

ADMINISTRATIVE REPORT

Date: December 3, 2013

Agenda Item No.: 7

Council Action Date: December 9, 2013

To: Honorable Mayor and City Council

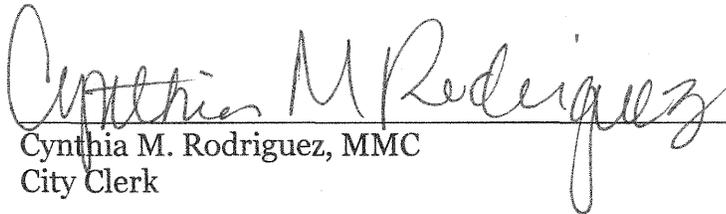
**From: Mark D. Watkins, City Manager
Cynthia M. Rodriguez, MMC, City Clerk**

Subject: 2013 California Building Standard Codes

RECOMMENDATION

It is recommended that Council waive the second reading in full and adopt the ordinances approving by reference the 2013 Editions of the California Building Code, Electrical Code, Fire Code, Mechanical Code, Plumbing Code, Residential Code, and the 2012 Edition of the International Property Maintenance Code, and amending certain provisions thereof through express findings of local necessity.

Attached for your reference are the proposed ordinances introduced by the City Council on November 18, 2013.



Cynthia M. Rodriguez, MMC
City Clerk

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ORDINANCE NO. 2013-___

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN BUENAVENTURA ADOPTING BY REFERENCE THE
2013 EDITION OF THE CALIFORNIA BUILDING CODE
AND AMENDING CERTAIN PROVISIONS THEREOF
THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY**

The Council of the City of San Buenaventura does ordain as follows:

SECTION 1: FINDINGS. The City Council finds that certain local climatic, geological, or topographical conditions exist as follows:

- A. Climatic. The City experiences periods of high temperatures accompanied by low humidity and high winds each year. These conditions could create an environment in which the fire department may have great difficulty in controlling fires occurring in hillside brush areas as well as structures not having built-in fire protection. The City also experiences periods of intense rainfall, which create the need for special drainage precautions.
- B. Geological. The City is located in an area with expansive soils and includes hillsides that are subject to mudflows and unstable conditions. Special foundation considerations and soils analyses requirements must be in place to provide a reasonable degree of structural integrity for buildings constructed in these areas. Several earthquake faults run through the City that, when active, will impose unique lateral loads on structures in the City. Special lateral structural design criteria are needed to resist these lateral loads imposed by active earthquake faults in the City.
- C. Topographical. The City has hillside and flat land developments that require special drainage precautions. Structures would be subject to water damage without special requirements addressing site drainage.
- D. After due consideration, the City Council finds and determines that these local climatic, geological, and topographical conditions make modifications and changes to the 2013 Edition of the California Building Code reasonably necessary to provide sufficient and effective protection of life, health, and property.

SECTION 2: Chapter 12.115 of Division 12 of the San Buenaventura Municipal Code ("SBMC") is amended in its entirety to read as follows:

Chapter 12.115 Building Standards

Section 12.115.010. Adoption of California Building Code, 2013 Edition.

Pursuant to California Government Code sections 50022.1 to 50022.8, inclusive, Part 2 of Title 24 of the California Code of Regulations, known as the California Building Code, 2013 Edition ("CBC"), including all standard printed Chapters and Sections (whether adopted by the State matrix or not), is adopted by reference subject to the amendments, additions, and deletions set forth in this chapter. This Chapter is also intended to supersede Chapter 12.115 of Division 12 of the San Buenaventura Municipal Code in its entirety. The CBC will apply to all occupancies identified by this code. One true copy of the CBC is on file in the office of the City Clerk and Building Official and is available for public inspection as required by law.

Section 12.115.020. Amendments.

- A. The city council finds that certain local climatic, geological, and/or topographical conditions exist as follows:
1. Climatic. The City experiences periods of high temperatures accompanied by low humidity and high winds each year. These conditions could create an environment in which the fire department may have great difficulty in controlling fires occurring in hillside brush areas as well as structures not having built-in fire protection. The city also experiences periods of intense rainfall, which create the need for special drainage precautions.
 2. Geological. The City is located in an area with expansive soils and includes hillsides that are subject to mudflows and unstable conditions. Special foundation considerations and soils analyses requirements must be in place to provide a reasonable degree of structural integrity for buildings constructed in these areas. Several earthquake faults run through the City that, when active, will impose unique lateral loads on structures in the City. Special lateral structural design criteria are needed to resist these lateral loads imposed by active earthquake faults in the City.
 3. Topographical. The City has hillside and flat land developments that require special drainage precautions. Structures would be subject to water damage without special requirements addressing site drainage.
- B. After due consideration, the city council finds and determines that these local climatic, geological, and topographical conditions make modifications and changes to the CBC reasonably necessary to provide sufficient and effective

protection of life, health, and property. The CBC is therefore modified, amended, added to, and changed as set forth below:

1. Section 101.4.7 is added to read as follows:

101.4.7 Post Damage Assessment. This section established standard placards to be used to indicate the condition of a structure for continued occupancy. The section further authorizes the Building Official and his/her authorized representatives to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment.

101.4.7.1 Application of Provisions. The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the City of Ventura. The City Council may extend the provisions as necessary.

101.4.7.2 Definition. Safety assessment is a visual, non-destructive examination of a building or structure for purpose of determining the condition for continued use or occupancy.

101.4.7.3 Placards. The following are verbal descriptions of the official placards to be used to designate the condition for continued occupancy of buildings or structures.

INSPECTED (Green) - Lawful Occupancy Permitted is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.

RESTRICTED USE (Yellow) - is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued occupancy.

UNSAFE (Red) - Do Not Enter or Occupy is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the Building Official, or his/her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order.

The placard must note in general terms the type of damage encountered, the Municipal Code section violated and the following text: The City of Ventura, 501 Poli St, Room 117, Ventura, CA 93001 (805)654-7869.

Once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the Building Official. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.

2. Section 104.5 is replaced in its entirety to read as follows:

104.5 Identification. The building officials shall wear official, City issued, photo identification at all times when serving the public..

3. Section 105.2 Item 1 is replaced in its entirety to read as follows:

A single, one-story, detached accessory structure used as a tool or light storage shed, playhouse, and similar uses, provided the projected roof area is not greater than 120 square feet, such structures are not taller than 8'6" in maximum height, is located on a residentially zoned lot, has no regulated plumbing or mechanical equipment and the structure does not obstruct or divert the flow of rain water from one property to another.

4. Section 105.3 Item 8 is added to read as follows:

8. Have obtained Planning Division approval to apply for a building permit.

5. Section 105.3 Item 9 is added to read as follows:

9. To ensure that adequate resources are available to correct errors in workmanship that effect adjacent units, buildings with more than 2 dwelling units and all non-residential buildings must have the permit issued to a State licensed contractor.

6. Section 105.3 Item 10 is added to read as follows:

10. Have paid all applicable application, plan check and/or permit fees as set forth in the City's most current User Fee resolution.

7. Section 105.5 is amended to add the following sentence:

Permit expiration shall not be extended more than 3 years beyond the issuance date or beyond a City ordered abatement deadline, whichever is less. For the purposes of this Section, abandonment shall mean the time between any of the inspections listed on the back of the permit card.

8. Section 109.2 is replaced in its entirety to read as follows:

Section 109.2 Schedule of Permit Fees. Fees shall be established, become effective and be applied to applications, plan checks and permits as approved by City Council Resolution or Ordinance.

9. Section 109.6 is replaced in its entirety to read as follows:

Section 109.6 Refunds. Fee refunds may be granted only when the total hours spent providing application, plan check and inspection services for the permit related work are less than the permit fee paid divided by the current hourly rate in the City User Fees Resolution.

10. Section 111.1 Exception #2 is added to read as follows:

Exception 2. A signed City permit job card will serve as the Certificate of Occupancy for residential and residential accessory buildings of 2 units or less.

11. Section 113 is replaced in its entirety to read as follows:

Section 113 Local / Housing Appeals Board. A Local / Housing Appeals Board (also identified as "Board" or "Board of Appeals") is established to hear and decide appeals of orders, decisions, or determinations made by the Building Official or Fire Marshal relative to the application and interpretation of the building requirements of the city. The Board will consist of seven members who will be appointed by the City Council. In addition, the Building Official, or his or her designee, will be an ex-officio member and will act as secretary to the Board. Five of the voting members will constitute a quorum; the ex-officio member will have no vote. Each of the voting members will be qualified by experience and training to consider matters pertaining to construction regulations and each will be an actual resident of the City during his/her incumbency. Whenever possible, the Board will be composed of members representing the following specialties: General Contractor, Licensed Professional Engineer, Licensed Architect, Handicapped Accessibility Advocate, Planning/Zoning Professional, Licensed Real Estate Professional. If a Board member ceases at any time to be an actual resident of the City, the office held by that member will be deemed vacant. Of the members of the Board first appointed, three will be appointed for initial terms of four years. Their successors will be appointed for terms of four years. Each member will serve until his or her successor is appointed. The Board will adopt reasonable rules and regulations for conducting its business and will render all decisions and findings in writing to the appellant with a copy to

the Building Official. The Board may recommend to the City Council such new legislation as it may deem appropriate. The Local / Housing Appeals Board will serve as the appellate board or body whenever any of the codes adopted by reference provide for the same. The Local / Housing Appeals Board will also act as the Appeals Board for the Earthquake Hazard Reduction Ordinance. Appeals to the Board will be processed in accordance with administrative policies and on application forms provided by the Building Official. A fee established by City Council resolution will accompany an application for a hearing before the Board. Copies of any rules and regulations adopted by the Board will be delivered to the Building Official, who will make them freely accessible to the public. The Board will have no authority relative to interpretation of the administrative provisions of this Code nor will the Board be empowered to waive requirements of this Code or the technical codes.

113.1. Appeal to City Council.

- A. Local / Housing Appeals Board action. An application for appeal to the City Council may be filed by the applicant or an aggrieved person, as defined in Chapter 24.110, affected by a decision of the Local/Housing Appeals Board, provided that the appeal is filed in writing within thirty days after the Board publishes a final decision. Notwithstanding the definition of an aggrieved person in Chapter 24.110, any member of the City Council may also be considered an aggrieved person affected by such a determination for purposes of this section. In addition, the City Council may on its own motion, within thirty days after the final decision, or at its next regular meeting for which Brown Act agenda requirements can be satisfied, whichever is later, elect to review and consider any action of the Local/Housing Appeals Board.
- B. Application for appeal. An application for appeal required by this section shall be filed by the appellant with the city clerk and shall clearly state the grounds of appeal and the action which appellant requests the City Council to take. If the challenged decision consists of one or more actions based on particular findings or conditions that the appellant believes were erroneously or improperly included or omitted, the appeal shall specify which findings or conditions were erroneous or improper or which findings or conditions should additionally be imposed. Notwithstanding any provision of this section to the contrary, no application for appeal need be filed by the City Council, or any member or representative thereof, when the city council elects, by majority vote on its own motion, to review and consider an action pursuant to subsection A. of this section.

113.2 Action by City Council.

- A. Hearing date. The city manager or city clerk shall fix the time for hearing the appeal.
- B. Notice. The city clerk shall notice the hearing before the City Council as required by chapter 24.560
- C. Record on appeal. All materials on file with the director shall be part of the city council hearing record. In addition, any party may offer supplemental evidence during the appeal hearing.
- D. De novo review. The city council is not limited to consideration of the material in the record on appeal. The city council may review any matter or evidence relating to the action on the application regardless of the specific issue appealed.
- E. Actions. The City Council may:
 - 1. Continue action on the appeal for a period of time deemed appropriate by the City Council;
 - 2. Sustain the Local / Housing Appeals Board action upon finding that all applicable findings have been correctly made and all provisions of local ordinance, or other provisions of law, are complied with;
 - 3. Sustain the Local / Housing Appeals Board action but require whatever additional conditions or guarantees as it may deem necessary or desirable to further the purposes of local ordinance or comply with other provisions of law;
 - 4. Overrule the Local / Housing Appeals Board, action without prejudice upon a finding that all applicable findings have not been correctly made or all provisions of local ordinance are not complied with but that, in either case, the application has merit and may possibly be modified to comply with local ordinance or other provisions of law;
 - 5. Overrule the Local / Housing Appeals Board action upon finding that all required findings have not been correctly made or all provisions of local ordinance, or other provisions of law, are not complied with; or
 - 6. Take such other action as may be necessary or desirable to further the purposes of local ordinance or other provisions of law.
- F. Vote required. A simple majority of the City Council members voting shall be required to sustain, overrule, or modify a decision by the Local / Housing Appeals Board which is appealed, or to grant an appealed application where the Local / Housing Appeals Board has failed to act within the time allowed pursuant to local ordinance.

- G. Effective date. A decision of the City Council sustaining, overruling or modifying any decision, determination or requirement of the Local / Housing Appeals Board shall be final and conclusive upon the rendering of the decision unless otherwise provided by the city council in rules of procedure or elsewhere.
- H. Effect of denial without prejudice. A decision that has been denied without prejudice on appeal may be refiled at any time but must be accompanied by the prescribed filing fee.

113.3 Hearing transcript not required.

No provision of this Code shall be construed to require the keeping of a verbatim hearing transcript except as may be required by state law.

12. Section 114.5 is added to read as follows:

114.5 Notice of Non-Compliance. Whenever the Building Official determines that work has been done without the required permit, or has not been completed in accordance with the requirements of this Code, the Building Official may record a Notice of Noncompliance with the office of the County Recorder and shall notify the owner of the property of such action. The Notice of Noncompliance shall describe the property, shall set forth the noncomplying conditions, and shall state that the property owner has been so notified.

The Building Official shall submit a Notice of Compliance to the County Recorder when it is determined that noncomplying conditions have been corrected or removed. A fee as set forth in the City User Fees Resolution will be charged to the property owner for submittal of a Notice of Compliance.

13. Section 116 is replaced in its entirety to read as follows:

116 Unsafe Structures and Equipment. Unsafe structures and equipment are regulated by the 2012 International Property Maintenance Code as adopted by the City of Ventura.

14. Section 701A.3.1 is amended to read as follows:

Section 701.A.3.1 Application date and when required. New buildings for which an application for a building permit is submitted on or after July 1, 2008 located in any Fire Hazard Severity Zone or Wildland Interface Fire Area shall comply with all sections of this chapter, including all of the following areas:

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:
 - 1.1. Moderate Fire Hazard Severity Zones
 - 1.2. High Fire Hazard Severity Zones
 - 1.3. Very-High Fire Hazard Severity Zones
 2. Land designated as High or Very-High Fire Hazard Severity Zone the Office of State Fire Marshal pursuant to California Public Resource Code 4201 – 4204.
15. Section 808.1.1.1 is amended to read as follows:
- Section 808.1.1.1 Suspended acoustical ceilings. Suspended acoustical ceilings shall be designed in accordance with ASCE-7-10 Section 13.5.6.
16. Section 808.1.1.1.1 is added to read as follows:
- Sec. 808.1.1.1.1 Thermo-Tile Molded Polystyrene Ceiling Tiles and Ceiling Panels. Thermo-Tile Molded Polystyrene Ceiling Tiles and Ceiling Panels shall not be installed in buildings and/or rooms where an automatic fire sprinkler system is installed.
17. Section 903.2 is amended to read as follows:
- Section 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12 and locally adopted Appendix M of the State Fire Code.
18. Section 903.3.5.1.1 is amended to read as follows:
- Section 903.3.5.1.1. Limited area sprinkler systems. Limited area sprinkler systems serving fewer than 20 sprinklers on any single connection are permitted to be connected to the domestic service where a wet automatic standpipe is not available. Limited area sprinkler systems connected to domestic water supplies shall comply with each of the following requirements:
1. Valves shall not be installed between the domestic water riser control valve and the sprinklers.
- Exception: An approved indicating control valve supervised in the open position in accordance with Section 903.4.

