

ORDINANCE NO. 973

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, ADDING CHAPTER 15.25 TO TITLE 15 OF THE LANCASTER MUNICIPAL CODE, ADOPTING THE USE OF PLACARDS TO DENOTE CONDITIONS RELATING TO CONTINUED OCCUPANCY OF BUILDINGS FOLLOWING EARTHQUAKE; OTHER EMERGENCY OR NATURAL DISASTER

WHEREAS, the City of Lancaster General Plan states that it is the intent of the City to “maintain a level of preparedness to respond to emergency situations, which will save lives, protect property, and facilitate recovery with a minimum of disruption” (Objective 5.1); and, “maintain ongoing coordination and cooperation with participating jurisdictions, and work closely with emergency responders, community partners and residents to engage in comprehensive disaster planning to improve regional capabilities to respond to disaster situations” (Specific Action 5.1.1); and

WHEREAS, placards have been widely used in past earthquakes to denote the condition of buildings and structures to protect property owners, occupants, and the general public; and

WHEREAS, in past events there have been reports of placards being removed from buildings or being altered by unauthorized individuals; and

WHEREAS, placards that have been officially adopted by a local jurisdiction (see Exhibit “A”) carry the weight of law and are enforceable by local law enforcement if necessary; and

WHEREAS, only authorized representatives of a jurisdiction who are certified Post-Disaster Safety Assessment Program (SAP) evaluators may place official placards; and

WHEREAS, the California Building Officials (CALBO) and the California Emergency Management Agency (CalEMA) encourage all jurisdictions to adopt the Applied Technology Council’s ATC-20 placards, in order to have a uniform placard system in place throughout the state; therefore

THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Title 15 of the Lancaster Municipal Code is hereby amended by adding Chapter 15.25 to read as follows:

15.25.010 Intent.

This chapter establishes standard placards to be used to indicate the condition of a structure and its suitability for continued occupancy following an earthquake or other emergency or natural disaster. The chapter further authorizes the Building Official and his or her authorized representatives to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment.

15.25.020 Application of Provisions.

The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the City of Lancaster. The City Council may extend the provisions as necessary.

15.25.030 Definitions.

“Authorized safety evaluator” means an authorized City representative who is a certified Post-Disaster Safety Assessment Program evaluator.

“Building Official” means the Building Official of the City of Lancaster and/or his or her authorized designee.

“Code” means the Lancaster Municipal Code.

“Person” means and includes any individual, partnership, corporation, limited liability company, association or other organization or entity.

“Safety assessment” is a visual, non-destructive examination of a building or structure for the purpose of determining its condition and suitability for continued occupancy.

15.25.040 Placards.

A. Three placards shall be used to designate the condition and permissible continued occupancy of buildings or structures, as follows:

1. “INSPECTED – Lawful Occupancy Permitted” shall be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.
2. “RESTRICTED USE” shall be posted on each building or structure that has sustained damage such that occupancy must be limited, in area and/or time, in order to protect life safety.

The authorized safety evaluator shall identify on the placard the type of damage observed, in general terms, and shall clearly and concisely identify the restrictions on continued occupancy.

3. “UNSAFE – Do Not Enter or Occupy” shall be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. A building or structure that has been posted with this placard shall not be entered, occupied or used at any time, for any purpose, without prior written authorization by the Building Official.

Authorized safety evaluators or other authorized designees of the Building Official shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order.

The authorized safety evaluator shall identify on the placard and will note in general terms the type of damage observed.

B. This ordinance number, and the address and phone number of the Lancaster Building and Safety Division shall be permanently affixed to each placard.

15.25.050 Enforcement.

City building inspectors, code enforcement officers, and Los Angeles County Sheriff’s deputies are authorized to enforce the restrictions identified on a placard in any manner authorized by law, including but not limited to the abatement provisions set forth in Chapter 8.28 of this Code, to cause the premises to be vacated and secured to ensure conformance with the placard restrictions.

15.25.060 Violations.

A. It is unlawful for any person to enter, occupy or use a building or structure, or portion thereof, at a time or in a manner that does not conform to the restrictions identified on a placard, except as follows:

1. A person may enter a building or structure, or portion thereof, with the prior written authorization of the Building Official. Such entry must be in full conformance with the restrictions set forth in the written authorization.

B. It is unlawful for any person, other than the Building Official, to remove, alter, deface or cover a placard that has been posted on a building or structure.

Section 2. That the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the 10<sup>th</sup> day of January, 2012, and placed upon its second reading and adoption at a regular meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2012 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
GERI K. BRYAN, CMC  
City Clerk  
City of Lancaster

\_\_\_\_\_  
R. REX PARRIS  
Mayor  
City of Lancaster

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) ss  
CITY OF LANCASTER            )

CERTIFICATION OF ORDINANCE  
CITY COUNCIL

I, \_\_\_\_\_, \_\_\_\_\_ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. 973, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

(seal)