

ORDINANCE NO. 2484

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REPEALING AND REPLACING ARTICLE I (IN GENERAL) OF CHAPTER 13 (HEALTH AND SANITATION) OF THE WEST COVINA MUNICIPAL CODE TO ESTABLISH A PUBLIC HEALTH DEPARTMENT

WHEREAS, the Los Angeles County Department of Public Health has historically provided public health services to the City of West Covina; and

WHEREAS, the West Covina City Council is establishing a local health department to establish local control over public health issues and better serve the community; and

WHEREAS, the City Council desires to repeal and replace the existing provisions of Article I of Chapter 13 of the West Covina Municipal Code to adopt provisions creating a public health department and setting forth the functions of said health department; and

WHEREAS, the City desires that the West Covina Municipal Code language be revised effective July 1, 2021; and

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Repeal and Replacement of Article I of Chapter 13. Article I (In General) of Chapter 13 (Health and Sanitation) of the West Covina Municipal Code is hereby repealed and replaced as follows:

ARTICLE I – HEALTH DEPARTMENT

Sec. 13-1. – Creation of health department.

There is hereby created within the city a public health department, under the general administration of the city manager, which shall be under the direction and control of the city's public health director.

Sec. 13-2. – City health officer function.

All references now or hereafter made in any city ordinance, resolution, regulation or document of any kind to the "city health officer" or "health officer" shall be deemed to refer to the public health director.

Sec. 13-3. – Definitions.

As used in this article:

- (a) “Department” means the West Covina public health department.
- (b) “Director” means the public health director.

Sec. 13-4. – Department functions.

The department shall:

- (a) Administer programs for the control and prevention of disease, promotion of maternal and child health, promotion of public health, and general health education.
- (b) Administer environmental health and sanitation services and programs.
- (c) Administer and enforce all laws, ordinances and regulations dealing with public health and sanitation.
- (d) Cooperate with other enforcement agencies in administering and enforcing all laws, ordinances and regulations relating to public health.
- (e) Maintain vital statistics.
- (f) Cooperate with public and private agencies dealing with the health needs of residents of the city.
- (g) Perform such other related duties as shall be required by law, ordinance or the city manager.

Sec. 13-5. – Director – powers and duties.

The director, either directly or through a duly authorized representative, shall exercise such powers and duties as are prescribed by law, including, but not limited to:

- (a) All duties now or hereafter delegated to the director by this or any other ordinance or resolution of the city, or by orders or directives of the city council or the city manager.
- (b) All powers and duties now or hereafter delegated to the health officer by any state or federal statute or regulation, city ordinance or resolution, or orders or directives of the city council or the city manager.

SECTION 2. Environmental Compliance. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance may have a significant effect on the environment because it generally maintains the status quo, and is merely a mechanism to change which entity enforces applicable law relating to public health. The Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions

of this Ordinance. The City Council of the City of West Covina hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 4. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage. Section 1 of this Ordinance, which repeals and replaces Article I of Chapter 13 of the West Covina Municipal Code, shall amend the West Covina Municipal Code on July 1, 2021.

SECTION 5. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED, APPROVED AND ADOPTED on the _____th day of _____, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, ASSISTANT CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Ordinance No. 2484 was introduced at a regular meeting of the City Council held on the 4th day of May, 2021, and adopted at a regular meeting of the City Council held on the _____ day of _____, 2021, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

Lisa Sherrick
Assistant City Clerk