2. The domestic service shall be capable of supplying the simultaneous domestic demand and the sprinkler demand required to be hydraulically calculated by NFPA 13R or NFPA 13D.

19. Section 903.4.2.1 is added to read as follows:

Section 903.4.2.1 Means of notification. Buildings with fire sprinkler monitoring systems shall be provided with an approved audio/visual notification device in each suite or occupancy.

20. Section 907.6.2.1 is added to read as follows:

Section 907.6.2.1 Secondary power supply capacity. The secondary power supply capacity shall be of an approved type and shall provide a minimum of 60 hours of power under non alarm conditions and shall be capable of operating all alarm notification appliances for 5 minutes after 60 hours.

Exception: Fire alarm and sprinkler monitoring systems meeting the requirements of a central station fire alarm system per NFPA 72.

21. Section 1505.1 is amended by removing the reference to Class C roof assemblies to read as follows:

Section 1505.1. General. Roof assemblies shall be divided into the classes defined below. Class A and B roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790. Wood roof coverings shall be tested in accordance with ASTM D 2898. The minimum roof coverings installed on structures shall comply with Table 1505.1.

22. Section 1505.1.2 is amended by deleting the Exception for moderate fire hazard severity zones.

23. Section 1505.1.3 is amended by changing the reference from Class C to Class B to read as follows:

Section 1505.1.3 Roof coverings within all other areas. The entire roof coverings of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of existing structures, shall be a fire-retardant roof covering that is at least Class B.

24. Section 1505.1.5 is added to read as follows:

1505.1 Additions to Existing Buildings. In any 12 month period, additions of less than 26% of the existing roof area may be of Class B materials that match the existing roof. Additions in high fire hazard areas must meet the current high fire hazard area roofing requirements in addition to this section.

25. Table 1505.1 is amended to replace all references to Class C with Class B.

26. Section 1505.6 is amended to read as follows:

Section 1505.6 Wood Shingles and Shakes. No wooden shakes or shingles, treated or untreated, shall be used for roof covering unless specifically allowed in Sections 1505.1.3 or 1505.1.5 of this code.

27. Section 1613.6 is added as follows:

Section 1613.6. Local modification to standard ASCE 7-10. Standard ASCE 7-10, section 12.12.3, Equation 12.12-1 is amended to read as follows:

$$\delta_M = C_d \delta_{max} \quad (\text{Eq. 12.12-1})$$

28. Section 1613.7 is added as follows:

Section 1613.7. Local modification to standard ASCE 7-10. Standard ASCE 7-10, section 12.2.3.1, Exception 3.

Detached one-and two-family dwellings up to two stories in height of light frame construction.

29. Section 1613.8 is added as follows:

Section 1613.8. Local modification to standard 7-10. Standard ASCE 7-10, section 12.11.2.2.3.

Wood Diaphragms. In wood diaphragms, the continuous ties shall be in addition to the diaphragm sheathing. Anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal nor shall wood ledgers or framing be used in cross-grain bending or cross-grain tension. The diaphragm sheathing shall not be considered effective as providing ties or struts required by this section.

For wood diaphragms supporting concrete or masonry walls, wood diaphragms shall comply with the following:

1. The spacing of continuous ties shall not exceed 40 feet. Added chords of diaphragms may be used to form sub-diaphragms to transmit the anchorage forces to the main continuous crossties.
 2. The maximum diaphragm shear used to determine the depth of the sub-diaphragm shall not exceed 75% of the maximum diaphragm shear.
30. Section 1613.9 is added to read as follows:

1613.9 Seismic Design Provisions for Hillside Buildings.

1613.9.1 Purpose. The purpose of this section is to establish minimum regulations for the design and construction of new buildings and additions to existing buildings when constructing such buildings on or into slopes steeper than one unit vertical in three units horizontal (33.3%). These regulations establish minimum standards for seismic force resistance to reduce the risk of injury or loss of life in the event of earthquakes.

1613.9.2 Scope. The provisions of this section shall apply to the design of the lateral-force-resisting system for hillside buildings at and below the base level diaphragm. The design of the lateral-force-resisting system above the base level diaphragm shall be in accordance with the provisions for seismic and wind design as required elsewhere in this Division.

EXCEPTION: Non-habitable accessory buildings and decks not supporting or supported from the main building are exempt from these regulations.

1613.9.3 Definitions. For the purposes of this section certain terms are defined as follows:

BASE LEVEL DIAPHRAGM is the floor at, or closest to, the top of the highest level of the foundation.

DIAPHRAGM ANCHORS are assemblies that connect a diaphragm to the adjacent foundation at the uphill diaphragm edge.

DOWNHILL DIRECTION is the descending direction of the slope approximately perpendicular to the slope contours.

FOUNDATION is concrete or masonry which supports a building, including footings, stem walls, retaining walls, and grade beams.

FOUNDATION EXTENDING IN THE DOWNHILL DIRECTION is a foundation running downhill and approximately perpendicular to the uphill foundation.

HILLSIDE BUILDING is any building or portion thereof constructed on or into a slope steeper than one unit vertical in three units horizontal (33.3%). If only a portion of the building is supported on or into the slope, these regulations apply to the entire building.

PRIMARY ANCHORS are diaphragm anchors designed for and providing a direct connection as described in Sections 1613.8.5 and 1613.8.7.3 between the diaphragm and the uphill foundation.

SECONDARY ANCHORS are diaphragm anchors designed for and providing a redundant diaphragm to foundation connection, as described in Sections 1613.8.6 and 1613.8.7.4.

UPHILL DIAPHRAGM EDGE is the edge of the diaphragm adjacent and closest to the highest ground level at the perimeter of the diaphragm.

UPHILL FOUNDATION is the foundation parallel and closest to the uphill diaphragm edge.

1613.9.4 Analysis and Design.

1613.9.4.1 General. Every hillside building within the scope of this section shall be analyzed, designed, and constructed in accordance with the provisions of this division. When the code-prescribed wind design produces greater effects, the wind design shall govern, but detailing requirements and limitations prescribed in this and referenced sections shall be followed.

1613.9.4.2 Base Level Diaphragm-Downhill Direction. The following provisions shall apply to the seismic analysis and design of the connections for the base level diaphragm in the downhill direction.

1613.9.4.2.1 Base for Lateral Force Design Defined. For seismic forces acting in the downhill direction, the base of the building shall be the floor at or closest to the top of the highest level of the foundation.

1613.9.4.2.2 Base Shear. In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 4.5 for bearing wall and building frame systems. The total base shear shall include the forces tributary to the base level diaphragm including forces from the base level diaphragm.

1613.9.5 Base Shear Resistance-Primary Anchors.

1613.9.5.1 General. The base shear in the downhill direction shall be resisted through primary anchors from diaphragm struts provided in the base level diaphragm to the foundation.

1613.9.5.2 Location of Primary Anchors. A primary anchor and diaphragm strut shall be provided in line with each foundation extending in the downhill direction. Primary anchors and diaphragm struts shall also be provided where interior vertical lateral-force-resisting elements occur above and in contact with the base level diaphragm. The spacing of primary anchors and diaphragm struts or collectors shall in no case exceed 30 feet (9,144 mm).

1613.9.5.3 Design of Primary Anchors and Diaphragm Struts. Primary anchors and diaphragm struts shall be designed in accordance with the requirements of Section 1613.8.8.

1613.9.5.4 Limitations. The following lateral-force-resisting elements shall not be designed to resist seismic forces below the base level diaphragm in the downhill direction:

1. Wood structural panel wall sheathing,
2. Cement plaster and lath,
3. Gypsum wallboard, and
4. Tension only braced frames.

Braced frames designed in accordance with the requirements of Section 2205.2.2 may be used to transfer forces from the primary anchors and diaphragm struts to the foundation provided lateral forces do not induce flexural stresses in any member of the frame or in the diaphragm struts. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.

1613.9.6. Base Shear Resistance-Secondary Anchors.

1613.9.6.1 General. In addition to the primary anchors required by Section 1613.9.5, the base shear in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in the base level diaphragm.

EXCEPTION: Secondary anchors are not required where foundations extending in the downhill direction spaced at not more than 30 feet (9,144

mm) on center extend up to and are directly connected to the base level diaphragm for at least 70% of the diaphragm depth.

1613.9.6.2 Secondary Anchor Capacity and Spacing. Secondary anchors at the base level diaphragm shall be designed for a minimum force equal to the base shear, including forces tributary to the base level diaphragm, but not less than 600 pounds per lineal foot (8.76 kN/m). The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of four feet (1,219 mm) on center.

1613.9.6.3 Design. Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.8.8.

1613.9.7 Diaphragms Below the Base Level-Downhill Direction. The following provisions shall apply to the lateral analysis and design of the connections for all diaphragms below the base level diaphragm in the downhill direction.

1613.9.7.1 Diaphragm Defined. Every floor level below the base level diaphragm shall be designed as a diaphragm.

1613.9.7.2 Design Force. Each diaphragm below the base level diaphragm shall be designed for all tributary loads at that level using a minimum seismic force factor not less than the base shear coefficient.

1613.9.7.3 Design Force Resistance-Primary Anchors. The design force described in Section 1613.8.7.2 shall be resisted through primary anchors from diaphragm struts provided in each diaphragm to the foundation. Primary anchors shall be provided and designed in accordance with the requirements and limitations of Section 1613.8.5.

1613.9.7.4 Design Force Resistance-Secondary Anchors.

1613.9.7.4.1 General. In addition to the primary anchors required in Section 1613.8.7.3, the design force in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in each diaphragm below the base level.

EXCEPTION: Secondary anchors are not required where foundations extending in the downhill direction, spaced at not more than 30 feet (9,144 mm) on center, extend up to and are directly connected to each diaphragm below the base level for at least 70% of the diaphragm depth.

1613.9.7.4.2 Secondary Anchor Capacity. Secondary anchors at each diaphragm below the base level diaphragm shall be designed for a minimum force equal to the design force but not less than 300 pounds per

lineal foot (4.38 kN/m). The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of four feet (1,219 mm) on center.

1613.9.7.4.3 Design. Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.8.8.

1613.9.8 Primary and Secondary Anchorage and Diaphragm Strut Design. Primary and secondary anchors and diaphragm struts shall be designed in accordance with the following provisions:

1. Fasteners. All bolted fasteners used to develop connections to wood members shall be provided with square plate washers at all bolt heads and nuts. Washers shall be minimum 3/16 inch (4.8 mm) thick and two inch (51 mm) square for 1/2-inch (12.7 mm) diameter bolts, and 1/4-inch (6.4 mm) thick and 2-1/2-inch (64 mm) square for 5/8-inch (15.9 mm) diameter or larger bolts. Nuts shall be wrench tightened prior to covering.
2. Fastening. The diaphragm to foundation anchorage shall not be accomplished by the use of toenailing, nails subject to withdrawal, or wood in cross-grain bending or cross-grain tension.
3. Size of Wood Members. Wood diaphragm struts collectors, and other wood members connected to primary anchors shall not be less than three-inch (76 mm) nominal width. The effects of eccentricity on wood members shall be evaluated as required per Item 9.
4. Design. Primary and secondary anchorage, including diaphragm struts, splices, and collectors shall be designed for 125% of the tributary force.
5. Allowable Stress Increase. The one-third allowable stress increase permitted under Section 1605.3.2 shall not be taken when the working (allowable) stress design method is used.
6. Seismic Load Factor. The seismic load factor shall be 1.7 for steel and concrete anchorage when the strength design method is used.
7. Primary Anchors. The load path for primary anchors and diaphragm struts shall be fully developed into the diaphragm and into the foundation. The foundation must be shown to be adequate to resist the concentrated loads from the primary anchors.

8. Secondary Anchors. The load path for secondary anchors and diaphragm struts shall be fully developed in the diaphragm but need not be developed beyond the connection to the foundation.
9. Symmetry. All lateral force foundation anchorage and diaphragm strut connections shall be symmetrical. Eccentric connections may be permitted when demonstrated by calculation or tests that all components of force have been provided for in the structural analysis or tests.
10. Wood Ledgers. Wood ledgers shall not be used to resist cross-grain bending or cross-grain tension.

1613.9.9 Lateral-Force-Resisting Elements Normal to the Downhill Direction.

1613.9.9.1 General. In the direction normal to the downhill direction, lateral-force-resisting elements shall be designed in accordance with the requirements of this section.

1613.9.9.2 Base Shear. In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 4.5 for bearing wall and building frame systems.

1613.9.9.3 Vertical Distribution of Seismic Forces. For seismic forces acting normal to the downhill direction the distribution of seismic forces over the height of the building using Section 12.8.3 of ASCE 7 shall be determined using the height measured from the top of the lowest level of the building foundation.

1613.9.9.4 Drift Limitations. The story drift below the base level diaphragm shall not exceed 0.005 times the story height. The total drift from the base level diaphragm to the top of the foundation shall not exceed 3/4 inch (19 mm). Where the story height or the height from the base level diaphragm to the top of the foundation varies because of a stepped footing or story offset, the height shall be measured from the average height of the top of the foundation. The story drift shall not be reduced by the effect of horizontal diaphragm stiffness.

Where code-prescribed wind forces govern the design of the lateral force resisting system normal to the downhill direction, the drift limitation shall be 0.0025 for the story drift and the total drift from the base level diaphragm to the top of the foundation may exceed 3/4 inch (19 mm) when approved by the Department. In no case, however, shall the drift limitations for seismic forces be exceeded.

1613.9.9.5 Distribution of Lateral Forces.

1613.9.9.5.1 General. The design lateral force shall be distributed to lateral-force-resisting elements of varying heights in accordance with the stiffness of each individual element.

1613.9.9.5.2 Wood Structural Panel Sheathed Walls. The stiffness of a stepped wood structural panel shear wall may be determined by dividing the wall into adjacent rectangular elements, subject to the same top of wall deflection. Deflections of shear walls may be estimated by Section 2305.3.2. Sheathing and fastening requirements for the stiffest section shall be used for the entire wall. Each section of wall shall be anchored for shear and uplift at each step. The minimum horizontal length of a step shall be eight feet (2,438 mm) and the maximum vertical height of a step shall be two feet, eight inches (813 mm).

1613.9.9.5.3 Reinforced Concrete or Masonry Shear Walls. Reinforced concrete or masonry shear walls shall have forces distributed in proportion to the rigidity of each section of the wall.

