

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING AND RESTATING  
TITLE 12 IN ITS ENTIRETY, ALL RELATED TO THE LONG  
BEACH OIL CODE

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

Section 1. Title 12 of the Long Beach Municipal Code is hereby  
amended in its entirety and restated as shown on Exhibit "A", which is attached hereto  
and incorporated herein by this reference as if set forth in full.

Section 2. The City Clerk shall certify to the passage of this ordinance by  
the City Council and cause it to be posted in three (3) conspicuous places in the City of  
Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the  
Mayor, but in no event prior to January 1, 2017.

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

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_ by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mayor



# AMENDED AND RESTATED TITLE 12 LONG BEACH OIL CODE

## THE 2017 PROPOSED AMENDMENTS TO THE LONG BEACH MUNICIPAL CODE

PREPARED BY

**LBD**DEVELOPMENTSERVICES



SUSTAINABLE  
LONG BEACH

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## CHAPTER 12.04 GENERAL PROVISIONS

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- 12.04.040 – Definitions.

## CHAPTER 12.04 GENERAL PROVISIONS

### 12.04.010 – Title.

This title shall be known as the "Long Beach Oil Code."

### 12.04.020 – Purpose.

It is the intent and purpose of this title to regulate the drilling and redrilling for and the production of petroleum so that these activities may be conducted in conformance with the California Fire Code adopted in Chapter 18.48, State statutes, regulations of the Division of Oil, Gas and Geothermal Resources, in harmony with other City of Long Beach land uses, and to minimize the economic effect of lessening land values in areas wherein drilling and redrilling for the production of petroleum constitutes an activity which is at variance with the predominate land use.

### 12.04.030 – General.

The terms set forth in this chapter, wherever used in this title, shall have the meanings set forth in this chapter unless the context requires a different meaning.

Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

### 12.04.040 – Definitions.

"Abandonment" means the permanent plugging of a well, in accordance with the requirements of the Division of Oil, Gas and Geothermal Resources, the removal of all equipment related to the well, and includes the restoration of the drill sites as required by these regulations.

"A.N.S.I." means the American National Standards Institute.

"A.P.I." means the American Petroleum Institute.

"Approved" means approved by the authority having jurisdiction as defined in this title. "Approved type" or "approved design" means and includes improvements, equipment, or facilities of a type or design approved by the authority having jurisdiction. The authority having jurisdiction under this title, unless otherwise stated in this title, is the Director of the Department of Development Services or his or her designated representative, sometimes referred to in this title as the Director.

"Attended" means the presence of a person who is close enough to petroleum operating facilities so that he or she may reasonably observe the activities of other persons in or near such facilities.

"Blowout" means the uncontrolled discharge of gas, liquids or solids (or a mixture thereof) from a well into the atmosphere.

"Blowout preventer" means a mechanical, hydraulic, pneumatic, or other device or combinations of such devices secured to the top of a well casing including valves, fittings, and control mechanisms connected therewith designed and capable of preventing a blowout.

"Cellar" means an excavation around or above the top joint of the casing of a well.

"Completion of drilling" is deemed to occur for the purpose of this title thirty (30) days after the drilling crew has been released unless drilling, testing, or remedial operations are resumed before the end of the thirty (30) day period.

"Derrick" means any framework, tower or mast together with all the appurtenances to such structure placed over a well for the purpose of raising or lowering pipe, casing, tubing, or other drilling, production or injection equipment out of or into the well.

"Desertion" means the cessation of operations at a drill site without compliance with the provisions of this title relating to suspended operations or abandonment.

"Director" means the Director of Development Services or his or her designated representative.

"Division of Oil, Gas and Geothermal Resources" or "D.O.G.G.R." means the California Department of Conservation, Division of Oil, Gas and Geothermal Resources.

"Drill" or "drilling" means to dig, bore a well, or redrill for the purpose of exploring for, developing, or producing oil, water, gas, or other hydrocarbons or for the purpose of injecting water, steam, or other fluid or substance into the earth, but excluding any well drilled solely for the production of drinking water. Drilling includes all operations through release of drilling crew.

"Drill site" means that surface area used during drilling of an oil or gas well or a well drilled for purposes of secondary petroleum recovery.

"Dwelling unit" means a single unit providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

"Gas" means the gaseous components or vapors contained in or derived from petroleum or natural gas.

"Guest room" means any room or rooms used or intended to be used by a guest for sleeping purposes. Every one hundred (100) square feet of superficial floor area in a dormitory shall be considered to be a guest room.

"Harbor Board," "Board" or "Board of Harbor Commissioners" means the Board of Harbor Commissioners of the City.

"Harbor district" means the harbor district of the City as defined in the Charter of the City.

"Idle" means the cessation of petroleum operations on a well and equipment incident to such well.

"Lessee" means the possessor of the right to develop and produce petroleum resources.

"Lessor" means the owner of the mineral rights subject to a petroleum lease.

"Maintenance" or "maintain" means the repair and replacement of parts of a structure where same does not alter or lessen the character, strength, or stability of the structure.

"Natural gas processing" means the separation of contaminants and constituents from unprocessed or natural gas for the purpose of producing: (1) natural gas which meets purchase specifications of end users; and (2) marketable extracted products. Among the operations required to accomplish separation may be: gas gathering by pipeline; removal of pipeline dirt; gas compression; gas dehydration; gas sweetening (removal of hydrogen sulfide and carbon dioxide); hydrocarbon liquids removal, recovery, treating and product separation; and nitrogen removal.

"N.F.P.A." means the National Fire Protection Association.

"Oil" means and includes petroleum, and "petroleum" means and includes oil.

"Oil operating areas" means those areas within which drilling and production are allowed under Chapter 12.08. For further particulars, refer to Oil Code Map No. C-216 dated December, 1979 and on file in the Office of the Director.

"Operator" means the person, whether proprietor, lessee, or individual contractor, actually in charge and in control of the drilling, maintenance, and operation of a well or wells.

"Outer boundary line" means the exterior limit of the lands included within a lease or unit comprising several contiguous parcels of land in one (1) or different ownerships which are operated as a single petroleum lease or operating unit. In determining the contiguity of any such parcels of land, no street, road, or alley lying within the lease or unit shall be deemed to interrupt such contiguity.

"Owner," within Chapter 12.32, means the owner of mining rights in land who, in the exercise of those rights, owns or has otherwise acquired the right to occupy the surface of a drill site area to carry on drilling and oil production activities, which activities are or may be the source of noise governed by Chapter 12.32. In other parts of this title, "owner" shall be defined in the context of the section in which it appears.

"Petroleum" means and includes any and all hydrocarbon substances found in a natural state, including but not limited to crude oil, natural gas, natural gasoline, and other related substances.

"Petroleum lease" means a property right with respect to which a lessee enjoys the right to develop and produce petroleum resources for a determinable period.

"Petroleum operations" means and includes all activities in connection with the exploration and drilling for petroleum and products of petroleum, including secondary and tertiary operations, together with the operation of all equipment and appurtenances incident to such activities and also including natural gas processing.

"Planning Commission" means the City's Planning Commission.

"Redrill" or "Redrilling" means any drilling operation, including deviation from original well bore, to recomplete the well in the same or different zone. The provisions of this title relating to drilling shall also apply to redrilling.

"Remedial" means any work on a well, other than drilling or redrilling.

"Suspended operations" means the suspension of petroleum operations in a well or on the equipment and appurtenances incident to the well.

"Tank" means a structure used in conjunction with either the drilling or production of a well used for holding or storing liquids associated with drilling or producing operations.

"Well" means any hole drilled into the earth for the purpose of exploring for and producing oil or gas, or any hole drilled into the earth on lands producing or reasonably presumed to contain oil or gas, or any hole drilled into the earth for the purpose of injecting fluids or gas for stimulating oil or gas recovery, repressuring or pressure maintenance of oil or gas reservoirs, disposing of oil field waste fluids, or any hole drilled into the earth within or adjacent to an oil or gas pool for the purpose of obtaining water to be used in production, stimulation, or repressuring operations.

"Well servicing" means and includes remedial or maintenance work performed within an existing well.

"Well site" means that surface area used for oil or gas extraction operations or for injection purposes in secondary petroleum recovery operations after drilling is completed.



## CHAPTER 12.08 OIL OPERATING AREAS

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- 12.08.040 – Area 2—West sixty feet of the flood control channel harbor in district.
- 12.08.050 – Area 3—Tidelands in the harbor district east of the back channel.
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- 12.08.080 – Area 6—Signal Hill, cemetery, north and northeast.
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## CHAPTER 12.08 OIL OPERATING AREAS

### 12.08.010 – Drilling prohibited generally.

Except as in this chapter otherwise provided, it is unlawful and a nuisance for any person to drill any well, or to erect any derrick or production equipment, or to operate or maintain the same or any thereof, or any portion of any thereof in or upon any real property in the City.

### 12.08.020 – Permit required.

Except as provided in this chapter, no petroleum operations shall be carried on in any of the areas set out in this chapter until a permit, as provided for in this title, has been applied for and issued therefor.

### 12.08.030 – Area 1—Harbor district central.

Area 1 is that portion of the City bounded as follows:

On the north by the south line of Pacific Coast Highway; on the south by the line of ordinary high tide of the Pacific Ocean; on the east by the west line of the right-of-way of the Los Angeles County flood control district channel of the Los Angeles River; and on the west by the westerly boundary line of the City; to the extent that such drilling, erection, operation and maintenance within the area are not in conflict with that certain initiative ordinance adopted by a vote of the registered qualified electors of the City at a special municipal election held on the fifteenth day of June, 1937, pursuant to the provisions of Ordinance No. C-1505, ordinance of the City.

### 12.08.040 – Area 2—West sixty feet of the flood control channel harbor in district.

Area 2 is the west sixty (60) feet of the right-of-way of the Los Angeles County flood control district channel of the Los Angeles River, to the extent and in the manner authorized by the judgment in that certain action in the Superior Court of the State, in and for the County of Los Angeles, entitled "*Continental Corporation, a corporation, et al., plaintiffs, vs. City of Long Beach, et al., defendants,*" being action No. 442081 in the files of the Clerk of the Court, and further to the extent and in the manner authorized by judgments in those certain actions in the Superior Court of the State, in and for the County of Los Angeles entitled, "*Continental Southern Corporation, a corporation, et al., plaintiffs, vs. City of Long Beach, a municipal corporation, et al., defendants,*" being action No. 502421 in the files of the Clerk of the Court, and "*Continental Northern Corporation, a corporation, et al., plaintiffs, vs. City of Long Beach, a municipal corporation, et al., defendants,*" being action No. 502422 in the files of the Clerk of the Court.

### 12.08.050 – Area 3—Tidelands in the harbor district east of the back channel.

Area 3 is that portion of the harbor district of the City lying southerly of the line of ordinary high tide of the Pacific Ocean and easterly of the centerline and its southerly prolongation of the back channel to the Long Beach inner harbor.

### 12.08.060 – Area 4—Tidelands in the harbor district west of the back channel.

Area 4 is that portion of the harbor district of the City lying southerly of the line of ordinary high tide of the Pacific Ocean and westerly of the centerline and its southerly prolongation of the back channel to the Long Beach inner harbor.

### 12.08.070 – Area 5—Signal Hill northwest.

Area 5 is that portion of the City as described as follows:

Beginning at the northeasterly corner of Lot 57, Resubdivision of American Heights Tract, as per map recorded in Book 7, page 180, of maps in the office of the recorder of the county, said northeasterly corner being in the southerly line of 29th Street (formerly Brandon Street) 50 feet wide, as shown on Map of E. S. Field's Long Beach Heights No. 1, recorded in Book 10, page 196, of maps in the office of said county recorder; thence easterly along the southerly line of 29th Street and the prolongation thereof to a line 90 feet easterly of, measured at right angles and parallel to, the easterly line of Atlantic Avenue, 80 feet wide, said parallel line being the common boundary line between the cities of Long Beach and Signal Hill; thence northerly and easterly along said boundary line to its intersection with the prolongation southerly of the centerline of that portion of Lime Avenue, 60 feet wide, lying north of Wardlow Road; thence northerly along said prolongation and said centerline to the centerline of 35th Street (formerly Chateau Thierry Street), 51 feet in width; thence westerly along said centerline of 35th Street to the prolongation southerly of the easterly line of Lot 10, Block 12, Tract No. 2964, as per map recorded in Book 37, page 35, of maps in the office of said county recorder; thence northerly along said prolongation and said easterly line of said Lot 10 to the northeasterly corner of said Lot 10; thence westerly along the northerly line of said Lot 10 and along the prolongation west of said northerly line to the centerline of Atlantic Avenue, 80 feet in width; thence northerly along said centerline of Atlantic Avenue to the prolongation easterly of the northerly line of Lot 17, Block 11, aforementioned Tract No. 2964; thence westerly along said prolongation and along the northerly line of Lot 1, said Block 11, and the westerly prolongation thereof to the centerline of Linden Avenue, 80 feet wide; thence southerly along the centerline of Linden Avenue to a point in the easterly prolongation of the northerly line of Lot 16, Block 10, aforementioned Tract No. 2964, the same being the most southerly line of 36th Street (formerly Lincoln Avenue), 40 feet wide; thence westerly along said easterly prolongation, said southerly line of 36th Street and its westerly prolongation, to the northwest corner of Lot 1, Block 9, aforementioned Tract No. 2964; thence northwesterly in a direct line to the northeast corner of Fractional Lot 7, Block F, Los Cerritos, as per map recorded in Book 12, pages 198 and 199, of maps in the office of said county recorder; thence westerly along the northerly line of Fractional Lot 7 and along the northerly line of Fractional Lot 50, said Block F, aforementioned Los Cerritos, to the northwest corner of Fractional Lot 50, said Block F, said point also being the intersection of the southerly line of 36th Street (formerly Lincoln Avenue), 80 feet wide, and the easterly line of Locust Avenue, 60 feet wide; thence northwesterly in a direct line to the southeast corner of Lot 19, Tract No. 2219, as per map recorded in Book 22, page 41, of maps in the office of said county recorder, said point also being the intersection of northerly line of 36th Street and westerly line of Locust Avenue; thence northerly along westerly line of Locust Avenue, 60 feet wide, to the point of intersection with the southerly line of Cameron Place, 60 feet wide, said point being the northeast corner of Lot 1, aforementioned Tract No. 2219; thence northerly in a direct line to the southeast corner of Lot 18, Block B, Tract No. 4921, as per map recorded in Book 53, pages 51 and 52, of maps in the office of said county recorder, said point also being the intersection of the northerly line of Cameron Place and westerly line of Locust Avenue; thence northerly along the westerly line of Locust Avenue, 60 feet wide, as shown on map of said Tract No. 4921 to the northeast corner of Lot 42, said Block B, being a point in the southerly line of Bixby Road, 80 feet wide; thence westerly along said southerly line of Bixby Road and its westerly prolongation to the northeast corner of Lot 1, Block C, aforementioned Tract No. 4921, said point being the intersection of the southerly line of said Bixby Road and the westerly line of Weston Place (formerly Pine Avenue), 60 feet wide; thence southerly along the westerly line of Weston Place, 60 feet wide, to the southeast corner of Lot 24, said Block C, said point being the intersection of the westerly line of said Weston Place and the northerly line of Cameron Place, 60 feet wide; thence southerly in a direct line to the northeast corner of Lot 5, aforementioned Tract No. 2219, said point being the intersection of the westerly line of said Weston Place and southerly line of Cameron Place; thence southerly along the westerly line of Weston Place, 60 feet wide, and its southerly prolongation to the point of intersection with the southerly line of 36th Street (formerly Lincoln Avenue), 80 feet wide; thence westerly along the southerly line of 36th Street, 80 feet wide, and its westerly prolongation to the northwest corner of Fractional Lot 156, Block F, aforementioned Los Cerritos, said point also being the intersection of said southerly line of 36th Street with the easterly line of Pacific Avenue, 100 feet wide; thence southerly along the easterly line of Pacific Avenue, 100 feet wide, to the southwest corner of Lot 146, Block F, aforementioned Los Cerritos, said point also being the intersection of said easterly line of Pacific Avenue with the northerly line of Wardlow Road, 100 feet wide, as shown on map of said Los Cerritos; thence southerly in a direct line to the northwest corner of Lot 23, Block I, Vista Del Mar Tract No. 2, as per map recorded in Book 10, page 158, of maps in the office of said county recorder, said point also

being the intersection of the southerly line of Wardlow Road, 100 feet wide, and the easterly line of Pacific Avenue, 100 feet wide; thence southerly along the easterly line of Pacific Avenue, 100 feet wide, to a point in the northerly line of 33rd Street (formerly Del Mar Avenue) 80 feet wide, said point being the southwest corner of Lot 16, said Block I, aforementioned Vista Del Mar Tract No. 2; thence easterly along the northerly line of said 33rd Street, 80 feet wide, to a point in the westerly line of Pine Avenue (formerly Pacific Boulevard) 120 feet wide, said point being the southeast corner of Lot 1 said Block I, aforementioned Vista Del Mar Tract No. 2; thence southeasterly in a direct line to a point on the easterly line of said Pine Avenue, 120 feet wide, said point also being the southwest corner of Lot 45, Block E, aforementioned Vista Del Mar Tract No. 2; thence southerly along the easterly line of Pine Avenue, 120 feet wide, to a point, said point being the beginning of a tangent curve concave to the northeast and having a radius of 280 feet; thence southeasterly along said curve to a point in the northerly line of 31st Street (formerly Frankfort Street), 120 feet wide; thence easterly along the northerly line of 31st Street, 120 feet wide, to a point, said point being the beginning of a tangent curve concave to the southwest and having a radius of 220 feet; thence southeasterly along said curve to a point on the westerly line of Long Beach Boulevard (formerly American Avenue), 100 feet wide; thence southeasterly in a direct line to a point on the southerly line of 31st Street (formerly Frankfort Street), 60 feet wide, said point also being the northwest corner of Lot 1, Block A, Tract No. 3207, as per map recorded in Book 33, page 7, of maps in the office of said county recorder; thence southerly along the westerly line of said Block A, being the easterly line of Long Beach Boulevard (formerly American Avenue), as shown on aforementioned map of Tract No. 3207, to the northerly line of Spring Street, 60 feet wide; thence easterly along the northerly line of said Spring Street, 60 feet wide, and its easterly prolongation to its intersection with the northerly prolongation of the easterly line of the alley, 13 feet wide, west of Atlantic Avenue and south of Spring Street in E. S. Field's Long Beach Heights No. 1, as shown on map recorded in Book 10, at page 196, of maps in the office of said county recorder; thence southerly along the easterly line of said alley and its southerly prolongation to a point in the southerly line of 29th Street (formerly Brandon Street), 50 feet wide, thence easterly along the southerly line of said 29th Street, 50 feet wide, to the point of beginning.

