

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: SECOND AND FINAL READING OF ORDINANCE 3680

RECOMMENDATION:

Second and Final Reading of **ORDINANCE NO. 3680** adding a new Section 8 to Article 32 of Chapter 2 of Division 9 of the Torrance Municipal Code regulating the use of the public right of way.

BACKGROUND:

At the regular meeting of the City Council held on the 7th day of February, 2006, this Ordinance was introduced and approved for its first reading by the following roll call vote:

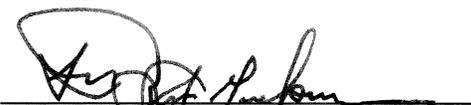
AYES:	COUNCILMEMBERS:	Mauno, McIntyre, Nowatka, Scotto, Witkowsky, and Mayor Walker.
NOES:	COUNCILMEMBERS:	None.
ABSTAIN:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	None.

Respectfully submitted,



Sue Herbers, City Clerk

NOTED:



LeRoy J. Jackson, City Manager

Attachment A: Ordinance 3680
B: Ordinance Summary

ORDINANCE NO. 3680

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A NEW SECTION 8 TO ARTICLE 32 OF CHAPTER 2 OF DIVISION 9 OF THE TORRANCE MUNICIPAL CODE REGULATING THE USE OF THE PUBLIC RIGHT OF WAY.

The City Council of the City of Torrance does ordain as follows:

SECTION 1

That a new Section 8 is added to Article 32 of Chapter 2 of Division 9, entitled USE OF THE PUBLIC RIGHT OF WAY. This section reads in its entirety as follows:

“SECTION 92.32.8. USE OF THE PUBLIC RIGHT OF WAY.

With the exception of those items for which a permit may be issued, or for which a legal exception is elsewhere granted in law, it is unlawful for any person owning, occupying or having charge of any property in the City to place or maintain on any sidewalk or public right of way abutting or adjoining such property any rubbish or waste material, construction material, play equipment, signs, trash, vegetation, or any object which obstructs or interferes with the free passage, use or view by the public of any sidewalk, street, alley, parkway, beach, or other public right of way, or which may impede emergency access.”

SECTION 2

Any provisions of the Torrance Municipal Code or its appendices, or any other ordinances of the City inconsistent with this ordinance, to the extent of the inconsistencies and no further, are repealed.

SECTION 3

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision will not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases are declared invalid or unconstitutional.

SECTION 4

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

INTRODUCED AND APPROVED the 7th day of February, 2006.

ADOPTED AND PASSED this _____ day of February, 2006.

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

by _____
Ronald T. Pohl, Assistant City Attorney

Mayor Dan Walker

ATTEST:

Sue Herbers, CMC
City Clerk

Ordinance Summary

TORRANCE CITY COUNCIL ORDINANCE NO. 3680

On _____, 2006, the City Council of the City of Torrance adopted an ordinance regulating the use of the public right of way.

The ordinance prohibits the placement of any object that obstructs or interferes with the sidewalk or public right of way.

****City Clerk to add a paragraph stating that copies of the ordinance are available at the City Clerk's office and stating the names of the City Council members that voted in favor and those that voted against.****