1613.9.9.6 Limitations. The following lateral force-resisting-elements shall not be designed to resist lateral forces below the base level diaphragm in the direction normal to the downhill direction:

1. Cement plaster and lath,
2. Gypsum wallboard, and
3. Tension-only braced frames.

Braced frames designed in accordance with the requirements of Chapter 22 of this Code may be designed as lateral-force-resisting elements in the direction normal to the downhill direction, provided lateral forces do not induce flexural stresses in any member of the frame. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.

1613.9.10 Specific Design Provisions.

1613.9.10.1 Footings and Grade Beams. All footings and grade beams shall comply with the following:

1. Grade beams shall extend at least 12 inches (305 mm) below the lowest adjacent grade and provide a minimum 24-inch (610 mm) distance horizontally from the bottom outside face of the grade beam to the face of the descending slope.

2. Continuous footings shall be reinforced with at least two No. 4 reinforcing bars at the top and two No. 4 reinforcing bars at the bottom.
3. All main footing and grade beam reinforcement steel shall be bent into the intersecting footing and fully developed around each corner and intersection.
4. All concrete stem walls shall extend from the foundation and reinforced as required for concrete or masonry walls.

1613.9.10.2 Protection Against Decay and Termites. All wood to earth separation shall comply with the following:

1. Where a footing or grade beam extends across a descending slope, the stem wall, grade beam, or footing shall extend up to a minimum 18 inches (457 mm) above the highest adjacent grade.

EXCEPTION: At paved garage and doorway entrances to the building, the stem wall need only extend to the finished concrete slab, provided the wood framing is protected with a moisture proof barrier.

2. Wood ledgers supporting a vertical load of more than 100 pounds per lineal foot (1.46 kN/m) and located within 48 inches (1,219 mm) of adjacent grade are prohibited. Galvanized steel ledgers and anchor bolts, with or without wood nailers, or treated or decay resistant sill plates supported on a concrete or masonry seat, may be used.

1613.9.10.3 Sill Plates. All sill plates and anchorage shall comply with the following:

1. All wood framed walls, including nonbearing walls, when resting on a footing, foundation, or grade beam stem wall, shall be supported on wood sill plates bearing on a level surface.
2. Power-driven fasteners shall not be used to anchor sill plates except at interior nonbearing walls not designed as shear walls.

1613.8.10.4 Column Base Plate Anchorage. The base of isolated wood posts (not framed into a stud wall) supporting a vertical load of 4,000 pounds (17.8 kN) or more and the base plate for a steel column shall comply with the following:

1. When the post or column is supported on a pedestal extending above the top of a footing or grade beam, the pedestal shall be designed and reinforced as required for concrete or masonry columns. The pedestal shall be reinforced with a minimum of four No. 4 bars extending to the bottom of the footing or grade beam. The top of exterior pedestals shall be sloped for positive drainage.
2. The base plate anchor bolts or the embedded portion of the post base, and the vertical reinforcing bars for the pedestal, shall be confined with two No. 4 or three No. 3 ties within the top five inches (127 mm) of the concrete or masonry pedestal. The base plate anchor bolts shall be embedded a minimum of 20 bolt diameters into the concrete or masonry pedestal. The base plate anchor bolts and post bases shall be galvanized and each anchor bolt shall have at least two galvanized nuts above the base plate.

1613.9.10.5 Steel Beam to Column Supports. All steel beam to column supports shall be positively braced in each direction. Steel beams shall have stiffener plates installed on each side of the beam web at the column. The stiffener plates shall be welded to each beam flange and the beam web. Each brace connection or structural member shall consist of at least two 5/8 inch (15.9 mm) diameter machine bolts.

31. Section 1705.3 is amended to read as follows:

1705.3 Concrete construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.

Exception: Special Inspection shall not be required for:

1. Concrete patios, driveways and sidewalks on grade.
2. The Building Official may waive the requirement for the employment of a special inspector if he/she finds the construction or work is of a minor nature and/or is such that no unusual hazard exists.

32. Table 1705.3 is amended to read as follows:

**TABLE 1705.3
REQUIRED VERIFICATION AND INSPECTION OF CONCRETE CONSTRUCTION**

VERIFICATION AND INSPECTION	CONTINUOUS	PERIODIC	REFERENCE STANDARD(a)	IBC REFERENCE
3. Inspection of anchors cast in concrete where allowable loads have been increased or where strength design is used.	—	X	ACI 318: D.9.2	1908.5
4. Inspection of anchors post- installed in hardened concrete members. (b) 1. Adhesive anchors installed in horizontally or upwardly inclined orientations to resist sustained tension loads.	X		ACI 318:D.9.2.4	
2. Mechanical anchors and adhesive anchors not defined in 4.a.		X	ACI 318: D.9.2	

b. Specific requirements for special inspection shall be included in the research report for the anchor issued by an approved source in accordance with ACI 355.2 D.9.2 in ACI 318, or other qualification procedures. Where specific requirements are not provided, special inspection requirements shall be specified by the registered design professional and shall be approved by the building official prior to the commencement of the work

33. Section 1803.1 is amended to read as follows:

1801.3 State Stormwater Discharge Permit Coordination. All site drainage components and system shall also comply with any State issued stormwater discharge permit requirements. Where State stormwater discharge permits conflict with this code, the City Engineer and Chief Building Official will determine the most appropriate regulations from both documents that assure clean water discharges into State waterways and promotes the safety and general welfare of the community.

34. Section 1803.1 is amended to read as follows:

1803.1. General. The classification of the soil at each building site shall be determined when required by the building official. An investigation, or investigations, shall be conducted for each site by an engineer appropriately licensed in California and reports shall be submitted in accordance with CBC Section 1803.6.

Exceptions: The following may be exempt from this requirement:

1. Sites having natural formations known by the building official to be free of adverse characteristics.

2. Sites for minor buildings and additions less than one thousand (1,000) square feet in area when the building official determines that no special site conditions exist.
35. Section 1803.6 is replaced with the following:

1803.6. REPORTS. When the building official requires that a written report of the soils investigation be submitted, that written report of the soils investigation shall include, without limitation, the following information:

1. A plot plan showing the location of all test borings and/or excavations and location of cut to-fill "daylight line."
2. Descriptions and classifications of materials encountered.
3. Elevation of the water table if encountered.
4. Expected total and differential settlement.
5. Location of property or site, including address or lot number and tract.
6. Description of site, including existing use of ground, topographical irregularities, such as barrancas, existing structures, and elevations or ground slopes.
7. Description of proposed structure.
8. Boring logs showing subsurface material to a depth of at least ten (10) feet.
9. Expansive indexes, including location and depth of samples.
10. Any information that may indicate geological or earthquake problems, or the potential for hydro consolidation.
11. Recommendations for foundation type and design criteria, including bearing capacity, provisions to minimize the effects of expansive soils and hydro consolidation, and the effects of adjacent loads.
12. Retaining wall design studies and recommendations (if applicable).
13. Special studies and recommendations concerning the expansion potential, erosion potential, erosion control, and irrigation requirements, and maintenance requirements on slopes steeper

than two horizontal to one vertical whenever requested by the building official.

14. Pile and stilt design studies and recommendations (if applicable).
 15. Swimming pool design studies and recommendations (if applicable).
 16. Special site investigations (if applicable).
36. Section 1803.3.2 is added to read as follows:

1803.3.2. SPECIAL SITE INVESTIGATION. Whenever, in the Building Official's opinion, test borings or excavations required by the provisions of CBC Section 1803.3 cannot determine the adequacy of a building's overall stability, the Building Official may require a special geologic, hydrologic, seismic, liquefaction, or other investigation. Geologic investigations, such as hillside stability and potential fault activity, shall be conducted by a California Certified Engineering Geologist.

The engineering geologist's work must be based upon a detailed, accurate topographic base map. The map shall be of suitable scale and shall cover the project area as well as any adjacent area which may be affected. The map shall include the existing and proposed contours, location of streets, pads, slopes, structures, and pertinent elevations.

1803.3.2.1. HILLSIDE STABILITY.

- A. Any report required by the Building Official to determine a building's stability, will be based upon an investigation conducted to reveal any subsurface conditions that may lead to landslides, slump, or settlement. It shall include descriptions of topography relief, drainage, earth materials and structure, a detailed geological map, geologic cross sections and recommendations for site development, including consideration for site drainage.
- B. Any such report will also describe the effects of the development on the site and adjacent properties and specific conclusions concerning the feasibility and anticipated future stability of the overall development. Specific recommendations for the correction of all known and/or anticipated geologic hazards on the site must be included.

1803.3.2.2. FAULT ACTIVITY. A report required by the Building Official will include information and recommendations concerning:

- A. Surface rupture along faults, including age, type of surface displacement and amount of reasonable anticipated future displacements of any faults within, or immediately adjacent to, the site; definition of any areas of high risk; and recommended building restrictions or use limitations within any designated high risk area.
 - B. Secondary ground effects, including estimated magnitude and distance of all relevant earthquakes, lurching and shallow ground rupture, liquefaction of sediments and soils, settlement of soils, and potential for earthquake induced landslides.
37. A new Section 1804.1 is added to this Chapter and all other 1804 Section numbers are renumbered accordingly. The new Section 1804.1 is added to read as follows:
- 1804.1 City Grading Ordinance. All grading in the City must comply with the current City Grading Ordinance. Where the City Grading Ordinance and this code conflict with respect to grading regulations, the City Grading Ordinance will take precedence. Building and foundation permits shall not be issued prior to the City Engineer's final approval of the associated grading work supporting or otherwise effected by the building or foundation.
38. Section 1804.5 is amended to begin with the following sentence:
- 1804.5 Grading and fill in flood hazard areas. Grading and filling in flood hazard areas must comply with the City Floodplain Management Ordinance. Where the City Floodplain Management Ordinance and this code conflict relative to grading and filling, the City Floodplain Management Ordinance takes precedence.
39. Section 1807.1.4 is amended by adding the following sentence:
- Permanent wood foundation systems shall not be used for structures assigned to Seismic Design Category D, E or F.
40. Section 1807.1.6 is amended by adding the following sentence:
- Prescriptive design of foundation walls shall not be used for structures assigned to Seismic Design Category D, E or F.
41. Section 1809.3 is amended by adding the following sentence and figure:
- For structures assigned to Seismic Design Category D, E or F, the stepping requirement shall also apply to the top surface of grade beams, supporting wall. Footings shall be reinforced with four (4) one-half (1/2")

inch diameter deformed reinforcing bars. Two bars shall be placed at the top and bottom of the footings as shown in Figure 1809.1

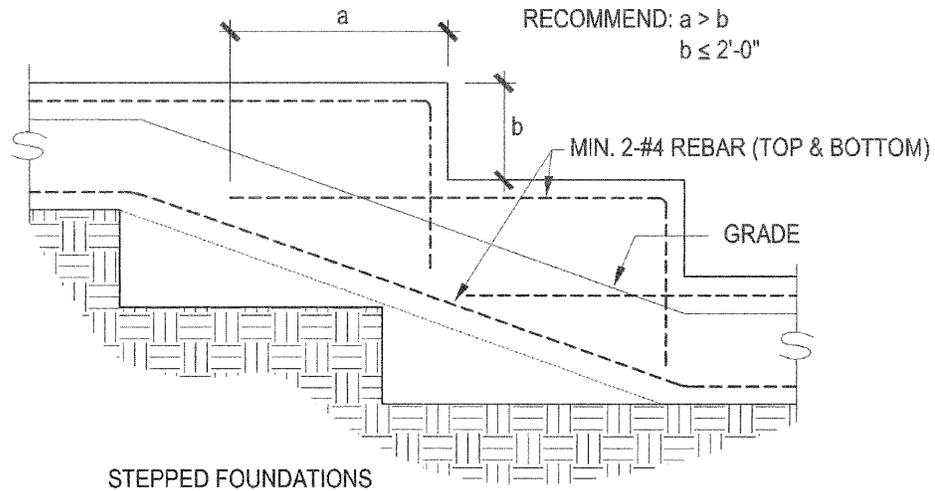


Figure 1809.1

42. Section 1809.4 is amended to read as follows:

1809.4 Depth Of Footings. The minimum depth of footings below the undisturbed ground surface shall be 12 inches (305 mm), but not less than the depth as prescribed by Table 1809.7. Where applicable, the requirements of Section 1809.5 shall also be satisfied. The minimum width of footings shall be 12 inches (305 mm).

43. Section 1809.7 is amended to read as follows:

1809.7. Slab Floor Construction At Or Below Grade. Slab floors on grade for all structures, including carports, shall be of Portland cement concrete and comply with the minimum requirements of CBC Table No. 1809.7. The following requirements for slab floor construction shall be adhered to, except where engineered modifications are approved by the building official and continuous inspection during construction is provided.

1. Loose fill shall be pacted and compacted according to the Building Official's instructions.
2. Except for buildings, or portions thereof, used only for agricultural, storage, industrial, or similar uses, an approved vapor barrier of not less than six (6) mil thickness shall be installed under all slabs. Such vapor barrier shall cover all earth or fill material within the exterior boundaries of the building. At all footings or barriers, such vapor barrier shall be turned up or down at least three (3) inches. In

no case shall the vapor barrier penetrate within three (3) inches horizontally of any fastener used to transfer shear or uplift, such as anchor bolts, tiedown bolts and shot pins. Joints shall be lapped a minimum of twelve (12) inches or be fastened together with a suitable compound with three (3) inches of minimum lap.

