

ORDINANCE NO. 221-2019

AN ORDINANCE ADDING SUBSECTION 9-1.16 TO CHAPTER 9 OF THE CLEARLAKE MUNICIPAL CODE RELATING TO ELECTRIC AND ELECTRONIC ACCESS GATES

WHEREAS, electronically operated gates and barriers are used to provide security to residential and commercial areas by restricting the passage of vehicles on private access roads; and

WHEREAS, emergency vehicles and personnel have difficulty promptly entering residential and commercial areas where electronic gates or barriers are installed; and

WHEREAS, a delay in response to threats to public health, safety and welfare can result in injury or death to persons and damage or destruction of real and personal property; and

WHEREAS, certain systems exist to allow prompt access to areas closed with gates by using radio equipment already in use by emergency vehicles and personnel;

The City Council of the City of Clearlake, State of California does hereby ordain as follows:

SECTION 1. FINDINGS.

A. The above recitals are declared to be true and correct findings of the City Council of the City of Clearlake; and

SECTION 2.

Chapter 1, Section 9-1, Subsection 9-1.16 of the Clearlake Municipal Code is hereby amended to read as follows:

“9-9.16 Electric Access Gates.

- a. When access to a multi-unit residential structure or multi-unit residential area is impeded by an electronically or electrically secured gate, such electronically or electrically secured gate shall be constructed and maintained in accordance with plans approved by the city.
- b. No plans shall be approved unless the plans allow emergency vehicles and emergency personnel to open such electronically secured gate by city approved radio equipment used by emergency vehicles or personnel.
- c. On or before January 1, 2020, all existing electronically or electrically secured gates that impede access to a multi-unit residential structure or multi-unit residential area shall either be (a) removed, or (b) retrofitted and maintained in accordance with plans approved by the city to comply with paragraph b.”

SECTION 3. SEVERABILITY.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 4. EXECUTION.

The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

Passed and Adopted this 14th day of February, 2019 by the following vote:

AYES: Vice Mayor Cremer, Councilmembers Overton and Slooten

NOES: None

ABSENT OR NOT VOTING: Mayor Bennett, Councilmember Harris

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Vice Mayor, City of Clearlake

ATTEST:

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City Clerk, City of Clearlake