12.08.080 – Area 6—Signal Hill, cemetery, north and northeast.

Area 6 is that portion of the City described as follows:

Beginning at the intersection of the north line of Spring Street with the west line of Orange Avenue, said point being in the boundary line of the City of Long Beach; thence southerly along the boundary line of the City of Long Beach and following the various courses of said boundary to the north line of Farm Lot 12, The American Colony Tract as per map thereof recorded in Book 19, pages 89 and 90, miscellaneous records of Los Angeles County; thence easterly along the north line of said Farm Lot 12 to a line 433 feet westerly of the parallel to the easterly line of Farm Lot 7, said The American Colony Tract, thence northerly along said line 433 feet westerly of and parallel to the easterly line of said Farm Lot 7 to a line 50 feet southerly of and parallel to the northerly line of said Farm Lot 7; thence easterly along said line 50 feet southerly of and parallel to the northerly line of said Farm Lot 7 to line 333 feet westerly of and parallel to the easterly line of said Farm Lot 7; thence southerly along said line 333 feet westerly of and parallel to the easterly line of said Farm Lot 7 to the north line of said Farm Lot 12, thence easterly along the north line of said Farm Lot 12, and the easterly prolongation thereof, to the east line of Cherry Avenue; thence northerly along said east line of Cherry Avenue to the south line of Wardlow Road; thence easterly along said south line of Wardlow Road to a point in a line 588 feet easterly from and parallel with the centerline of said Cherry Avenue; thence southerly along said last-mentioned parallel line to the north line of Farm Lot 29; thence easterly 300 feet, along said north line of Farm Lot 29; thence southerly parallel to said centerline of Cherry Avenue to a point in the north line of Spring Street, said point being in the boundary line of the City of Long Beach; and thence westerly along the boundary line of the City to the point of beginning.

12.08.090 – Area 7—Signal Hill, reservoir and southeast.

Area 7 is divided into two (2) parcels, designated as Parcel A and Parcel B, and is that portion of the City described as follows:

Parcel A. Beginning at the intersection of the boundary of the City in Pacific Coast Highway, formerly State Street, with the prolongation northerly of the east line of the alley west of Obispo Avenue, thence easterly along the boundary of the City, and following the various courses of said boundary to the northeasterly line of the Alamitos Tract, as per map recorded in Book 36, pages 37 to 44, miscellaneous records of Los Angeles County, thence southeasterly along said northeasterly line of Alamitos Tract to a line 300 feet east of and parallel to the east line of Termino Avenue; thence south along said parallel line to the north line of Pacific Coast Highway, 100 feet in width, formerly State Street; thence east along the north line of Pacific Coast Highway, 100 feet in width, formerly State Street to a line 180 feet easterly of, measured at right angles, and parallel to, the easterly line of the parcel of land conveyed to the City by deed recorded in Book 4752, page 134, of deeds, records of Los Angeles County (Community Hospital Lands); thence southerly along said parallel line to a line 150 feet south of, measured at right angles, and parallel to, the south line of Pacific Coast Highway, 100 feet in width, formerly State Street; thence west along the last-mentioned parallel line to the west of Termino Avenue to the north line of Fifteenth Street; thence west along the north line of Fifteenth Street to the east line of Redondo Avenue; thence north along the east line of Redondo Avenue to the north line of Ransom Street; thence west along the north line of Ransom Street to the east line of Obispo Avenue; thence north along the east line of Obispo Avenue to the south line of Lot 2, Block 1, Tract No. 1954, as per map recorded in Book 22, pages 110 and 111 of maps, records of the county; thence westerly along the westerly prolongation of the south line of said Lot 2 to the east line of the alley west of Obispo Avenue; and thence north along the east line of said alley and the prolongation thereof to the point of beginning.

Parcel B. Beginning at the center of the inner circle of Los Alamitos Circle, which has a radius of 180 feet, said radial point being 19.41 feet northerly measured at right angles to the centerline of Pacific Coast Highway, formerly State Street, 60 feet in width as shown on map of Alamitos Tract, as recorded in Book 36, pages 37 to 44, both inclusive, miscellaneous records, of the county; thence south 0° 01' 15" east from said radial point a distance of 347.00 feet to the true point of beginning of this description; thence south 75° 43' 28" east a distance of 272.85 feet to a point in the northerly line of the Outer Circle; thence along said northerly line of the Outer Circle south 29° 18' 46" west a distance of 17.44 feet to an intersection with a curve, concave northerly and having a radius of 500 feet, a radial line through said point having a bearing of south 30° 47' 55" east; thence westerly along said curve, concave to the north and having a radius of 500 feet a distance 435.66 feet to a point in said curve, a radial line, through said last-mentioned point having a bearing of south 19° 07' 26" west, said point being an intersection with a curve, concave to the west and having a radius of 500 feet, a radial line through said last-mentioned point having a bearing of north 87° 12' 31" east; thence leaving the northerly line of the Outer Circle and northerly along said last-mentioned curve, concave to the west and having a radius of 500 feet a distance of 127.66 feet to a point in said curve, a radial line through said last-mentioned point having a bearing of north 72° 34' 48" east; thence north 89° 58' 45" east a distance of 186.27 feet to the true point of beginning.

12.08.100 – Area 8—Alamitos Heights and Flats.

Area 8 is that portion of the City described as follows:

Beginning at the intersection of the centerline of Santiago Avenue, 60 feet wide, and the southerly line of Colorado Street, 60 feet wide; thence east along the southerly line of Colorado Street to the boundary line of the City of Long Beach as established by Increment 11 of annexation to the City of Long Beach, filed with the Secretary of the State of California, December 17, 1923; thence southerly and easterly along the boundary line of the City of Long Beach as established by said Increment 11 and following its various courses to the most southerly corner of Lot 1, Tract No. 1077, as per map recorded in Book 18, page 195 of maps, records of the county; thence northwesterly along the southerly line of said Lot 1 to the intersection of a line 800 feet northeasterly of and parallel to the northeasterly line of the 200-foot right-of-way of the Pacific Electric Railway Company's Newport Beach Line, thence northwesterly along said parallel line to the northwesterly line of Parcel 1 of the property conveyed to the City by deed recorded in Book 4654, page 163, of official records in the office of the county recorder, having a bearing of south 74° 39' 30" west and a length of 401.30 feet; thence south 74° 39' 30" west 95.53 feet to an angle in said Parcel 1; thence south 56° 04' 30" west, 167.47 feet to the most westerly corner of

said Parcel 1; thence north 56° 04' 25" west 311.34 feet to a point in the easterly line of Parcel 2 of said property conveyed to the City; thence south 80° 07' 11" west, 102.51 feet to a point in the southwesterly line of said Parcel 2; thence north 21° 42' 40" west 309.95 feet along said southwesterly line of Parcel 2 to a point in a curve concave to the south and having a radius of 1884.91 feet, a radial line passing through said point of curve having a bearing of north 3° 43' 54" east; thence southeasterly along said curve an arc distance of 503.52 feet to the end of said curve, a radial line passing through the end of said curve having a bearing of north 19° 02' 14.7" east; thence south 70° 57' 45.3" east 122.99 feet to the centerline of Santiago Avenue, 60 feet wide; and thence northerly along said centerline of Santiago Avenue to the point of beginning. Provided, however, that it is unlawful hereafter to drill any new well or to erect any derrick within that portion of Area 8 described as follows: Beginning at the intersection of the centerline of Santiago Avenue (60 feet wide) with the south line of Colorado Street (60 feet wide); thence east along said south line of Colorado Street to the centerline of Manila Avenue (60 feet wide); thence south 250 feet along said centerline of Manila Avenue; thence west along a line 250 feet south of and parallel to said south line of Colorado Street to the westerly line of Parcel 2 of the land conveyed to the City by deed recorded July 17, 1926, in Book 4653, page 163, of official records in the office of the county recorder, thence northwesterly along said westerly line of Parcel 2 to the south line of Colorado Street (60 feet wide); thence east along said south line of Colorado Street to the point of beginning.

12.08.110 – Area 9—San Gabriel River.

Area 9 is that certain parcel of land being a portion of Lot 2, Tract No. 1077, in the City of Long Beach, as per map recorded in Book 18, page 195 of maps, in the office of the County Recorder, more particularly described as follows:

Beginning at the intersection of the southwesterly line of said Lot 2 with a line 40 feet northwesterly of, measured at right angles and parallel to, the northwesterly right-of-way line of the Los Angeles County flood control district San Gabriel River Channel, 400 feet wide thence northwesterly along said southwesterly line of Lot 2 to the intersection with a line 205 feet northwesterly of, measured at right angles and parallel to, said northwesterly right-of-way of San Gabriel River Channel; thence northeasterly along said parallel line to the intersection with a line 400 feet northwesterly of, measured at right angles and parallel to, said southwesterly line of Lot 2; thence southeasterly along said last-mentioned parallel line to said line 40 feet northwesterly of and parallel to said northwesterly right-of-way line of the San Gabriel River Channel; and thence southwesterly along said line 40 feet northwesterly of and parallel to said northwesterly right-of-way line of the San Gabriel River Channel to the point of beginning.

12.08.120 – Area 10—Signal Hill Water Department lands northeast.

Area 10 is that portion of the City described as follows:

Beginning at the intersection of the southerly line of Farm Lot 45, The American Colony Tract, as per map thereof recorded in Book 19, pages 89 and 90, miscellaneous records of Los Angeles County with a line 390 feet westerly of and parallel to the east line of Temple Avenue, said point of intersection being in the boundary line of the City of Long Beach, thence northerly along said line 390 feet westerly of and parallel to the easterly line of Temple Avenue to the southerly line of Spring Street; thence easterly along said southerly line of Spring Street to a point in a line 660 feet easterly from and parallel with said easterly line of Temple Avenue; thence southerly along said line 660 feet easterly from and parallel with said easterly line of Temple Avenue; thence southerly along said line 600 feet easterly from and parallel with said easterly line of Temple Avenue to a point in a line 290.95 feet northerly from and parallel with the centerline of Willow Street, as per deed recorded in Book 5961, page 93, of deeds, records of Los Angeles County; thence easterly along said line 290.95 feet northerly from and parallel with the centerline of said Willow Street to the southeasterly line of that portion of Rancho Los Cerritos, as per map recorded in Book 2, page 202, of patents, records of Los Angeles County, deeded to the City by deed recorded in Book 4727, page 245, of deeds, records of Los Angeles County, said southeasterly line of that portion of Rancho Los Cerritos being also the northwesterly line of Page 16, Lot 1, Tract No. 10548, as per map recorded in Book 174, page 17, of maps, records of Los Angeles

County; thence northeasterly along said northwesterly line of said Lot 1 to the westerly line of Newport Avenue; thence southerly along said westerly line of Newport Avenue to the north line of Willow Street; thence westerly along said northerly line of Willow Street to the aforementioned southeasterly line of Rancho Los Cerritos; thence southwesterly along said southeasterly line of that portion of said Rancho Los Cerritos, deeded to the City of Long Beach, to its intersection with the southerly line of Willow Street, said point of intersection being in the boundary line of the City; and thence southwesterly along the boundary line of the City and following the various courses of said boundary line to the point of beginning in the southerly line of aforementioned Farm Lot 45, The American Colony Tract, 390 feet westerly thereon from the easterly line of Temple Avenue.

12.08.130 – Area 11—Water Department lands, airport central south.

Area 11 is that portion of City described as follows:

Beginning at the intersection of the southerly line of Spring Street with a line 400 feet easterly of and parallel to the centerline of Newport Avenue; thence southerly along said line 400 feet easterly of and parallel to the centerline of Newport Avenue to a point in the southeasterly line of that portion of the Rancho Los Cerritos, as per map recorded in Book 2, page 202, of patents, records of Los Angeles County deeded to the City by deed recorded in Book 4727, page 245, of deeds, records of Los Angeles County; thence southwesterly along said southeasterly line of that portion of said Rancho Los Cerritos to a point in a line 700 feet westerly of and parallel to the centerline of Newport Avenue; thence northerly along said parallel line to the southerly line of Spring Street; and thence easterly along said southerly line of Spring Street to the point of beginning.

12.08.140 Area 12—Virginia Country Club west.

Area 12 is that portion of the City described as follows:

That portion of Lot 6, Block D, and that portion of Lot 5, Block E, Subdivision of a part of the Rancho San Pedro, as per map recorded in Book 32, pages 97 and 98, miscellaneous records of the county of Los Angeles, more particularly described as follows: Beginning at the intersection of the Compromise Ranch Line, as per map filed in Book 6, pages 15 and 16, records of surveys, in the office of the county recorder, with the southerly right-of-way line of the Union Pacific System private right-of-way; thence south  $24^{\circ} 21' 17''$  east along said Compromise Line 34.50 feet; thence south  $34^{\circ} 04' 58''$  west 456.21 feet; thence south  $22^{\circ} 36' 48''$  west 1,269.48 feet; thence south  $72^{\circ} 19' 08''$  west 268.19 feet; thence south  $45^{\circ} 33' 33''$  west 348.86 feet to a point in the easterly right-of-way line of the Los Angeles River flood control channel, said easterly right-of-way line being a boundary line of the City; thence north  $3^{\circ} 04' 59''$  east 1,420.84 feet along said easterly right-of-way line of the Los Angeles River flood control channel to the southerly right-of-way line of the Union Pacific System private right-of-way; and thence north  $67^{\circ} 08' 23''$  east along said southerly right-of-way line of the Union Pacific System private right-of-way 1,256.41 feet to the point of beginning; excepting therefrom all that portion of said parcel lying westerly of a line 120 feet easterly of and parallel to the easterly right-of-way line of the Los Angeles River flood control channel, and all that portion of said parcel lying northerly of a line 120 feet southerly of and parallel to the southerly right-of-way line of the Union Pacific System private right-of-way.

12.08.150 – Area 13—Flood control, Del Amo south.

Area 13 is that portion of the City described as follows:

That portion of Lot 5, Block D, Subdivision of a part of the Rancho San Pedro, as per map recorded in Book 32, pages 97 and 98, miscellaneous records of the county, more particularly described as follows: Beginning at the intersection of the southerly line of said Lot 5 with the westerly line of Tract No. 3554, as per map recorded in Book 38, pages 44 and 45, of maps, records of the county of Los Angeles; thence westerly along said southerly line of said Lot 5 to the easterly right-of-way line of the Los Angeles River flood control channel, said easterly right-of-way line being a boundary line of the City; thence northerly along said easterly right-of-way line of the Los Angeles River flood control channel to its intersection with the westerly line of aforementioned Tract No. 3554; and thence southerly along the

westerly line of said Tract No. 3554 to the point of beginning; excepting therefrom all that portion of said parcel lying westerly of a line 120 feet easterly of and parallel to the easterly right-of-way line of the Los Angeles River flood control channel.

12.08.160 – Area 14—Airport central and west.