44. CBC Table 1809.7 is amended to read as follows:

Table 1809.7—Foundations for stud bearing walls—minimum requirements^{1, 10, 11, 12}

Weighted expansion index	Foundation for slab and raised floor systems ^{2,5,7}							Concrete slabs		Pre-moistening of soils under footings, piers and slabs ^{5,6}	Restrictions on piers under raised floors
	No. of stories	Stem thickness ⁸	Footing width ⁹	Footing thickness	All perimeter footings ⁶	Interior footings for slab and raised floors ⁷	Reinforcement for continuous foundations ^{3,8}	3-1/2" minimum thickness 4" with E.I. over 51			
					Depth below natural surface of ground and finish grade			Reinforcement ⁴	Total thickness of sand		
0-20	1	6	12	6	12	12	1-#4	#4 @ 48" o.c.	2"	Moistening of ground prior to placing concrete is recommended	Piers allowed for single floor loads only
Very low non expansive	2	6	15	7	18	18	Top and bottom	each way or			
	3	10	18	8	24	24	bottom				
21-50	1	6	12	6	15	12	1-#4	#3 @ 36" o.c.	4"	3% over optimum moisture required to a depth of 18" below lowest adjacent grade. Testing required.	Piers allowed for single floor loads only
Low	2	8	15	7	18	18	Top and bottom	each way			
	3	10	18	8	24	24	bottom				
51-90	1	6	12	8	21	12	1-#4 top and bottom	#3 @ 24" o.c. each way	4"	3% over optimum moisture required to a depth of 18" below lowest adjacent grade. Testing required.	Piers not allowed
Medium	2	8	15	8	21	18	#3 bars @ 24" o.c. each way 12" into footing, 36" into slab ¹⁰				
	3	10	18	8	24	24					
91-130	1	6	12	8	27	12	2-#4	#3 @ 24" o.c. each way	4"	3% over optimum moisture required to a depth of 18" below lowest adjacent grade. Testing required.	Piers not allowed
High	2	8	15	8	27	18	Top & bottom	each way			
	3	10	18	8	27	24	#3 bars @ 24" o.c. each way 12" into footing, 36" into slab ¹⁰				
Above 130 very high	Special design by a licensed Architect or Engineer required										

TABLE 1809.7 FOOTNOTES

1. Premoistening is required where specified in Table 1805.4.2 in order to achieve maximum and uniform expansion of the soil before construction and thus limit structural distress caused by uneven expansions and shrinkage. Other systems which do not include pre-moistening may be approved by the Building Official when such alternatives are shown to provide equivalent safeguards against the adverse effects of expansive soil.
2. Underfloor access crawl holes must be provided with curbs extending not less than six (6) inches above adjacent grade to prevent surface water from entering the foundation area.
3. Reinforcement for continuous foundations shall be placed not less than 3" above the bottom of the footing and not less than 3" below the top of the stem.
4. Slab reinforcement shall be placed at slab mid-depth and continue to within two inches of the exterior face of the exterior footing walls.
5. Moisture content shall be maintained until foundations and piers are poured and a vapor barrier is installed. Tests shall be taken within 24 hours of each slab pour.
6. Crawl spaces under raised floors need not be pre-moistened except under interior footings. Interior footings which are not enclosed by a continuous perimeter foundation system or equivalent concrete or masonry moisture barrier shall be designated and constructed as specified for perimeter footings in Table 1809.7.
7. A grade beam not less than 12" x 12" in cross-sectional area, reinforced as specified for continuous foundations in Table 1805.4.2. shall be provided at garage door openings.
8. Foundation stem walls which exceed a height of 3 times the stem thickness above the lowest adjacent grade shall be reinforced in accordance with CBC Chapters 18 & 19 or as required by engineering design, whichever is more restrictive.
9. Footing widths may be reduced upon submittal of calculations by a registered civil or structural engineer or licensed architect, but shall be a minimum of 12 inches for one and two-story structures and 15 inches for three-story structures.

10. Bent reinforcing bars between exterior footing and slab shall be omitted when the floor is designed as an independent, "floating" slab.
11. Fireplace footings shall be reinforced with a horizontal grid located 3" above the bottom of the footing and consisting of not less than No. 4 bars at 12" on center each way. Vertical chimney reinforcing bars shall be hooked under the grid.

45. Section 1809.8 is amended by adding the following sentence:

Plain concrete footings shall not be used in structures assigned to Seismic Design Category D, E or F.
46. Section 1809.12 is amended by adding the following sentence:

Timber footings shall not be used in structures assigned to Seismic Design Category D, E or F.
47. Section 2304.9.1 is amended by adding the following:

Staple fasteners in Table 2304.9.1 shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the Building Official.

A new footnote q is added to Table 2304.9.1, as follows:

q. Staples shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.
48. Section 2304.11.7 is amended by adding the following sentence:

Wood shall not be used in retaining or crib walls for structures assigned to Seismic Design Category D, E or F.
49. Section 2306.3 is amended to read as follows:

2306.3 Wood structural panel shear walls. Wood structural panel shearwalls shall be designed and constructed in accordance with AF&PA SDPWS. For structures assigned to Seismic Design Category D, E or F, applications of Tables 4.3A and 4.3B of AF&PA SDPWS shall include the following:

1. Wood structural panel thickness for shear walls shall not be less than 3/8 inch thick and studs shall not be spaced at more than 16 inches on center.
2. The maximum nominal unit shear capacities for 3/8 inch wood structural panels resisting seismic forces in structures assigned to Seismic Design Category D, E, or F is 400 pounds per linear foot (plf).

Exception: Other nominal unit shear capacities may be permitted if such values are substantiated by cyclic testing and approved by the building official.

3. Where shear values using allow stress design (ASD) exceed 350 plf or load and resistance factor design (LRFD) exceed 500 plf, all framing members receiving edge nailing from abutting panels shall not be less than a single 3-inch nominal member, or two 2-inch nominal members fastened together in accordance with Section 2306.1 to transfer the design shear value between framing members. Wood structural panel joint and sill plate nailing shall be staggered at all panel edges. See Section 4.3.6.1 and 4.3.6.4.3 of AF&PA SDPWS for sill plate size and anchorage requirements.
4. Nails shall be placed not less than 1/2 inch in from the panel edges and not less than 3/8 inch from the edge of the connecting members for shear greater than 350 plf using ASD or 500 plf using LRFD. Nails shall be placed not less than 3/8 inch from panel edges and not less than 1/4 inch from the edge of the connecting members for shears of 350 pounds per foot or less using ASD or 500 plf or less using LRFD.
5. Table 4.3B application is not allowed for structures assigned to Seismic Design Category D, E or F.

50. Section 3404.7 is added to read as follows:

3404.7 Relocation of Existing Buildings. No person, firm or corporation shall move or relocate any building or structure into the City, or from one lot to another lot within the City, or from one portion of a lot to another location on the same lot without first obtaining a building permit; provided, however, nothing contained in this chapter shall be construed to apply to a factory-built building approved as such under the jurisdiction of the State. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished for that purpose. Any building relocation shall be subject to the following provisions:

Exception: Minor structures which do not require a building permit per Section 105 of this code.

3407.7.1 The following information shall be filed for review and subject to the approval of the Building Official prior to the issuance of the building relocation permit:

3407.7.1.1 The location and address of the current site and new site shown on a plot plan. This shall include the showing of adjacent lots on all sides of the property and an indication of all structures and improvements on such lot;

3407.7.1.2 A letter of structural integrity from a State licensed structural engineer stating the age of the structure, its structural capacity for lifting and relocating, and the specific location of supports to safely transport the building.

3407.7.1.3 Plans and specifications for the proposed improvements at the new location, including utilities, emergency vehicle access, drainage, etc.;

3407.7.1.4 A valid transportation permit issued by the City Engineer for the specific structure proposed for relocation;

3407.7.1.5 A termite inspection report prepared by a legally qualified person;

3407.7.1.6 The plan and details for abandonment of sewage disposal systems and/or sewer laterals as set forth in the California Plumbing Code;

3407.7.1.7 A current photograph showing the front of each building to be relocated;

3407.7.1.8 Such additional information as shall be deemed reasonably necessary by the Building Official to carry out the intent and purpose of this Chapter.

3407.7.2 Inspection.

3407.7.2.1 Before any application for a permit is accepted, an investigation of the condition of the building to be moved and inspection of the proposed new location must be completed by the City Building Official. Fees for this investigation and inspection shall be based on the City Council approved hourly rate for Building & Safety multiplied by the estimated total travel, inspection and the post-inspection documentation time needed.

3407.7.2.2 If the building or structure is located outside the City limits, a mileage charge equivalent to the current mileage rate paid by the City may be charged for each mile traveled outside the City limits in the course of the investigation.

3407.7.3 Before the Building Official may grant a building relocation permit, there shall be evidence of full compliance with all pertinent ordinances, rules, regulations and other laws of the City and State.

3407.7.4 The Building Official shall find prior to granting a building relocation permit:

3407.7.4.1 That there is evidence of full compliance with the City Zoning Ordinance;

3407.7.4.2 That all new or repair work in the moved building shall comply or be altered to comply with current State Title 24 requirements as adopted by the City; and

3407.7.4.3 Before a building permit may be granted, there shall be required of the applicant the posting of a bond in such an amount as is determined by the Building Official to cover costs of any provisions stated in this chapter but not less than \$100,000. The bond shall also cover the costs involved in cleaning up the vacated site and restoring it to a safe and healthy condition. The bonding time is a minimum of ninety (90) days and be extended for good cause by the Building Official if final inspection of the moved building is not obtained within the ninety (90) days.

SECTION 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment.

SECTION 4: SAVINGS CLAUSE. Repeal of any provision of the SBMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, the effective date of this Ordinance. Any such repealed part will remain in full force and

effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5: SEVERABILITY. If any part of this Ordinance is deemed invalid by a court of competent jurisdiction, the city council intends that such decision will not affect the validity of the remaining portions of this Ordinance and, to this end, the provisions of this Ordinance are severable.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance is repealed or is deemed invalid by a court of competent jurisdiction, such action will render this Ordinance void and cause such SBMC Ordinance previously in effect prior to amendment by this Ordinance to remain in full force and effect for all purposes.

SECTION 7: EFFECTIVE DATE. This Ordinance will take effect on the 31st day following its final passage and adoption or January 1, 2014, whichever is later.

PASSED AND ADOPTED this ___ day of _____, 2013.

Mike Tracy, Mayor

ATTEST:

Cynthia M. Rodriguez, MMC
City Clerk

APPROVED AS TO FORM:

By: AC for publication 12-5-13
Ariel Pierre Calonne
City Attorney

ORDINANCE NO. 2013- _____

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN BUENAVENTURA ADOPTING BY REFERENCE THE
2013 EDITION OF THE CALIFORNIA ELECTRICAL CODE
AND AMENDING CERTAIN PROVISIONS THEREOF
THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY**

The Council of the City of San Buenaventura does ordain as follows:

SECTION 1: FINDINGS. The City Council finds and determines that local climatic, topographic, and geographical conditions exist as follows:

- A. Climatic and Geological. The City has moist coastal air and some corrosive native soil.
- B. After due consideration, the City Council finds and determines that these local climatic and geological conditions make modifications and changes to the 2013 Edition of the California Electrical Code reasonably necessary to provide sufficient and effective protection of life, health and property.

SECTION 2: AMENDMENTS. Chapter 12.125 of Division 12 of the San Buenaventura Municipal Code ("SBMC") is amended in its entirety to read as follows:

Chapter 12.125 Electrical Standards

Section 12.125.010. Adoption of the California Electrical Code, 2013 Edition.

Pursuant to Government Code sections 50022.1 to 50022.8, inclusive, Part 3 of Title 24 of the California Code of Regulations, known as the California Electrical Code, 2013 Edition ("CEC"), including Annex C, is adopted by reference, subject to the amendments, additions and deletions set forth in this chapter. One true copy of the CEC is on file and in the office of the Building Official and the City Clerk and is available for public inspection as required by law.

Section 12.125.020. Amendments.

- A. The City Council finds and determines that local climatic and geographical conditions exist as follows: The City has moist coastal air and some corrosive native soil.
- B. After due consideration, the City Council finds and determines that these local climatic and geological conditions make modifications and changes to the CEC reasonably necessary to provide sufficient and effective protection of life, health and property. The CEC is therefore modified, amended, added to, and changed as set forth below:

1. Article 89.108.8.3 is replaced in its entirety to read as follows:

89.108.8.3 Appeals. Appeals of the decision of the Building Official enforcing this code shall be filed and acted upon in accordance with Section 113 of the California Building Code as adopted by the City of San Buenaventura in Section 12.115.020 of the San Buenaventura Municipal Code.

2. Article 303.5.4.4.3 is added to read as follows:

303.5.4.4.3 Marina Ground Fault Monitoring. Where a marina distribution transformer is located on a dock or pier, the secondary wiring system shall be equipped with a ground fault monitoring system with the intent of alerting marina management personnel to hazardous low level ground fault conditions in the surrounding water. The ground fault monitoring system shall include a ground fault warning light located on the transformer and within a readily visible area to the marina management personnel.

3. Article 230.71 is added to read as follows:

230.71 Single Service Disconnecting Means Required. Multi-meter installations where the applied service voltage is 480 or 277/480 shall have a single disconnecting means for all meters and distribution equipment downstream.

4. Article 690.6 (F) is added to read as follows:

690.6 (F) Wiring methods covered in Article 334 of this code shall not be used for DC or AC output circuits running from photovoltaic panels to the electrical service panel.

SECTION 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment CEQA Guidelines 15308 and that does not have the potential to cause significant effects on the environment.

SECTION 4: SAVINGS CLAUSE. Repeal of any provision of the SBMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or

preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5: SEVERABILITY. If any part of this Ordinance is deemed invalid by a court of competent jurisdiction, the City Council intends that such decision will not affect the validity of the remaining portions of this Ordinance and, to this end, the provisions of this Ordinance are severable.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance is repealed or is deemed invalid by a court of competent jurisdiction, such action will render this Ordinance void and cause such SBMC Ordinance previously in effect prior to amendment by this Ordinance to remain in full force and effect for all purposes.

SECTION 7: EFFECTIVE DATE. This Ordinance will take effect on the 31st day following its final passage and adoption or January 1, 2014, whichever is later.

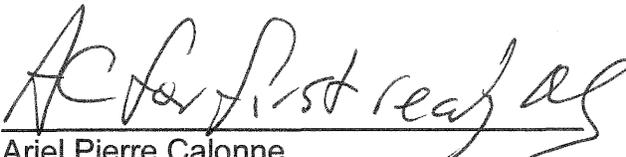
PASSED AND ADOPTED this ____ day of _____, 2013.

Mike Tracy, Mayor

ATTEST:

Cynthia M. Rodriguez, MMC
City Clerk

APPROVED AS TO FORM:



Ariel Pierre Calonne
City Attorney

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ORDINANCE NO. 2013-____

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN BUENAVENTURA ADOPTING BY REFERENCE THE
2013 EDITION OF THE CALIFORNIA FIRE CODE AND
AMENDING CERTAIN PROVISIONS THEREOF
THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY**

The Council of the City of San Buenaventura does ordain as follows:

Section 1: FINDINGS. The City Council finds that certain local climatic, geological, or topographical conditions exist as follows:

- A. Climatic. The City experiences periods of extremely high temperatures accompanied by low humidity and high winds each year. These conditions could create an environment in which the Fire Department may be unable to control fires occurring in vegetation as well as structures not having built in fire protection.
- B. Geological. The City is located in a seismically active area. A significant earthquake could render the Fire Department incapable of providing adequate fire protection. In that instance, built-in fire protection would be relied upon for controlling most structural fires.
- C. Topographical. The City has developed areas of steep hillsides. These hillsides create Fire Department access problems which can prevent the timely extinguishment of fires in structures not having built-in fire protection. Additionally, many structures in the hillside area are subject to exposure from fires occurring in native vegetation remaining on undeveloped land parcels.
- D. The City Council, following due consideration, finds and determines that, due to these local climatic, geological, or topographical conditions, amendments, additions, and deletions to the California Fire Code, 2013 Edition, are reasonably necessary to provide sufficient and effective levels of fire safety for the protection of life, health and property. Specifically, the following amendments are made through San Buenaventura Municipal Code section 14.010.020 which:
 1. Allows the Fire Chief to apply fire appliance requirements to residential occupancies in order to address the periods of low humidity and high winds, potential seismic activity, or areas of restricted access present in the City.
 2. Provides a means of ensuring that fire protection systems are installed and maintained in a manner that will provide adequate protection during periods of low humidity and high winds, potential seismic activity, or in areas of restricted access present in the City.

