

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

ORDINANCE NO. ORD-16-0019

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING SECTION 14.08.170
RELATING TO SUBSURFACE INSTALLATIONS-DEPTHS

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 14.08.170 of the Long Beach Municipal Code is
amended to read as follows

14.08.170 Subsurface installations - Depths.

A. No person shall install any conduit, duct, shoring structure or
tunnel within three feet (3') below established grade of any right-of-way.
Installations such as manholes, culverts, and catch basins, within three feet
(3') below the established grade of the right-of-way will require the City
Engineer's approval. For all other installations below the established grade
of the right-of-way, the City Engineer may, at his or her discretion, upon
receipt of sufficient evidence of necessity or public benefit, grant a special
permit for these installations. A shoring structure shall include, but is not
limited to, tiebacks, excavation, caisson/soldier piles, and raker/brace
system. Tiebacks shall include, but is not limited to, the steel tendon,
coupler, bearing plate, anchor plate, and element made of cementitious or
similar material anchoring the tieback tendon in the soil or rock. For any
structure left in place within the public right-of-way, applicants shall provide
to the satisfaction of the City Engineer the as-built construction drawings
and electronic files in current Geographic Information System (GIS) format,
as per the latest official City datum plane to be used to update the City's

1 GIS.

2 B. This Subsection shall apply to a proposed subsurface shoring
3 system requiring tiebacks pursuant to a permit issued under this Chapter.
4 When the tiebacks are no longer required due to the construction of a
5 permanent retaining structure to maintain the stability of the subterranean
6 structure, the tiebacks shall comply with the following:

7 1. Remove the tiebacks installed within eight feet (8') below the
8 established grade of the right-of-way.

9 2. For any proposed tieback left in place between eight feet (8')
10 and twenty feet (20') below the established grade of the right-of-way, applicants
11 shall pay to the Public Works Department a mitigation fee, as determined by City
12 Council Resolution, for each tieback or portion thereof. This fee will be refunded
13 upon proof of the entire tieback removal.

14 3. Where the tieback is allowed to remain in place at more than
15 eight feet (8') below the established grade of the right-of-way, de-tension,
16 decouple and remove the last extension of the tendon installed.

17 4. For any portion of the tieback made of cementitious or similar
18 material left in place between eight feet (8') and twenty feet (20') below the
19 established grade of the right-of-way, the compressive strength shall not exceed
20 two thousand (2,000) pounds per square inch (psi).

21 5. Tiebacks shall maintain a minimum of two feet (2') clearance
22 from any existing utility line or subsurface structure.

23 6. The City Engineer may modify the tieback requirements if
24 extensive utility lines are present in the area or the street is on the Paving
25 Moratorium List.

26 C. Exception: The City Engineer shall have the authority to
27 exempt City-owned projects.

28 D. The City may issue an administrative citation and impose

1 administrative penalties for violation of and failure to satisfy these
2 requirements in accordance with Chapter 9.65 of this Code.

3
4 Section 2. The City Clerk shall certify to the passage of this ordinance by
5 the City Council and cause it to be posted in three (3) conspicuous places in the City of
6 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
7 Mayor.

8 I hereby certify that the foregoing Ordinance was adopted by the City
9 Council of the City of Long Beach at its meeting of August 23, 2016,
10 by the following vote:

11
12 Ayes: Councilmembers: Gonzalez, Pearce, Supernaw, Mungo,
13 Andrews, Uranga, Austin, Richardson.

14 _____
15 _____
16 Noes: Councilmembers: None.

17 _____
18 Absent: Councilmembers: Price.

19 _____
20 _____
21 _____
22 Mauro del L. Garcia
City Clerk

23
24 Approved: 8/26/16
25 (Date)

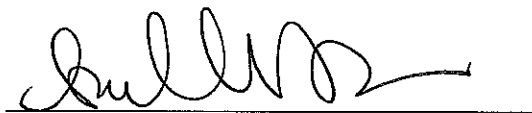
26 _____
27 _____
28 _____
Mayor

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AFFIDAVIT OF POSTING

STATE OF CALIFORNIA) ss
COUNTY OF LOS ANGELES)
CITY OF LONG BEACH)

Samantha Vargas Rios being duly sworn says: That I am employed in the Office of the City Clerk of the City of Long Beach; that on the 25th day of August, 2016, I posted three true and correct copies of Ordinance No. ORD-19-0019 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the entrance lobby of City Hall in front of the Information Desk; one of said copies in the Main Library; and one of said copies on the front counter of the Office of the City Clerk.



Subscribed and sworn to before me
this 25th day of August, 2016.



CITY CLERK