



## AGENDA REPORT

**Meeting Date:** April 5, 2016  
**Item Number:** D-6  
**To:** Honorable Mayor & City Council  
**From:** David M. Snow, Interim City Attorney  
**Subject:** AN ORDINANCE OF THE CITY OF BEVERLY HILLS  
AMENDING THE BEVERLY HILLS MUNICIPAL CODE  
REGARDING THE HEALTH AND SAFETY COMMISSION  
**Attachments:** 1. Ordinance

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### **RECOMMENDATION**

It is recommended that the City Council move to waive the full reading and adopt the ordinance entitled "AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING THE HEALTH AND SAFETY COMMISSION".

### **INTRODUCTION**

At its meeting of March 1, 2016, the City Council conducted a first reading of this ordinance and introduced it.

### **DISCUSSION**

This ordinance was amended to ensure that it reflects the Commission's current roles and responsibilities.

The Mission Statement of the Commission remains the same in the revised ordinance.

Part A is reorganized and streamlines the Commission's purposes and responsibilities into six categories, down from the eight original. The six categories to the revised ordinance are:

1. Increase public awareness;
2. Inform the public;
3. Provide a public forum;
4. Provide recommendations;
5. Support efforts aimed at disaster preparedness, prevention, mitigation, response and recovery; and

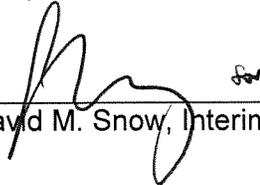
6. Recognize achievement.

The revised ordinance expands the definition of "Disaster related stakeholders" in Part B to include local residents, businesses, schools, faith-based organizations, community-based groups, and local, state and federal agencies that are involved in disaster preparedness and response.

Part C remains the same in the revised ordinance.

**FISCAL IMPACT**

The ordinance revisions have no fiscal impact to the City.

  
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David M. Snow, Interim City Attorney

# **Attachment 1**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF BEVERLY HILLS  
AMENDING THE BEVERLY HILLS MUNICIPAL CODE  
REGARDING THE HEALTH AND SAFETY COMMISSION**

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES HEREBY ORDAIN  
AS FOLLOWS:

Section 1. The city council hereby amends and restates Sections 2-2-1602 of Article 16 (“Health and Safety Commission”) of Chapter 2 (“COMMISSIONS AND COMMITTEES”) of Title 2 (“ADMINISTRATION, PERSONNEL, AND PROCEDURES”) of the Beverly Hills Municipal Code to read as follows:

Article 16. Health And Safety Commission

2-2-1602: MISSION STATEMENT AND RESPONSIBILITIES:

A. The Health and Safety Commission shall strive to maintain and improve the overall health and safety of the community in accordance with its purposes and responsibilities.

The Commission shall have the following purposes and responsibilities:

1. Increase Public Awareness. Promote and broaden community awareness of health and safety issues, including issues of public health and welfare, healthy lifestyles, mitigation of safety risks and hazards, the importance of disaster preparedness (hereafter “Health and Safety Issues”) and encourage citizen participation in efforts aimed at promoting Health and Safety Issues.
2. Inform the Public. Educate and inform members of the community regarding Health and Safety Issues and risk avoidance through various means, including but not limiting to, public discussion, website publications and postings, community outreach, sharing of information and by assisting at and supporting City-sponsored activities and programs which promote Health and Safety Issues.
3. Provide a Public Forum. Provide the community with a public forum within which members of the general public can discuss and/or comment on Health and Safety Issues.
4. Provide Recommendations. Recommend strategies aimed at improving the health and safety of the City, including as directed by the City Council, or as requested by members of the general public, and/or which relate to Health and Safety Issues.
5. Support Efforts Aimed at Disaster Preparedness, Prevention, Mitigation, Response and Recovery. Support the work of all City Departments before, during and after a medical, natural or man-made disaster, and strengthen ties with the community’s disaster related stakeholders.
6. Recognize Achievement. Honor individuals, businesses or groups that have demonstrated leadership in the field of health and safety, have promoted Health and

Safety Issues and/or have otherwise made a contribution to the missions of the Health and Safety Commission.

B. For purposes of this Article, the following terms shall have the following meanings:

“Disaster” shall mean the kind of event, such as fire, flood, storm, earthquake, riot, or any other occurrence, for which a Local Emergency or a State of Emergency may be proclaimed, or which constitutes the existence of a State of War Emergency, as each of those official emergencies are defined in Section 2-4-102 of this Code.

“Disaster related stakeholders” shall mean local residents, businesses, schools, faith-based organizations, community-based groups, and local, state and federal agencies that are involved in disaster preparedness and response.

C. Notwithstanding any provision of the foregoing subsections (A) and (B), the Commission shall not be a department oversight commission, a police oversight commission, or a fire oversight commission. The Commission shall not become involved with:

1. Police or fire response issues;
2. Issues that involve special technical expertise;
3. School safety issues;
4. Monitoring or overseeing any enforcement activities of any City department, including but not limited to, enforcement of this Code, enforcement of traffic laws, or enforcement of state criminal or civil laws.

Section 2. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 3. 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 the city Clerk’s certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this city.

Section 4. 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:

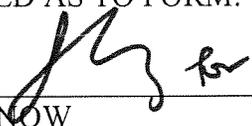
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JOHN A. MIRISCH  
Mayor of the City of Beverly Hills

ATTEST:

\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM:

  
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DAVID SNOW  
Interim City Attorney

APPROVED AS TO CONTENT:

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MAHDI ALUZRI  
City Manager