3. Requires the installation of fire sprinklers in most new buildings/structures, those structures/buildings to which specified additions are made, and structures/buildings in which occupancy use changes are made that increase the fire and life safety hazard of the structures/buildings in order to provide adequate fire protection during periods of low humidity and high winds, potential seismic activity, or in areas of restricted access present in the City.
4. Controls the storage of hazardous materials, including but not limited to flammable liquids in order to reduce the danger from fire during periods of low humidity and high winds, potential seismic activity, or in areas of restricted access present in the City.
5. Limits the use of fireworks and pyrotechnic devices to state-licensed technicians to reduce the danger from fire during periods of low humidity and high winds, or in areas of restricted access present in the City.
6. Limits the growth of hazardous vegetation and maintains defensible space around buildings and structures in order to reduce the danger from fire during periods of low humidity and high winds, or in areas of restricted access present in the City.

Section 2: Chapter 14.010 of Division 14 of the City of San Buenaventura Municipal Code ("SBMC") is amended in its entirety to read as follows:

Chapter 14.010 Fire Regulations

Section 14.010.010. Adoption of California Fire Code, 2013 Edition.

Pursuant to Government Code §§ 50022.1 to 50022.8, inclusive, Part 9 of Title 24 of the California Code of Regulations, known as the California Fire Code, 2013 Edition ("CFC"), is adopted by reference subject to the amendments, additions and deletions set forth in Section 14.010.020 of this chapter. Adoption of the CFC includes CFC Appendix Chapters 4, B, BB, C, CC, D, F, H, and K. The CFC will apply to all occupancies within the City's jurisdiction. One (1) true copy of the CFC is on file in the office of the fire marshal and is available for public inspection as required by law.

Section 14.010.020. Amendments.

- A. The City Council finds that certain local climatic, geological, or topographical conditions exist as follows:
 1. *Climatic* - The City experiences periods of extremely high temperatures accompanied by low humidity and high winds each year. These conditions could create an environment in which the Fire Department may

be unable to control fires occurring in vegetation as well as structures not having built in fire protection.

2. *Geological* - The City is located in a seismically active area. A significant earthquake could render the Fire Department incapable of providing adequate fire protection. In that instance, built-in fire protection would be relied upon for controlling most structural fires.
3. *Topographical* - The City has developed areas of steep hillsides. These hillsides create Fire Department access problems which can prevent the timely extinguishment of fires in structures not having built-in fire protection. Additionally, many structures in the hillside area are subject to exposure from fires occurring in native vegetation remaining on undeveloped land parcels.

B. After due consideration, the City Council finds and determines that these local climatic, geological, or topographical conditions make additions, modifications and changes to the CFC reasonably necessary to provide sufficient and effective levels of fire safety for the protection of life, health and property. The CFC is therefore modified, amended, added to, and changed as set forth below:

1. Section 101 is amended to read as follows:

Section 101.1 Title. These regulations shall be known as the Fire Code of the City of San Buenaventura, hereinafter referred to as "this code."

2. Section 103.2 is deleted.

3. Section 104.12 is added to read as follows:

Section 104.12.1 Purpose. The purpose of this section is to establish authority to obtain reimbursement from responsible individuals for the expenses of any emergency response and/or enforcement action by the Ventura City Fire Department to protect the public from fire or hazardous substances and situations.

Section 104.12.2 Reimbursement. In accordance with the Health and Safety Code section 13000 et seq., an individual who acts negligently or in violation of the law and thereby requires the jurisdiction to provide an emergency response to a danger posed by a fire or hazardous substance shall be liable for reimbursement to the agency for the costs incurred.

In accordance with Government Code Sections 53150 through 53158, any individual who is under the influence of an alcoholic beverage or any drug or the combined influence of an alcoholic beverage or any drug, and whose negligent operation of a motor vehicle, boat or vessel, or civil

aircraft caused by that influence, proximately causes any incident and thereby requires the agency to provide an emergency response shall reimburse the agency for the cost incurred.

4. Section 105.6.12 is deleted:
5. Section 105.6.17 is deleted.
6. Section 105.6.19 is deleted.
7. Section 105.6.34 is deleted.
8. Section 105.6.39 is deleted.
9. Section 105.6.45 is deleted.
10. Section 105.6.48 is added to read as follows:

Section 105.6.48 Christmas Tree Lots. An operational permit is required for the operation of a site, lot, and/or facility where harvested trees are for sale to the public.

11. Section 108.1 is amended to read as follows:

Section 108.1 Appeals to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code will be heard and determined in the following manner:

1. The appeal will be first directed in writing to the fire code official. The fire code official will render an appeal decision and finding in writing to the appellant.
2. In the event an appellant is not satisfied with an appeal decision and finding rendered by the fire code official, a further appeal may be made in writing to the Local Appeals Board (Board) within thirty (30) days of the decision and finding. This Board, established in Section 113 of the California Building Code as adopted by the City, will also act as the Board of Appeals with respect to the CFC.

12. Section 109.4 is amended to read as follows:

Section 109.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official,

or of a permit or certificate used under provisions of this code, shall be guilty of violation of the San Buenaventura Municipal Code. Fines and/or imprisonment shall be in accordance with the San Buenaventura Municipal Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

13. Section 111.4 is amended to read as follows:

Section 111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine in accordance with the San Buenaventura Municipal Code.

14. Section 114 is added to read as follows:

Section 114 Fire Watch

Section 114.1 When required. Fire watch shall be provided as follows:

1. When required by other sections of this code.
2. When the fire code official deems a condition essential for public safety.
3. When the fire code official determines that conditions may result in a rekindle from a fire previously extinguished.

Section 114.1.1 Financial responsibility. The property owner, the tenant or occupant in control of the premises shall be responsible for all costs of providing a fire watch.

Section 114.2 Qualifications. Personnel assigned to fire watch duties shall possess the following minimum qualifications:

1. Shall be at least 18 years of age.
2. Shall be capable of executing the duties and responsibilities as specified in 114.4.
3. Shall be capable of operating a mobile telephone device and/or portable radio.
4. Shall be capable of inspecting all portions of assigned watch area.

Section 114.3 Number and hours. The fire code official shall specify the minimum number of fire watch personnel required and the hours during which they must be present based on the conditions and size of the facility.

Section 114.4 Duties & Responsibilities. Duties and responsibilities of persons assigned fire watch duties include, but are not limited to the following:

1. Know the address of the facility being watched.
2. Be equipped with a mobile telephone device that can be used to contact 9-1-1 or a portable radio that can be used to communicate with a constantly attended security/communications center.
3. Continuously make rounds and monitor all assigned areas.
4. Immediately report any sign of smoke, fire or other emergency to 9-1-1 or to the security/communications center.
5. Shall activate the building fire alarm system when the building is equipped with such a system or notify those present to evacuate the building or area.
6. Shall assist with the evacuation of people present in the area.
7. Keep a fire watch log that, as a minimum, includes the following information:
 - a. Identifies the building or area by name and address that is under watch.
 - b. The date and time each round or tour is completed, plus comments on what was observed. Each entry shall contain the name and signature of the person conducting the watch.
 - c. Fire watch logs shall be immediately accessible for review by the fire code official. A copy of the fire watch log shall be retained by the owner or agent of the facility being protected.
8. Continue the fire watch until termination has been accepted by the fire code official.
9. Fire watch personnel shall not be assigned additional duties during their fire watch tour.

15. Section 202 is amended to add the following definition:

"Addition to a building or structure" is an extension or increase in floor area or height of a building or structure.

16. Section 202 is amended to add the following definition:

"Person" is a natural person, his heirs, executors, administrators or assigns, and also includes a firm, partnership whether general or limited, corporation, unincorporated association, union or organization, cooperative and trust, its or their successors or assigns, or the agent of

any of the aforesaid. It shall include the plural as well as the singular number, the male and female gender, and all governmental entities subject in whole or in part to this Code and the codes adopted by reference herein.

17. Section 202 is amended to add the following definition:

"Undetermined Use" a building/structure will be considered of undetermined use if the specific occupancy type is not determined at the time of permit application for the installation of a fire protection system.

18. Section 304.1.2 is amended to read as follows:

Section 304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas, hazardous watershed fire areas, hazardous fire areas and parcels declared a public nuisance shall be in accordance with Chapter 49 and Appendix L.

19. Section 311.6 is added to read as follows:

Section 311.6 Property or Materials Damaged by Fire.

Section 311.6.1 Safeguarding Damaged Property. The owner, or other person having under their control any property or materials damaged by fire will secure the property either by boarding up all openings, fencing, barricading or other appropriate measures as directed by the chief.

Section 311.6.2 Removal of Debris. All debris and/or damaged materials will be removed from the property in the manner and within the time frame established by the chief.

Section 311.6.3 Authority to secure property damaged by fire or other disaster. The Fire Code Official shall be empowered to initiate necessary actions to secure property damaged by fire or other disaster and/or remove and dispose of debris, and other damaged materials when, after giving notice to the owner of record of the property, the owner fails to secure the property and/or remove debris as ordered by the Fire Code Official.

Section 311.6.3.1 Cost Recovery. The Fire Code Official is authorized to initiate any and all actions necessary to recover the costs of securing property damaged by fire or other disaster and/or removing and disposing of debris, and other damaged materials when, after giving notice to the owner of record of the property, the owner fails to secure the property

and/or remove debris and the City provides the service either through the use of City resources or a contractor.

20. Section 319 is added to read as follows:

Section 319 Combustible Materials Subject to Spontaneous Ignition

Section 319.1 General. Combustible materials subject to spontaneous ignition shall be kept in accordance with Section 319.

Section 319.2 Prevention of Ignition. Materials shall be stored, handled, treated and monitored as necessary and in such a manner as to prevent ignition.

Section 319.3 Provisions for Extinguishment. The owner or person responsible for materials regulated by Sec 319 shall provide the necessary means to extinguish a fire should ignition occur. Piles shall be arranged in a manner to not exceed the capability of available resources to extinguish a fire in a single pile. Access for firefighting apparatus shall be approved by the fire code official.

21. Section 401.3 is amended to read as follows:

Section 401.3 Emergency responder notification. Notification of emergency responders shall be in accordance with Sections 401.3.1 through 401.3.5.

Section 401.3.1 Fire events. In the event an unwanted fire occurs on a property, the owner or occupant shall immediately report such condition to the fire department.

Section 401.3.2 Alarm activations. Upon activation of a fire alarm signal, employees or staff shall immediately notify the fire department.

Section 401.3.3 Delayed notification. A person shall not, by verbal or written directive, require any delay in the reporting of a fire to the fire department.

Section 401.3.4 Group E fire alarm initiation. Every person and public officer managing, controlling, or in charge of any public, private, or parochial school shall cause the fire alarm signal to be sounded upon the discovery of fire.

Section 401.3.5 Hazardous Materials Events. In the event an unplanned or unwanted release of hazardous materials occurs on a property, the

owner or occupant shall immediately report such condition to the fire department per Section 503.3.1.

22. Section 503.6 is amended to read as follows:

Section 503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and be provided with a fire department approved key switch.

23. Section 505.1 is amended to read as follows:

Section 505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. All new building address numbering, building unit numbering, and street designation shall be approved by the Fire Code Official.

Section 505.1.1 Directories. When required by the fire code official, complexes with multiple buildings may be required to provide directories, premise maps and directional signs. The scale, design and location of directories shall be approved by the fire code official and may be required to be illuminated.

Section 505.1.2 Rear Door Address Numbers. All commercial and industrial buildings with access via an alley or other similar roadways shall have the address number, unit or suite number provided on or adjacent to the rear door of the building or tenant space. These numbers shall contrast with their background. Address and suite numbers shall be Arabic numerals or alphabet letters, shall be a minimum of six (6) inches (152 mm) high with a minimum stroke width of 0.75 inch (19 mm). Numbers and/or letters of larger size may be required based on the size and design of the building or group of buildings.

24. Section 603.4 is amended to read as follows:

Section 603.4 Portable unvented heaters. Portable unvented fuel-fired heating equipment shall be prohibited in occupancies in Groups A, E, I, R-1, R-2, R-2.1, R-3, R-3.1 and R-4. All other occupancies shall obtain a permit from the fire code official.

Exception: Portable outdoor gas-fired heating appliances shall be allowed in accordance with Section 603.4.2.

25. Section 603.6.6 is added to read as follows:

Section 603.6.6 Spark Arrester. Chimneys used with fireplaces or heating appliances in which solid or liquid fuel is used will be maintained with a spark arrester as approved by the fire code official.

26. Section 901.4.2 is amended to read as follows:

Section 901.4.2 Nonrequired fire protection systems. Any fire protection system or portion thereof not required by this code or the California Building Code shall be allowed to be furnished for partial or complete protection provided such installed system meets the requirements of this code and the California Building Code.

Exception: Partial automatic fire sprinkler systems shall not be installed in commercial buildings.

Exception: When designed to protect specific hazard and approved by the fire code official.

27. Section 901.7 is amended to read as follows:

Section 901.7 Systems out of service. Where a required fire protection system is out of service, the Fire Code Official shall be notified immediately and, where required by the Fire Code Official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service. Where utilized, fire watches shall comply with the provisions of Chapter 1, Sections 114.1, 114.1.1, 114.2, 114.3, and 114.4 of this code.

28. Section 903.2 is amended to read as follows:

Section 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12 and Appendix M.

29. Section 903.3.5.1.1 is amended to read as follows:

Section 903.3.5.1.1 Limited area sprinkler systems. Limited area sprinkler systems serving fewer than 20 sprinklers on any single connection are permitted to be connected to the domestic service where a wet automatic standpipe is not available. Limited area sprinkler systems connected to domestic water supplies shall comply with each of the following requirements:

1. Valves shall not be installed between the domestic water riser control valve and the sprinklers.

Exception: An approved indicating control valve supervised in the open position in accordance with Section 903.4.

2. The domestic service shall be capable of supplying the simultaneous domestic demand and the sprinkler demand required to be hydraulically calculated by NFPA 13R or NFPA 13D.

30. Section 903.4.2.1 is added to read as follows:

Section 903.4.2.1 Interior Notification. Buildings with fire sprinkler monitoring systems shall be provided with an approved audio/visual notification device in each suite or occupancy.

31. Section 903.6 is amended to read as follows:

Section 903.6 Where required in existing buildings and structures. An automatic sprinkler system shall be provided in existing buildings and structures where required in Chapter 11 and Appendix M.

32. Section 905.12 is added to read as follows:

Section 905.12 Fire hose requirements. The Fire Code Official may, upon written request of the property owner, waive the requirement for fire hose in conjunction with required standpipe systems.

33. Section 907.6.2.1 is added to read as follows:

Section 907.6.2.1 Secondary power supply capacity. The secondary power supply capacity shall be of an approved type and shall provide a minimum of 60 hours of power under non alarm conditions and shall be capable of operating all alarm notification appliances for 5 minutes after 60 hours.

Exception: Fire alarm and sprinkler monitoring systems meeting the requirements of a central station fire alarm system per NFPA 72.

34. Section 907.10 is added to read as follows:

Section 907.10 False alarms. The Fire Code Official is authorized to seek cost recovery for a fire department response to an alarm system activation which is determined to be a false alarm caused by system malfunction, system misuse or other non-emergency causes.

