

SENATE THIRD READING
SB 716 (Durazo)
As Amended August 13, 2026
2/3 vote. Urgency

SUMMARY

Authorizes enhanced penalties for violations of local ordinances that pertain to nonresidential structures with a floor area of 20,000 or more square feet.

Major Provisions

- 1) Provides that a violation of a city or county ordinance where the violation pertains to a nonresidential structure with a floor area of 20,000 or more square feet is punishable by the following:
 - a) A fine not exceeding \$1,000 for a first violation.
 - b) A fine not exceeding \$2,000 for a second violation of the same ordinance within five years of the first violation.
 - c) A fine not exceeding \$5,000 for each additional violation of the same ordinance within five years of the first violation.
- 2) Allows the fine amounts described above to be increased by a factor of 10, up to a maximum of \$50,000 per violation, if the violation results in a declaration of a state of emergency by the Governor or a federal disaster declaration.
- 3) Clarifies that county boards of supervisors may impose fines, penalties, and forfeitures for violations of ordinances and fix the penalty by fine, imprisonment, or both. Specifies that a fine shall not exceed \$1,000 and that imprisonment shall not exceed six months, with the exceptions specified above.
- 4) Contains an urgency clause.

COMMENTS

- 1) *Lineage Warehouse Fire.* On June 17, 2026, a fire ignited at a cold storage facility leased and operated by Lineage Logistics in the Boyle Heights community of the City of Los Angeles. The fire burned for eight days within a heavily insulated, approximately 491,000-square-foot structure that contained refrigeration systems, rooftop solar panel infrastructure, and other industrial equipment and hazardous materials (such as ammonia) that led to periodic flare-ups and required constant firefighting operations by the Los Angeles Fire Department and mutual aid partners. A shelter-in-place order went into effect June 18 and on June 20 Los Angeles Mayor Karen Bass issued a Declaration of Local Emergency and Governor Newsom declared a State of Emergency for Los Angeles County. The fire was fully extinguished on June 24, 2026. While Lineage Logistics released a statement indicating the fire likely started on the roof while subcontractors were servicing a solar array, the cause of the fire remains under investigation.

The incident resulted in a shelter-in-place order for neighboring residents, as well as extended air quality advisories, notices of violation, and an abatement order from the South Coast Air Quality Management District (SCAQMD). An estimated 88 million pounds of frozen food products that were stored in the facility subsequently spoiled, resulting in a significant public nuisance consisting of foul odors, rats, insects and other pests in and around the facility and the surrounding residential neighborhood. Clean-up, which began on July 7, is reported to be 90% complete. Several lawsuits have been initiated by residents of the area who have reported various adverse health conditions since the fire began.

According to an August 5th article by CBS news, "The massive food warehouse fire that blanketed parts of Los Angeles in smoke in June was not an isolated event, but one in a long run of fires at properties tied to one of the world's largest cold storage companies...Federal records show that in the past decade there have been at least 63 fires of varying severity at properties run by Lineage, a company that operates temperature-controlled warehouses around the globe. The firm said it was aware of 34 fires at its various warehouses, including one in Finley, Washington, that burned for nearly two months." The article also notes, "Unlike many industrial facilities located far from neighborhoods, cold storage warehouses are often built close to homes, schools and businesses to speed up food distribution."

- 2) *Local Ordinance Violations.* A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws. This "police power" provides the right to adopt and enforce zoning regulations, as long as they do not conflict with state laws.

Current law allows counties and cities to establish ordinances, and makes violations of ordinances misdemeanors, unless the county or city makes them infractions. The violation of an ordinance may be prosecuted by county or city authorities in the name of the people of the State of California, or redressed by civil action. Current law outlines the following fine structure for ordinance violations, and for building and safety code violations, that are determined to be infractions:

<i>Number of violations within specified time periods</i>	<i>Amount of fine for ordinance violations that are infractions</i>	<i>Amount of fine for building and safety code violations that are infractions</i>
First violation	Fine does not exceed \$100	Fine does not exceed \$130

Second violation within one year of first violation	Fine does not exceed \$200	Fine does not exceed \$700
Third violation within one year of first violation	Fine does not exceed \$500	Fine does not exceed \$1,300

For building and safety code violations that are infractions, the fine can be increased to \$2,500 for each additional violation of the same ordinance within two years of the first violation, if the property is a commercial property that has an existing building at the time of the violation and the violation is due to failure by the owner to remove visible refuse or failure to prohibit unauthorized use of the property.

The law also includes additional provisions for violations of event permits and short-term rental ordinances that are infractions and violations of ordinances regulating activities related to cannabis, as well as a process for granting a hardship waiver in specified instances where the fine would impose an undue financial burden on the responsible party.

- 3) *Administrative Alternative.* As an alternative to the court process, a local agency can make any violation of any of its ordinances subject to an administrative fine or penalty. This provision was enacted in 1995 to relieve the courts of some of these cases and offer local governments a faster, easier, and less costly means of pursuing remedies for ordinance violations.

In order to make an ordinance violation subject to an administrative fine or penalty, the local agency must adopt an ordinance specifying the administrative procedures that govern the imposition, enforcement, collection, and administrative review of the fines or penalties. A person may appeal such fines or penalties in superior court within 20 days after service of a final administrative order or decision. Local agencies must pursue a civil court proceeding to collect fines and penalties that are not secured via the administrative process.

Current law requires these administrative procedures to grant a person responsible for a continuing violation a reasonable time to remedy the violation before the local agency may impose fines or penalties when the violation pertains to building, plumbing, electrical, or other similar structural and zoning issues that do not create an immediate danger to health or safety. This "reasonable time" period is at the discretion of the local agency and varies from jurisdiction to jurisdiction.

According to the Author

"As the State Senator representing Boyle Heights, unincorporated East Los Angeles, and the surrounding communities affected by the Lineage Logistics warehouse fire, it is urgent that we hold the company accountable for the ongoing rotting stench and infestation created by this facility.

"My constituents have endured overwhelming odors, pest infestations, and the daily indignity and hazard of living beside decomposing, fire-damaged materials. These are not minor inconveniences. Residents have been unable to open their windows or spend time outdoors, and many have been forced to run air purifiers and air conditioning around the clock, at their own expense, to keep their homes livable. Reports of escalating use of mobile clinics and emergency department visits, alarming health conditions, including respiratory illnesses, headaches, bloody noses, and nausea affecting small children have worsened. These conditions fall on communities already burdened by decades of environmental injustice. Boyle Heights and unincorporated East Los Angeles should not have to bear the continued costs, health risks, and disruption of a private company's failure to promptly and fully remediate this site."

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

Unknown.

VOTES**SENATE FLOOR: 29-8-3**

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Dahle, Jones, Niello, Ochoa Bogh, Seyarto, Strickland

ABS, ABST OR NV: Grove, Reyes, Valladares

ASM COMMUNICATIONS AND CONVEYANCE: 7-1-1

YES: Boerner, Ahrens, Bonta, Caloza, Lowenthal, Rogers, Blanca Rubio

NO: Castillo

ABS, ABST OR NV: Hoover

ASM APPROPRIATIONS: 11-4-0

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache

NO: Sanchez, Dixon, Ta, Tangipa

UPDATED

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