

**ORDINANCE NO. 2289****AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF SOUTH PASADENA, CALIFORNIA,  
AMENDING CHAPTER 31, ARTICLE II OF THE SOUTH  
PASADENA MUNICIPAL CODE ADDING  
SECTION 31.28 ESTABLISHING A STREET CUT  
MORATORIUM ON NEWLY PAVED STREETS**

**WHEREAS**, the City of South Pasadena (City) owns and maintains a street network measuring approximately 66 miles; and

**WHEREAS**, the City seeks to minimize pavement degradation, maintain structural integrity of streets, maintain a smooth riding surface for all modes, and limit negative visual impacts; and

**WHEREAS**, by having a street cut moratorium, contractors or utilities companies with proposed projects that require excavation of roadways can more effectively plan and review conflicts that will be encountered.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Chapter 31 Article II of Section 31.28 of the South Pasadena Municipal Code shall hereby read as follows:

On a paved, constructed, or reconstructed street, the pavement surface shall not be cut or opened for a period of five (5) years after completion or from the recordation of a notice of completion. On a slurry sealed street, the pavement surface shall not be cut or opened for a period of two (2) years.

The City Engineer may grant exemptions to the moratorium for emergencies which endanger life or property or interrupt essential utility service, for work that is mandated by City, State or Federal legislation, for where no other reasonable means of providing service exists to a building, or for other situations deemed by the City Engineer to be in the best interest of the City. When granting exceptions to this regulation, the City Engineer may impose conditions determined appropriate to insure the rapid and complete restoration of the street and street paving. Repaving may include street grinding, base and sub-base repairs, restoration of pavement markings, and other related work as determined by the City Engineer, and may include up to full-width street paving of the roadway.

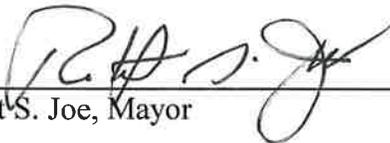
Any person who is required to repave a street shall obtain a street improvement permit and shall be responsible for the full cost of plan preparation, plan review, construction inspection, material testing, bonding, and all other expenses related to the work.

Repaving will include a minimum width of five (5) feet on all four sides of the trench limit or to the edge of the gutter, and grinding the pavement to a minimum depth of 1 ½ inches with 1 ½ inches of cap paving. For concrete streets, repaving shall be from joint to joint of Portland Cement Concrete pavement.

Pavement improvements shall be completed within 90 days of the completion of the work or project that required the pavement cut. If the City Engineer determines that restoration of the street is not appropriate at a particular time for reasons relating to weather or other short term factors, the City Engineer may order a postponement until proper conditions allow for restoration work.

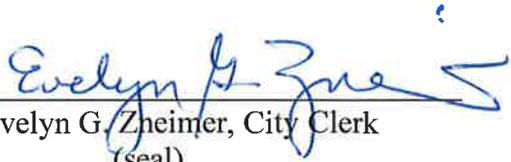
**SECTION 2.** This ordinance shall take effect thirty (30) days after its final passage, and within fifteen (15) days after its passage, the City Clerk of the City of South Pasadena shall certify to the passage and adoption of this ordinance and to its approval by the Mayor and City Council and shall cause the same to be published in a newspaper in the manner required by law.

**PASSED, APPROVED, AND ADOPTED** this 2<sup>nd</sup> day of December, 2015.

  
\_\_\_\_\_  
Robert S. Joe, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Evelyn G. Zheimer, City Clerk  
(seal)

  
\_\_\_\_\_  
Teresa L. Highsmith, City Attorney

**I HEREBY CERTIFY** the foregoing ordinance was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 2<sup>nd</sup> day of December, 2015, by the following vote:

**AYES:** Cacciotti, Khubesrian, Mahmud, Schneider, and Mayor Joe

**NOES:** None

**ABSENT:** None

**ABSTAINED:** None

  
\_\_\_\_\_  
Evelyn G. Zneimer, City Clerk  
(seal)