Section 907.10.1 False alarm frequency. The cost recovery fee may be charged for all responses after the second false alarm in a calendar year.

Section 907.10.2 False alarm fee. The amount of the cost recovery fee will be in accordance with the San Buenaventura Municipal Code. Additional fees may be charged for extraordinary circumstances.

35. Section 3304.5 is amended to read as follows:

Section 3304.5 Fire watch. When required by the Fire Code Official for building demolition that is hazardous in nature, qualified personnel shall be provided as an on-site fire watch. The Fire Watch shall meet the requirements set forth in Chapter 1, Sections 114.1, 114.1.1, 114.2, 114.3, and 114.4.

36. Section 3311.3 is added to read as follows:

Section 3311.3 Temporary Exit Signage. All buildings under construction or undergoing demolition shall be provided with temporary exit signage when any one or more of the following conditions are present:

1. The building is two or more stories in height
2. The building is 10,000 square feet or larger
3. When in the opinion of the Fire Code Official, exit signage is necessary due to the design of the building or other unusual circumstances are present

The location and design of the exit signs shall be determined by the Fire Code Official.

37. Section 4811.2 is amended to read as follows:

Section 4811.2 Permits. A permit shall be obtained, unless waived by the fire code official for any of the activities that follow:

- a. Use of pyrotechnic special effects, see Section 3308.1.1 and California Code of Regulations, Title 19, Division 1, Chapter 6
- b. Open flames
- c. Flammable or combustible liquids, gases and dust
- d. Hot work
- e. Presence of motor vehicles within a building
- f. Tents and canopies, see Chapter 24
- g. Portable generators
- h. Any additional permits as required by the AHJ

38. Section 4905.3 is amended to read as follows:

Section 4905.3 Establishment of limits. Wildland-Urban Interface Fire Area's required construction methods shall be required for all new structures built for human occupancy in the High, and Very High Fire Hazard Severity Zones within the City of Ventura per maps established by the Office of State Fire Marshal pursuant to California Public Resource Code 4201 – 4204.

39. Section 4906.2 is amended to read as follows:

Section 4906.2 Application. Buildings and structures located in the following areas shall maintain the required hazardous vegetation and fuel management:

- 1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:
 - 1.1. Moderate Fire Hazard Severity Zones
 - 1.2. High Fire Hazard Severity Zones
 - 1.3. Very-High Fire Hazard Severity Zones
- 2. Land designated as High or Very-High Fire Hazard Severity Zone the Office of State Fire Marshal pursuant to California Public Resource Code 4201 – 4204.

40. Section 4907.1 is amended to read as follows:

Section 4907.1 General. Defensible space will be maintained around all buildings and structures in State Responsibility Area (SRA) as required in Public Resources Code 4290 and "SRA Fire Safe Regulations" California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the High and Very-High Fire Hazard Severity Zones of a Local Responsibility Areas (LRA) shall maintain

defensible space as outlined in Government Code 51175- 51189 and Appendix L.

41. Section 4907.2 is added to read as follows:

Section 4907.2 When required: The Fire Department may require an applicant for all new residential custom homes, production tract homes, multi-family residential and commercial buildings within High and Very-High Fire Hazard Severity Zones to submit a Fire Resistant Landscape Plan as part of the approval process.

Section 4907.2.1 Landscape Submittals: Fire Resistant Landscape Plans shall be submitted and approved by the Fire Department prior to the framing inspection. Landscape plan submittals shall include, at a minimum, a readable scale, the delineation of 100-foot fuel modification zone, the existing vegetation, and all irrigated areas, a plant legend with both botanical and common names and identify all plant material symbols.

Section 4907.2.2 Landscaping Requirements: plant materials used shall be approved by the Fire Department for plant palette. Landscape plans shall be in accordance with the following criteria.

1. All non-fire resistive trees, including conifers, palms, pepper trees, and eucalyptus, species, shall be planted and maintained so that the tree's drip line at maturity is a minimum 30 feet from any combustible structure. All fire resistive tree species shall be planted and maintained at a minimum of 10 feet from the tree's drip line to any combustible structure.
2. For streetscape plantings, all non-fire resistive trees shall be planted so that the center of the tree trunk is 10 feet from edge of curb. Fire resistive trees can be planted 10 feet from edge of curb to center of tree trunk. Care should be given to the tree's form selected so that the tree canopy will not encroach into the roadway, nor produce a closed canopy effect.
3. Limit planting of large unbroken masses especially trees and large shrubs. Groups should be two to three trees maximum, with mature foliage of any group separated horizontally by at least 10 feet, if planted on less than 20 percent slope, and 20 feet, if planted on greater than 20 percent slope.
4. If shrubs are located underneath a tree's drip line, the lowest branch should be at least three times as high as the understory shrubs or 10 feet, whichever is greater.

5. Existing trees can be pruned 10 feet away from roof, eave, or exterior siding, depending on the tree's physical or flammable characteristics and the building construction features.
6. All tree branches and palm fronds shall be removed within 10 feet of a fireplace chimney or outdoor barbecue.

42. Section 5608.1.2 is added to read as follows:

Section 5608.1.2 Storage. A permit is required to store fireworks in any quantity and will only be issued for storage associated with a display or for the use of pyrotechnic special effects material by state-licensed pyrotechnicians as described in section 5608.1.1.

43. Section 5608.2 is added to read as follows:

Section 5608.2 Prohibition. The manufacturing, possession, storage, sale, use and handling of fireworks is prohibited.

EXCEPTIONS:

1. Storage of fireworks in accordance with Section 5608.1.2.
2. Use and handling of fireworks for display in accordance with Section 5608.1.

44. Section 5608.3 is added to read as follows:

Section 5608.3 Firing. All fireworks displays shall be electrically fired.

45. Section 5704.2.9.6.1 is amended to read as follows:

Section 5704.2.9.6.1: Storage of class I or II liquids in above-ground tanks 500 gallons or larger outside of buildings is prohibited unless approved by the fire code official.

46. APPENDIX L is added to read as follows:

APPENDIX L – FIRE HAZARD ABATEMENT

L101.1 Scope. This appendix provides provisions intended to identify hazard areas and mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate fires from spreading to wildland fuels that may threaten to destroy life, overwhelm fire suppression capabilities, or result in large property loss.

L101.2 Purpose. The purpose of this appendix is to establish minimum requirements in wildland-urban interface areas that will increase the ability of buildings to resist the intrusion of flame or burning embers being projected by a vegetation fire including; the identification of hazardous fire areas that require applicable defensible space provisions included in this code and enforced by the fire code official and applicable state and local fire-resistive building standards that are required by the local building official.

L102 Definitions.

L102.1 Definitions. For the purpose of this appendix certain terms are defined as follows:

“Combustible Material” includes seasonal and recurrent weeds, stubble, brush, dry leaves, tumbleweeds, rubbish, litter or flammable materials of any kind.

“Defensible Space” is an area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.

“Hazardous Fire Area” is land which is covered with grass, grain, brush, or forest, whether publicly or privately owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would potentially result in great and unusual damage through fire or resulting erosion. Such areas are designated by the fire code official. The fire code official is authorized to utilize as reference, the definition of Hazardous Watershed Fire Area, Local Agency Fire Hazard Severity Zone Maps designated pursuant to California Government Code, Sections 51175 through 51189 and the International Wildland-Urban Interface Code.

“Hazardous Watershed Fire Area” is a location within 500 feet of a forest or brush-, grass-, or grain-covered land, exclusive of small individual lots or parcels of land located outside of a forest or brush-, grass-, or grain-covered area.

“Parcel” is a portion of land of any size, the area of which is determined by the assessor’s maps and records and may be identified by an assessor’s parcel number whether or not any buildings are present.

“Public Nuisance” is a declaration by the fire code official that the presence of combustible material on a parcel creates a fire hazard.

“Wildland-Urban Interface Area” is that geographical area where structures and other human development meet or intermingle with wildland or vegetative fuels.

L103 Unlawful Disposal. Every person who places, deposits or dumps combustible material on a parcel whether or not he owns such parcel, or whether or not he so places, deposits or dumps on such parcel with the consent of the owner thereof, is subject to civil penalties as set forth in Chapter 1.050 of the San Buenaventura Municipal Code and to criminal penalties as set forth in the California Health and Safety Code Section 13871.

L104 Clearance of Brush, Vegetative Growth and Combustible Material from Parcels. All parcels declared a public nuisance shall be cleared entirely of combustible material. If the fire code official determines this impractical due to hazards posed by the resulting clearance, the provisions of Section L105 may be used.

L105 Clearance of Brush and Vegetative Growth Away from Structures. Any person owning, leasing, controlling, operating or maintaining any building in, upon, or adjoining any hazardous fire area, and any person owning, leasing or controlling any land adjacent to such building, shall at all times maintain around and adjacent to such building an effective firebreak made by removing and clearing away, all combustible material for a distance of not less than 100 feet from all portions of the building.

EXCEPTION: Single specimens or stands of protected species of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting a fire from the native growth to any building.

L106 Prosecution. The fire code official shall serve a written order upon the owner or possessor of a parcel, when in the opinion of the fire code official, a public nuisance exists thereon. The order shall direct such owner or possessor to remove or abate the public nuisance per the procedures and timeframes outlined in Chapter 8.010 of the San Buenaventura Municipal Code.

47. APPENDIX M is added to read as follows:

APPENDIX M – FIRE PROTECTION SYSTEMS

M101 General. An automatic fire extinguishing system shall be installed in all occupancies and locations as set forth in Appendix M and Chapter 9.

M102 Definitions.

“Building/Structure, Existing” – buildings or structures permitted, constructed and final authorization for occupancy received prior to November 6, 1991 by the authority having jurisdiction.

“Building/Structure, New” – buildings or structures permitted, constructed and final authorization for occupancy received on or after November 6, 1991 by the authority having jurisdiction.

“Floor Area” – as defined by the California Building Code

“Multiple Use Occupancies” – buildings or structures that contain more than one occupancy group listed in Section 202 as determined by the fire code official.

M103 Where required. Approved automatic sprinkler systems shall be provided in new and existing buildings/structures in the locations as described in this section.

M103.1 New Buildings/Structures. In all new buildings or structures, to be occupied by Groups A, B, E, F, H, I, L M, R, S, U, or mixed use occupancy classifications when over 500 sq. Ft. in floor area. For all new townhouses and one- and two- family dwellings an automatic fire sprinkler system shall be installed per the California Residential Code.

EXCEPTIONS:

1. Detached U occupancy carports used for motor vehicle storage intended for no other use or storage that are open on sixty percent (60%) of exterior walls. Such carports are limited to three thousand (3,000) square feet or less in floor area and will be constructed entirely of noncombustible materials. Treated lumber is not allowed.
2. Detached residential U occupancy carports or garages limited to one thousand (1,000) square feet or less in floor area and located a minimum of 10 feet from adjacent structures.
3. Noncombustible detached car wash structures, provided the car wash is separated from other structures with an assumed property line.
4. Public schools shall comply with Section 903.2.2 of this code.

M103.2 Existing Buildings/Structures.

M103.2.1 In all existing residential buildings or structures when cumulative additions are made which result in a total floor area 100% or greater than the November 6, 1991 area of the building or structure.

M103.2.2 In all other existing buildings/structures, when cumulative additions are made which results in a total building/structure floor area equal to or greater than five thousand (5000) square feet and the additions exceed the greater of:

- a) Ten percent (10%) of the original floor area, or
- b) Two thousand five hundred (2500) square feet.

EXCEPTION: Occupancy types required to have an automatic fire sprinkler system installed by the California Building Code when the square footage is less than 5,000 square feet will comply with the requirements of the California Building Code.

M103.2.3 In all existing buildings/structures, having a total floor area equal to or greater than five thousand (5,000) square feet when a change in occupancy classification or use occurs that results in a more hazardous use, based on life and fire risk than the existing occupancy classification or use.

EXCEPTION: Occupancy types required to have an automatic fire sprinkler system installed by the California Building Code when the square footage is less than 5,000 square feet will comply with the requirements of the California Building Code.

M103.2.4 In all existing buildings/structures where renovations occur requiring a building permit and the total area of the ceiling covering removed and/or previously exposed underside of roof/floor decking exceeds 75% or greater of the total floor area of the building/structure.

EXCEPTION: Occupancy types required to have an automatic fire sprinkler system installed by the California Building Code will comply with the requirements of the California Building Code.

M104 Installation Requirements

M104.1 Modifications

M104.1 For the purposes of this Appendix, fire walls shall not be considered as creating separate buildings.

M104.1.2 Where allowed, sprinkler systems installed in accordance with NFPA 13D in Group R-3 occupancies shall provide sprinkler protection for attached Group U occupancies.

M104.1.2 When NFPA 13R sprinkler systems are provided in Group R occupancies, exceptions to, or reductions in, code requirements are not allowed based on the installation of either a NFPA 13R or NFPA 13 sprinkler system. This shall also include requirements in the California Code of Regulations, Title 24, Part 2 and Part 9.

M104.1.3 Buildings/structures containing multiple use occupancies which include one or more Group R occupancies shall be protected throughout with fire sprinklers that meet NFPA 13 standards.

Section 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefore. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment.

Section 4: SAVINGS CLAUSE. Repeal of any provision of the SBMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

Section 5: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

Section 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the SBMC or other city ordinance by this Ordinance will be rendered void and cause such SBMC provision or other city ordinance to remain in full force and effect for all purposes.

Section 7: EFFECTIVE DATE. This Ordinance will take effect on the 31st day following its final passage and adoption or January 1, 2014, whichever is later.

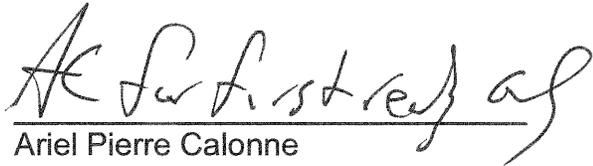
PASSED AND ADOPTED this ____ day of _____, 2013.

Mike Tracy
Mayor

ATTEST:

Cynthia M. Rodriguez, MMC
City Clerk

APPROVED AS TO FORM:



Ariel Pierre Calonne
City Attorney

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ORDINANCE NO. 2013-____

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN BUENAVENTURA ADOPTING BY REFERENCE THE
2013 EDITION OF THE CALIFORNIA MECHANICAL
CODE AND AMENDING CERTAIN PROVISIONS
THEREOF THROUGH EXPRESS FINDINGS OF LOCAL
NECESSITY**

The Council of the City of San Buenaventura does ordain as follows:

SECTION 1: Chapter 12.130 of Division 12 of the San Buenaventura Ordinance Code ("SBMC") is amended in its entirety to read as follows:

Chapter 12.130 Mechanical Standards

Section 12.130.010. Adoption of the California Mechanical Code, 2013 Edition.

Pursuant to Government Code sections 50022.1 to 50022.8, inclusive, Part 4 of Title 24 of the California Code of Regulations, known as the California Mechanical Code, 2013 Edition ("CMC"), including Appendices D and F thereof, and standards contained therein, is adopted by reference, subject to changes set forth in this chapter. One true copy of said Code, is on file in the office of the City Clerk and Building Official and is available for public inspection as required by law.

