

**AVENAL, CALIFORNIA
MUNICIPAL CODE**

**A Codification of the General Ordinances of
the City of Avenal, California**

Adopted: May 27, 1982



Date of Publication: 2012

PREFACE

This Code constitutes a republication of the general and permanent ordinances of the City of Avenal, California.

The Code is organized by subject matter under an expandable three-factor decimal numbering system which is designed to facilitate supplementation without disturbing the numbering of existing provisions. Each section number designates, in sequence, the numbers of the Title, chapter, and section. Thus, Section 2.12.040 is Section .040, located in Chapter 2.12 of Title 2. In most instances, sections are numbered by tens (.010, .020, .030, etc.), leaving nine vacant positions between original sections to accommodate future provisions. Similarly, chapters and titles are numbered to provide for internal expansion.

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In parentheses following each section is a legislative history identifying the specific sources for the provisions of that section. This legislative history is complemented by an ordinance disposition table, following the text of the Code, listing by number all ordinances, their subjects, and where they appear in the codification; and beginning with the republication, legislation can be tracked using the "Code Comparative Table and Disposition List."

A subject-matter index, with complete cross-referencing, locates specific Code provisions by individual section numbers.

This republication brings the Code up to date through Ordinance 2011-06, passed June 9, 2011.

Municipal 1700 Tallahassee, 800-262-2633	Code Capital FL	Circle	Corporation 32310	SW
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HOW TO USE YOUR CODE

This Code is organized to make the laws of the City as accessible as possible to City officials, City employees and private citizens. Please take a moment to familiarize yourself with some of the important elements of this Code.

Numbering System.

The numbering system is the backbone of a Code of Ordinances; Municipal Code Corporation uses a unique and versatile numbering structure that allows for easy expansion and amendment of this Code. It is based on three tiers, beginning with title, then chapter, and ending with section. Each part is represented in the Code section number. For example, Section 2.04.010 is Section .010, in Chapter 2.04 of Title 2.

Title.

A title is a broad category under which ordinances on a related subject are compiled. This Code contains about 15 to 20 titles. For example, the first title is Title 1, General Provisions, which may contain ordinances about the general penalty, Code adoption and definitions. The titles in this Code are separated by tabbed divider pages for quick reference. Some titles are Reserved for later use.

Chapter.

Chapters deal with more specific subjects, and are often derived from one ordinance. All of the chapters on a related subject are grouped in one title. The chapters are numbered so that new chapters which should logically be placed near certain existing chapters can be added at a later time without renumbering existing material. For example, Chapter 2.06, City Manager, can be added between 2.04, City Council, and Chapter 2.08, City Attorney.

Section.

Each section of the Code contains substantive ordinance material. The sections are numbered by "tens" to allow for expansion of the Code without renumbering.

Tables of Contents.

There are many tables of contents in this Code to assist in locating specific information. At the beginning of the Code is the main table of contents listing each title. In addition, each title and chapter has its own table of contents listing the chapters and sections, respectively.

Ordinance History Note.

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At the end of each Code section, you will find an "ordinance history note," which lists the underlying ordinances for that section. The ordinances are listed by number, section (if applicable) and year. (Example: (Ord. 272 § 1, 1992).)

Ordinance history notes will be amended with the most recent ordinance added to the end. These history notes can be cross referenced to the code comparative table and disposition list appearing at the back of the volume preceding the index.

Statutory References.

The statutory references direct the Code user to those portions of the state statutes that are applicable to the laws of the municipality. As the statutes are revised, these references will be updated.

Cross-Reference Table.

When a Code is based on an earlier codification, the cross-reference table will help users find older or "prior" Code references in the new Code. The cross-reference table is located near the end of the Code, under the tabbed divider "Tables." This table lists the prior Code section in the column labeled "Prior Code Section" and the new Code section in the column labeled "Herein."

As of the republication, this table will no longer be updated.

Ordinance List and Disposition Table.

To find a specific ordinance in the Code, turn to the section called "Tables" for the Ordinance List and Disposition Table. This very useful table tells you the status of every ordinance reviewed for inclusion in the Code. The table is organized by ordinance number and provides a brief description and the disposition of the ordinance. If the ordinance is codified, the chapter (or chapters) will be indicated. (Example: (2.04, 6.12, 9.04).) If the ordinance is of a temporary nature or deals with subjects not normally codified, such as budgets, taxes, annexations or rezones, the disposition will be "(Special)." If the ordinance is for some reason omitted from the Code, usually at the direction of the municipality, the disposition will be "(Not codified)." Other dispositions sometimes used are "(Tabled)," "(Pending)," "(Number Not Used)" or "(Missing)."