Area 14 is that portion of the City described as follows:

The southerly 300 feet of the northerly 340 feet of the easterly 410 feet of Farm Lot 8 and the southerly 300 feet of the northerly 340 feet of the westerly 1,070 feet of Farm Lot 9, and the northerly 300 feet of Vine Avenue (vacated) all in The American Colony Tract, as per map thereof recorded in Book 19, pages 89 and 90, miscellaneous records of Los Angeles County.

12.08.170 – Area 15—Airport northwest.

Area 15 is that portion of the City described as follows:

The southerly 200 feet of Lot 48, and the southerly 200 feet of the westerly 100 feet of Lot 49, all in Tract No. 8084, as per map thereof recorded in Book 171, of maps, pages 24 to 30 inclusive, records of Los Angeles County.

12.08.180 – Area 16—Willow and Lakewood.

Area 16 is that portion of the City described as follows:

Beginning at the intersection of the centerline of Lakewood Boulevard with the centerline of Willow Street; thence north 0° 05' 53" east along the centerline of Lakewood Boulevard a distance of 745.53 feet; thence westerly at right angles to said centerline of Lakewood Boulevard to a point in a line 66 feet westerly of, measured at right angles and parallel to, the centerline of said Lakewood Boulevard, said point being true point of beginning of this description; thence south 0° 05' 53" west a distance of 100.53 feet; thence south 34° 33' 48" west a distance of 106.39 feet to the beginning of a tangent curve concave to the northwest and having a radius of 155.00 feet; thence southwesterly along said curve a distance of 180.34 feet to line tangent; thence north 78° 46' 20" west a distance of 492.63 feet to the beginning of a tangent curve concave easterly and having a radius of 145.00 feet; thence northwesterly and northeasterly along said curve through an angle of 180° 00' 20" a distance 455.54 feet to a line tangent; and thence south 78° 46' 00" east a distance of 657.68 feet to the true point of beginning of this description.

12.08.190 – Area 17—Airport west.

Area 17 is that portion of the City described as follows:

That portion of the Rancho Los Cerritos as per map recorded in Book 2, page 202, of patents, in the office of the County Recorder more particularly described as follows:

Beginning at a point on the southerly line of that certain railroad right-of-way, 20 feet wide, marked "not a part of this Subdivision" on map of Tract No. 8084 as recorded in Book 171, pages 24 to 30 inclusive, of maps in the office of said county recorder, said point being the northwesterly corner of that certain parcel vested in the City by final order of condemnation recorded in Book 27785, page 47, official records in the office of said county recorder; thence south 0° 02' 35" east along the westerly line of said condemnation parcel 5.00 feet to a point on the southerly line of an easement for the construction and maintenance of slopes, as granted to Los Angeles & Salt Lake Railroad Company by deed recorded in Book 6753 page 323, official records, last said point being the true point of beginning; thence south 89° 57' 25" west 150.00 feet along the southerly line of said easement; thence south 0° 02' 35" east 200.00 feet; thence north 89° 57' 25" east 200.00 feet; thence north 0° 02' 35" west 200.00 feet; thence south 89° 57' 25" west 50.00 feet to the true point of beginning.

12.08.200 – Area 18—Recreation Park.



Area 18 is that portion of the City described as follows:

That portion of Lot A, Tract No. 5884, in the City as per map recorded in Book 62, page 38 of maps in the office of the County Recorder, more particularly described as follows: Beginning at the southeast corner of Block 131 of the Alamitos Tract as shown on said map; thence south  $43^{\circ} 53' 45''$  east 41.63 feet, along the westerly line of said Tract No. 5884, to the centerline of Seventh Street; thence north  $89^{\circ} 59' 29''$  east 1,506.08 feet, along the centerline of the public thoroughfare known as Seventh Street; thence North  $0^{\circ} 00' 31''$  west, 190 feet, at right angles to last said centerline, to the true point of beginning of this description; thence continuing north  $0^{\circ} 00' 31''$  west, 150.00 feet; thence north  $89^{\circ} 59' 29''$  east, 290.40 feet; thence south  $0^{\circ} 00' 31''$  east, 150.00 feet; thence south  $89^{\circ} 59' 29''$  west, 290.40 feet to the true point of beginning.

12.08.210 – Area 19—Airport central and east.

Area 19 is that portion of the City described as follows:

That portion of Lot 52, Tract No. 8084, as per map recorded in Book 171, pages 24 to 30 inclusive, of maps in the office of the County Recorder, as more particularly bounded and described, using bearings based on the California Coordinate System Zone VII, as follows:

Beginning at a point marked by City monument No. 2906, a brass cap in concrete, having Zone VII coordinates of north 4,046,563.79 and east 4,244,900.30, said point being at the intersection of the westerly prolongation of the southerly line of said Lot 52 with the centerline of vacated Lakewood Boulevard and being formerly marked by City monument No. 1848; thence north  $89^{\circ} 51' 04''$  east to and along the southerly line of the aforesaid Lot 52, 400.00 feet; thence north  $0^{\circ} 06' 03''$  east, 323.00 feet to the true point of beginning; thence north  $0^{\circ} 06' 03''$  east, 344.12 feet; thence south  $25^{\circ} 20' 33''$  east, 146.01 feet; thence south 58.75 feet; thence south  $49^{\circ} 00' 00''$  west 102.13 feet; thence south  $0^{\circ} 06' 03''$  west, 6.24 feet; thence west 330.00 feet more or less to the true point of beginning.

12.08.220 – Area 20—Signal Hill, cemetery and north.

Area 20 is that portion of the City described as follows:

Beginning at the intersection of the north line of Willow Street with the west line of Orange Avenue, said point being in the boundary of the City; thence westerly along the boundary of the City, and following the various courses of said boundary, to its intersection with the east line of Walnut Avenue; thence east along the easterly prolongation of the last preceding course of said boundary line to a line 150 feet west of and parallel to the west line of Cherry Avenue; thence south along said parallel line to the north line of Spring Street, being a boundary line of the City; thence westerly along said boundary line and following its various courses to the point of beginning.

12.08.230 – Area 21—Signal Hill reservoir district.

Area 21 is that portion of the City described as follows:

Beginning at the intersection of the southwesterly line of Alamitos Boulevard with a line 150 feet north of and parallel to the north line of Pacific Coast Highway (said southwesterly line of Alamitos Boulevard being also a boundary line of the City) thence northwesterly along said boundary of the City, and following the various courses of said boundary, to the northeasterly line of the Alamitos Tract, as per map recorded in Book 36, pages 37 to 44, miscellaneous records of Los Angeles County; thence southeasterly along said northeasterly line of Alamitos Tract to a line 300 feet east of and parallel to the east line of Termino Avenue; thence south along said parallel to a line 150 feet north of the aforesaid line 150 feet north of and parallel to the north line of Pacific Coast Highway; thence west along said parallel line to the point of beginning.

12.08.240 – Area 22—Amusement park.

Area 22 is that portion of the City described as follows:

Beginning at the southwest corner of Lot 1, Block E of the Strand No. 3, as shown on map recorded in Map Book 11, page 199 of maps, official records of said county; thence south along the Sly, prolongation of the west line of said Lot 1, Block E, 108.00 feet to a point being the true point of beginning for this description; thence continuing north 89° 52' 12" east 85.00 feet to a point; thence due south 260.00 feet to a point; thence south 89° 52' 12" west 85.00 feet to a point; thence due north 260.00 feet to the true point being located south of West Seaside Boulevard (96 South Chestnut Place).

12.08.250 – Area 23—Flood control—San Diego Freeway.

Area 23 is that portion of the City described as follows:

Beginning at an angle point in the boundary line of the City as same existed July 1, 1965, and being the most northerly corner of "Increment 48," Annexations of the City of Long Beach, filed with the Secretary of State on October 9, 1944 and the County Recorder on October 19, 1944; thence south 41° 52' 37" west, along said boundary line, 651.34 feet; thence north 15° 51' 40" west 806.75 feet to the most easterly corner of that certain parcel of land described in deed to Dominguez Estate Company recorded in Book D2313, page 982 of official records of said County Recorder; thence along the easterly line of said certain parcel of land north 10° 41' 04" west 810.51 feet to the most northerly corner of said certain parcel of land; thence north 3° 16' 34" east 73.35 feet along the westerly line of that certain parcel of land described as Parcel 1 in deed to the State recorded in Book 50974, page 160 of said official records to the northerly line of said last-mentioned certain parcel of land, thence northerly in a direct line to the southwesterly corner of that certain parcel of land described in the deed to the State recorded in Book D422, page 703 of said official records; thence northerly in a direct line to the most northerly corner of said last-mentioned certain parcel of land; thence northerly along a curve concave easterly and having a radius of 4,068.00 feet in the westerly line of a strip of land, 200 feet wide, described in Parcel 1 of the deed to the State recorded in Book 39027, page 384 of said official records to the southerly terminus of that certain course having a bearing of north 12° 52' 00" east in said last-mentioned westerly line; thence north 12° 52' 00" east along said last-mentioned westerly line to its intersection with the northeasterly line of the Pacific Electric Railroad right-of-way, 120.00 feet in width, as shown on map filed in Book 75, page 2 of record of surveys in the office of said Recorder; thence southeasterly along said northeasterly line of the railroad right-of-way as shown on County Surveyor's Map C-S B-181 to the intersection of the northwesterly line of Terrylynn Place and the southwesterly line of Del Mar Avenue, said intersection being a point in the boundary line of the City as same existed July 1, 1965; thence along said boundary line of 1965, southeasterly, westerly and northerly along its various courses to the point of beginning.

12.08.255 – Area 24—Bellflower oil drill site.

Area 24 is that portion of the City described as follows:

In the City of Long Beach, County of Los Angeles, State of California, being that portion of the West Half of Section 1, T5S, R12W, San Bernardino Base and Meridian, described as follows:

Beginning at a point in the Los Angeles-Orange County line at the northerly terminus of that certain course shown on the map entitled "Exhibit "A", Superior Court Case No. 638660, *the City of Los Angeles, a Municipal Corporation, and the Department of Water and Power of the City of Los Angeles, Plaintiffs, versus E.A. Bryant, Jr., et al., Defendants*, said course having a bearing and distance of S16°46'45"E and 1444.82 feet; thence along said course and County line S16°46'45"E, 1020.00 feet; thence departing said County line at right angles S73°13'15"W 160.00 feet; thence northwesterly parallel to said County line N16°45' 45"W 1020.00 feet; thence N73°13'15"E a distance of 160.00 feet to the point of beginning.

12.08.260 – Boundary change—General.

To change an area boundary or create or delete an oil operating area shall require City Council action in accordance with the procedures of Sections 12.08.260 through 12.08.320. However, the City Council shall not act prior to receiving a recommendation thereon from the Planning Commission.

12.08.270 – Boundary change—Initiation.

Authority to initiate a change in an area boundary or create or delete an oil operating area shall be vested in the City Council (by minute order), in the Director (by transmittal to the Planning Commission), or by application to the Planning Commission through the Director made by the owner of surface drilling rights in the area encompassed by the creation, addition or deletion, or by the agent of such owner.

12.08.280 – Boundary changes—Notice.

Notice of the public hearing shall be provided by mailing a notice to all owners of property within three hundred feet (300') of the subject drilling site and by posting on the site. The owner of the properties entitled to receive shall be as provided on the latest equalized assessment roll of the County. The notice(s) to be posted shall be posted within ten feet (10') of any street property line and shall be provided on each street frontage with not less than one (1) notice posted for each three hundred feet (300') of street frontage and equally spaced along the frontage. If no street frontage exists, one notice shall be posted at a conspicuous location on the site. Notices shall be mailed and posted not less than ten (10) days prior to the hearing date. Failure of any property owner to receive or failure of any member of the public to see the notice shall not invalidate any action taken on a request. Failure to mail notices or failure to post notices shall result in continuance of the hearing.

12.08.290 – Boundary change—Planning Commission recommendation.

Within thirty (30) days following a Planning Commission action to recommend a change in an area boundary or to create or delete an oil operating area that recommendation shall be transmitted to the City Clerk for presentation to the City Council. Such recommendation shall give the reasons therefor and shall also disclose whether the decision has been concurred in by all the members of the Planning Commission who are in attendance at the hearing, and in the event the decision has not been concurred in by all such members, the view of the minority of such members shall also be disclosed, except that any action to deny a proposed change to the area boundary or to create or delete an oil operating area need not be transmitted unless the request was initiated by the City Council. A recommendation to deny a change, creation, or deletion may be appealed to the City Council.

12.08.300 – Boundary change—Appeal of Planning Commission denial.

The private applicant requesting a change, creation, or deletion may appeal to the City Council the Planning Commission's recommended denial by filing an appeal with the City Clerk within ten (10) days after the Commission's action. Upon receipt of an appeal, the City Clerk shall notify the Director and request the transmittal of the Planning Commission's recommendation to the City Council.

12.08.310 – Boundary change—Council action required.

Upon receipt of the recommendation of the Planning Commission, the City Clerk shall set a time for consideration of the matter by the City Council and shall notify the Planning Commission, through the Director and the private applicant, where applicable, of the date and time of such hearing. The Planning Commission may delegate to the Director authority to orally present the Planning Commission recommendation. The decision of the City Council shall be final. Any action by the City Council which concurs with the Planning Commission recommendation shall require a simple majority of the Councilmembers present. Any action by the City Council which overrules a Planning Commission recommendation shall require a two-thirds (2/3) majority of the full Council. If the Council fails to arrive at a decision, the proposal or request shall automatically be continued to the next regularly scheduled Council meeting. The failure of the Council to reach a decision at the subsequent hearing shall be deemed an approval of the Planning Commission's recommendation.

12.08.320 – Boundary change—Findings required.

In all cases the Planning Commission and the City Council shall be required to make the following findings of fact before changing the boundary of, creating or deleting an oil operating area:

- A. The change, creation or deletion will not adversely affect the character, livability or appropriate development of surrounding community;
- B. The change, creation or deletion is necessary to produce the petroleum envisioned to be produced from the site, and the petroleum cannot feasibly be reproduced from other sites within oil operating areas by unitization or production agreements, slant drilling or other mechanism; and
- C. The change, creation or deletion will not unreasonably hinder production of existing petroleum reserves.

## CHAPTER 12.12 PERMITS

- 12.12.010 – Drilling permit—Required.
- 12.12.020 – Well permit—Required.
- 12.12.030 – Drilling permit—Departmental approval required.
- 12.12.040 – Transfer.
- 12.12.050 – Drilling permit—Application contents.
- 12.12.060 – Special conditions—Generally.
- 12.12.070 – Special conditions—Drilling or redrilling operations.
- 12.12.080 – Special conditions—Petroleum operations.
- 12.12.090 – Special conditions variance—Authorized.
- 12.12.100 – Special conditions variance—Hearing Examiner.
- 12.12.110 – Special conditions variance—Hearing.
- 12.12.120 – Special conditions variance—Notice.
- 12.12.130 – Special conditions variance—Hearing Examiner action.
- 12.12.140 – Special conditions variance—Findings required.
- 12.12.150 – Special conditions variance—Appeal.
- 12.12.160 – Other permits.
- 12.12.170 – Drilling permit—Fees.
- 12.12.180 – Well permit—Fees.
- 12.12.190 – Term.
- 12.12.200 – Fees—Delinquency penalty.
- 12.12.210 – Fees—Constitutes lien.
- 12.12.220 – Fees—Liability for payment.
- 12.12.230 – Fees—Collection by court action.
- 12.12.240 – Designation of agent.
- 12.12.250 – Notice of sale or transfer.

## CHAPTER 12.12 PERMITS

### 12.12.010 – Drilling permit—Required.

No person shall drill or redrill any well without first obtaining a permit therefor from the Director. This permit shall be designated as a drilling permit.

### 12.12.020 – Well permit—Required.

No person shall operate or maintain any well for petroleum operations, whether active or suspended, without obtaining a permit therefor from the Director. This permit shall be designated as a well permit.

### 12.12.030 – Drilling permit—Departmental approval required.

No person shall be issued a drilling permit until it has been approved by the Director and, when the proposed work is situated in the harbor district, the Board of Harbor Commissioners.

### 12.12.040 – Transfer.

No permit issued under this chapter may be assigned or otherwise transferred without first providing written notification to the Director and, in the harbor district, the Board of Harbor Commissioners; and any such assignment or transfer made or attempted to be made without such written notification shall be null and void and is without any force or effect whatsoever.