Section 12.130.020. Amendments.

After due consideration, the City Council finds and determines that due to the need to establish administrative procedures to enforce the CMC, that changes to the California Mechanical Code, 2013 Edition, are needed and therefore, the CMC is modified, amended, added to, and changed as set forth below:

Section 108 is replaced in its entirety to read as follows:

108. Appeals. Appeals of the decision of the Building Official enforcing this code shall be filed and acted upon in accordance with Section 113 of the California Building Code as adopted by the City of San Buenaventura in Section 12.115.020 of the San Buenaventura Municipal Code.

Note: For administrative purposes, wherever the term "Authority Having Jurisdiction" is used in the CMC, it shall be understood to meaning "Building Official" or his/her official designee.

SECTION 2: CALIFORNIA ENVIRONMENTAL QUALITY ACT. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code Section 21000, *et seq.*,

"CEQA") and the regulations promulgated thereunder (14 California Code of Regulations Sections 15000, *et seq.*, the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment.

SECTION 3: SAVINGS CLAUSE. Repeal of any provision of the SBMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 4: SEVERABILITY. If any part of this Ordinance is deemed invalid by a court of competent jurisdiction, the city council intends that such decision will not affect the validity of the remaining portions of this Ordinance and, to this end, the provisions of this Ordinance are severable.

SECTION 5: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance is repealed or is deemed invalid by a court of competent jurisdiction, such action will render this Ordinance void and cause such SBMC Ordinance previously in effect prior to amendment by this Ordinance to remain in full force and effect for all purposes.

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SECTION 6: EFFECTIVE DATE. This Ordinance will take effect on the 31st day following its final passage and adoption or January 1, 2014, whichever is latest.

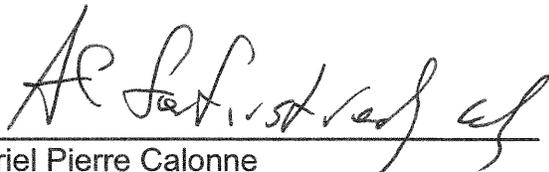
PASSED AND ADOPTED this ____ day of _____, 2013.

Mike Tracy
Mayor

ATTEST:

Cynthia M. Rodriguez, MMC
City Clerk

APPROVED AS TO FORM:



Ariel Pierre Calonne
City Attorney

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ORDINANCE NO. 2013-____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA PLUMBING CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY

The Council of the City of San Buenaventura does ordain as follows:

SECTION 1: FINDINGS. After due consideration, the City Council finds and determines that local climatic, topographic, and geographical conditions exist as follows:

- A. Climatic and Geological. The City has a limited supply of local water some of which is corrosive in nature which requires modification of plumbing fixtures to conserve water and protect the public health and welfare.
- B. After due consideration, the City Council finds and determines that these local climatic and geological conditions make modifications and changes to the 2013 Edition of the California Plumbing Code reasonably necessary to provide sufficient and effective protection of life, health and property.

SECTION 2: Chapter 12.120 of Division 12 of the San Buenaventura Municipal Code ("SBMC") is amended in its entirety to read as follows:

Chapter 12.120 Plumbing Standards

Section 12.120.010. Adoption of California Plumbing Code, 2013 Edition.

Pursuant to California Government Code sections 50022.1 to 50022.8, inclusive, Part 5 of Title 24 of the California Code of Regulations, known as the California Plumbing Code, 2013 Edition ("CPC"), including Appendices A, B, C, D, G, H, I, and K thereof, is adopted by reference subject to the amendments, additions and deletions set forth in this chapter. The CPC will apply to all occupancies identified by this code. One true copy of the CPC is on file in the office of the City Clerk and Building Official and is available for public inspection as required by law

Section 12.120.020. Amendments.

- A. After due consideration, the City Council finds and determines that local climatic, topographic, and geographical conditions exist as follows: Climatic and Geological. The City has a limited supply of local water some of which is corrosive in nature which requires modification of plumbing fixtures to conserve water and protect the public health and welfare.

B. These local climatic and geological conditions make modifications and changes to the CPC reasonably necessary to provide sufficient and effective protection of life, health and property. Therefore, the CPC is modified, amended, added to, and changed as set forth below:

1. Section 102.3 is replaced in its entirety to read as follows:

102.3 Appeals. Appeals of the decision of the Building Official enforcing this code shall be filed and acted upon in accordance with Section 113 of the California Building Code as adopted by the City of San Buenaventura in Section 12.115.020 of the San Buenaventura Municipal Code.

2. Section 611.3 is amended by adding the following sentence to the beginning of the paragraph:

Each new single-family and multi-family building shall have its water distribution system designed such that a water softener loop is provided at a location within 6 feet of building drainage system access for water softener discharge.

3. Section 713.4 is amended by adding the following sentence to the end of the paragraph:

When the property owner can demonstrate to the Building Official that connection to the public sewer costs more than 150% of the cost of the private sewage disposal system approved by the State Water Resources Board, the Building Official shall grant replacement of the private sewage disposal system.

4. Section 1014.1 is amended by adding the following sentences to the end of the paragraph:

All grease interceptor systems shall be subject to review, approval and inspection by the City public sewer authority – currently Ventura Water. While these reviews, approvals and inspections shall be in addition to the plumbing system review of the City Building and Safety Division, the Building and Safety Division will facilitate coordination of the review, approval and inspection processes.

5. Section H 1.1 is amended to add the following:

The soils report required in this section shall be performed under the supervision of a California registered Environmental Health Specialist, Civil Engineer, Geologist, or Engineering geologist. The soil report must specifically document the soil absorption rate for purposes of disposal system sizing. Where this Chapter conflicts with the City Municipal Code

requirement mandating connection to the public sewer, the connection to public sewer shall be required.

6. Section H 9.6 is deleted and replaced with the following:

H 9.6 Waste Discharge. The discharge of industrial waste into a soil absorption system shall be prohibited unless sufficient analysis has been submitted to, reviewed, and approved by the Local Appeals Board.

SECTION 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment.

SECTION 4: SAVINGS CLAUSE. Repeal of any provision of the SBMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5: SEVERABILITY. If any part of this Ordinance is deemed invalid by a court of competent jurisdiction, the city council intends that such decision will not affect the validity of the remaining portions of this Ordinance and, to this end, the provisions of this Ordinance are severable.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance is repealed or is deemed invalid by a court of competent jurisdiction, such action will render this Ordinance void and cause such SBMC Ordinance previously in effect prior to amendment by this Ordinance to remain in full force and effect for all purposes.

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SECTION 7: EFFECTIVE DATE. This Ordinance will take effect on the 31st day following its final passage and adoption or on January 1, 2014, whichever is later.

PASSED AND ADOPTED this ____ day of _____ 2013.

Mike Tracy
Mayor

ATTEST:

Cynthia M. Rodriguez, MMC
City Clerk

APPROVED AS TO FORM:



Ariel Pierre Calonne
City Attorney

ORDINANCE NO. 2013-___

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN BUENAVENTURA ADOPTING BY REFERENCE THE
2013 EDITION OF THE CALIFORNIA RESIDENTIAL
CODE AND AMENDING CERTAIN PROVISIONS
THEREOF THROUGH EXPRESS FINDINGS OF LOCAL
NECESSITY

The Council of the City of San Buenaventura does ordain as follows:

SECTION 1: FINDINGS. The City Council finds that certain local climatic, geological, or topographical conditions exist as follows:

- A. Climatic. The City experiences periods of high temperatures accompanied by low humidity and high winds each year. These conditions could create an environment in which the fire department may have great difficulty in controlling fires occurring in hillside brush areas as well as structures not having built-in fire protection. The City also experiences periods of intense rainfall, which create the need for special drainage precautions.
- B. Geological. The City is located in an area with expansive soils and includes hillsides that are subject to mudflows and unstable conditions. Special foundation considerations and soils analyses requirements must be in place to provide a reasonable degree of structural integrity for buildings constructed in these areas. Several earthquake faults run through the City that, when active, will impose unique lateral loads on structures in the City. Special lateral structural design criteria are needed to resist these lateral loads imposed by active earthquake faults in the City.
- C. Topographical. The City has hillside and flat land developments that require special drainage precautions. Structures would be subject to water damage without special requirements addressing site drainage.
- D. After due consideration, the City Council finds and determines that these local climatic, geological, and topographical conditions make modifications and changes to the 2013 Edition of the California Residential Code reasonably necessary to provide sufficient and effective protection of life, health, and property.

SECTION 2: Chapter 12.110 of Division 12 of the San Buenaventura Municipal Code ("SBMC") is amended in its entirety to read as follows:

Chapter 12.110 Residential Building Standards

Section 12.110.010. Adoption of California Residential Code, 2013 Edition.

Pursuant to California Government Code sections 50022.1 to 50022.8, inclusive, Part 2.5 of Title 24 of the California Code of Regulations, known as the California Residential Code, 2013 Edition ("CRC"), including all standard printed Chapters and Sections (whether adopted by the State matrix or not), is adopted by reference subject to the amendments, additions, and deletions set forth in this chapter. The CRC will apply to residential occupancies identified by this code. One true copy of the CRC is on file in the office of the City Clerk and Building Official and is available for public inspection as required by law.

Section 12.110.020. Amendments.

- A. The City Council finds that certain local climatic, geological, and/or topographical conditions exist as follows:
 - 1. Climatic. The City experiences periods of high temperatures accompanied by low humidity and high winds each year. These conditions could create an environment in which the fire department may have great difficulty in controlling fires occurring in hillside brush areas as well as structures not having built-in fire protection. The city also experiences periods of intense rainfall, which create the need for special drainage precautions.
 - 2. Geological. The City is located in an area with expansive soils and includes hillsides that are subject to mudflows and unstable conditions. Special foundation considerations and soils analyses requirements must be in place to provide a reasonable degree of structural integrity for buildings constructed in these areas. Several earthquake faults run through the City that, when active, will impose unique lateral loads on structures in the City. Special lateral structural design criteria are needed to resist these lateral loads imposed by active earthquake faults in the City.
 - 3. Topographical. The City has hillside and flat land developments that require special drainage precautions, as well as a system of roadways and highways that generate traffic noise. Structures would be subject to water damage without special requirements addressing site drainage.
- B. After due consideration, the City Council finds and determines that these local climatic, geological, and topographical conditions make modifications and changes to the CRC reasonably necessary to provide sufficient and effective

protection of life, health, and property. The CRC is therefore modified, amended, added to, and changed as set forth below:

1. Chapter 1, Division II is replaced in its entirety with the following:

Division II Administration.

R100. Administration. Refer to Chapter 1, Division II, of the 2013 California Building Code, as adopted by the City of Ventura, for all administrative requirements and regulations.

2. Section R301.1 is amended by adding the following to the end of the section:

Relocation of Existing Buildings. Relocated residential buildings shall comply with the relocation requirements found in the 2013 California Building Code, Section 3407.

3. Section R301.1.4 is added to Chapter 3 to read as follows:

R301.1.4 Seismic design provisions for buildings constructed on into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope). The design and construction of new buildings and additions to existing buildings when constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope) shall comply with Section 1613.9 of the Building Code.

4. Section R322.0 is added to read as follows:

R322.0 Grading and fill in flood hazard areas. Grading and filling in flood hazard areas must comply with the City Floodplain Management Ordinance. Where the City Floodplain Management Ordinance and this code conflict relative to grading and filling, the City Floodplain Management Ordinance takes precedence.

5. Section R327.1.3.1 is amended to read as follows:

Section R327.1.3.1. Application date and where required. New buildings for which an application for a building permit is submitted on or after July 1, 2008 located in any Fire Hazard Severity Zone or Wildland Interface Fire Area shall comply with all sections of this chapter, including all of the following areas:

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:

- 1.1. Moderate Fire Hazard Severity Zones

1.2. High Fire Hazard Severity Zones

1.3. Very-High Fire Hazard Severity Zones

2. Land designated as High or Very-High Fire Hazard Severity Zone the Office of State Fire Marshal pursuant to California Public Resource Code 4201 – 4204.

6. Section R401.1 is amended to add the following paragraph at the beginning of the section:

All grading in the City must comply with the current City Grading Ordinance. Where the City Grading Ordinance and this code conflict with respect to grading regulations, the City Grading Ordinance will take precedence. Building and foundation permits shall not be issued prior to the City Engineer's final approval of the associated grading work supporting, or otherwise affected by, the building or foundation.

7. The last sentence of Section R401.1 is amended to read as follows:

Wood foundations in Seismic Design Category D0, D1, D2 or E shall not be permitted.

8. Section R401.3 is amended to add the following paragraph at the beginning of the section:

All site drainage components and systems shall also comply with any State issued stormwater discharge permit requirements. Where State stormwater discharge permits conflict with this code, the City Engineer and Chief Building Official will determine the most appropriate regulations from both documents that assure clean water discharges into State waterways and promotes the safety and general welfare of the community.

9. Section R401.5 is added to read as follows:

R401.5 Grading. Also refer to the City of Ventura Municipal Code Grading Ordinance for requirements governing excavation, grading and earthwork construction including fills and embankments.

10. The first sentence of Section R403.1 is amended to read as follows:

All exterior walls and load bearing interior walls shall be supported on continuous concrete footings, or other approved structural systems which shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil.

11. Table R403.1 is deleted.
12. Section 403.1.1 is amended to read as follows:

Section 403.1.1 Minimum Size. All foundation and/or slab designs shall be predicated upon a soil analysis. Said design shall not be less than those minimum requirements set forth in Title Table 1809.7(1) for each soil expansion range.
13. The exception in Section R403.1.3 is deleted.
14. The exception in Section R403.1.3.2 is deleted.
15. Sec. R403.1.5 is amended by adding the following:

For structures located in Seismic Design Categories D0, D1, D2 or E, stepped footings shall be reinforced with four one-half (1/2") inch diameter deformed reinforcing bars. Two (2) bars shall be placed at the top and bottom of the footings as shown in Figure R403.1.5.

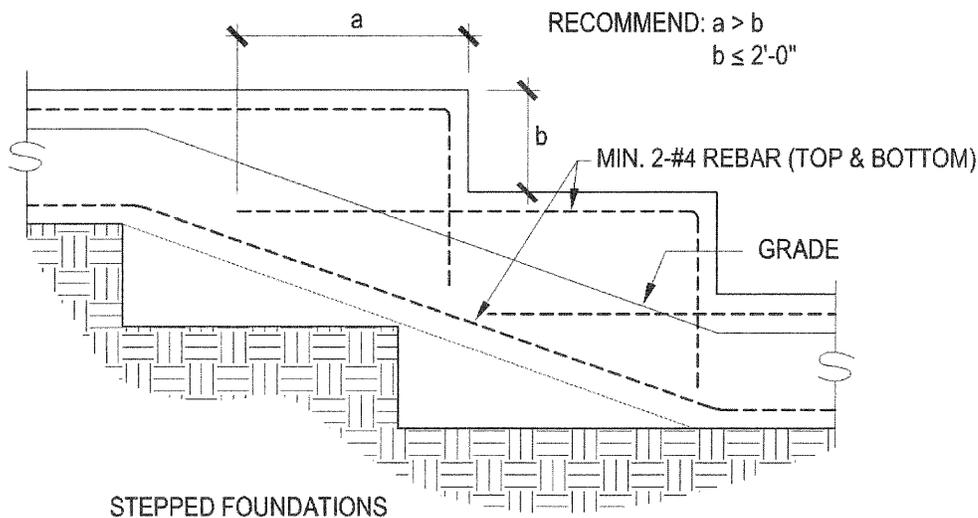


Figure R403.1.5

16. Section 404.2 is amended by adding the following sentence:

Wood foundation walls shall not be used for structures located in Seismic Design Category D0, D1, D2, and E.

