

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



February 15, 2011

Maryam Babaki, Development Services Director
Luis Sainz, Building Official
Development Services Department
City of National City
1243 National City Blvd.
National City, CA 90274

Dear Maryam Babaki and Luis Sainz:

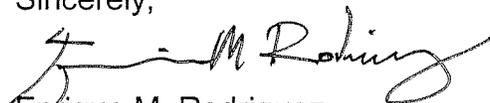
This letter is to acknowledge receipt on January 18, 2011 of the City of National City submittal pertaining to Ordinance No. 2010-2349 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



CITY OF NATIONAL CITY - DEVELOPMENT SERVICES DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

January 13, 2010

BUILDING STANDARDS COMMISSION
C/o Dave Walls
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833-2936

Dear Mr. Walls,

Attached you will find copies of the City of National City adopted ordinances that relate to the new 2010 California Building Codes. None of the changes reflect any real changes that are based on local climatic, topographic or geological conditions. Most of the changes are actually related to administrative requirements the council had requested. The prescribed 2010 California Building Codes were pretty much adopted as published.

If you have any questions regarding the changes that were adopted please contact me directly at 619-336-4214, thank you.

Sincerely,

Maryam Babaki
Development Services Director

Luis Sainz
Building Official

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CALIFORNIA BUILDING
STANDARDS COMMISSION

ORDINANCE NO. 2010 – 2349

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF NATIONAL CITY ADOPTING
THE 2010 CALIFORNIA BUILDING CODE, CALIFORNIA
CODE OF REGULATIONS, TITLE 24, VOLUMES I AND II,
AND APPENDICES C, G, H AND I OF SAID CODE, AMENDING
CERTAIN SECTIONS, PROVIDING PENALTIES FOR
VIOLATION THEREOF, AND AMENDING CHAPTER 15.08
OF THE NATIONAL CITY MUNICIPAL CODE
PERTAINING TO THE CALIFORNIA BUILDING CODE

The City Council of the City of National City does ordain as follows:

Section 1. The City Council of the City of National City hereby adopts the 2010 California Building Code, California Code of Regulations, Title 24, Volumes I and II and Appendices C, G, H and I of said Code.

Section 2. The City Council of the City of National City hereby amends, adds, and deletes certain sections of the 2010 California Building Code and Chapter 1 of said Code, based on local climatic, topographic or geological conditions that justify deviating from said Code, thereby amending Chapter 15.08 of the National City Municipal Code to read as follows:

CHAPTER 15.08

CALIFORNIA BUILDING CODE

Sections:

- 15.08.010 California Building Code—Adopted.
- 15.08.015 Chapter 1, Administration—Deleted.
- 15.08.020 Chapter 2, Definitions—Added.
- 15.08.025 Chapter 1, DIVISION II, Section 1 04.6 Right of entry—Amended.
- 15.08.030 Chapter 1, DIVISION II, Section 1 05.2 Work exempt from permit—Amended.
- 15.08.035 Chapter 1, DIVISION II, Section 1 05.3.2 Time limitation of application—Amended.
- 15.08.040 Chapter 1, DIVISION II, Section 1 05.5 Expiration—Amended.
- 15.08.045 Chapter 1, DIVISION II, Section 1 05.7 Placement of permit—Amended.
- 15.08.050 Chapter 1, DIVISION II, Section 105.8 Permit denial—Added.
- 15.08.055 Chapter 1, DIVISION II, Section 109.2 Schedule of permit fees—Amended.
- 15.08.056 Plan Review Fees—Added.

- 15.08.060 Chapter 1, DIVISION II, Section 109.4 Work commencing before permit issuance–Amended.
- 15.08.062 Applications and extensions–Added.
- 15.08.065 Chapter 1, DIVISION II, Section 110.3.8.1 Reinspections–Added.
- 15.08.070 Chapter 1, DIVISION II, Section 111.3 Temporary occupancy–Amended.
- 15.08.075 Chapter 1, DIVISION II, Section 113.1 Board of Appeals–Amended.
- 15.08.080 Chapter 1, DIVISION II, Section 114 Violations–Amended.
- 15.08.085 Section 501.2 Address numbers–Amended.
- 15.08.090 Table 1505.1 Minimum roof covering classification–Amended.
- 15.08.092 Chapter 18, Division II, Section 1803 Geotechnical Investigations, Subsection 1803.1.1–Added.
- 15.08.093 Chapter 31, Division II, Section 3109 Swimming Pool Enclosures and Safety Devices, Subsection 3109.4.48 (4) - Construction requirements for building a pool or spa–Amended.
- 15.08.095 Section 3409.1.1 Historic buildings–Added.
- 15.08.100 Appendix Chapters C, G, H, and I–Adopted.

