

ORDINANCE NO. 1035

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VERNON AMENDING THE CODE OF THE CITY OF VERNON, CALIFORNIA, 1959, RELATING TO CITY ADMINISTRATION, THE FIRE CODE, AND BUSINESS LICENSES BY REPEALING SECTIONS 2.7-7, 2.18, 2.20 AND 2.67; BY RENUMBERING SECTIONS 15.38, 15.39 AND 15.40; AND BY AMENDING SECTIONS 1.1, 1.2, 2.7, 2.7-1, 2.7-3, 2.19, 2.21, 2.90, 7.64, 15.44 AND 15.45; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

WHEREAS, the code of the City of Vernon, California, 1959, (hereafter "Code") was adopted by Ordinance No. 827 on May 4, 1973; and

WHEREAS, said Code has been amended by subsequent Ordinance Nos. 871 through 1034; and

WHEREAS, said Code and amending ordinances contain cross-references to statutes which have been renumbered or repealed, have typographical or other minor errors which need to be corrected, or include provisions which need to be clarified; and

WHEREAS, some sections of said Code pertaining to the City Administrator have been superseded by the City Charter; and

WHEREAS, the City Clerk and the City Attorney have recommended that the following changes pertaining to city administration be made.

THE CITY COUNCIL OF THE CITY OF VERNON HEREBY ORDAINS:

SECTION 1: The City Council of the City of Vernon hereby finds and determines that the recitals contained hereinabove are true and correct.

SECTION 2: The Code of the City of Vernon, California, 1959, is cited in various ordinances and sections by the use of terminology not included in either Code Section 1.1 or 1.2 such as

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the "Vernon City Code" and "the Code of the City of Vernon."

Therefore, the Code is amended as set forth below.

(a) Code Section 1.1 is amended to read as follows:

sec. 1.1. How Code designated and cited.

The ordinances embraced in the following chapters and sections shall constitute and be designated "The Code of the City of Vernon, California, 1959," and may be so cited. Such Code may also be cited as the "Vernon City Code, 1959," the "Vernon City Code," the "Code of the City of Vernon" or the "Code." For the purposes of posting a public notice or for signs in public or private places, the code designation may be abbreviated "VCC."

(b) The following definition is deleted from Code Section 1.2:

Code: The words "the Code" or "this Code" shall mean "The Code of the City of Vernon, California, 1959."

SECTION 3: Code Section 2.7 (originally designated Code Section 2.6 in Ordinance No. 883) and Code Section 2.7-1 of the Vernon City Code pertaining to the appointment of the City Administrator have been rendered obsolete in part by adoption of Code Section 6.1 of the Vernon City Charter which establishes the office and method for appointment of the City Administrator. Therefore, the Code is amended as set forth below.

(a) Code Section 2.6 is officially renumbered to Code Section 2.7.

(b) Code Section 2.7 is amended to read as follows:

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1 **Sec. 2.7. Purpose.**

2 The city council finds and determines that the
3 administrative affairs of the municipal government of the
4 city will be handled more expeditiously, efficiently, and
5 satisfactorily if the city administrator, acting on behalf of
6 the council, will attend to necessary administrative affairs,
7 will correlate and coordinate various municipal activities,
8 will compile data, will prepare reports relating to the
9 affairs of city government, and will generally act as the
10 agent of the council in the discharge of administrative
11 duties.

12 (c) Code Section 2.7-1 is amended to read as follows:
13 **Sec. 2.7-1. City administrator qualifications.**

14 The city administrator shall be selected by the city
15 council solely on the basis of executive and administrative
16 qualifications, with special reference to actual experience
17 in, and knowledge of, accepted practices in respect to the
18 duties of the office as set forth in this article.

19 SECTION 4: Code Section 2.7-3, "City Clerk," contains a
20 typographical error which refers to the "clerk administrator"
21 instead of the "city administrator." The intent of the city
22 council was set forth in the sixth recitation of Ordinance No.
23 883, which recital was duly found and determined in Code Section 1
24 of said Ordinance to be true and correct, to wit:

25 "WHEREAS, the City Administrator will perform the duties
26 of the City Clerk and shall be appointed to be the City Clerk
27 for the City of Vernon and will have all of the powers and
28 obligations provided for in the Government Code."

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1 Consequently, the City Council hereby affirms and ratifies
2 the position of the City Administrator as the City Clerk since the
3 adoption of said Ordinance, and Code Section 2.7-3 is amended to
4 read as follows:

5 Sec. 2.7-3 City clerk.

6 The city administrator is hereby appointed to serve as
7 the city clerk and shall have the powers and duties provided
8 for in the government code of the State of California.

9 SECTION 5: Code Section 2.7-7, "Removal after municipal
10 election," has been superseded by Section 6.2 of the City Charter
11 and said Code Section 2.7-7 is hereby repealed.

12 SECTION 6: Article IV of Chapter 2 of the Code is
13 titled "Purchasing Department;" Code Section 2.17 adopts a
14 purchasing system; and Code Section 2.18 establishes a purchasing
15 department. Since the terms "purchasing system" and "purchasing
16 department" duplicate each other, and since a separate department
17 is not needed, the term "purchasing system" will be used.

