will be maintained by a homeowner's association, language regarding the responsibility for maintenance shall be included in the project's Conditions, Covenants and Restrictions (CC&R's). Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, and how the necessary maintenance can be performed. The transfer of this information shall also be required with any subsequent sale of the property. If structural or treatment control BMPs are located within an area proposed for dedication to a public agency, they will be the responsibility of the developer until the dedication is accepted.

H. Application of CEQA. Provisions of this Section shall be complimentary to, and shall not replace, any applicable requirements for storm water mitigation required under the California Environmental Quality Act.

I. Non-Storm Water Discharges. The following non-storm water discharges into the municipal separate storm water system (MS4) are prohibited unless in compliance with a NPDES Permit or pursuant to a discharge exemption by the Regional Board, the Regional Board's Executive Officer, or the State Water Resources Control Board:

1. Wastewater discharge from mobile auto washing, steam cleaning, mobile carpet cleaning, and other such mobile commercial and industrial operations;
2. To the maximum extent practicable, discharges from areas where repair of machinery and equipment, including motor vehicles, which are visibly leaking oil, fluid or antifreeze, is undertaken;
3. Discharges of untreated runoff from storage areas of materials containing grease, oil, or other hazardous substances, and uncovered receptacles containing hazardous materials;
4. Discharges of untreated runoff from the washing of toxic materials from paved or



unpaved areas provided, however, that non-industrial and noncommercial activities which incidentally generate urban runoff, such as the hosing of sidewalks, and the noncommercial hand-washing of cars, shall be excluded from the prohibitions of this Chapter;

5. To the maximum extent practicable, discharges from washing impervious surfaces which result in discharge of untreated runoff, unless specifically required by the State's, the City's, or Los Angeles County's health and safety codes, or permitted under a NPDES Permit;
 6. Discharges of animal waste from corrals, pens, stables, or other animal keeping areas;
 7. Discharges of any pesticide, fungicide, or herbicide that has been or is hereafter banned by the United States Environmental Protection Agency or the California Department of Pesticide Regulation; and
 8. The disposal of hazardous wastes into trash containers used for municipal trash disposal where such disposal causes or threatens to cause a direct or indirect discharge.
- J. **Discharges in Violation of the Municipal NPDES Permit.** Any discharge that would result in or contribute to a violation of the Municipal NPDES Permit, either separately or in combination with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person(s) causing or responsible for the discharge.
- K. **Designated Discharges, Conditionally Exempted Discharges, or Designated Discharges.** Discharges from those activities specifically identified in, or pursuant to the City's NPDES Permit as Exempted Discharges, Conditionally Exempted Discharges, or Designated Discharges shall not violate this Chapter, provided that any applicable BMPs developed pursuant to the Municipal NPDES Permit are implemented to minimize any adverse impacts from such identified sources.

4.16.100 Violations/Penalties

Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor punishable pursuant to the procedures set forth in Article 8.



Chapter 4.17 Reserved



Chapter 4.18 Disaster Control

4.18.10 Purpose of this Chapter

The purpose of this Chapter is to provide for the preparation and carrying out of plans for the protection of persons and property within the City in the event of an *emergency*; the direction of the emergency organization; and the coordination of the emergency functions of this City with all other public agencies, corporations, organizations and affected persons.

Definition MOVE TO Article 12 – included here fore reference only

As used in this Chapter, "emergency" shall mean the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this City caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of this City, requiring the combined forces of other political subdivisions to combat.

4.18.20 Disaster Council Membership

The City of La Habra Heights Disaster Council is hereby created and shall consist of the following:

1. The Mayor, who shall be chairman, and the members of the City Council;
2. The Director of Emergency Services, the Assistant Director of Emergency Services and the Chiefs of Emergency Services as provided for in the emergency plan set forth in this chapter shall be ex-officio and non-voting members of the Disaster Council.

4.18.30 Disaster Council Powers and Duties

It shall be the duty of the City of La Habra Heights Disaster Council, and it is hereby empowered, to develop and recommend for adoption by the City Council, emergency and mutual aid plans and agreements as are necessary to implement such plans and agreements. The Disaster Council shall meet upon call of the Chairman or, in his absence from the City or inability to call such meeting, upon call of the Vice Chairman.

4.18.40 Director and Assistant Director of Emergency Services

The office of Director of Emergency Services is hereby created. The City Manager shall be the Director of Emergency Services. There shall also be an office of Assistant Director of Emergency Services, who shall be appointed by the Director of Emergency Services and confirmed by the City Council.

