



AGENDA REPORT

Meeting Date: January 6, 2009
Item Number: F-5
To: Honorable Mayor & City Council
From: City Attorney
Subject: AN ORDINANCE OF THE CITY OF BEVERLY HILLS REQUIRING VEHICLE REMOVAL FROM DESIGNATED STREETS DURING SEVERE FIRE CONDITIONS IN VERY HIGH FIRE HAZARD SEVERITY ZONES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE
Attachments: 1. Ordinance

RECOMMENDATION

It is recommended that the proposed ordinance be adopted.

INTRODUCTION

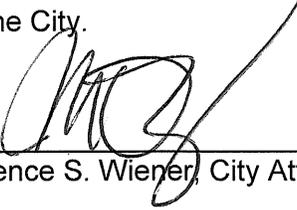
This ordinance provides the City the authority to remove any vehicle that is stopped, parked or left standing in such a way to prevent the mobility of fire apparatus or whose removal is necessary to ensure public safety in the event of any major conflagration or other fire-related emergency requiring police action. The ordinance applies to that area of the city designated as a "Very High Fire Hazard Severity Zone."

DISCUSSION

At the City Council meeting of December 16, 2008, the City Council conducted a first reading of this ordinance.

FISCAL IMPACT

The ordinance will have no material financial impact on the City.



Laurence S. Wiener, City Attorney

Attachment 1

Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BEVERLY HILLS REQUIRING VEHICLE REMOVAL FROM DESIGNATED STREETS DURING SEVERE FIRE CONDITIONS IN VERY HIGH FIRE HAZARD SEVERITY ZONES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY ORDAINS AS FOLLOWS:

Section 1. A new section 7-3-122 is hereby added to Article 1, Chapter 3, Title 7 of the Beverly Hills Municipal Code to read as follows:

“7-3-122: PARKING PROHIBITED IN “VERY HIGH FIRE HAZARD SEVERITY ZONE” AND REMOVAL OF VEHICLES

A. For purposes of this section, the following phrase has the following meaning:

VERY HIGH FIRE HAZARD SEVERITY ZONE: A Very High Fire Hazard Severity Zone is an area included within the boundaries described and set forth in a map prepared and maintained by the Fire Chief and on file in the Office of the Fire Marshal, 445 North Rexford Drive.

- B. When the on-duty City Battalion Chief (“Battalion Chief”) determines there is an increased fire danger, the on-duty Battalion Chief may restrict parking on streets in areas designated a Very High Fire Hazard Severity Zone for the duration of the projected threat.
- C. The on-duty Battalion Chief is authorized to conspicuously post signs on such streets giving notice of “Severe Fire Conditions” and that parking is restricted as set forth in this section.
- D. When signs authorized by the provisions of this section are posted, no person shall stop, park or leave standing any vehicle during the period that the signs indicate “Severe Fire Conditions”. Any vehicle stopped, parked or left standing shall be subject to removal.
- E. In the event of any major conflagration or other fire-related emergency requiring police action, the City may remove any vehicle that is stopped, parked or left standing in such a way as to prevent the mobility of fire apparatus or whose removal is necessary to ensure public safety whether or not signs are in place giving notice thereof.”

Section 2. The City Traffic Engineer and the Fire Chief are authorized to conspicuously post two no parking signs due to High Fire Danger at the intersections of Doheny Road and Foothill Road, and Doheny Road and Loma Vista Drive.

Section 3. Severability. If any section, subsection, subpart or provision of this ordinance, or the application thereof to any persons or circumstances, is held invalid, the remainder of the provisions of this ordinance and the application of such to other persons or other circumstances shall not be affected thereby.

Section 4. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code; shall certify to the adoption of this Ordinance and shall cause this Ordinance and his certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 5. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

Adopted:
Effective:

BARRY BRUCKER
Mayor of the City of Beverly Hills, California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

RODERICK J. WOOD, CCM
City Manager

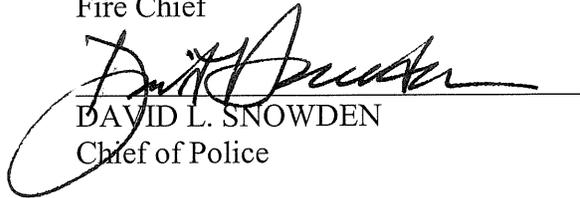


ANNE BROWNING McINTOSH, AICP
Interim Director of Community Development

[Signatures continue]



TIMOTHY J. SCRANTON
Fire Chief



DAVID L. SNOWDEN
Chief of Police