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CITY ATTORNEY

REPORT NO. R 1 3 - 0 3 5 3
DEC 1 0 2013

REPORT RE:

**DRAFT ORDINANCE AMENDING LOS ANGELES MUNICIPAL CODE
SECTIONS 92.0207, 92.0303, 92.0304 AND 92.0402 TO MAKE
VARIOUS TECHNICAL CHANGES AND INCORPORATE PORTIONS
OF THE 2013 CALIFORNIA ELEVATOR CODE**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 13-1214

Honorable Members:

Pursuant to the request of City Council, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends Los Angeles Municipal Code (LAMC) Sections 92.0207, 92.0303, 92.0304 and 92.0402 to make various technical changes and incorporate portions of the 2013 California Elevator Code.

Summary of Ordinance Provisions

On October 29, 2013, the Planning and Land Use Management (PLUM) Committee considered reports from the Mayor and the Department of Building and Safety (DBS) relative to proposed ordinances to amend various sections of the LAMC including the Electrical Code. At that meeting, the PLUM Committee requested that the City Attorney prepare and present ordinances to amend the various sections of the LAMC as outlined in the reports.

This draft ordinance makes various technical changes to the existing regulations in the Electrical Code. It also eliminates obsolete code sections, clarifies code sections, and updates code year references.

California Environmental Quality Act (CEQA)

Under California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378(b)(2) and (b)(5), continuing administrative activities and organizational activities that will not result in direct or indirect physical changes in the environment are not CEQA projects. The ordinance is an administrative change to existing LAMC Sections 92.0207, 92.0303, 92.0304 and 92.0402. These changes make various technical changes to the existing regulations, eliminate obsolete code sections, and clarify code sections. These changes will not result in any direct or indirect physical change to the environment. Therefore the ordinance is not subject to CEQA.

Council Rule 38 Referral

The draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety.

If you have any questions regarding this matter, please contact Deputy City Attorney Kim Rodgers Westhoff at (213) 978-8242. She or another member of this Office will be present to answer any questions you may have when you consider this matter.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

DM/KRW:zra
Transmittal

ORDINANCE NO. _____

An ordinance amending certain provisions of Article 2, Chapter IX of the Los Angeles Municipal Code to reflect local administrative changes and incorporate by reference portions of the Elevator Safety Orders of Title 8 and the 2013 Edition of Part 7 of Title 24 of the California Code of Regulations.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection (k) of Section 92.0207 of the Los Angeles Municipal Code is amended to read as follows:

(k) **Elevator Controls/Machinery Spaces.** Required workspace clearance for elevator control and/or machinery spaces shall be located entirely within the interior of the building. The elevator controllers shall not be located in the elevator hoistway.

Sec. 2. Section 92.0303 of the Los Angeles Municipal Code is amended to read as follows:

SEC. 92.0303. PRIVATE RESIDENCE VERTICAL PLATFORM LIFTS.

Part 5 of ASME A18.1-2003 is adopted by reference, with the following exceptions: Rule 5.1.4.1 and Rule 5.10.9.1 are not adopted.

92.0303.1. PRIVATE RESIDENCE INCLINED PLATFORM LIFTS. Part 6 of ASME A18.1-2003 is adopted by reference, with the following exceptions: Rule 6.1.6.1 and Rule 6.10.6.1 are not adopted.

92.0303.2. PRIVATE RESIDENCE INCLINED STAIRWAY CHAIRLIFTS. Part 7 of ASME A18.1-2003 is adopted by reference, with the following exceptions: Rule 7.1.3 and Rule 7.10.3.1 are not adopted.

Sec. 3. Subsections (b) and (c) of Section 92.0304 of the Los Angeles Municipal Code are amended to read as follows:

(b) **Glass in Hoistway Landing Doors.** Glass used in hoistway landing doors shall comply with ASME A17.1-2004, Section 2.11.7.

(c) **Landing Sills.** Landing sills shall be of metal and shall comply with ASME A17.1-2004, Rule 2.11.10.1.1 except 2.11.10.1.1(c).

Sec. 4. Subsections (d) and (e) of Section 92.0304 of the Los Angeles Municipal Code are added to read as follows:

(d) **Projections or Setbacks in the Hoistway.** Any projection or setbacks in the hoistway shall comply with ASME A17.1-2004, Section 2.1.6

except Rule 2.1.6.2(b) and Rule 2.1.6.2(d) where projections or setbacks allow four (4) inches, this shall be reduced to two (2) inches.

(e) Glass used in a Hoistway of a Non-Fire Resistive Construction.

Glass used in the hoistway shall comply with ASME A17.1-2004, Rule 2.1.1.2.1, Rule 2.1.1.2.2(d) and Rule 2.1.1.5 and shall also comply with the following.

1. Entrance into the bottom (below car) of the hoistway or at the top (above car) of the hoistway for cleaning and maintenance purposes shall comply with ASME A17.1-2004, Rule 5.2.1.4.2 (Bottom) and Rule 5.2.1.4.4 (top).

2. The cleaning and maintenance of the glass in the hoistway shall comply with the following.

(i) The cleaning of glass car enclosure and/or hoistway enclosures from inside the hoistway shall be performed by a City of Los Angeles Licensed Journey Level Elevator Mechanic as required by Section 92.0119 of this Code and employed by a State of California C11 Licensed Elevator Company.

(ii) A written cleaning procedure shall be developed by the original installation elevator company, and kept on the premises where the elevator controller is located. The procedure shall identify the hazards and shall also detail safety precautions to be utilized.

(iii) A maintenance data plate with lettering a minimum size of 6 mm (0.25 inch) high on a contrasting background shall be fastened in a conspicuous place inside the elevator stating:

"ALL MAINTANCE OF ELEVATOR, INCLUDING THE CLEANING OF GLASS, SHALL BE PERFORMED AS REQUIRED BY L.A.E.C. 92.0119".

(iv) A copy of the glass cleaning procedure from the original elevator installation company, on the original elevator installation company's letterhead, shall be made available on the acceptance inspection to the LADBS Elevator Division.

Sec. 5. The Exceptions under Section 92.0402 of the Los Angeles Municipal Code are amended to read as follows:

EXCEPTIONS: The installation of manlifts in flour mills is not prohibited. The requirement of removal from use not later than May 23, 1984 is not applicable to flour mills, borax silos, parking structures, or electric generating stations, provided that any manlift in such facility is completely enclosed by a fence, and access gates thereto are locked so as to prevent unauthorized and untrained personnel from using the device, and provided further that the City has authority to enter the premises in order to insure that the fence and locked gates are provided and properly maintained.

Sec. 6. **Urgency Clause.** The City Council finds and declares that this Ordinance is required for the immediate protection of the public peace, health and safety for the following reason: In order for the City of Los Angeles to facilitate a seamless transition with the State of California and its Elevator Code and maintain predictability and streamlined case processing for the benefit of economic development during distressed times, it is necessary to immediately adopt the foregoing exceptions, modifications and additions to the California Elevator Code. Additionally, the California Elevator Code becomes effective on January 1, 2014 and the amendments to that code as reflected herein must be adopted by the City Council and become effective as soon as possible. The Council, therefore, with the Mayor's concurrence, adopts this ordinance to become effective upon publication pursuant to Los Angeles City Charter Section 253.

Sec. 7. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all of its members, at its meeting of _____.

HOLLY L. WOLCOTT, Interim City Clerk


By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
KIM RODGERS WESTHOFF
Deputy City Attorney

Date 12/10/13

File No. CF 13-1214