18 Code Section 2.20 provides that a purchasing agent will be
19 appointed subject to the City Clerk's supervision. On the other
20 hand, subsection (1) of Code Section 2.8 already designates the
21 City Administrator as the City Council's purchasing agent.
22 Therefore, the Code is amended as set forth below.

23 (a) Article IV "Purchasing Department" of Chapter 2 of
24 the Code is retitled "Purchasing System."

25 (b) Code Section 2.18, which provides for a purchasing
26 department, and Code Section 2.20, which provides for appointment
27 of the purchasing agent, are hereby repealed.

28 (c) Code Section 2.19 is amended to read as follows:

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1 election, no such appointment has been made, then the
2 election shall be held.

3 SECTION 9: Article VI, "Fire Code," of Chapter 7 of the
4 Code, as stated in Code Section 7.61, adopted the Uniform Fire
5 Code, 1991 Edition. But Code Section 7.64 which made amendments
6 thereto mistakenly refers to the Uniform Fire Code, 1993 Edition.
7 Therefore, Code Section 7.64 is amended so that the opening clause
8 reads as follows:

9 Sec. 7.64. Amendments, additions, and deletions.

10 The Uniform Fire Code, 1991 Edition, is amended as
11 follows:

12 (The balance of Code Section 7.64 shall remain unchanged.)

13 SECTION 10: Code Section 15.49, "Revocation and
14 suspension of licenses--Hearing," was renumbered from section
15 15.37 by Ordinance No. 968. The code sections which followed
16 former section 15.37 pertain to the same subject matter and are
17 now out of sequence. Therefore, the Code is amended as set forth
18 below.

19 (a) Code Sections 15.38, 15.39, and 15.40 are
20 renumbered to Code Sections 15.50, 15.51, and 15.52, respectively.
21 (The vacated section numbers shall be reserved for future use.)

22 (b) The last sentence of subsection (e) of Code Section
23 15.44 which reads, "No license shall be revoked except in the
24 manner provided for in sections 15.38 and 15.49 of the Code" is
25 amended to read as follows:

26 "No license shall be revoked except in the manner
27 provided for in sections 15.49 and 15.50 of this Code."

28 (c) The last sentence of subsection (e) of section

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1 15.45 which reads, "No license shall be revoked except in a manner
2 provided for in sections 15.38 and 15.49 of the Code" is amended
3 to read as follows:

4 "No license shall be revoked except in the manner
5 provided for in sections 15.49 and 15.50 of this Code."

6 SECTION 11: Any ordinance, part of an ordinance, or
7 code section in conflict with this Ordinance is hereby repealed.

8 SECTION 12: If any section, subsection, sentence,
9 clause, or phrase or word of this ordinance is for any reason held
10 to be void or unconstitutional, such decision shall not affect the
11 validity of the remaining portions of this ordinance; it being the
12 intention of the City Council of the City of Vernon to adopt and
13 pass this ordinance and each section, subsection, sentence, clause
14 or phrase thereof irrespective of the fact that one or more of the
15 sections, subsections, clauses, sentences or phrases thereof may
16 be declared void or unconstitutional.

17 SECTION 13: There being no newspaper printed, published
18 or circulated in the City of Vernon, the City Clerk is hereby
19 directed to certify to the passage of this ordinance and shall
20 post the same, or cause the same to be posted, within fifteen (15)
21 days after its passage in accordance with Section 36933 of the
22 Government Code, in three (3) of the most public places in the
23 City of Vernon, to wit: the northwest corner of 38th Street and
24 Santa Fe Avenue, the northeast corner of Leonis Boulevard and
25 Pacific Boulevard, and on the bulletin board in the lobby of the
26 City Hall of said City, located at 4305 Santa Fe Avenue, all in
27 the City of Vernon, County of Los Angeles, State of California.

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1 SECTION 14: This ordinance shall be in full force and
2 effect thirty (30) days from and after its passage of the same.

3 APPROVED AND ADOPTED this 21st day of November 1995.
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LEONIS C. MALBURG, Mayor

7 ATTEST:

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BRUCE V. MALKENHORST, City Clerk
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1 STATE OF CALIFORNIA)
2) ss
3 COUNTY OF LOS ANGELES)

4 I, BRUCE V. MALKENHORST, City Clerk of the City of
5 Vernon, do hereby certify that the foregoing Ordinance, being
6 Ordinance No. 1035, was duly and regularly introduced at a regular
7 meeting of the City Council of the City of Vernon, held on
8 Tuesday, November 7, 1995, and thereafter finally adopted at a
9 regular meeting of said City Council held on Tuesday,
10 November 21, 1995, and thereafter was duly signed by the Mayor of
11 the City of Vernon, by the following vote:

12 AYES: 5 Councilmen: Malburg, Ybarra, Davis,
13 McCormick, Gonzales

14 NOES: 0 Councilmen: None

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16 ABSENT: 0 Councilmen: None

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18 BRUCE V. MALKENHORST, City Clerk

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