### 12.12.050 – Drilling permit—Application contents.

Any applicant for a drilling permit shall file with the Director an application in writing on a form furnished for that purpose by the Director. The application shall be accompanied by:

- A. A legal description of the oil and gas lease (mining rights) area and the surface operations area within which the applicant proposes to conduct petroleum operations;
- B. A plot plan showing the setback areas, surface location of the proposed well, existing and proposed tanks, wells, fences, and other facilities and appurtenant structures, and their relation to any existing hospital, sanitarium, church, rest home, school or dwelling unit or guest room within the distances set forth in this title. The applicant shall not be required to file any plot plan for any well whose surface location is located within an area for which a plot plan has been previously filed unless existing tanks, fences, or other facilities and appurtenant structures are to be relocated or new tanks, fences, or other facilities and appurtenant structures are proposed. A setback shall be provided which will allow all vehicles entering or leaving the drill site to stop or park without extending into the public street or right-of-way;
- C. A verified statement signed by the applicant certifying that he or she is duly authorized by the operator to make and file the application and that he or she has read the application and that it is true and correct to the best of his or her knowledge and belief;
- D. A certification that the means or method by which liquid spills will be removed from diked areas or catchment basins will conform to the regulations of the D.O.G.G.R.;
- E. Prescribed street route to be used by applicant for access to and from drill site for equipment exceeding in size a three-quarter ( $\frac{3}{4}$ ) ton vehicle;
- F. Such other information as may be reasonably required by the Director.

### 12.12.060 – Special conditions—Generally.

In addition to any conditions that are required by other provisions of this title, the Director shall impose the condition or conditions set out in Sections 12.12.060 through 12.12.080 to any permit required under the provisions of this chapter in oil operating areas 5, 6, 7A, 7B, 8, 9, 12, 13, 16, 18, 19, 21, 22, 23, and 24, and the violation of any of such condition or conditions which shall relate to any or all of the following shall be grounds for revocation of the permit issued.

- A. Pipelines. All off-site pipelines serving the site shall be buried below the surface of the ground.
- B. Sanitary Facilities. Sanitary facilities shall be installed at any drill site where personnel are permanently stationed. Portable sanitary facilities shall be provided wherever crews are temporarily employed.
- C. Lights. All lights shall be shielded or directed so as to confine direct rays to the drill site.
- D. Vibration. Vibration from equipment shall be kept to a minimum level, and in such cases as it is required, vibration-dampening equipment of the best available technology shall be installed so as to reduce vibration to a minimum.
- E. Painting of Installations. All surfaces of permanent installations within the site shall be painted a neutral color.
- F. Signs.
  - 1. Well and Operator Identification Signs. Each well location shall have posted in a conspicuous place on or near such on-site tank or tanks and on well enclosure fence a clearly visible, legible, permanently affixed and weather resistant sign with the name of the owner or operator, name and number of the lease, the well name and the telephone number where a responsible person can be reached at any time. Well site or sites enclosed with a perimeter fence shall have posted additional signs at or near the entrance or entrances to the site or sites. Signs shall have letters not less than one and one-half (1-1/2) inches in height and contrasting color with the background. Signs shall be maintained on the premises from the time materials are delivered for drilling purposes until the well or wells are plugged and abandoned.
  - 2. Prohibited Signs. All other signs that are visible from outside of the site or sites shall be prohibited.

EXCEPTIONS:

- a. Such signs as required by this title or by law;
  - b. Warning signs; or
  - c. No trespassing signs.
- G. Hours of Operation. All site work, operation of any tools or equipment used for the construction, alteration, repair, remodel, drilling, demolition, delivery of equipment or materials attendant to the preparation of a new drill, site maintenance or any other related oil site activities that produce loud or unusual noise which annoys or disturbs a reasonable person of normal sensitivity are permitted only between the days and hours listed below:
- Weekdays and Federal Holidays: Between the hours of 7:00 a.m. and 7:00 p.m.
  - Saturdays: Between the hours of 9:00 a.m. and 6:00 p.m.
  - Sundays: Prohibited

EXCEPTION: Except in case of emergency work that is required to avert a disaster at the well site or offsite piping associated to the well operation.

- H. Storage of Equipment. All equipment or material related to the drilling or redrilling of any well shall be stored within a fenced area of the drill site. There shall be no storage of material, equipment, machinery or vehicles which is not either intended for the prompt use in connection with the petroleum operations at the drill site or for the convenience of personnel working at the site.

12.12.070 – Special conditions—Drilling or redrilling operations.

- A. Delivery of Equipment. The delivery or removal of equipment or material from the drill site shall be limited to the hours as indicated in Subsection 12.12.060.G, except in case of emergency.
- B. Fencing. Within sixty (60) days of commencement of drilling operations, the drill site and all installations thereon shall erect a fence not less than six (6) feet in height and not comprised of barbwire, unless action has been initiated by the operator to abandon the well(s) according to the procedures established in this title. Fencing required under this Subsection shall otherwise conform to the regulations of the D.O.G.G.R. as set forth in Title 14, Division 2, Chapter 4, Subchapter 2, Article 3, Section 1778, of the California Code of Regulations.

Setbacks for such fencing shall be twenty feet (20') from the street frontage front drill site line, and five feet (5') from the street frontage side drill site line on a corner lot. Such fencing shall be constructed of solid masonry or solid wood walls with solid gates or an alternate material equally as effective in concealing oil operations. Fencing required under this Subsection shall be painted a neutral color compatible with the immediate surrounding area. Such fencing shall be maintained in a neat and orderly condition. Chain-link fence with opaque material inserted between the links does not comply with the requirements of this Subsection.

The foregoing fencing requirement for solid masonry walls, solid wood, or an equally effective alternate does not apply to drill sites where the only requested activity is for redrilling of a well or wells only for the purpose of maintaining the original bore or bores.

- C. Landscaping and Irrigation. Within sixty (60) days of commencement of drilling operations all areas outside the drill site fence shall be landscaped and an irrigation system installed to maintain the landscaping, unless action has been initiated by the operator to abandon the well(s) according to the procedures of this title. Such landscaping and irrigation shall be in compliance with a landscape plan on file and approved by the Director prior to issuance of the drilling permit and shall thereafter be maintained in a neat and healthy condition. The minimum landscaping shall consist of one (1) tree of not less than fifteen (15) gallon size for each one hundred (100) square feet of area outside the drill site fence; three (3) shrubs for each tree and suitable groundcover. The foregoing provisions of this Subsection requiring submittal and implementation of a landscaping plan and irrigation system and minimum landscaping requirements do not apply to drill sites where the only requested activity is for redrilling of a well or wells only for the purpose of maintaining the original bore or bores.
- D. Off-site Improvements. Concurrently with the filing of the landscape and irrigation plans, all applicants for drilling permits shall file an off-site improvement plan for curbs, gutters, and sidewalks. Said improvements shall be designed according to the specifications of the City Engineer. Such improvements shall be in place within sixty (60) days after the commencement of drilling operations. The provisions of this Subsection do not apply to drill sites where the only requested activity is for redrilling of a well or wells only for the purpose of maintaining the original bore or bores.

12.12.080 – Special conditions—Petroleum operations.

- A. Removal of Petroleum. When pipeline connections are available, petroleum produced at the well site may be removed by underground pipeline or pipelines. Petroleum produced at well sites where pipeline connections are not available shall be removed by truck. Such trucking shall be restricted to the Hours of Operations as indicated in Subsection 12.12.060.G.



- B. Tanks. The number of tanks shall be kept to a minimum and new tanks shall be installed so that the height of the tank does not exceed sixteen feet (16') above grade.
- C. Process Operations. The only process operations permitted at the well site is the dehydration of crude oil and wet gas produced from the well and those process operations required for injection purposes unless otherwise required by the D.O.G.G.R.
- D. Flaring or Venting. Gas shall not be vented to the atmosphere, nor burned by open flame, unless prior approval therefor is obtained from the D.O.G.G.R.
- E. Well Servicing. Except in case of emergency, well servicing operations shall be restricted to the Hours of Operations as indicated in Subsection 12.12.060.G.
- F. Fencing. For renewal of well permits for wells existing prior to July 1, 1980, such wells shall be enclosed with a chain-link fence in accordance with Section 12.28.030 or with approved alternate fencing prior to renewal of a well permit. For well permits issued subsequent to July 1, 1980, the chain-link fence shall have opaque material of a neutral color approved by the Director inserted between the chain links. The Director may approve a fence of alternative material more effective in concealing the oil operations provided that it is compatible with the surrounding residential neighborhood. All existing masonry walls or alternate fencing that were constructed as a condition for drill permits shall remain in place. Fencing shall not be less than six feet (6') in height and shall be maintained in a neat and orderly condition.
- G. Landscaping. No well permit shall be issued unless landscaping is installed and maintained to screen and buffer the full perimeter of the well site from adjoining nonindustrial zoned properties. Such landscaping shall be in conformance with the landscape plan submitted to the Director. The approved landscape plan shall include sufficient tree and/or shrub plantings to screen and buffer the well site to the satisfaction of the Director. Further, such landscaping and landscape plan shall include suitable groundcover sufficient to prevent erosion and weed growth within the landscaped area, if necessary, given the shape or topography of the site. The landscaping requirements of this section shall not apply to any site outside of the Coastal Zone which, upon the effective date of this ordinance, is effectively screened by a solid wooden fence or masonry wall and the existing screening prevents the planting and maintenance of the required landscaping.
- H. Additional Requirements for Well Sites in the Coastal Zone. In recognition of the fact that the Coastal Zone is a unique asset of the State and in order to preserve and enhance the quality of this asset, the requirements set forth in these regulations for drilling and re-drilling operations relating to fencing, landscaping and irrigation, and off-site improvements, Subsections C, D and E of this section, shall be implemented at all well sites located in nonindustrial zones of the Coastal Zone.
- I. Oil Separation and Oil Field Waste Disposal Facilities. All oil separation and oil field waste disposal facilities shall provide the following public improvements and screening, or cease operations, within one (1) year of the effective date of this provision:
  - 1. Install curbs, gutters, sidewalks, street trees and roadway improvements, to the center line of the adjoining roadway, to the satisfaction of the Director of Public Works, as would be required of a new residential subdivision;
  - 2. Install a visually solid fence, not less than six feet six inches (6'-0") in height, including visually solid gates, set back not less than six feet six inches (6'-0") from the public right-of-way; and
  - 3. Install landscaping in the setback area between the screen fence and the public right-of-way, to the satisfaction of the Director, with not less than one (1) twenty-four inch (24") box and seven feet (7') in height tree for each one hundred (100) square feet of setback area, and three (3) shrubs for each tree, and groundcover sufficient to prevent erosion and weed growth.

Substitutions of plant materials shall be allowed according to the provisions of Subsection 21.42.040.D.

12.12.090 – Special conditions variance—Authorized.

The operator may request a variance to the special conditions contained in Sections 12.12.060 through 12.12.080 and/or acoustical blanket requirements provided in Section 12.32.030, except the requirements for sanitary facilities and the restrictions on process operations and gas flaring or venting. A filing fee as prescribed by City Council resolution for a standards variance shall accompany each application.

12.12.100 – Special conditions variance—Hearing Examiner.

The position of special conditions Hearing Examiner is established to hear and decide requests for variances from the special conditions required in Sections 12.12.060 through 12.12.080. The Hearing Examiner shall be appointed by the Director.

12.12.110 – Special conditions variance—Hearing.

Any request for a variance from the special conditions of this chapter shall be considered in a public hearing by the Hearing Examiner.

12.12.120 – Special conditions variance—Notice.

Notice of the public hearing shall be provided by mailing a notice to all owners of property within three hundred feet (300') of the subject drill site and by posting on the site. If less than ten (10) property owners own property within three hundred feet (300') of the subject site, then the radius of notice shall be expanded to include the ten (10) property owners nearest the site. The owner of the properties shall be entitled to receive notice as provided on the latest equalized assessment roll of the County Assessor. The notice(s) to be posted shall be posted within ten feet (10') of any street property line and shall be provided on each street frontage with not less than one (1) notice posted for each three hundred feet (300') of street frontage and equally spaced along the frontage. If no street frontage exists, one notice shall be posted at a conspicuous location on the site. Notices shall be mailed and posted not less than ten (10) days prior to the hearing date. Failure of any property owner to receive or of any member of the public to see the notice shall not invalidate any action taken on a request. Failure to mail notices or failure to post notices shall result in a continuance of the hearing.

12.12.130 – Special conditions variance—Hearing Examiner action.

The Hearing Examiner may approve, approve with conditions, partially approve, deny or refer any request to the Planning Commission for action without prejudice.

12.12.140 – Special conditions variance—Findings required.

A variance from the special conditions may be granted by the Hearing Examiner, or by the Planning Commission, only if the following findings of fact are made:

- A. The variance will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area and will not be detrimental to the public welfare;
- B. There are unique physical circumstances directly related to the variance request that differentiate the subject drill site from other drill sites in the same area;
- C. Strict compliance with the special conditions would create an unreasonable economic hardship or a physically infeasible requirement due to the unique circumstances of the drill site; and

- D. The variance will not conflict with the regulations of the D.O.G.G.R. Any action to approve a variance request shall require written findings to be issued prior to the effective date of this variance.

12.12.150 – Special conditions variance—Appeal.

The decision of the Hearing Examiner may be appealed to the Planning Commission pursuant to the following provisions:

- A. Time Limit. An appeal must be accompanied by a statement specifying the reasons therefor and must be filed within ten (10) days after the public hearing or within ten (10) days of the issuance of the findings, whichever is later.
- B. Right to Appeal. Besides the applicant, any aggrieved person may file an appeal.
- C. Filing. An appeal shall be on a form provided by the Department of Development Services and shall be filed with the Department of Development Services within the specified time limit. A fee shall accompany an appeal filed by the variance applicant as established by the City Council.
- D. Public Hearing. Upon filing of an appeal, a public hearing shall be held within thirty (30) days from the filing date. Notice of the hearing on appeal shall be sent to interested parties who have contacted the Hearing Examiner and requested notice of the hearing on appeal.
- E. Actions. The decision of the Planning Commission shall be final and shall be in writing and mailed to the applicant, the appellant (if other than the applicant), and any other interested parties who have requested such determination.

12.12.160 – Other permits.

Any work for which a permit is required, and which is not covered in this chapter, shall be done pursuant to such permit issued according to the provisions of the Long Beach Municipal Code.

12.12.170 – Drilling permit—Fees.

Each person applying for a drilling permit shall, at the time of filing the applicant therefor, pay to the Director a nonrefundable permit fee, as set forth by City Council resolution, for each well for which such permit is desired.

12.12.180 – Well permit—Fees.

Any person who is an operator of any well shall pay a nonrefundable annual well permit fee as set forth by City Council resolution for each well operated and maintained by such person.

12.12.190 – Term.

Any well permit issued according to the provisions of this chapter shall expire one (1) year from date of issuance, or as set forth by City Council resolution, and any and all privileges granted pursuant to such permit shall terminate, unless the permittee has renewed the permit or has pursuant to a drilling permit commenced drilling or re-drilling operations within the year following the date of issuance of the permit.

12.12.200 – Fees—Delinquency penalty.

If any fee required to be paid to the Director in this chapter is not paid within thirty (30) days from the time it becomes due and payable, the same shall thereupon become delinquent, and a penalty in an amount equal to twenty-five percent (25%) of the fee shall be added thereto for such delinquency, which penalty shall be and become part of such fee and shall be enforced and collected as part of such fee.

12.12.210 – Fees—Constitutes lien.

Each and all of the fees required by this chapter to be paid to the Director shall constitute a lien upon the well and related production equipment for which permits provided for in this chapter are required, and upon the property on which the well is situated. The lien for any fee for the drilling permit shall attach when the work is commenced in connection with the operation for which the permit is required, and the lien for any fee for the well permit shall attach on the first day of July of the fiscal year for which the permit is required. Each lien shall have the effect of an execution duly levied against all such property on which the lien exists, and shall remain until the fee is paid or the property sold in payment thereof.

12.12.220 – Fees—Liability for payment.

Each of the persons whose duty it is to obtain, or cause to be obtained, any permit from the Director, as provided in this chapter, shall be, and is declared and made to be, jointly and severally liable for the payment of the fee required to be paid to the Director for the permit.

12.12.230 – Fees—Collection by court action.

In the event of the nonpayment of any fee required by this chapter to be paid the Director, the Director shall transmit to the City Attorney a notice of the fee being unpaid, and the City Attorney shall proceed to collect the fee from any such person so liable therefor by appropriate action in a court of competent jurisdiction.

12.12.240 – Designation of agent.

Upon filing the application for permit, every operator of any well shall designate an agent upon whom all orders and notices provided in this title may be served in person or by registered or certified mail. Every operator so designating such agent shall within thirty (30) days notify the Director in writing of any change of the agent or the mailing address unless operations within the City are discontinued. Service by registered or certified mail, or in person on the agent so designated, shall constitute service upon the operator for all purposes of this title.

12.12.250 – Notice of sale or transfer.

