

ORDINANCE NO. 1178

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING CHAPTER 8.16 OF TITLE 8 OF THE PICO RIVERA MUNICIPAL CODE TO INCLUDE PROPERTY MAINTENANCE PROVISIONS

WHEREAS, the City of Pico Rivera (“City”) has the authority to protect the health, safety and welfare of the community, including the ability to protect and enhance the natural environment; and

WHEREAS, the City wishes to encourage the maintenance of well-kept properties and recognizes that property values and the general welfare of the community are founded in large part on the appearance, maintenance and safety of properties; and

WHEREAS, the addition of property maintenance provisions and clarification on circumstances that constitute a public nuisance will assist our Code Enforcement Division enforce the upkeep of properties and removal of public nuisances; and

WHEREAS, the City Council of the City of Pico Rivera finds it is necessary to improve and maintain quality of life for neighborhoods through the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Pico Rivera as follows:

SECTION 1. Incorporation of Recitals. The City Council for the City of Pico Rivera finds and declares the foregoing are true and correct and incorporates said recitals fully into this Ordinance as substantive findings.

SECTION 2. Section 8.16.010 “Public Nuisance” of Chapter 8.16 “Nuisance Abatement and Administrative Citations,” of Title 8, is hereby amended as follows:

**Title 8 HEALTH AND SAFETY
Chapter 8.16 PROPERTY MAINTENANCE, NUISANCE AND
ADMINISTRATIVE CITATIONS**

Section 8.16.010 Property Maintenance and Public nuisance.

It is the intent of this chapter to provide minimum property maintenance standards to protect the livability, appearance, and social and economic stability of the city. The city finds that nuisance conditions, not limited to deteriorating buildings, overgrown vegetation and damaged property, are injurious to the public health, safety and welfare to residents and visitors of the city. Pursuant to the provisions of Section 38771 of the [Government Code](#) of the state, the city council does hereby find, determine and declare that the following conditions and circumstances constitute public nuisances which may be summarily abated in accordance with the provisions of this chapter.

A. General Property Maintenance Provisions

1. All properties within the city shall be kept and maintained in a clean, neat, orderly, operable, and usable condition that is safe both to occupants and passers-by. This requirement applies to all portions of the property, buildings, portions of buildings, paving, fences, walls, landscaping, water, earth, any other structure or natural feature and the parkway.
2. Structure Maintenance. All structures shall be maintained in a structurally sound, safe manner with a clean, orderly appearance. Any physical damage or deterioration (e.g., broken windows/doors, leaking roof, etc.), peeling paint, or other types of damage or deterioration shall be repaired as soon as possible. All buildings, structures, and paved areas shall be kept and maintained in a manner to not detract from the appearance of the immediate neighborhood or district, and to protect the health, safety and welfare of the user, occupant, and the public.
3. Landscape Maintenance. Yards and setback areas shall be landscaped consistent with Chapter 13.90, and shall be permanently maintained in a neat and orderly manner and substantially free of weeds, debris and dead, diseased or dying vegetation and broken or defective decorative elements of the landscaped area. Foliage throughout the property shall be mowed, groomed, trimmed, pruned and adequately watered so as to maintain healthy growing conditions and not detract from the appearance of the immediate neighborhood. Irrigation systems shall be maintained to prevent public health or safety hazards.
4. Maintenance of Parking and similar areas. Parking, loading, storage, driveway, vehicle maneuvering areas, and paved surfaces shall be kept and maintained so as not to detract from the appearance of adjacent properties. Areas shall be kept in a neat and clean condition, free of trash, debris or rubbish, and free of standing water, oil stains, cracks exceeding one-half inch in width, lifting exceeding one-half inch, and/or broken areas. Parking space and pavement striping and signs shall be repainted, refurbished and/or replaced when they become faded, damaged, or destroyed to an extent that they are no longer effective. All obsolete parking space and pavement striping and signs shall be removed or painted over prior to being repainted, refurbished, and/or replaced to reduce confusion to drivers and pedestrians.