17. Section R506.1 is amended by adding the following:

In lieu of a more detailed design per Sec. 1808.6 of the 2013 California Building Code the following minimum requirements for concrete slab on ground shall apply:

Slab floors shall be reinforced as set forth in Table 1809.7. All slabs founded on soils found to be in an expansive index of over fifty (50) shall be doweled into foundation walls with not less than No. 3 reinforcing steel bars bent twelve (12") inches into the wall and thirty-six (36") inches minimum into the slab at twenty-four (24") inches o.c. maximum. Interior walls with continuous foundations shall have similar floor ties.

18. Section R506.2.1 is amended to add the following to the end of the section:

Also refer to the City of Ventura Municipal Code Grading Ordinance for requirements governing excavation, grading and earthwork construction including fills and embankments.

Loose fill shall be compacted in an approved manner and to the satisfaction of the Building Official or shall be removed and replaced with coarse sand or gravel.

19. Section 506.2.3 is amended to read as follows:

Section 506.2.3 Vapor retarder. An approved moisture membrane with a minimum thickness of six (6) mils shall be installed in an approved manner under all interior concrete slab areas except residential garage slab areas. A layer of sand with a minimum depth of one (1") inch shall be placed over said membrane and shall be moist just prior to the placing of concrete. In cases where the foundation system proposed is a post tension slab and footing, a two (2") inch layer of sand shall be required

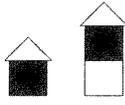
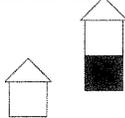
20. Section R506.2.4 is amended to add the following sentence to the end of the section:

All reinforcing in slab floor shall be positioned above the center of the slab.

21. Table R602.10.1.3(3) is amended to read as follows:

TABLE R602.10.1.3(3)^{a, b, c}

BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY (AS A FUNCTION OF BRACED WALL LINE LENGTH)

SOIL CLASS D ^a WALL HEIGHT = 10 FT 10 PSF FLOOR DEAD LOAD 15 PSF ROOF/CEILING DEAD LOAD BRACED W			MINIMUM TOTAL LENGTH (feet) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE			
Seismic Design Category (SDC)	Story Location	Braced Wall Line Length	Method LIB, DWB, SFB, PBS, and HPS	Methods ^d GB and PCP	Method WSP ^e	Continuous Sheathing ^e
SDC D ₂ ^e		10	NP	8.0	2.5	2.1
		20	NP	16.0	5.0	4.3
		30	NP	24.0	7.5	6.4
		40	NP	32.0	10.0	8.5
		50	NP	40.0	12.5	10.6
		10	NP	NP	5.5	4.7
		20	NP	NP	11.0	9.4
		30	NP	NP	16.5	14.0
		40	NP	NP	22.0	18.7
		50	NP	NP	27.5	23.5

a. Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the *S_d*, values associated with the seismic design categories shall be permitted when a site-specific *S_d* value is determined in accordance with Section 16.

b. Foundation cripple wall panels shall be braced in accordance with Section R602.10.9

c. Methods of bracing shall be as described in Sections R602.1 0.2, R602.1 0.4 and R602.1 0.5 d. Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1.

d. Wood Structural Panel shall have a minimum thickness in SDC D₂ of 15/32", and shall not be attached using staples.

22. Table R603.2.3(2) footnote b is amended to read as follows:

Staples shall have a minimum crown width of 7/16 inch on diameter except as noted. Use of staples in roof, floor, subfloor, and braced wall panels shall be prohibited for structures located in Seismic Design Category D0, D1, D2, and E.

23. The first sentence of Section R802.8 is amended to read as follows:

Roof framing members and ceiling joists having a depth-to-thickness ratio exceeding 2 to 1, based on nominal dimensions, shall be provided with lateral support at points of bearing to prevent rotation.

24. Section R805.2 is added to read as follows:

R805.2 Suspended ceilings. Suspended acoustical ceilings shall be designed in accordance with ASCE-7-10 Section 13.5.6.

25. Section R902.1 is amended to read as follows:

R902.1 Roof Covering Materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class B roofing shall be installed. Roofing shall be listed and tested in accordance with UL 790 or ASTM E 108.

The "Exceptions" of this section remain as contained in the State Code.

26. Section R902.1.2 is re-titled to "Roof Coverings in Other Areas."

27. Section R902.1.3 is amended to read as follows:

R902.1.3 Additions to Existing Buildings. In any 12 month period, additions of less than 26% of the existing roof area may be of Class B materials that match the existing roof. Additions in high fire hazard areas must meet the current high fire hazard area roofing requirements in addition to this section.

28. Section R902.2 is amended to read as follows:

R902.2 Wood Shingles and Shakes. No wooden shakes or shingles, treated or untreated, shall be used for roof covering unless specifically allowed in Sections R902.1.1, R902.1.2, or R902.1.3 of this code.

SECTION 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment.

SECTION 4: SAVINGS CLAUSE. Repeal of any provision of the SBMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, the effective date of this Ordinance. Any such repealed part will remain in full force and

effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5: SEVERABILITY. If any part of this Ordinance is deemed invalid by a court of competent jurisdiction, the City Council intends that such decision will not affect the validity of the remaining portions of this Ordinance and, to this end, the provisions of this Ordinance are severable.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance is repealed or is deemed invalid by a court of competent jurisdiction, such action will render this Ordinance void and cause such SBMC Ordinance previously in effect prior to amendment by this Ordinance to remain in full force and effect for all purposes.

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SECTION 7: EFFECTIVE DATE. This Ordinance will take effect on the 31st day following its final passage and adoption or January 1, 2014 whichever is later.

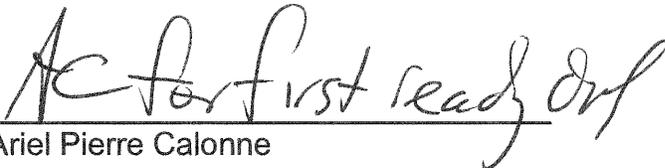
PASSED AND ADOPTED this ___ day of _____, 2013.

Mike Tracy
Mayor

ATTEST:

Cynthia M. Rodriguez, MMC
City Clerk

APPROVED AS TO FORM:



Ariel Pierre Calonne
City Attorney

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ORDINANCE NO. 2013-____

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN BUENAVENTURA ADOPTING BY REFERENCE THE
2012 EDITION OF THE INTERNATIONAL PROPERTY
MAINTENANCE CODE AND AMENDING CERTAIN
PROVISIONS THEREOF**

The Council of the City of San Buenaventura does ordain as follows:

SECTION 1: Chapter 12.310 of Division 12 of the San Buenaventura Municipal Code ("SBMC") is amended in its entirety to read as follows:

Chapter 12.310 Housing Standards and Regulations

Section 12.310.010. Adoption of the International Property Maintenance Code, 2012 Edition.

Pursuant to California Government Code sections 50022.1 to 50022.8, inclusive, the 2012 International Property Maintenance Code (IPMC), including appendix A, is adopted in its entirety, subject to the amendments, additions, and deletions set forth in this chapter. The IPMC will apply to all occupancies identified by this code. One true copy of the IPMC is on file in the office of the City Clerk and Building Official and is available for public inspection as required by law.

Section 12.310.020. Amendments.

After due consideration, the City Council finds and determines that modifications and changes to the IPMC are reasonably necessary to provide sufficient and effective protection of life, health, and property. The IPMC is therefore modified, amended, added to, and changed as set forth below:

1. Wherever this code uses the term "Code Official" it shall be replaced with the term "Code Official or Building Official."
2. All references to "International" codes shall be replaced with "California" codes.
3. All references to the "International Existing Building Code" shall be deleted.
4. Wherever this code refers to or uses the term "Department of Property Maintenance Inspection" it shall be replaced with "Code Enforcement/Neighborhood Preservation Program."
5. Section 101.1 is replaced in its entirety with the following:

Section 101.1 Title. Once amended and adopted by the City of Ventura, the 2012 International Property Maintenance Code may also be referred to as the Ventura City Property Maintenance Code.

6. Section 102.3 is replaced in its entirety with the following:

Section 102.3 Application to other codes. Nothing in this Code shall be construed to cancel, modify, or set aside any provision of the California Code of Regulations, Title 24 as amended and adopted by the City of Ventura or Title 25 inclusive of the State Housing Law.

7. Section 103.5 is replaced in its entirety with the following:

Section 103.5 Fees. The fees and penalties charged as a requirement of this code shall be limited to those specifically listed in the City's most current "User Fees" resolution.

8. Section 104.3 is appended to add the following sentence:

Hours of inspection of the interior of homes shall be in accordance with the State Health and Safety Code, Sections 17970-17972.

9. The term "condemned" in Section 108.1 is replaced with "processed".

10. Section 108.1.6 is added as follows:

108.1.6 High Fire Loads. The local Fire Official has the authority to determine that a structure is unfit for human occupancy due to the gross accumulation of combustible items and high fire load within the structure. For the purposes of this section, the local Fire Official may refer to the National Fire Protection Association Handbook, Nineteenth Edition, Chapter 5, Section 12 or other equivalent national standard.

11. Section 108.2.2 is added as follows:

108.2.2 Closed structure method and term. Structures ordered to be closed, shall be closed in accordance with Appendix A of this code. Such structures shall not remain closed and boarded for more than ninety (90) calendar days.

Exception: Structures with active building permits may remain closed and boarded for the term of those permits necessary to allow occupancy.

12. The terms "condemned" in Section 108.3 are replaced with "found deficient."

13. Section 108.4 is replaced in its entirety with the following:

Section 108.4 Posting and placarding. Whenever a property, structure or piece of regulated equipment is found to be unsafe, unfit for occupancy, and/or dangerous, the Building Official shall post a placard stating such, and the penalties for removal of the placard without prior City approval. The placard shall be placed at a conspicuous location on the property, each entrance to the structure, or on the equipment.

14. The term “condemned and placarded” in Section 108.5 shall be replaced with “placarded.”

15. The term “board of appeals” throughout Section 111 is replaced with “Local/Housing Appeals Board.”

16. Section 111.1 is appended to add the following sentence:

In order for the application to appeal to be valid, payment of the appeal hearing fee must be received at the time the application for appeal is submitted to the Building Official.

17. Section 112.4 is replaced in its entirety with the following:

Section 112.4 Failure to comply. Any person who continues any work contrary to a Stop Work Order is in violation of this code and may receive a penalty per section 106.4 of this code.

18. Section 201.3 is replaced in its entirety with the following:

Section 201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the California Building Standards Codes and referenced standards, such terms shall have the meanings ascribed to them as stated in those codes.

19. The term “[JURISDICTION TO ENTER HEIGHT HERE]” in Section 302.4 shall be replaced by “12 inches”.

20. Section 303.2 is replaced in its entirety with the following:

Section 303.2 Enclosures. Pool enclosures shall be in accordance with the State’s Swimming Pool Safety Act found in the State Health and Safety Code Sections 115920-115929.

21. Section 307 is replaced in its entirety with the following:

Section 307 HANDRAILS AND GUARDRAILS

Handrails and guardrails shall be maintained in their most recently approved (by permit) state.

22. Section 308.1 is amended to add the following sentence at the beginning of the section:

The requirements of this section are supplemental to existing State laws regulating refuse, recycling and/or green waste collection.

23. Section 309 is replaced in its entirety with the following:

Section 309 PEST ELIMINATION

309.1 Abatement of Infestation. The owner of every building shall control and eliminate pests such as ants, roaches, mosquitos, bees, wasps, and other common pests that pose health and/or sanitation nuisances. Tenants that contribute to pest related health or sanitation nuisances may also be subject to the penalties found in section 106.4 of this code.

24. Section 401.4 is added as follows:

Section 401.4 Federal and State Laws. Whenever the requirements of this Chapter conflict with Federal, State or Local regulations, those Federal, State or Local regulations shall take precedence.

25. Section 404.5 is deleted in its entirety and the section number is reserved for future use.

26. Section 501.3 is added to read as follows:

Section 501.3 Federal and State Laws. Whenever the requirements of this Chapter conflict with Federal, State or Local regulations, those Federal, State or Local regulations shall take precedence.

27. Section 601.3 is added to read as follows:

Section 601.3 Federal and State Laws. Whenever the requirements of this Chapter conflict with Federal, State or Local regulations, those Federal, State or Local regulations shall take precedence.

28. Section 704.5 is added as follows:

704.5 Carbon Monoxide Detectors. Carbon monoxide detectors shall be provided in accordance with the State Health and Safety Code section 17926

and installed in accordance with their listed installation instructions. When both a smoke detector and a carbon monoxide detector are required in the same location, a combination smoke/carbon monoxide detector may be used provided it meets all of the wiring and battery requirements for both devices.

29. Chapter 8 is replaced in its entirety with the following:

Referenced Standards for the application of this code are those codes and standards listed in the California Code of Regulations, Title 24 and Title 25 and The State Health and Safety Code.

30. Appendix A, Section A101.2 is added as follows:

A101.2 Maximum Term. The maximum term that a building or structure can be boarded for security is 6 months in any 5-year period unless again damaged by no act of the owner. After 6 months of boarding the structure must have all building permits required for repair issued and be under re-construction/repair. If, after 6 months of board-up, no building permits are required for repairs, the structure shall be in a state and condition that would allow immediate occupancy under the current approved use(s) and there shall be no observable nuisances on site.

SECTION 2: Chapter 12.315 of Division 12 of the San Buenaventura Municipal Code ("SBMC") is repealed in its entirety.

SECTION 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment.

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SECTION 5: SEVERABILITY. If any part of this Ordinance is deemed invalid by a court of competent jurisdiction, the city council intends that such decision will not affect the

validity of the remaining portions of this Ordinance and, to this end, the provisions of this Ordinance are severable.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance is repealed or is deemed invalid by a court of competent jurisdiction, such action will render this Ordinance void and cause such SBMC Ordinance previously in effect prior to amendment by this Ordinance to remain in full force and effect for all purposes.

SECTION 7: EFFECTIVE DATE. This Ordinance will take effect on the 31st day following its final passage and adoption or January 1, 2014, whichever is later.

PASSED AND ADOPTED this ___ day of _____, 2013.

Mike Tracy, Mayor

ATTEST:

Cynthia M. Rodriguez, MMC
City Clerk

APPROVED AS TO FORM:

By: *AP* *for public hearing 12-5-13*
Ariel Pierre Calonne
City Attorney