4.18.50 Powers and Duties of the Director and Assistant Director of Emergency Services

The powers and duties of the Director and Assistant Director of Emergency Services are specified as follows:

1. The Director is hereby empowered to:
 - a. Request the City Council to proclaim the existence or threatened existence of a "local



- emergency" if the City Council is in session, or to issue such proclamation if the City Council is not in session. The City Council shall take action to ratify such a proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect.
- b. Request the Governor proclaim a "state of emergency" when, in the opinion of the Director, the locally available resources are inadequate to cope with the emergency.
 - c. Control and direct the effort of the emergency organization of this City for the accomplishment of the purposes of this Chapter.
 - d. Direct cooperation between and coordination of services and staff of the City's emergency organization, and resolve questions of authority and responsibility that may arise between them.
 - e. Represent this City in all dealings with public or private agencies on matters pertaining to *emergencies*.
 - f. In the event of the proclamation of a "local emergency" as herein provided, the proclamation of a "state of emergency" by the Governor or the Director of the State Office of Emergency services, or the existence of a "state of war emergency," the Director is hereby empowered:
 - (i) To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council;
 - (ii) To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the City for the fair value thereof and, if required immediately, to commandeer the same for public use;
 - (iii) To require emergency services of any City officer or employee and, in the event of the proclamation of a "state of emergency" in the County in which this City is located or the existence of a "state of war emergency," to command the aid of as many citizens of this community as he or she deems necessary in the execution of his or her duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;
 - (iv) To requisition necessary personnel or material of any City department or agency; and
 - (v) To execute all of his or her ordinary powers as City Manager, all of the special powers conferred upon him or her by this Chapter or by resolution or emergency plan pursuant hereto adopted by the City Council, all powers conferred upon him or her by any statute, by any agreement approved by the City Council, and by any other lawful authority.
2. The Director of Emergency Services shall designate the order of succession to that office, to take effect in the event the Director is unavailable to attend meetings and otherwise perform his or her duties during an emergency. Such order of succession shall be approved by the City Council.
 3. The Assistant Director shall, under the supervision of the Director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency program of



the City, and shall have such other powers and duties as may be assigned by the Director.

4.18.60 Emergency Organization

All officers and employees of the City, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons charged with duties, incident to the protection of life and property in this City during such emergency, shall constitute the emergency organization for the City of La Habra Heights.

4.18.70 Emergency Plan

The City of La Habra Heights Disaster Council shall be responsible for the development of the City of La Habra Heights Emergency Plan, which plan shall provide for the effective mobilization of all City resources, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency; and shall provide for the organization, powers and duties, services, and staff of the emergency organization. Such plan shall take effect upon adoption by the City Council.

4.18.80 Expenditures

Any expenditure made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of La Habra Heights.

4.18.90 Violations/Penalties

Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor that shall be punishable pursuant to the procedures set forth in Article 8.

Further, it shall be a misdemeanor for any person, during a declared emergency to:

1. Willfully obstruct, hinder, or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this Chapter, or in the performance of any duty imposed upon him or her by virtue of this Chapter; or
2. Do any act forbidden by any lawful rule or regulation issued pursuant to this Chapter, if such act is of such a nature as to give or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of this City, or to prevent, hinder, or delay the defense or protection thereof; or
3. Wear, carry, or display, without authority, any means of identification specified by the emergency agency of the State or any other governmental agency.



Chapter 4.19 Unsafe Structures

4.19.10 Purpose of this Chapter

The purpose of this Chapter is to protect the health, safety and general welfare of the citizens of the City of La Habra Heights through the regulation of unsafe structures.

4.19.20 Unsafe Structures

Pursuant to this Section, the Building Official, Fire Department personnel, or other designated City personnel may access a property when there are adequate facts in evidence to question whether the property and/or structures are safe for human habitation and are in compliance with the City of La Habra Heights Municipal Code. In the event such officials determine that a property and/or building is dangerous, substandard or unsafe for human habitation, the following acts are deemed unlawful:

1. For any person, directly or indirectly, to pay any rent, perform any services or give anything of value whatsoever for the privilege of continuing to reside in, use, or occupy for any purpose of human habitation of any such premises;
2. For any person to receive any rent, accept any services or receive anything of value whatsoever for the human use, occupation or habitation of any such premises;
3. For any person, after notice, to continue to reside in, use or occupy such premises, provided, however, that this subsection shall not prevent the owner nor the City from demolishing the premises nor the owner from renovating the same so long as the premises are not used in any way for human habitation during renovation.

4.19.30 Violations/Penalties

Any person or entity that violates any provision of this Chapter of the City of La Habra Heights Municipal Code is guilty of a misdemeanor that shall be punishable pursuant to the procedures set forth in Article 8.



Chapter 4.20 Recovery of Costs Related to Abatement of Nuisances

4.20.10 Purpose of this Chapter

The purpose of this Chapter is to establish the City's authority to recover costs associated with the abatement of a nuisance.

4.20.20 Procedure for Recovery of Costs

In addition to the violations and/or penalties specified in this Article, the City is empowered to recover all costs incurred in the abatement of a nuisance. The procedures related to the recovery of costs associated with the abatement of a public nuisance are set forth in Article 8.

4.20.30 Other Remedies Available

Notwithstanding the provisions of this Chapter, the City may bring appropriate civil and criminal action in a court of competent jurisdiction or may initiate an administrative proceeding for abatement of any nuisance existing within the City pursuant to any other provision of law. The use of this Chapter by the City to abate a nuisance shall not bar the use of any other procedure authorized by State law. All remedies of the City are cumulative and the use of any remedy shall not bar the use of any other remedy with respect to the same or another property.