

Article 4
Public Works and Sustainability Commission

Note: Article 4 entitled "Environmental and Public Utilities Commission," consisting of Sections 2-9.401 - 2-9.403, codified from Ordinance No. 2573 c.s., eff. 3-22-90, as amended by Ordinance Nos. 2644 c.s., eff. 12-26-91; 2649 c.s., eff. 3-5-92 and renumbered by Ordinance No. 2705 c.s., eff. 10-21-93, was replaced in its entirety by Ordinance No. 2776 c.s., eff. 9-5-96.

§ 2-9.401. Created.

There is hereby created a Public Works and Sustainability Commission.

(§ 1, Ord. 2776 c.s., eff. September 5, 1996, as amended by § 1, Ord. 3250 c.s., eff. March 23, 2023)

§ 2-9.402. Appointment and terms of members.

- (a) The Commission shall consist of seven members. Unless otherwise authorized by the City Council, one member shall be appointed from each council district and two members shall be appointed at large. Except in cases of practical difficulty, unnecessary hardship, or extreme differences, two members shall be persons experienced in construction, two members shall be physically handicapped persons, and one person shall be a public member. The Chief Building Official shall be an ex officio member of the Commission, but shall not be entitled to vote.
- (b) The members shall serve for a term of four years, commencing on October 1 and ending September 30, or as soon thereafter as his or her successor is appointed and qualified.
- (c) No person shall serve more than two full terms on the Commission. No person shall serve simultaneously on more than one board or commission.

(§ 1, Ord. 2776 c.s., eff. September 5, 1996, and Ord. 3271-24 c.s., eff. July 6, 2024)

§ 2-9.403. Powers and duties - Appeals.

- (a) The Commission shall advise the Mayor and City Council in all matters relating to public works, capital improvement programs, solid waste and hazardous waste disposal, public utilities, traffic and transportation as directed by the City Council and in such other matters as may also be directed by the City Council.
- (b) The Commission shall advise the Mayor and City Council on all environmental issues, including evaluating solutions to City problems and overall advancement through an environmental sustainability lens.
- (c) Wherever any powers and duties are assigned to either the Environmental and Public Utilities Commission or the Traffic Commission by any of the provisions of this Code, the elements of the General Plan, or any resolution or directive of the City Council, such powers or duties shall be performed by the Public Works and Sustainability Commission.

- (d) The Commission shall also be responsible for hearing all appeals previously under the purview of the Handicapped Access Appeals Board to completion, which includes hearing written appeals brought by any person regarding action taken by the Building Division of the Community Development Department or the City in the enforcement of the requirements of Health and Safety Code, Part 5.5, including the exceptions contained in Section 19957. The Commission may approve or disapprove interpretation of any provision of Part 5.5 of the Health and Safety Code, and enforcement actions taken by the Building Division of the Community Development Department. All such approvals or disapprovals shall be final and conclusive as to the Community Development Department of the City, in the absence of fraud or abuse of discretion.
- (e) Any interested person may appeal an order of the Chief Building Official within 20 days of the mailing of such order by the Chief Building Official. An appeal shall be in writing and must be received on or before the last day of the appeal period. This time limitation is mandatory and jurisdictional.
- (f) Not less than 10 days prior to the date of hearing, the Commission shall cause to be posted notices of the time, date, and place of the hearing at a conspicuous place at the Redondo Beach City Hall, and to be visibly posted at a conspicuous place on not less than two locations on the project which is the subject of the appeal. The Commission may cause to be posted such notices at other locations likely to give notice to interested persons. In addition, the Commission shall give written notice by mail to any person who requests in writing special notice of any or all hearings to be held under this section. However, failure to so notify any person having made a request for notice shall not invalidate the decision or findings of the Commission.
- (g) The Commission shall hold a hearing not less than 14 days, but not more than 21 days from the time of the filing of a written appeal from an action taken by the Building Division of the Community Development Department, and shall render its decision in writing, including its findings, within 14 days of the conclusion of the hearing.

(§ 1, Ord. 2776 c.s., eff. September 5, 1996, as amended by § 2, Ord. 3250 c.s., eff. March 23, 2023, and Ord. 3271-24 c.s., eff. July 6, 2024)