B. A. Property Public Nuisance.

The characteristics and conditions to consider in determining a public nuisance in violation of this section shall include, but not be limited to, the following:

1. Property, the topography or configuration of which, whether a natural state or as a result of grading operations, causes or will cause erosion, subsidence or surface

water runoff problems which will or may be injurious to the public health, safety and welfare or damaging to adjacent or nearby properties;

2. Overgrown vegetation (such as grass over six inches in height), dead, decayed, diseased or hazardous trees, weeds and other vegetation likely to harbor rats, vermin or nuisances or which may be a fire hazard; or that encroaches into the public right-of-way so as to interfere with pedestrian or auto traffic or interfere with the public welfare;

3. Storing, discharging, holding, handling, maintaining, using or otherwise dealing with hazardous substances, as defined by applicable state or federal laws or regulations:

a. In violation of federal, state or local law or regulations,

b. In such a manner to affect in any way air or water quality, or

c. In such a manner as to create an identifiable risk of accidental release of the substances;

4. Keeping any animal including, but not limited to reptiles, or insects in such a manner as to pose a threat, disturbance or danger or menace to persons or property of another or in a public right-of-way;

5. Outside storage of any of the following:

a. Debris, rubbish and trash visible from public right-of-way and neighboring property,

b. Broken or discarded household furnishings, appliances, boxes and cartons, lawn maintenance equipment, play equipment, toys and similar materials,

c. Building materials not being used to work on the property under a valid, open building permit,

d. Wrecked or inoperable appliances, equipment, machines, tools and similar materials,

e. Materials or items of any nature not part of any approved roof structure placed, installed or stored on rooftops when visible from the public right-of-way or from neighboring property;

6. Attractive nuisances (those objects which, by their nature, may attract children or other curious individuals) including, but not limited to, unprotected and/or hazardous pools, stagnant water, ponds, iceboxes, refrigerators or excavations;

7. Graffiti (permitting or allowing any graffiti to remain on any building, wall, fence or structure for a duration longer than 48 hours).

8. Clothes lines in a front yard or areas other than on the ground floor level and within the area to the rear of the rearmost building;

9. Garbage or trash cans or containers stored in front or side yards and visible from public streets, or which cause offensive odors;

10. Depositing, accumulating, or collecting of refuse unless placed in the appropriate refuse container provided by the city. Depositing of human waste on the property, dumping or depositing of refuse on public or private property without a city permit, any violation of Chapter 8.12 of the municipal code;

11. Keeping, operating or maintaining any machinery which, emits an objectionable odor, or by reason of its dust, exhaust or fumes creates a health or safety hazard;

12. Allowing any unlawful condition or activity to exist on any property;

13. Permitting sewage or grease to overflow from clogged sewer lines and/or building drain lines;

14. Conducting an activity or event without a permit from the city when a permit is required under the Pico Rivera Municipal Code to conduct such activity or event;

15. Any front yard, parkway, or landscaped setback area which lacks turf, other planted material, decorative rock, bark, or planted ground cover or covering;

16. Property in which required yard areas are not landscaped in accordance with the landscape requirements as set forth in Section 18.42.050(B)(20);

17. Lighting which directly shines on neighboring lots or is directed off-site from the property meant to be served;

18. Operating an unpermitted business or activity;

19. Furniture, other than lawn or patio furniture which is constructed of waterproof materials originally intended and commonly thought of as being for outdoor use, located on porches, front or side yards, or visible from a public right-of-way or neighboring property;

20. Accumulations of grease, oil, auto fluids, hazardous chemicals or materials on driveways, yards, fences or buildings; or allowing such materials to migrate underground or flow into the public right-of-way or neighboring property;

21. Temporary or non-permanent coverings or structures located in required front, side or rear yard areas, that have not been issued a Planning or Building Permit by the city;

22. Abandoned service stations as defined in Section 18.40.050(C)(19)(n) of the Pico Rivera Municipal Code;

23. Parking, storage or repair of buses, tow trucks, construction vehicles, tractor trailers, trailers or any other commercial vehicle of any type or description in any residential zone or on any commercially zoned property without zoning approval, except for the deliveries and the performances of work requested by an occupant of the residentially zoned property;

24. Failing to satisfy or violating any condition associated with or imposed in connection with an approval relating to land, while making use of the special entitlement granted by such permit, including, but not limited to, variances, conditional use permits, subdivisions and site plans;

25. Maintenance of premises in such manner as to violate the Los Angeles County Public Health Code as adopted at Pico Rivera Municipal Code, Chapter 8.08. As used herein, "premises" means and includes real property, landscaping, trees, bushes, fences, buildings, fixtures, structures, and any other improvement to real property, and the outside storage of personal property.