Beginning with the republication, this table will be replaced with the "Code Comparative Table and Disposition List."

Code Comparative Table and Disposition List.

Beginning with the republication, a Code Comparative Table and Disposition List has been added for use in tracking legislative history. Located in the back of this volume, this table is a chronological listing of each ordinance considered for codification. The Code Comparative Table and Disposition List specifies the ordinance number, adoption date, description of the ordinance and the disposition within the Code of each ordinance. By use of the Code Comparative Table and Disposition List, the reader can locate any section of the code as supplemented, and any subsequent ordinance included herein.

Index.

If you are not certain where to look for a particular subject in this Code, start with the index. This is an alphabetical multi-tier subject index which uses section numbers as the reference, and cross-references where necessary. Look for the main heading of the subject you need, then the appropriate subheadings:

BUSINESS LICENSE

See	also	BUSINESS	TAX
Fee		5.04.030	
Required when			
5.04.010			

The index will be updated as necessary when the Code text is amended.

Looseleaf Supplements

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A special feature of this publication is the looseleaf system of binding and supplemental servicing of the publication. With this system, the publication will be kept up-to-date. Subsequent amendatory legislation will be properly edited, and the affected page or pages will be reprinted. These new pages will be distributed to holders of copies of the publication, with instructions for the manner of inserting the new pages and deleting the obsolete pages.

Keeping this publication up-to-date at all times will depend largely upon the holder of the publication. As revised pages are received, it will then become the responsibility of the holder to have the amendments inserted according to the attached instructions. It is strongly recommended by the publisher that all such amendments be inserted immediately upon receipt to avoid misplacing them and, in addition, that all deleted pages be saved and filed for historical reference purposes.

Acknowledgments

This publication was under the direct supervision of Kelly Heaton, Editor, and Eric Grant, Vice President, of the Municipal Code Corporation, Tallahassee, Florida. Credit is gratefully given to the other members of the publisher's staff for their sincere interest and able assistance throughout the project.

The publisher is most grateful to Pamela J. Bonilla, City Clerk, and the other members of the city staff for their cooperation and assistance during the progress of the work on this publication. It is hoped that their efforts and those of the publisher have resulted in a Municipal Code which will make the active law of the city readily accessible to all citizens and which will be a valuable tool in the day-to-day administration of the city's affairs.

Instruction Sheet.

Each supplement to the new Code will be accompanied by an Instruction Sheet. The Instruction Sheet will tell the Code user the date of the most recent supplement and the last ordinance contained in that supplement. It will then list the pages that must be pulled from the Code and the new pages that must be inserted. Following these instructions carefully will assure that the Code is kept accurate and current. Removed pages should be kept for future reference.

Page Numbers.

When originally published, the pages of this Code were consecutively numbered. When new pages are inserted with amendments, the pages will follow a "Point Numbering System". (Example: 32, 32.1, 32.2, 32.2.1, 32.2.2., 33). Backs of pages that are blank (in Codes that are printed double-sided) will be left unnumbered but the number will be "reserved" for later use.

Electronic Submission.

In the interests of accuracy and speed, we encourage you to submit your ordinances electronically if at all possible. We can accept most any file format, including Word, WordPerfect or text files. If you have a choice, we prefer Word, any version. You can send files to us as an e-mail attachment, by FTP, on a diskette or CD-ROM. Electronic files enable us not only to get you your Code more quickly but also ensure that it is error-free. Our e-mail address is: ords@municode.com.

For hard copy, send two copies of all ordinances passed to:

Municipal
P.O.
Tallahassee, FL 32316

Code
Box

Corporation
2235

Customer Service.

If you have any questions about this Code or our services, please contact Municipal Code Corporation at 1-800-262-2633 or:

Municipal
1700
Tallahassee, FL 32310

Code
Capital

Corporation
Circle SW

Ordinance No. 82-04

An Ordinance of the City of Avenal Adopting the Avenal Municipal Code, Together with the Following Secondary Codes Therein Adopted by Reference, To Wit: That Certain Code Entitled "Uniform Fire Code, 1979 Edition", Published by the International Conference of Building Officials and the Western Fire Chiefs Association, Save and Except Such Portions Thereof as Are Deleted, Modified, or Amended by the Provisions of the Avenal Municipal Code; That Certain Code Entitled "Uniform Building Code", 1979 Edition, Volume I, Published by the International Conference of Building Officials, Together with Its Appendices, Save and Except Such Portions Thereof as Are Deleted, Modified, or Amended by the Provisions of the Avenal Municipal Code; That Certain Code Entitled "Uniform Electrical Code", 1978 Edition, Published by the Pacific Coast Electrical Bureau, Save and Except Such Portions Thereof as Are Deleted, Modified, or Amended by the Provisions of the Avenal Municipal Code; That Certain Code Entitled "National Electrical Code", 1978 Edition, Published by the National Board of Fire Underwriters, Save and Except Such Portions Thereof as Are Deleted, Modified, or Amended by the Provisions of the Avenal Municipal Code; That Certain Code Entitled "Uniform Plumbing Code", 1979 Edition, Published by the International Association of Plumbing and Mechanical Officials, Together with Its Appendices, Save and Except Such Portions Thereof as Are Deleted, Modified, or Amended by the Provisions of the Avenal Municipal Code; and That Certain Code Entitled "Mechanical Code", 1976 Edition, Published by the International Association of Plumbing and Mechanical Officials and International Conference of Building Officials, Together with Its Appendices, Save and Except Such Portions Thereof as Are Deleted, Modified, or Amended by the Provisions of the Avenal Municipal Code; and Prescribing Certain Penalties for the Violation of the Provisions Thereof

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

Sec. 1. Adoption of the Avenal Municipal Code.

That certain document, entitled "Avenal Municipal Code", including the Appendix thereto, three (3) copies of which have been filed and are on file in the office of the City Clerk for public inspection, together with the secondary Codes therein adopted by reference, is hereby adopted by reference as a comprehensive Ordinance Code for the City of Avenal pursuant to the provisions of Article 2 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code of the State of California, and each and all of the provisions, terms, and penalties of said Code on file in the office of the City Clerk are hereby referred to, adopted, incorporated herein, and made a part of this Ordinance as if hereby set forth in this Ordinance.

Sec. 2. Savings provisions.

The repealing provisions of the Avenal Municipal Code shall not affect or impair any act done or right vested or approved, or any proceeding, suit, or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit, or prosecution had or commenced shall remain in full force and effect to all intents and purposes as if the applicable provisions of the ordinance, or part thereof, so repealed had remained in full force and effect. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the time when any such ordinance, or part thereof, shall be repealed or altered by said Code, shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties, or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance, or part thereof, had not been repealed or altered.

Sec. 3. Violations of Code provisions.

It shall be unlawful for any person to violate any provision or to fail to comply with any of the requirements of the Avenal Municipal Code or the provisions of any Code adopted by reference by said Municipal Code. Any person violating any of such provisions or failing to comply with any of the mandatory requirements of the Avenal Municipal Code shall be guilty of an infraction as designated by, and provided for, in Sections 16, 17, 19c, and 19d of the Penal Code of the State of California and as expressly specified in Section 40000 of the Vehicle Code of the State of California. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of

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any provision of the Avenal Municipal Code, or the provisions of any Code adopted by reference by said Municipal Code, is committed, continued, or permitted by such person and shall be punishable accordingly.

Any person convicted of an infraction under the provisions of the Avenal Municipal Code shall be punishable for a first conviction by a fine of not more than Fifty and no/100ths (\$50.00) Dollars, for a second conviction within a period of one year by a fine of not more than One Hundred and no/100ths (\$100.00) Dollars, and for a third or any subsequent conviction within a period of one year by a fine of not more than Two Hundred and no/100ths (\$200.00) Dollars.

In addition to the penalties provided by this section, any condition permitted or caused to exist in violation of any of the provisions of the Avenal Municipal Code, or the provisions of any Code adopted by reference by said Municipal Code, or any subdivision, building, wiring, plumbing, or other similar activity in violation of the provisions of the Avenal Municipal Code shall be deemed a public nuisance and may be summarily abated by the City in a civil action, and each day such condition continues shall be a new and separate offense.

Sec. 4. Effective date: Publication.

This ordinance shall become effective and be in full force and operation thirty (30) days from the date of its final passage and approval and shall be posted as provided by law.

The foregoing ordinance was introduced by Councilman Norman Messer at a regular meeting of the City Council held on the 13th day of May, 1982.

The foregoing ordinance was passed, adopted, and ordered to print at a regular meeting of the City Council held on the 27th day of May, 1982.

Ayes: Castleman, Casida, Glover, Messer and Etchison

Noes:

Absent:

	<p style="text-align: right;"><i>/s/ JIM CASTLEMAN</i> Mayor of the City of Avenal</p>
ATTEST:	
<p><i>/s/ CAROLYN PARKS</i> City Clerk of the City of Avenal</p>	