The operator shall notify the Director and, in the harbor district, the Board of Harbor Commissioners, in writing of the sale, assignment, transfer, conveyance, or exchange by the operator of wells, property, and equipment appurtenant thereto within thirty (30) days after such sale, assignment, transfer, conveyance or exchange. The notice shall contain the following:

- A. The name and address of the person to whom the well and property was sold, assigned, transferred, conveyed, or exchanged;
- B. The name and location of the well;
- C. The date of sale, assignment, transfer, conveyance or exchange;
- D. The date when possession was relinquished by the former operator; and
- E. Acknowledgment by new operator of the special conditions imposed by Sections 12.12.060 through 12.12.080.

## **CHAPTER 12.16 WELL LOCATION**

12.16.010 – Compliance required.

12.16.020 – Location.

12.16.030 – Consolidated drill site plans.

## **CHAPTER 12.16 WELL LOCATION**

### 12.16.010 – Compliance required.

Notwithstanding any other provisions of this title, it is unlawful and a nuisance for any person to drill any well, or to erect any derrick or production equipment, at any location within those areas in the City within which such drilling, erection, operation and maintenance are permitted as in this title provided unless such well, derrick and production equipment are located as provided in this chapter. The provisions of this chapter shall not apply to wells for which permits have been issued prior to the effective date of the ordinance codified in this chapter. Where there is a conflict between this chapter and any provisions required by State statutes or the D.O.G.G.R., the most restrictive shall govern.

### 12.16.020 – Location.

The location of new wells to existing buildings, structures or sources of ignition and the location of new buildings, structures or sources of ignition to existing wells shall comply with the Section 5706.3.1 of the California Fire Code adopted in Chapter 18.48.

### 12.16.030 – Consolidated drill site plans.

To encourage the consolidation of oil production facilities whenever feasible so as to make surface land areas available for productive non-oil surface use, special consideration shall be given to modification of well setback requirements when necessary to make feasible the use of sites for consolidated oil drilling surface facilities. Such modifications shall be reviewed and approved in the same manner as other exemptions, variances and modifications under this title. An application for a drilling permit may include a request for review and approval of an overall plan for the location of facilities, including future well bores, within a consolidated drill site. Upon approval of such plan, facilities and well bores located in accordance therewith shall be deemed to be in compliance with the setback requirements of this title.

## **CHAPTER 12.20 DERRICKS**

12.20.010 – Standards.

12.20.020 – Removal.

## **CHAPTER 12.20 DERRICKS**

### 12.20.010 – Standards.

All derricks and masts erected for drilling, re-drilling or remedial operations after the effective date of the ordinance codified in this title shall conform to the California Division of Industrial Safety standards.

### 12.20.020 – Removal.

All derricks and masts hereafter erected for drilling, re-drilling or remedial operations, or for use in production operations, shall be removed within thirty (30) days after completion of the work unless otherwise ordered by the D.O.G.G.R.



## **CHAPTER 12.24 BLOWOUT PROTECTION**

12.24.010 – Drilling and re-drilling.

12.24.020 – Other wells.

## **CHAPTER 12.24 BLOWOUT PROTECTION**

### 12.24.010 – Drilling and re-drilling.

During drilling and re-drilling operations, protection against blowout shall be provided in accordance with the most recent edition of the D.O.G.G.R Publication No. MO7 – Blowout Protection in California.

### 12.24.020 – Other wells.

For all operations other than drilling and re-drilling, protection conforming to the requirements of the most recent edition of the D.O.G.G.R Publication No. MO7 – Blowout Protection in California shall be provided to prevent the blowout of a well.

## **CHAPTER 12.26 NATURAL GAS PROCESSING FACILITIES**

12.26.010 – Locations for establishment or expansion.

12.26.020 – Development standards.

**CHAPTER 12.26**  
**NATURAL GAS PROCESSING FACILITIES**

12.26.010 – Locations for establishment or expansion.

The establishment or expansion of natural gas processing facilities shall be limited to oil operating areas, and in no event shall the establishment or expansion of such processing, except gas dehydration, be permitted in oil operating areas 5, 6, 7A, 7B, 8, 9, 12, 13, 16, 18, 19, 21, 22, 23 and 24.

12.26.020 – Development standards.

Prior to establishing or expanding any natural gas processing facility, the applicant shall submit fencing and landscaping plans to the satisfaction of the Director. Such plans shall contain as a minimum a solid block fence not less than eight feet (8') in height separating the use or the expansion from the public right-of-way (plus any transition necessary to reasonably enclose an expansion area). Such plans shall also contain not less than one (1) tree, of not less than fifteen (15) gallon size, for each ten feet (10') of street frontage of the use or expansion, and three (3) shrubs, of not less than five (5) gallon size, for each tree. Such landscaping is to be located outside the block fence and is to be supported by an automatic irrigation system. Such fencing, landscaping and irrigation shall be in place prior to occupancy of the use or expansion.

## **CHAPTER 12.28 DEVELOPMENT STANDARDS**

- 12.28.010 – Road and drill site surfacing.
- 12.28.020 – Waste control.
- 12.28.030 – Fencing.
- 12.28.040 – Well cellars.
- 12.28.050 – Removal of equipment.

## **CHAPTER 12.28 DEVELOPMENT STANDARDS**

### 12.28.010 – Road and drill site surfacing.

Prior to commencement of any drilling operation, all private roads used for access to the drill site and the drill site itself shall be maintained in such manner so as to minimize dust and mud.

### 12.28.020 – Waste control.

All persons having possession of or in control of any well from which drilling fluid, drill cuttings, petroleum and any other oil field wastes are derived or result from, or is connected with, the drilling, re-drilling, or servicing of any well, shall discharge such wastes into a tank adequate to hold such waste. Tank width shall not exceed twelve feet (12'). Such tanks used for waste control shall be removed from the drill site within thirty (30) days after completion of drilling.

### 12.28.030 – Fencing.

All well production equipment having external moving parts hazardous to life or limb shall be attended twenty-four (24) hours per day, or be enclosed by fencing in conformance with Title 14, Division 2, Chapter 4, Subchapter 2, Article 3, Section 1778 of the California Code of Regulations.

### 12.28.040 – Well cellars.

All well cellars shall conform to the California Division of Industrial Safety regulations, Title 8 of the California Code of Regulations, Title 14, Division 2, Chapter 4, Subchapter 2, Article 3, Section 1774 of the California Code of Regulations, and the California Fire Code adopted in Chapter 18.48.

### 12.28.050 – Removal of equipment.

All persons having possession of or in control of any well shall diligently pursue drilling operations until the well is completed or abandoned to the satisfaction of the D.O.G.G.R., and upon completion or abandonment shall remove all drilling equipment from the drill site within thirty (30) days following the completion or abandonment of the well unless otherwise ordered by the D.O.G.G.R.

## **CHAPTER 12.32 NOISE**

12.32.010 – Excessive noise prohibited.

12.32.020 – Areas 5, 6, 7A, 7B, 8, 9, 12, 13, 16, 18, 19, 21, 22, 23 and 24.

12.32.030 – Acoustical blankets.

12.32.040 – Monitoring operations authorized.

**CHAPTER 12.32  
NOISE**

12.32.010 – Excessive noise prohibited.

It is unlawful for any person to operate or cause to be operated any oil production or gas processing equipment on any well, or incidental to a well, within the incorporated limits of the City in any manner so as to create any noise which causes the exterior and interior noise level at the receiving property to be in excess of those limits provided in Chapter 8.80.

12.32.020 – Areas 5, 6, 7A, 7B, 8, 9, 12, 13, 16, 18, 19, 21, 22, 23 and 24.

A. No person, either as owner, agent, or operator, shall conduct any drilling, or redrilling operation at any well located within oil operating areas 5, 6, 7A, 7B, 8, 9, 12, 13, 16, 18, 19, 21, 22, 23 and/or 24 in any manner so as to create any noise which causes the exterior noise level when measured at the property line of any single- or multiple-family dwelling unit, guest room, commercial building, school, hospital, church, or public library to exceed the noise level standards set forth in Table 1. The exterior noise level generated by the drilling or redrilling operation shall be continuously monitored to ensure conformance to the noise level standards. The costs of such monitoring shall be borne by the operator conducting such operation.

Table 1  
EXTERIOR NOISE LEVEL\*

Cumulative Number of Minutes in any One-hour Time Period	Noise Level Daytime 7:30 a.m. to 9:30 p.m.	Standards, dBA Nighttime 9:30 p.m. to 7:30 a.m.
30	50	45
<u>15</u>	55	50
5	60	55
1	65	60
0	70	65

\* In accordance with Chapter 8.80 – Noise

No person, either as owner, agent, or operator, shall conduct any drilling or redrilling operation at any time at any well located in oil operating areas 5, 6, 7A, 7B, 8, 9, 12, 13, 16, 18, 19, 21, 22, 23 and/or 24 in any manner so as to create any noise which causes the interior noise level in excess of those limits provided in Chapter 8.80.

If the existing ambient noise level, exclusive of existing drilling activity, at the nearest adjacent dwelling unit, guest room, commercial building, school, hospital, church or public library property line to the requested oil drilling site does not exceed the permitted nighttime noise levels in Table 1 for any period, then the following regulations shall apply:

1. The only activity permitted between the hours of seven p.m. (7:00 p.m.) and seven a.m. (7:00 a.m.) will be "on bottom" drilling, with single joint connections. During the same time frame, none of the following will be allowed:
  - a. Hammering on pipe;
  - b. Racking of pipe;
  - c. Acceleration and deceleration of engines or motors;



- d. Use of drilling assembly rotational speeds that cause more noise than necessary and could reasonably be reduced by use of a slower rotational speed;
  - e. Picking up or laying down drill pipe, casing, tubing or rods into or out of the drill hole.
2. If the measured ambient level exceeds that permissible within any of the first four (4) noise limit categories in Table 1 above, the allowable noise exposure standard shall be increased in five (5) decibel increments in each affected category as appropriate to encompass or reflect the ambient noise level. In the event the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under said category shall be increased to equal the maximum ambient noise level.
  3. If the difference between the noise levels with noise source operating and not operating is four (4) decibels or greater, then the noise measurement of the alleged source can be considered valid with a correction applied to account for the contribution of the ambient noise. The correction is to be applied in accordance with data shown in Table 2.

Table 2  
BACKGROUND NOISE CORRECTION

Difference Between Total Noise and Background Noise Alone (Decibels)	Amount to be Subtracted from Total Noise Measurement (Decibels)
4.0- 4.5	2.0
4.5- 6.0	1.5
6.0- 8.0	1.0
8.0-10.0	.5

The sound level meter used in conducting noise evaluations shall meet A.N.S.I. Standard S1.4-1983 (R2006) Specifications for Sound Level Meters, Type 1 or Type 2, or an instrument and the associated recording and analyzing equipment that will provide equivalent data. The acoustic terminology used in these sections shall be defined as in Section 8.80.020, and noise measurements procedure shall be conducted in compliance with methods specified in Section 8.80.140.

- B. In the event that the owner, agent or operator conducting any operation which produces a noise level believed to be in excess of the noise levels provided in this section refuses or otherwise declines to shut down the drilling operation so that the ambient noise level can be measured, then the ambient noise level shall be estimated by performing a measurement in the same general area of the offending source but at a sufficient distance such that the offending noise from the source is inaudible.
- C. If measurements conducted under Subsections A or B of this section indicate a noise level in excess of that provided in Subsection A, such drilling operation shall be deemed to be in violation of this section.
- D. Violation of any provision of this section shall be cause for a notice of violation to be issued by the Director. Thereafter, if the violation of any such condition or conditions of this section is not brought into compliance with this title, the Director shall restrict the hours of operations as indicated in Subsection 12.12.060.G. The procedure for violation provided in this section shall not be exclusive but shall be in addition to any other procedure for violation which the Director can employ under the provisions of this title.

12.32.030 – Acoustical blankets.

- A. No person, either as owner, agent or operator, shall conduct any drilling or re-drilling operations on any well located within the oil operating areas 5, 6, 7A, 7B, 8, 9, 12, 13, 16, 18, 19, 21, 22, 23 and

24 unless all derricks and all drilling machines which produce noise and which are used in connection with said drilling or redrilling operations are enclosed with soundproofing material as provided in Subsection B of this section.

- B. When soundproofing is required by the provisions of Subsection A of this section, such soundproofing shall comply with accepted A.P.I. standards and shall be subject to Fire Department regulations. All doors and similar openings shall be kept closed during drilling operations, except for ingress and egress and necessary logging and well completion operations. Alternate materials or methods of soundproofing may be used, provided that such alternative has been approved by the Director and the Fire Chief. The Director and the Fire Chief may approve any such alternative if they find that the proposed material and method is equal to soundproofing ability and fire-resistive qualities to the aforesaid specifications. Either may require the submission of evidence to substantiate any claims that may be made regarding the use of such alternative.

12.32.040 – Monitoring operations authorized.

For the purpose of noise abatement, the Director shall have the authority to monitor the operation of oil field equipment used for drilling, redrilling, well servicing, remedial or maintenance work.

## **CHAPTER 12.36 ABANDONED AND IDLE WELLS**

- 12.36.010 – Abandonment procedure.
- 12.36.020 – Idle well—Determination.
- 12.36.030 – Idle well—Notice.
- 12.36.040 – Suspension of provisions.
- 12.36.050 – Application for exemption.
- 12.36.060 – Conclusively idle wells.
- 12.36.070 – Right of entry for inspection.

## CHAPTER 12.36 ABANDONED AND IDLE WELLS

### 12.36.010 – Abandonment procedure.

Upon the final and permanent cessation of all operations on any well, or upon the revocation, neglect, or failure to obtain or to maintain in full force and effect under the provisions of this title, the permit required to be obtained under this title from the Director, the permittee:

- A. Shall abandon the well in accordance with the rules and regulations of the D.O.G.G.R.; and
- B. In accordance with the regulation of the D.O.G.G.R. shall remove from the premises all equipment used in connection with the well that is not necessary for the operation or maintenance of other wells of permittee in the vicinity;
- C. Shall cause all sumps, cellars, and ditches which are not necessary for the operation or maintenance of other wells of permittee in the vicinity to be cleaned out and all oil, oil residue, drilling fluid, and rubbish removed therefrom and the sumps, cellars, and ditches leveled or filled, all in accordance with the D.O.G.G.R.. Where such sumps, cellars, and ditches are lined with concrete, permittee shall cause the walls and bottoms to be broken up and removed;
- D. Shall cause the premises to be cleaned and graded and left entirely free of oil, rotary mud, oil-soaked earth, asphalt, tar, concrete, litter, debris, and other substances, and left in a clean and neat condition, all to the satisfaction of the D.O.G.G.R.;
- E. Shall cause all streets, sidewalks, and other places constituting public property which may have been disturbed or damaged in connection with any operation, including operations for the abandonment of the well, to be cleaned, and, except for ordinary wear and tear of public streets and highways, restored to substantially the same condition thereof as the same existed at the time of issuance of the permit, or at the time operations were first commenced in connection with the drilling, operation or maintenance of the well, whichever may be earlier;
- F. Shall conduct work related to such abandonment during the hours as specified in Subsection 12.12.060.G, and
- G. Notwithstanding the provisions of this section, permittees who are also the owners of the fee simple interest in the land on which the abandoned well is located may, pursuant to procedures set forth in Sections 12.36.050 and/or 12.48.030, be granted an exemption from the provisions of this section.

### 12.36.020 – Idle well—Determination.

A well shall be deemed to be an idle well if it has not been utilized for any purpose for a twenty-four (24) month period immediately preceding the date of service of notice as provided in Section 12.36.030; except any well located in a subsidence area as defined under the provisions of the California Public Resources Code or any well that permittee is retaining for use under a secondary or tertiary recovery plan which has been approved by the D.O.G.G.R.

### 12.36.030 – Idle well—Notice.

Whenever a well is an idle well, as defined in Section 12.36.020, the Director may send notice thereof by registered mail to:

- A. The surface owner, mineral owner, and lessee of land on which the well is located as shown on the last equalized assessment roll of the City; and
- B. The permittee of the well.

Within ninety (90) days after the Director has sent notice of an idle well, the Director shall request the D.O.G.G.R. to commence abandonment proceedings.

12.36.040 – Suspension of provisions.

The provisions of Section 12.36.010 and/or Section 12.36.020 shall be suspended from the date that an application for exemption is filed with the Director as provided in Section 12.36.050 until a decision on the application is rendered. If no action is taken by the Director within fifteen (15) days from the date of filing the application for exemption, it should be deemed to have been denied on the sixteenth (16th) day after such filing. If the application for exemption is denied, and an appeal is filed with the Planning Commission as provided in Section 12.48.030, the provisions of Section 12.36.010 and/or Section 12.36.020 shall remain suspended until the appeal is granted or denied.

12.36.050 – Application for exemption.