~~B. Structures. Structures or buildings, both permanent and temporary, or other lot improvements, which are subject to any of the following conditions:~~

C. Nuisances Affecting Structures and Structural Components. Structures or building, both permanent and temporary, or other improvements, including, but not limited to, walls, fences, pools, slabs and utility extensions, which exhibit any of the following conditions are deemed to be a nuisance.

1. Constitute a fire hazard as determined by the fire marshal;

2. Have faulty weather protection including, but not limited to, crumbling, cracked, missing, broken, or loose exterior plaster or other siding (including lack of paint or other protective finish), deteriorated or unsound roofs, foundations or floors, broken or missing windows, window screens or doors;

3. A building or structure which is not completed and for which the permit for such construction has expired. In the case of structures which do not require a permit, an incomplete state of construction of six months or more;

4. Are abandoned, partially destroyed or left in a state of partial construction and where the appearance or other conditions of any such building or structure substantially detracts from the appearance of the immediate neighborhood.

5. A building or structure that has been boarded up for a period of six months or longer;

6. Unoccupied or abandoned buildings which have been left unlocked or otherwise open or unsecured from intrusion by persons, animals or the elements;

7. Fences or walls which violate zoning regulations regarding height, or which are in a hazardous or unsafe condition, or which are in disrepair, or the elements;

8. Signs, which advertise uses no longer conducted or products no longer sold on the premises, except where such signs are legally permitted;

9. Signs, both on-site and off-site (including billboards), which are otherwise lawful but maintained in a deteriorated condition;

10. Temporary signs which advertise or are related to events which have already taken place;

11. A building or structure that is marked or defaced with spray paint, dye or like substance in a manner commonly described as graffiti, for four or more calendar days;

12. Allowing any unlawful condition or activity to exist in a structure;

13. Any building, facility, equipment, device or structure in a condition that would constitute a substandard, dangerous conditions as defined in the Pico Rivera Building Code;

14. Any building or structure which is partially destroyed, damaged, vacant or abandoned for more than six months;

15. Unpermitted or illegal signs not in compliance with Chapter [18.46](#) of the Pico Rivera Municipal Code;

16. Unpermitted or illegal structures or storage containers;

17. Unpermitted or otherwise illegal fencing including all barbed wire;

18. Maintenance or premises so out of harmony or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use or property values of such adjacent properties;

19. Property maintained (in relation to others) so as to cause depreciated values, impaired investments, or social and economic maladjustments;

20. Any building, sign or structure erected, reconstructed, or structurally altered, or any building, sign, structure or land used in any manner contrary or in violation of the

terms and provisions of the zoning ordinance of the city contained in Chapter [18.18](#) of this code;

21. Any nonconforming building or use which has been terminated by discontinuance or operation of law;

22. Any encroachment on any public dedicated or acquired sidewalk, street, alley, lane, court, park, or other public place, including, but not limited to, those described in Section [12.36.020](#)(B). (Ord. 946 § 1, 2000)

SECTION 3. Any provision of the City of Pico Rivera's Municipal Code inconsistent with the provisions of this ordinance, to the extent of such inconsistency and no further, is hereby repealed or modified to the extent necessary to affect the provisions of this Ordinance.

SECTION 4. The City Clerk shall certify the adoption of this Ordinance. The City Council hereby finds and determines that there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code directs the City Clerk to cause said Ordinance, within fifteen (15) days after its passage, to be posted in at least five (5) public places within the City. This Ordinance shall take effect thirty (30) days after its adoption.

[Signatures on the following page]

APPROVED AND ADOPTED this 12th day of December, 2023.

Erik Lutz, Mayor

ATTEST:

APPROVED AS TO FORM:

Cynthia Ayala, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA)
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COUNTY OF LOS ANGELES)

I, Cynthia Ayala, City Clerk of the City of Pico Rivera, do hereby certify that the foregoing Ordinance No. 1178 was adopted at a regular meeting of the City Council of the City of Pico Rivera, held on Tuesday, December 12, 2023, with the following vote:

AYES: Camacho, Garcia, Lara, Sanchez, Lutz
NOES: None
ABSENT: None
ABSTAIN: None

Cynthia Ayala, CMC, City Clerk