Within thirty (30) days after notice of an idle well is sent as provided in Section 12.36.030, the owner or owners of the fee simple interest thereof may apply to the Director for an exemption from the provisions of Sections 12.36.010 and/or 12.36.020. Each application shall be in writing, filed in such form and manner as prescribed by the Director, and pay a fee as set forth by City Council resolution. The application shall contain a description of the subject property and a detailed explanation of the request for the exemption. The application shall be accompanied by maps of the subject property as deemed necessary by the Director, the maps to be prepared and verified by a licensed land surveyor or a registered civil engineer, and shall show in detail each structure or improvement that is the subject of the requested exemption and shall depict the size, depth, and lateral location of each structure or improvement with reference to the boundary lines of the property and to any appropriate reference points. Inspections of the subject property shall be conducted under the direction of the Director, including such inspections and reports by other departments of the City as the Director deems necessary. Upon the completion of the inspections and reports, the Director shall determine whether the circumstances justify the granting of an exemption, and, if so, grant to the applicants, subject to any conditions, limitations, and restrictions which the Director shall impose, an exemption to the requirements of Sections 12.36.010 and/or 12.36.020, provided that:

- A. The applicant has shown good cause why there has been no production during the aforesaid preceding period of twenty-four (24) months or otherwise why there has been a cessation of production;
- B. There are practical difficulties or unnecessary hardships resulting from the strict enforcement of this chapter;
- C. It will not be detrimental to the public welfare or to the owners of the adjacent property; and
- D. It will not interfere with the orderly development of the City as provided under Title 21.

Each exemption shall be in force and effect until those structures or improvements which have been permitted to remain by reason of the exemption affect a project on the subject property for which a building permit is required.

12.36.060 – Conclusively idle wells.

Notwithstanding any other provision of this chapter to the contrary, in the case of a well for which a notice of intention to abandon has been given to the D.O.G.G.R. pursuant to Section 3229 of the California Public Resources Code, or any amendment thereto, such wells shall conclusively be deemed to be idle wells.

12.36.070 – Right of entry for inspection.

Any officer or employee of the City whose specific duties require the inspection of the premises shall have the right and privilege at any time upon notice to enter upon any premises upon or from which any operations being conducted for which any permit has been issued or is required under this title, for the purpose of making any of the inspections in this title, or in any other ordinance of the City, provided to be made, or for any other lawful purpose.

## **CHAPTER 12.40 STORAGE**

12.40.010 – Zoning regulations applicable.

12.40.020 – Maximum tank capacity for each producing oil well.

12.40.030 – Design, construction, installation and maintenance of storage tanks.

12.40.040 – Loading by truck from production tank sites.

## **CHAPTER 12.40 STORAGE**

### 12.40.010 – Zoning regulations applicable.

Title 21 Zoning Regulations shall be applicable to the construction, operation, and maintenance of any structure or facility to be used for the storing or handling of oil or any flammable liquid, except when such structure or facility is used in connection with the drilling, re-drilling, servicing a well or production of oil therefrom.

### 12.40.020 – Maximum tank capacity for each producing oil well.

If oil or other liquid storage facilities are established incidental to a producing well on a drill site, the total capacity of such storage facilities shall not exceed two thousand (2,000) barrels or approximately sixty-three thousand (63,000) gallons per well.

### 12.40.030 – Design, construction, installation and maintenance of storage tanks.

Petroleum storage tanks shall be designed, constructed, installed and maintained in accordance with applicable provisions of Title 8 of the California Code of Regulations, Title 14, Division 2, Chapter 4, Subchapter 2, Article 3, Section 1773 of the California Code of Regulations, the California Fire Code adopted in Chapter 18.48, and Fire Department regulations.

### 12.40.040 – Loading by truck from production tank sites.

Loading by truck from production tank sites shall be in accordance with Fire Department regulations.



## **CHAPTER 12.44 FIRE PREVENTION**

12.44.010 – Electrical equipment.

12.44.020 – Internal combustion engines, storage tanks, fired equipment and open flames.

12.44.030 – Flammable waste gases or vapors.

12.44.040 – Fire control equipment.

## **CHAPTER 12.44 FIRE PREVENTION**

### 12.44.010 – Electrical equipment.

All electrical equipment used, installed or maintained within fifty feet (50') of a drilling well and within twenty-five feet (25') of a producing well shall be in accordance with the provisions of California Electrical Code adopted in Chapter 18.42 governing Class 1, Division 2, Hazardous Locations.

### 12.44.020 – Internal combustion engines, storage tanks, fired equipment and open flames.

No internal combustion engine (except those used for the drilling, redrilling, or servicing of a well), storage tank, boiler, fired equipment or open flame (except welding supervised by the production foreman, drilling foreman, drilling supervisor, or safety supervisor in compliance with a hot work permit issued by the Fire Department, the California Fire Code adopted in Chapter 18.48, the regulation of the California Division of Occupational Safety and Health, and N.F.P.A. 51B Standard for Fire Prevention During Welding, Cutting, and Other Hot Work) shall be located closer than twenty-five feet (25') to a producing well nor closer than one hundred feet (100') to a drilling well. During drilling operations on a drill site of two (2) acres or less in an area where two (2) or more wells are drilled and drilling and production equipment are located on such sites, the provisions of this title relating to distances of storage tanks may be altered at the discretion of the Fire Chief after consideration of the private fire prevention measures to be provided.

### 12.44.030 – Flammable waste gases or vapors.

Flammable waste gases or vapors shall not be discharged to the atmosphere except by written approval of the D.O.G.G.R.

### 12.44.040 – Fire control equipment.

A minimum of two (2) fire extinguishers shall be maintained at all well locations where drilling, redrilling, workover, or well servicing is being conducted. Each such extinguisher shall have a minimum classification of 20 B as set forth in N.F.P.A. 10 Standard for Portable Fire Extinguishers.

## **CHAPTER 12.48 ENFORCEMENT AND REVIEW PROCEDURE**

- 12.48.010 – Enforcement duty—Stop orders.
- 12.48.020 – Appeal—City Council to hear.
- 12.48.030 – Appeal—Filing.
- 12.48.040 – Appeal—Records and reports.
- 12.48.050 – Appeal—Hearing notice.
- 12.48.060 – Appeal—Decision.

## CHAPTER 12.48 ENFORCEMENT AND REVIEW PROCEDURE

### 12.48.010 – Enforcement duty—Stop orders.

- A. Enforcement. It shall be the duty of the Director to enforce the provisions of this title.
- B. Stop Orders. If at any time the Director finds that any operator is violating any of the provisions of this title, he or she may order immediate cessation of operations. The operator shall immediately comply with the order of the Director to cease and shall not resume such operations until written consent therefor by the Director has been obtained. Upon written request by the operator, the City Manager may stay compliance with the order of the Director until such operator has appealed under the provisions of Sections 12.48.020 and 12.48.030

### 12.48.020 – Appeal—City Council to hear.

The City Council shall have the power to hear and determine appeals from any order, requirement, decision or determination made by the Director in the administration or enforcement of any of the provisions of this title.

### 12.48.030 – Appeal—Filing.

Any appeal from any order, requirement, decision or determination of the Director shall be in writing and shall be filed with the City Clerk within thirty (30) days following the date of such order, requirement, decision or determination of the Director from which the appeal is taken. The appeal filed shall set forth the order, requirement, decision or determination of the Director which is being appealed, and the grounds upon which the appellant deems himself or herself aggrieved thereby. At the time of filing the appeal, the appellant shall pay to the City Clerk a filing fee as set forth by City Council resolution, which filing fee shall be refunded in the event the appeal is sustained by the City Council.

### 12.48.040 – Appeal—Records and reports.

Within five (5) business days following the filing of the appeal, the City Clerk shall advise the Director of the filing of appeal by the appellant, and the Director shall within five (5) business days thereafter following transmit to the City Clerk all papers relating to the order, requirement, decision or determination appealed from. In addition the Director shall prepare, or cause to be prepared, and transmit to the City Clerk any supplemental report as he or she may deem necessary and relevant to the appeal. In the event such supplemental report is prepared and transmitted to the City Clerk, a copy thereof shall be served upon the appellant at least five (5) days prior to the date of hearing on the appeal.

### 12.48.050 – Appeal—Hearing notice.

Upon receipt of the record on appeal, the City Council shall set the matter for hearing within thirty (30) days and give notice by mail of the time, place, and purpose thereof to appellant and to the Director and any other interested party who has requested in writing to be so notified; and no other notice need be given.

### 12.48.060 – Appeal—Decision.

Upon the date set for the hearing the City Council shall hear the appeal unless for good cause the City Council on that date continues the matter. No notice of continuance need be given if the order therefor is announced at the time for which the hearing was set. The hearing shall be conducted in accordance with the provisions of Chapter 2.93. Upon hearing such appeal, the City Council may sustain or modify the order, requirement, decision or determination appealed from, or in lieu thereof may make such other or additional order as it shall deem proper in the premises, subject to the same limitations as are placed upon the Director by this title and any other provisions of law.



## CHAPTER 12.52 PERMIT REVOCATION PROCEDURE

- 12.52.010 – Grounds.
- 12.52.020 – Initiation.
- 12.52.030 – Immediate suspension.
- 12.52.040 – Time extension to remedy grounds of suspension.
- 12.52.050 – Hearing—Demand.
- 12.52.060 – Hearing—Setting time and date.
- 12.52.070 – Hearing—Evidence.
- 12.52.080 – Hearing—Decision.
- 12.52.090 – Work to cease—Exemptions.

## CHAPTER 12.52 PERMIT REVOCATION PROCEDURE

### 12.52.010 – Grounds.

Any permit issued by the Director pursuant to the provisions of this title may be revoked by the City Council upon finding, after hearing as specified in this chapter, either:

- A. That permittee has failed, neglected or refused to perform, comply with and abide by any of the conditions of this permit;
- B. That permittee has failed or neglected or refused to comply with or abide by, or has in any way violated, any of the provisions of this title, or of any other ordinance of the City, or the Charter of the City or any other law, rule or regulation, either directly or indirectly, by reason of or in connection with or incidental to his or her operations under the permit, or upon the premises covered by the permit;
- C. If any of permittee's operations, or the continuance thereof, upon the premises covered by his or her permit are, or are likely to become, a menace or hazard to private or public property, or to any interest of the City, or to the lives or safety of persons; or
- D. If permittee shall have made any willful misrepresentation of fact in any application for any such permit, or in any report or record required by this title to be filed or furnished by permittee.

### 12.52.020 – Initiation.

Proceedings before the City Council for the revocation of any permit shall be instituted by the Director by causing to be posted in a conspicuous place on the premises covered by the permit, readable from the ground level, a notice entitled "Notice of Intention to Revoke Permit," and by causing a copy thereof to be mailed by certified mail to permittee or his or her designated agent, and a copy to be filed with the City Council. Failure of permittee or his or her designated agent to receive the copy sent by mail shall not invalidate any revocation proceeding taken under this chapter. The notice shall set forth the date of the posting thereof, and shall also set forth the reasons and grounds upon which the revocation by the City Council will be based unless cause is shown why such revocation is not proper, and shall require permittee, within two (2) days after the date of posting, as so specified in the notice, to initiate necessary action to cure and remedy any default under, noncompliance with, or violation of any condition of the permit, or other condition for which suspension or revocation of the permit be made, or to show cause before the City Council, as provided in this title, why the permit should not be revoked. The notice shall further state that upon the revocation of the permit as provided in this chapter, any well, derrick, production equipment, or other structure, appliance, apparatus, machinery, equipment or facility for the use and maintenance of which the permit is required will be subject to being abated as a nuisance as provided by law, and the costs and expenses of the abatement provided will be made a charge and enforced against any and all persons whose duty it is under the provisions of Sections 12.12.010 and 12.12.020 to obtain such permit and to keep the same in force and effect, and also against and as a lien upon the property so abated as a nuisance, and also against and as a lien upon the real property upon which the nuisance exists and from which the nuisance is or will be abated.

### 12.52.030 – Immediate suspension.

- A. If the City Council is of the opinion, based upon a prima facie showing, that the operations of a permittee constitute an immediate menace or hazard to public property, or to any interest of the City, or to the lives or safety of persons, or may become such menace or hazard pending a final decision on any proceeding under this chapter for revocation of his or her permit, the City Council may immediately suspend the permit, either in connection with a proceeding for the revocation thereof, or otherwise.

- B. If the suspension is ordered prior to the time the notice of intention to revoke permit is served upon permittee as provided in this section, the notice shall also include notice of the action of the City Council in suspending the permit and shall give the reasons and grounds therefor. If the suspension is ordered at any other time, notice thereof and of the reasons and grounds therefor shall immediately be mailed to permittee or his or her designated agent and a copy of the notice posted on the premises covered by the permit. From and after the giving of notice of the suspension as provided in this section, and pending a remedying or removal of the causes stated in the notice as the reasons or grounds for the suspension, or pending a final determination upon the proceedings for revocation of the permit (if such proceedings are being had), no person shall carry on any of the operations authorized to be performed under the terms of the permit.

12.52.040 – Time extension to remedy grounds of suspension.

Upon written application therefor by permittee, the City Council may, in its discretion, extend the time for the curing and remedying of any such default, noncompliance or violation by permittee, but no such extension or extensions of time shall be for a longer period than a total of thirty (30) days from and after the service upon permittee of the notice of intention to revoke or notice suspending the permit.

12.52.050 – Hearing—Demand.

Unless a written demand for a hearing before the City Council, either as to the right of the City Council to revoke and/or suspend the permit or as to the curing of any such default is filed by permittee with the City Council within the time provided for the curing of such default, the permit shall, without any further or other action on the part of the City Council, be and become terminated and revoked. Failure to so file a demand for the hearing shall be deemed to be an admission on the part of permittee and all others claiming any rights under or in relation to the permit or the premises covered by the permit, that valid grounds exist for the suspension and revocation of the permit, and that the same may thereupon properly be and become terminated and revoked. If a hearing before the City Council is so demanded the permit shall not be or become terminated or revoked unless and until so ordered by the City Council after the completion of the hearing, as provided in this chapter.

12.52.060 – Hearing—Setting time and date.

Upon the filing with the City Council of the demand for hearing, the City Council shall fix a time and place therefor. Such time shall be fixed for a day not later than thirty (30) days after the time of filing the demand for the hearing. A five (5) day notice in writing, of the time and place of the hearing shall be served upon the permittee or his or her designated agent. The hearing shall be a condition precedent to any action at law or in equity, by or in behalf of permittee, based upon the action of the City Council in suspending and/or revoking the permit.

12.52.070 – Hearing—Evidence.

At the hearing the permittee shall be given an opportunity to present whatever competent, relevant and material evidence he or she may desire to submit, either through witnesses or by the production of books, records or other documentary evidence, including evidence upon any questions relating to the revocation or suspension of such permit or to the curing of any default for which the permit was ordered revoked or suspended. The City Council shall not be bound by technical rules of evidence, nor shall any informality in any of the proceedings upon the hearing, or in the matter of taking testimony, invalidate or affect any order or decision of the City Council, and the hearing shall be conducted in accordance with the provisions of Chapter 2.93. The City Council shall have the right to adjourn the hearing from time to time.

12.52.080 – Hearing—Decision.

The decision of the City Council in regard to the revocation of the permit may be rendered orally or in writing at the conclusion of the hearing or at any time thereafter, and the decision shall be final. In the event the decision is rendered at the hearing no further notice thereof need be given to the permittee,



or any other person, except that the City Clerk shall give written notice to the Fire Chief of the decision. If the decision is not rendered at the hearing, written notice of the decision shall be mailed to the permittee, or his or her designated agent, and a copy of the notice posted on the premises covered by the permit, and a copy of the notice shall be transmitted to the Fire Chief.

12.52.090 – Work to cease—Exemptions.

No person shall carry on any of the operations authorized to be performed under the terms of any permit during any period of suspension thereof, or after the revocation thereof, or pending a judgment of court upon any application for writ taken to review the decision or order of the Council in suspending or revoking the permit; provided, however, that nothing contained in this chapter shall be construed to prevent the performance of such operations as may be necessary in connection with a diligent and bona fide effort to cure and remedy the default, noncompliance or violation for which a suspension of the permit was ordered by the City Council, or such operations as may be necessary to prevent damage to the underground resource as provided in Section 3106 of the California Public Resources Code, or for the safety of persons and the protection and preservation of property. In this context, preservation of property shall not mean continuation of extraction of the oil or gas or other hydrocarbons underlying the premises at which the permit applies.

## **CHAPTER 12.56 HAZARDOUS LIQUID PIPELINES <sup>[3]</sup>**

- 12.56.010 – Rules and regulations adopted.
- 12.56.020 – Amendments.
- 12.56.030 – Section 51014 amended.
- 12.56.040 – Section 51015(a) amended.
- 12.56.050 – Section 51010.5 amended.
- 12.56.060 – Fire Chief designated.
- 12.56.070 – Enforcement; civil penalties for violation.

## CHAPTER 12.56 HAZARDOUS LIQUID PIPELINES <sup>[3]</sup>

### 12.56.010 – Rules and regulations adopted.

- A. The City Council hereby adopts and incorporates by reference, as though set forth in full herein, Sections 51010.5, 51011, 51012.3, 51013, 51013.5, 51014, 51014.3, 51014.5, 51014.6, 51015, 51016, 51018, 51018.8 and 51019 of Title 5, Division 1, Part 1, Chapter 5.5 of the California Government Code (known as the Elder California Pipeline Safety Act of 1981), as said sections may be amended from time to time, subject to the changes, amendments and modifications thereto as set forth in this chapter. Three (3) copies of the Pipeline Safety Act and the amendments and modifications thereto, as adopted by this chapter and printed as a code in book form shall be on file in the Office of the City Clerk.
- B. It is the objective of the City of Long Beach, in enacting this chapter, to provide for the public safety within the City from hazards which may arise by reason of the operation of the pipelines within the City carrying hazardous liquids. These regulations are incorporated into this chapter to insure safe operation of those pipeline facilities handling hazardous material, and Title 5, Division 1, Part 1, Chapter 5.5 of the California Government Code (Elder California Pipeline Safety Act of 1981) is adopted to the extent necessary to achieve safe operation of those facilities.
- C. This chapter applies to all hazardous liquid pipelines located within the City of Long Beach which operate at twenty percent (20%) or less of the pipeline's design yield strength; except those pipelines located entirely within a single plant facility pipeline within private easement and any oil field flow line or gathering line.
- D. The Director or Fire Chief may exempt the application of this chapter to any such pipeline or portion thereof, when it is determined from both an engineering and a fire-life safety point of view that the risk to the public safety is slight and the probability of injury or damage is remote. Such exemptions shall be re-evaluated annually.

### 12.56.020 – Amendments.

The Elder California Pipeline Safety Act of 1981, Title 5, Division 1, Part 1, Chapter 5.5 of the California Government Code, is amended and modified as set forth in this chapter.

### 12.56.030 – Section 51014 amended.

Section 51014 of the Elder California Pipeline Safety Act of 1981 is amended to read as follows:

#### §51014. Pressure tests; manner of conducting

- (a) The pressure tests required by subdivisions (b), (c), and (d) of Section 51013.5 shall be conducted in accordance with Subpart E (commencing with Section 195.300) of Part 195 of Title 49 of the Code of Federal Regulations, except that an additional four-hour leak test, as specified in subsection (c) of Section 195.302 of Part 195 of Title 49 of the Code of Federal Regulations, shall not be required under subdivision (b), (c), or (d) of Section 51013.5. Pressure tests performed under subdivisions (b), (c), and (d) of Section 51013.5 shall not show an hourly change for each section of the pipeline under test at the time in excess of either ten (10) gallons or the sum of one gallon and an amount computed at a rate in gallons per mile equivalent to one-tenth of the nominal internal diameter of the pipe in inches. The specified test medium shall be water with a fugitive dye additive, or another test medium if approved by the Director.
- (b) Test pressure shall be at least one hundred twenty-five percent (125%) of the actual pipeline operating pressure.

### 12.56.040 – Section 51015(a) amended.

Section 51015(a) of the Elder California Pipeline Safety Act of 1981 is amended to read as follows:

§51015. Maps and diagrams; fire plans and procedures; availability of records, maps, etc.; inspections

(a) Every pipeline operator shall provide the City Engineer, the Department of Gas and Oil, and the Long Beach Fire Department a map or suitable diagram showing the location of the pipeline.

12.56.050 – Section 51010.5 amended.

Section 51010.5 of the Elder California Pipeline Safety Act of 1981 is amended by deleting therefrom subparagraph (a)(4).

12.56.060 – Fire Chief designated.

For purposes of applying the Elder California Pipeline Safety Act of 1981, the words "State Fire Marshal" shall mean "Fire Chief or his or her designated representative."

12.56.070 – Enforcement; civil penalties for violation.

- A. Violations. Any pipeline operator who is determined by the Director to have violated any provision of this chapter shall be liable to the City for a civil penalty of not more than one thousand dollars (\$1,000.00) for each violation for each day that violation persists, except that the maximum penalty shall not exceed two hundred thousand dollars (\$200,000.00) for any related series of violations.
- B. Assessment of Penalty. The amount of the penalty shall be assessed by the Director by written notice. In determining the amount of the penalty, the Director shall consider the nature, circumstances, and gravity of the violation and, with respect to the pipeline operator found to have committed the violation, the degree of culpability, any history of prior violations, the effect on ability to continue to do business, any good faith in attempting to achieve compliance, ability to pay the penalty, and such other matters as justice may require.
- C. Additional Penalty—Cessation of Pipeline Operations. In addition to the penalties provided in Subsections A and B of this section, the Director shall have the additional power with respect to any such violations to order a pipeline operator to cease operations within the City. A determination by the Director that a pipeline operator shall cease pipeline operations within the City shall be final unless an appeal therefrom is taken, and a pipeline operator served with written notice of a final order to cease pipeline operations shall have ninety (90) days after service of the notice in which to abandon, or remove, facilities in accordance with the provisions of this chapter and any other applicable ordinance of the City.
- D. Appeal. Any aggrieved pipeline operator may appeal a decision or action of the Director taken pursuant to this section to the Planning Commission.
- E. Time and Place to File Appeal. An appeal must be filed within ten (10) calendar days after a decision or action by the Director, and the appeal shall be filed with the Planning Commission on a form provided by the City. The Planning Commission shall notify the Director when an appeal is filed.
- F. Public Hearing. The Planning Commission shall set the matter on the Planning Commission agenda and the Planning Commission shall set the matter for hearing. The hearing shall be held within sixty (60) days of the filing of the appeal, but for good cause the hearing may be continued from time to time by the Planning Commission.
- G. Notice of Hearing. Not less than ten (10) calendar days before the hearing the Planning Commission shall give written notice of hearing to the appellant, applicant or other real party in interest and to any other person who has made a request for a notice. The Planning Commission shall also give notice to the Director.

- H. Conduct of Hearing and Procedure. The hearing shall be conducted pursuant to the rules of the Planning Commission, Chapter 2.18 and rules relating to conduct of a hearing, Chapter 2.93.
- I. Written Report. Not less than five (5) days before the hearing, the Director shall file a written report with the Planning Commission outlining the facts of the case and the Director's action and decision from which the appeal was taken. The report shall be distributed to the Planning Commission members prior to the hearing and copies shall be made available to parties involved in the appeal on the hearing date.
- J. Hearing on Appeal. After a hearing, the Planning Commission may affirm, modify or overrule the decision or action of the Director but any such action by the Planning Commission shall require a two-thirds (2/3) majority vote. If the Planning Commission fails to obtain the requisite votes to affirm, modify or overrule, the decision or action of the Director shall stand.
- K. Fees. By resolution, the City Council may set fees for the filing of an appeal.

## CHAPTER 12.60 EXEMPTION OF COUNTY FLOOD CONTROL DISTRICT

12.60.010 – Exemption from provisions.

**CHAPTER 12.60**  
**EXEMPTION OF COUNTY FLOOD CONTROL DISTRICT**

12.60.010 – Exemption from provisions.

Notwithstanding any other provision of this title, no provision of this title shall apply to or be enforced against the County flood control district, or any agent of the district, if the application or enforcement of such provisions to or against the County flood control district or its agents would constitute a violation of any provision of that certain judgment of permanent injunction made and entered by the Superior Court of the State in and for the County of Los Angeles in an action entitled "*Continental Corporation, et al., vs. City of Long Beach, et al.,*" and numbered 442081 in the records and files of the court, and to the extent that any provision of this title is by its terms applicable to or enforceable against the County flood control district, or its agents, in violation of the permanent injunction, the provision, to that extent, shall be construed as if the County flood control district and its agents were specifically exempted from the application of the provisions.

## **CHAPTER 12.64 RESTRICTED AREA INITIATIVE ORDINANCE AND AMENDMENTS**

12.64.010 – Restricted area initiative ordinance.

12.64.020 – Initiative ordinance amended—June 15, 1937.

12.64.030 – Initiative ordinance amendment—February 9, 1956.

12.64.040 – Initiative ordinance amendment—February 27, 1962.



**CHAPTER 24.64**  
**RESTRICTED AREA INITIATIVE ORDINANCE AND AMENDMENTS**

12.64.010 – Restricted area initiative ordinance.

An ordinance making it unlawful to erect, construct or install any derrick, machinery or apparatus for the purpose of drilling for, pumping or producing oil, gas or other hydrocarbon substances from any well not existing at the time this ordinance takes effect, or to maintain, pump or operate such new well, within certain portions of the City of Long Beach, repealing Ordinances Numbers C-282 and C-528, and providing penalties for the violation of this ordinance.

The people of the City of Long Beach do ordain as follows:

SECTION 1—It is hereby declared to be unlawful for any person, firm, association or corporation, whether as principal, agent, servant, employee or otherwise, to erect, construct or install, or cause to be erected, constructed or installed any derrick, machinery or other apparatus or equipment for the purpose of drilling for oil, gas or other hydrocarbon substances, or pumping or producing the same from any well not actually being drilled or existing at the time this ordinance takes effect, within that portion of the City of Long Beach described as follows:

Beginning at the intersection of the line of ordinary high tide of the Pacific Ocean with the westerly boundary line of the City of Long Beach; thence northerly along said westerly boundary line of the City of Long Beach and following its various courses to its intersection with a former northwesterly boundary line of the City of Long Beach as said boundary line existed prior to the annexation election of December 28th, 1923; thence northeasterly along said former northwesterly boundary line of the City of Long Beach to the southerly line of Willow Street; thence easterly along said southerly line of Willow Street to a line three hundred feet (300') west of and parallel to the westerly line of California Avenue, said line three hundred feet (300') west of and parallel to the westerly line of California Avenue being also a boundary line of the City of Long Beach; thence south along said line three hundred feet (300') west of and parallel to the westerly line of California Avenue to the northeasterly line of the private right-of-way of the Pacific Electric Railway Company; thence southeasterly along the northeasterly line of said private right-of-way and across all intersecting streets and alleys to its intersection with the easterly boundary line of the City of Long Beach at the Orange County line; thence southerly along said boundary line of the City of Long Beach to the line of ordinary high tide of the Pacific Ocean; and thence westerly along said line of ordinary high tide of the Pacific Ocean to the point of beginning, or to erect, construct or install, or cause to be erected, constructed or installed, any derrick, machinery or other apparatus or equipment for the purpose of drilling for oil, gas or other hydrocarbon substances, or pumping or producing the same from any well not actually being drilled or existing at the time this ordinance takes effect, within five hundred feet (500') of any real property used for public school purposes or any building used for hospital purposes at any place within the City of Long Beach.

SECTION 2—Every person, firm, association or corporation, whether as principal, agent, servant, employee or otherwise, violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment; and each such person, firm, association or corporation shall be deemed guilty of a separate offense for each day during any portion of which the violation of any of the provisions of this ordinance is committed, continued or permitted.

SECTION 3—Ordinances Numbers C-282 and C-528 are hereby repealed.

NOTE—The above Initiative Ordinance was passed by the electors of the City at a Special Municipal Election held on the ninth day of March, 1927, in accordance with Ordinance No. C-615 calling said election.

12.64.020 – Initiative ordinance amended—June 15, 1937.

An ordinance to amend an ordinance entitled, an ordinance making it unlawful to erect, construct or install, any derrick, machinery, or apparatus for the purpose of drilling for pumping or producing oil, gas or other hydrocarbon substances from any well not existing at the time this ordinance takes effect, or to maintain pump or operate such new well, within certain portions of the City of Long Beach, repealing Ordinances Numbers C-282 and C-528, and providing penalties for the violation of this ordinance, so as to permit the drilling of not more than one such well to an acre in a certain portion of the property described in said ordinance.

The People of the City of Long Beach do ordain as follows:

SECTION 1—It is hereby declared to be unlawful for any person, firm, association or corporation, whether as principal, agent, servant, employee or otherwise, to erect, construct or install, or cause to be erected, constructed or installed any derrick, machinery or other apparatus or equipment for the purpose of drilling for oil, gas or other hydrocarbon substances, or pumping or producing the same from any well not actually being drilled or existing at the time this ordinance takes effect, within that portion of the City of Long Beach described as follows:

Beginning at the intersection of the line of ordinary high tide of the Pacific Ocean with the westerly boundary line of the City of Long Beach and following its various courses to its intersection with a formerly northwesterly boundary line of the City of Long Beach as said boundary line existed prior to the annexation election of December 28th, 1923; thence northeasterly along said former northwesterly boundary line of the City of Long Beach to the southerly line of Willow Street thence easterly along said former northwesterly boundary line of the City of Long Beach to the southerly line of Willow Street; thence easterly along said southerly line of Willow Street to a line three hundred feet (300') west of and parallel to the westerly line of California Avenue, said line three hundred feet (300') west of and parallel to the westerly line of California Avenue being also a boundary line of the City of Long Beach; thence south along said line three hundred feet (300') west of and parallel to the westerly line of California Avenue to the northeasterly line of the private right-of-way of the Pacific Electric Railway Company; thence southeasterly along the northeasterly line of said private right-of-way and across all intersecting streets and alleys to its intersection with the easterly boundary line of the City of Long Beach at the Orange County line; thence southerly along said boundary line of the City of Long Beach to the line of ordinary high tide of the Pacific Ocean and thence westerly along said line of ordinary high tide of the Pacific Ocean to the point of beginning, except not more than one (1) well on any acre in that portion of the said defined area lying west of the west line of the Los Angeles County Flood Control District right-of-way; or to erect, construct or install, or cause to be erected, constructed or installed, any derrick, machinery or other apparatus or equipment for the purpose of drilling for oil, gas or other hydrocarbon substances, or pumping or producing the same from any well not actually being drilled or existing at the time this ordinance takes effect, within five hundred feet (500') of any real property used for public school purposes or any building used for hospital purposes at any place within the City of Long Beach.

SECTION 2—Every person, firm, association or corporation, whether as principal agent, servant, employee or otherwise, violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding five hundred dollars (\$500.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment; and each such person, firm, association or corporation shall be deemed guilty of a separate offense for each day during any portion of which the violation of any of the provisions of this ordinance is committed, continued or permitted.

SECTION 3—Ordinance Numbers C-282 and C-528 are hereby repealed.

NOTE—The above Initiative Ordinance was passed by the electors at a Special Municipal Election held on the 15th day of June, 1937, in accordance with Ordinance No. C-1505 calling said election.

12.64.030 – Initiative ordinance amendment—February 9, 1956.

An ordinance amending that certain ordinance adopted by the people of the City of Long Beach at a Special Municipal Election held on the 9th day of March, 1927, entitled "An ordinance making it unlawful

to erect, construct or install any derrick, machinery or apparatus for the purpose of drilling for, pumping or producing oil, gas or other hydrocarbon substances from any well not existing at the time this ordinance takes effect, or to maintain, pump or operate such new well, within certain portions of the City of Long Beach, repealing Ordinances Numbers C-282 and C-528 and providing penalties for the violations of this ordinance", as revised or amended by the people of the City of Long Beach at a Special Municipal Election held on the 15th day of June, 1937, so as to include therein a certain additional portion of the City of Long Beach within which it shall be unlawful, except upon prior approval, by vote of the qualified electors of the City, to erect, construct or install any structure, foundation, derrick, machinery or apparatus for the purpose of drilling for, pumping or producing oil, gas or other hydrocarbon substances from any well or wells; and defining the meaning of the term "person" within the scope of said ordinance.

The people of the City of Long Beach do ordain as follows:

That certain ordinance adopted by the people of the City of Long Beach at a special municipal election held on the 9th day of March, 1927, entitled "An ordinance making it unlawful to erect, construct or install any derrick, machinery or apparatus for the purpose of drilling for, pumping or producing oil, gas or other hydrocarbon substances from any well not existing at the time this ordinance takes effect, or to maintain, pump or operate such new well, within certain portions of the City of Long Beach, repealing Ordinances Numbers C-282 and C-528 and providing penalties for the violation of this ordinance," said ordinance being set forth in full in Ordinance No. C-615, Ordinances of the City of Long Beach, the ordinance calling said special municipal election, as revised or amended by the people of the City of Long Beach at a special municipal election held on the 15th day of June, 1937, be and the same is hereby amended to read as follows:

Section 1. It is hereby declared to be unlawful for any person, whether as principal, agent, servant, employee, or otherwise, to erect, construct or install, or cause to be erected, constructed or installed, any derrick, machinery or other apparatus or equipment for the purpose of drilling for oil, gas or other hydrocarbon substances, or pumping or producing the same from any well not actually being drilled or existing at the time this ordinance takes effect, within that portion of the City of Long Beach described as follows:

Beginning at the intersection of the line of ordinary high tide of the Pacific Ocean with the westerly boundary line of the City of Long Beach; thence northerly along said westerly boundary line of the City of Long Beach and following its various courses to its intersection with a formerly northwesterly boundary line of the City of Long Beach as said boundary line existed prior to the annexation election of December 28th, 1923; thence northeasterly along said former northwesterly boundary line of the City of Long Beach to the southerly line of Willow Street; thence easterly along said southerly line of Willow Street to a line three hundred feet (300') west of and parallel to the westerly line of California Avenue, said line three hundred feet (300') west of and parallel to the westerly line of California Avenue being also a boundary line of the City of Long Beach; thence south along said line three hundred feet (300') west of and parallel to the westerly line of California Avenue to the northeasterly line of the private right-of-way of the Pacific Electric Railway Company; thence southeasterly along the northeasterly line of said private right-of-way and across all intersecting streets and alleys to its intersection with the easterly boundary line of the City of Long Beach at the Orange County line; thence southerly along said boundary line of the City of Long Beach to the line of ordinary high tide of the Pacific Ocean and thence westerly along said line of ordinary high tide of the Pacific Ocean to the point of beginning, except not more than one (1) well on any acre in that portion of said defined area lying west of the west line of the Los Angeles County Flood Control District right-of-way.

Sec. 2. Except as in this section hereinafter provided, it is hereby declared to be unlawful for any person, whether as principal, agent, servant, employee, or otherwise, to erect, construct or install, or cause to be erected, constructed or installed any structure, foundation, derrick, machinery or other apparatus or equipment for the purpose of drilling for oil, gas or other hydrocarbon substances, or pumping or producing the same from any well or wells within that portion of the City of Long Beach described as follows:

Beginning at the intersection of the easterly line of the Los Angeles County Flood Control right-of-way of the Los Angeles River channel with the northerly line of Seaside Boulevard; thence south along the southerly prolongation of said easterly line of the Los Angeles County Flood Control right-of-way, 40.02 feet to the beginning of a tangent curve concave to the east and having a radius of 3,175.98 feet; thence southeasterly along said curve to the intersection with the line of ordinary high tide of the Pacific Ocean, being the true point of beginning of this description; thence continuing southeasterly along said curve to the end of said curve, distant 2,915.95 feet, measured along the arc from the beginning of said curve; thence South 52° 36' 17" East, 3,400.00 feet to a point; thence South 17° 00' East to the southerly boundary of the City of Long Beach; thence easterly along said southerly boundary to the easterly boundary of the City of Long Beach, being the common boundary separating Los Angeles County and Orange County; thence northeasterly along said easterly boundary of the City of Long Beach to the line of ordinary high tide of the Pacific Ocean; and thence westerly along said line of ordinary high tide of the Pacific Ocean to the true point of beginning.

All or any portion of the foregoing described real property may be designated as a permitted oil drilling area, thereby resulting in the release or withdrawal of such said designated area from the prohibitory boundaries hereinabove established, if, prior to, and as an express condition precedent to any such designation being made, the City Council shall, at any City election wherein all City qualified electors are entitled to vote, submit the proposition of establishing and designating such area as a permitted oil drilling area, and a majority of those voting thereon vote in favor of such proposition.

Sec. 3. It is hereby declared to be unlawful for any person, whether as principal, agent, servant, employee, or otherwise, to erect, construct or install, or cause to be erected, constructed or installed, any derrick, machinery or other apparatus or equipment for the purpose of drilling for oil, gas or other hydrocarbon substances, or pumping or producing the same from any well within five hundred feet (500') of any real property used for public school purposes or any building used for hospital purposes at any place within the City of Long Beach; provided, however, that this Section shall not apply to any well which was actually being drilled or which existed on the 9th day of March, 1927, when the ordinance which is hereby amended was originally adopted by the people of the City of Long Beach.

Sec. 4. If any section, subsection, sentence, clause, or phrase of this ordinance, or the application of any thereof to any person or circumstance be held to be invalid for any reason, such invalidity shall not affect the validity of any other provision or application of this ordinance which can be given effect without the invalid provision or application; and to this end the people of the City of Long Beach hereby declare that the provisions of this ordinance are severable and that they would have passed this ordinance and each and every section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one (1) or more other sections, subsections, sentences, clauses or phrases, or the application of any thereof to any person or circumstances be declared invalid.

Sec. 5. The term "person", as used herein, shall be construed to mean, refer to, and include, an individual; a co-partnership; joint adventure; an unincorporated association; a trust; a private corporation; a public corporation; a municipal corporation; a County; a State; a national government; a municipal, County, State, or Federal agency, board or commission; a water district; a utility district; a flood control district; a body corporate and politic; a political subdivision; and a drainage, irrigation, levee, reclamation, or water conservation district; whether acting for himself, or itself, or in any representative capacity.

Sec. 6. Every person, whether as principal, agent, servant, employee, or otherwise, violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment; and every such person shall be deemed guilty of a separate offense for each day during any portion of which the violation of any of the provisions of this ordinance is committed, continued, or permitted.

Sec. 7. Ordinances Numbers C-282 and C-528, and all other ordinances and regulations and parts thereof, of the City of Long Beach in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall preclude the City Council or the Board of Harbor Commissioners of the

City of Long Beach from adopting, and/or repealing, nor shall it operate to repeal, limit or modify, any ordinance which said bodies, respectively, deem, may deem, or have deemed, reasonable and necessary for the regulation and control of the erection, use, maintenance and abandonment of structures or facilities for the production, treatment, refining or disposition of oil, gas or other hydrocarbons, or any products manufactured or otherwise obtained therefrom, within any portion of the City of Long Beach in which the drilling, operation, maintenance, redrilling and deepening of oil wells is not prohibited by this ordinance.

NOTE—The above ordinance amending a certain Initiative Ordinance adopted by the people at an election held on March 9, 1927, as amended at an election on June 15, 1937, was further amended by the foregoing ordinance submitted by the City Council to the electorate and was adopted at an election held February 9, 1956, in accordance with Ordinance No. C-3554 calling said election.

12.64.040 – Initiative ordinance amendment—February 27, 1962.

An ordinance making certain determinations, and designating certain submerged land areas within the City of Long Beach, presently contained within the boundaries of a prohibited drilling area, as permitted oil drilling areas, in accordance with the procedure prescribed in that certain initiative ordinance adopted by the people of the City of Long Beach at a Special Municipal Election held on the 9th day of March, 1927, entitled "An ordinance making it unlawful to erect, construct or install any derrick, machinery or apparatus for the purpose of drilling for, pumping or producing oil, gas or other hydrocarbon substances from any well not existing at the time this ordinance takes effect, or to maintain, pump or operate such new well, within certain portions of the City of Long Beach, repealing Ordinances Numbers C-282 and C-528 and providing penalties for the violations of this ordinance", as amended by those two (2) certain ordinances adopted by the people of the City of Long Beach at Special Municipal Elections held on the 15th day of June, 1937, and the 9th day of February, 1956, respectively; and imposing certain conditions, limitations and restrictions upon the use of said submerged land areas as permitted oil drilling areas.

The people of the City of Long Beach do ordain as follows:

Section 1. It is hereby found and determined:

- (a) That it would be in the best interests of the City of Long Beach and the State of California to authorize and approve the institution of a plan for the controlled exploration and exploitation of the oil and gas reserves underlying the presently undeveloped portion of the tide and submerged land areas heretofore granted to the City by the State of California, and located easterly of and outside the Harbor District of the City, as said district boundaries are defined as of the effective date of this ordinance. Said presently undeveloped portion of tide and submerged lands (which shall not be deemed to include any of the tide and submerged lands committed to the Richfield Oil Corporation Parcel "A" Drilling and Operating Contract and presently under development from the Harbor District) shall, for convenience, be sometimes hereinafter referred to as the "Offshore Area".
- (b) That the results of detailed engineering reports and the interpretations of geologic and seismic data indicate that undeveloped oil and gas reserves in economically recoverable quantities underlie certain portions of the publicly and privately owned upland properties located easterly of Pine Avenue in this City, and adjacent to and northerly of the Offshore Area. Said upland properties shall, for convenience, be sometimes hereinafter collectively referred to as the "Townlot Area".
- (c) That the said Offshore Area and Townlot Area are included within the geographic boundaries of a Subsidence Area, as heretofore fixed and established by the State Oil and Gas Supervisor pursuant to the provisions of Section 3336 of the California Public Resources Code.
- (d) That the results of studies by qualified engineers which have been conducted in certain segments of said Subsidence Area, and the demonstrated beneficial effects derived as a consequence of putting the recommendations so made into operation, indicate that the only feasible method that can be expected to prevent or arrest subsidence in such an area is by repressuring the subsurface

oil and gas formations thereunder; and that such repressuring operations, in addition thereto, should increase the amount of oil ultimately recoverable from the formations underlying such area and protect the oil or gas in such lands from unreasonable waste.

- (e) That unit or cooperative development and operation of the pool or pools (as hereinafter defined) underlying the said Offshore Area and Townlot Area is necessary in order to prevent and insure against the occurrence of subsidence. "Pool" shall mean an underground reservoir containing, or appearing at the time of determination to contain, a common accumulation of crude petroleum oil or natural gas or both. Each zone of a general structure which is separated from any other zone in the structure is a separate pool.

Sec. 2. Reference is made to that certain Initiative Ordinance adopted by the people of the City of Long Beach at a Special Municipal Election held on the 9th day of March, 1927, as subsequently amended by those two (2) certain ordinances adopted by the people of said City at Special Municipal Elections held on the 15th day of June, 1937, and the 9th day of February, 1956, respectively, entitled "An Ordinance making it unlawful to erect, construct or install any derrick, machinery or apparatus for the purpose of drilling for, pumping or producing oil, gas or other hydrocarbon substances from any well not existing at the time this ordinance takes effect, or to maintain, pump or operate such new well, within certain portions of the City of Long Beach, repealing Ordinances Numbers C-282 and C-528 and providing penalties for the violations of this ordinance", and particularly to Section 2 of said ordinance, as amended, which provides as follows:

Sec. 2. Except as in this Section hereinafter provided, it is hereby declared to be unlawful for any person, whether as principal, agent, servant, employee, or otherwise, to erect, construct or install, or cause to be erected, constructed or installed any structure, foundation, derrick, machinery or other apparatus or equipment for the purpose of drilling for oil, gas or other hydrocarbon substances, or pumping or producing the same from any well or wells within that portion of the City of Long Beach described as follows:

Beginning at the intersection of the easterly line of the Los Angeles County Flood Control right-of-way of the Los Angeles River channel with the northerly line of Seaside Boulevard; thence south along the southerly prolongation of said easterly line of the Los Angeles County Flood Control right-of-way, 40.02 feet to the beginning of a tangent curve concave to the east and having a radius of 3,175.98 feet; thence southeasterly along said curve to the intersection with the line of ordinary high tide of the Pacific Ocean, being the true point of beginning of this description; thence continuing southeasterly along said curve to the end of said curve, distant 2,915.95 feet, measured along the arc from the beginning of said curve; thence South 52° 36' 17" East, 3,400.00 feet to a point; thence South 17° 00' East to the southerly boundary of the City of Long Beach; thence easterly along said southerly boundary to the easterly boundary of the City of Long Beach, being the common boundary separating Los Angeles County and Orange County; thence northeasterly along said easterly boundary of the City of Long Beach to the line of ordinary high tide of the Pacific Ocean; and thence westerly along said line of ordinary high tide of the Pacific Ocean to the true point of beginning.

All or any portion of the foregoing described real property may be designated as a permitted oil drilling area, thereby resulting in the release or withdrawal of such said designated area from the prohibitory boundaries hereinabove established, if, prior to, and as an express condition precedent to any such designation being made, the City Council shall, at any City election wherein all City qualified electors are entitled to vote, submit the proposition of establishing and designating such area as a permitted oil drilling area, and a majority of those voting thereon vote in favor of such proposition.

The above-described area constitutes the undeveloped portion of the tide and submerged lands referred to as the Offshore Area in Subsection (a) of Section 1 hereof.

Sec. 3. Subject to the conditions, limitations and restrictions hereinafter in Section 4 provided, the necessary number of offshore islands, in no event to exceed four (4), are hereby authorized to be located and constructed within the geographic boundaries of the said Offshore Area, as above-described in Section 2 hereof, and to be utilized as surface drillsite areas for the exploration and

exploitation of the oil and gas reserves underlying said undeveloped Offshore Area and the adjacent Townlot Area. It is not intended, nor shall the authorization herein granted ever be construed, either directly or by implication, as permitting or sanctioning the erection, construction, installation or maintenance of any structure, foundation, derrick, machinery or other apparatus or equipment for the purpose of drilling for oil, gas or other hydrocarbon substances, or pumping or producing the same from any well or wells, upon and from surface locations within said Offshore Area boundaries other than exclusively from the surface locations provided on said offshore island drill sites.

Sec. 4. The construction and use of said offshore islands are expressly predicated upon and subject to compliance with the following conditions, limitations and restrictions:

- (a) The northerly boundary of any of said islands shall not be closer than two thousand feet (2,000'), measured from the centerline of Ocean Boulevard, as said boulevard exists as of the effective date of this ordinance.
- (b) The actual area of each of said islands shall be approximately ten (10) acres.
- (c) Subject to the provisions of Subsections (a) and (b) hereof, the precise location of each of said islands shall be established by resolution of the City Council as permitted oil drilling areas. It is recognized in this regard that the precise location of each of said islands cannot be determined until after a programmed number of core holes have been drilled in the Off Shore Area for the purpose of defining the extent of the oil and gas reserves in said area.
- (d) All improvements erected upon and oil operations conducted upon said offshore islands shall be compatible with the City's general plans for commercial, scenic and recreational development.
- (e) All drilling and production operations shall be conducted in a manner consistent with approved conservation practices, and so as to provide the maximum safeguards against drainage losses, subsidence damage, noise, contamination, unsightliness and detriment to the natural beauty of the surrounding area.
- (f) The oil and gas reserves underlying the Offshore Area shall be exploited only in accordance with a uniform and systematic plan of development, in an economic manner, and consistent with the best oilfield practices prevailing in the Wilmington Oil Field. To this end, the City shall reserve the right, in any agreement entered into for the development of the subject area, to control the rates of production of the oil and gas and the repressuring operations and practices to be conducted. Any such agreement shall provide that a program of complete pressure maintenance by water injection shall be instituted at the inspection of drilling operations, that the City shall have the right to order the shut-in of high gas-low oil ratio and high water-low oil ratio wells, that the respective drilling and operating contractor expressly agrees to waive any and all damages claimed to have resulted as a consequence of water injection operations and practices conducted or ordered by the City, that the City shall have the unilateral right, without the necessity of obtaining the consent or approval of the contractor, to commit the subject area to unitized operation or to a cooperative type agreement providing for coordinated repressuring operations, that in the event the subject area is committed to a unit plan of development the City shall have the sole right to vote the entire working interest assigned to said area, and that the contractor agrees, under unitized operations, if payment is provided to be made in oil and/or gas, to accept payment in allocated oil and/or gas as the equivalent of oil and/or gas actually produced and saved from the subject area.
- (g) The Offshore Area shall be developed as a single tract.
- (h) No surface drillsites shall be made available for use for the directional drilling of oil and gas wells to be bottomed beneath the Townlot Area unless a satisfactory plan of complete pressure maintenance is first submitted to and approved by the City and the appropriate State officials.
- (i) All oil tank farms are to be located in the Harbor District, and all final dehydration, treatment separation, storage, gauging and shipment of offshore oil and gas shall be accomplished from

Harbor District site locations. The use of submarine pipelines is authorized in said Offshore Area, and said lines shall be laid from the offshore islands for the purpose of transporting the oil, gas, fresh water, and general purpose lines, together with power and telephone cables. All machinery, equipment, materials and supplies utilized in conjunction with the drilling and production operations, other than that transported by submarine pipeline, shall be transported from the Harbor District only, regardless of the proximity of the island to be served to the Harbor District. The provisions of this Subsection shall apply not only to the City's operations, but equally as well to any other operator conducting permitted drilling and production operations from one or more of said offshore islands.

- (j) Each offshore island shall be landscaped in such a manner as to provide complete screening for the well sites and surface facilities. The landscaping shall be designed to blend with the shoreline and add to the natural beauty of the offshore area. Drilling masts and other portable well servicing equipment, visible above the landscape, shall be removed when not needed for the conduct of operations. Wellhead facilities shall be installed below the surface.

NOTE—The above ordinance designating certain submerged land areas as permitted oil drilling areas in accordance with the procedure prescribed in that certain Initiative Ordinance adopted by the people at an election held on March 9, 1927, as amended at those two (2) elections on June 15, 1937, and February 9, 1956, was adopted at an election held February 27, 1962, in accordance with Ordinance No. C-4213 calling said election.