15.08.010 California Building Code–Adopted. The city council adopts, for the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, use, height, area, fire resistance and maintenance of all buildings and/or structures, the 2010 California Building Code as published in the California Building Code Volumes I and II, 2010 edition, California Code of Regulations, Title 24, Part 2, Volumes 1 and 2, and Appendices C, G, H, and I, save and except such portions as are deleted, added, or modified, of which copies of all the codes have been and are now filed in the office of the Building Official; and, the same are adopted and incorporated as fully set out at length in this Chapter, and the provisions thereof shall be controlling within the city limits.

15.08.015 Chapter 1, Administration–Deleted.

15.08.020 Chapter 2, Definitions–Added. The following definition is added to Section 202 to read as follows:

Authority Having Jurisdiction. The “Authority Having Jurisdiction” means the Building Official of the City of National City.

15.08.025 Chapter 1, DIVISION II, Section 104.6 Right of entry–Amended. Section 104.6 of the 2010 California Building Code is amended to read s follows:

104.6 Right of Entry. When necessary to make an inspection to enforce any of the provisions of this code, or when the Authority Having Jurisdiction has reasonable cause to believe that there exists a condition that makes such building or premises unsafe, dangerous or hazardous, the Authority Having Jurisdiction and/or their representatives may request entry as specified on Chapter 1.12 of the National City Municipal Code.

15.08.030 Chapter 1, DIVISION II, Section 105.2 Work exempt from permit-
Amended. Section 105.2 Building: Item 4 of the 2010 California Building Code is amended to read as follows:

Permits for retaining walls shall be as specified in the National City Municipal Code, Chapter 15.70.

Section 105.2 Building of the 2010 California Building Code is amended by adding the following items:

14. Playground, gymnastic and similar equipment and structures used for recreation and athletic activities accessory to Group R Division 3 structures.

15. Repairs to lawfully existing Group R Division 3 structures and Group U occupancy structures accessory to Group R Division 3 structures constructed pursuant to a building permit which involves only the replacement of component parts or existing work completed with similar materials only for the purpose of maintenance and do not affect any structural components or plumbing, mechanical or electrical installations. Repairs exempt from permit requirements shall not include any addition, change or modification in construction, exit facilities or permanent fixtures or equipment. Specifically exempt from permit requirements are:

- 1) Painting and decorating including refinishing of exterior stucco finishes.
- 2) Installation of floor covering.
- 3) Cabinet work.
- 4) Outside paving on private property, not within the public right-of-way.

5) Replacement of existing windows with no structural modification of the existing window opening.

16. Ground mounted satellite antennas not exceeding ten feet in diameter and roof mounted satellite antennas not exceeding eight feet in diameter.

17. Painted wall signs and styrofoam or other foam mounted wall signs.

15.08.035 Chapter 1, DIVISION II, Section 105.3.2 Time limitation of application-
Amended. Section 105.3.2 of the 2010 California Building Code is amended to read as follows:

Section 105.3.2 Time limitation of plan check application. An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of firing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant a maximum of three extensions for an additional time of three months each, provided there have been no changes to the plans and that no new codes have been adopted since the initial plan check was conducted. A fee equal to 25% of the initial plan check fee will be assessed for each plan check extension. The extension shall be requested in writing and justifiable cause demonstrated.

15.08.040 Chapter 1, DIVISION II, Section 105.5 Expiration—Amended. Section 105.5 of the 2010 California Building Code is amended to read as follows:

Section 105.5 Expiration. Every permit issued by the Authority Having Jurisdiction under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within six calendar months from the date of such permit, or if the building or work authorized by such permit is stopped at any time after the work is commenced for a period of 6 calendar months, or if the building or work authorized by such permit exceeds three (3) calendar years from the issuance date of the permit. Work shall be presumed to have commenced if the permittee has obtained a required inspection approval of work authorized by the permit by the Authority Having Jurisdiction within six calendar months of the date of permit issuance.

Work shall be presumed to be stopped if the permittee has not obtained a required inspection approval of work by the Authority Having Jurisdiction within each 6 month period upon the initial commencement of work authorized by such permit.

Before such work can be recommenced, a new permit, or a renewal permit as specified below, shall be first obtained.

1. Permits where work has not commenced. For permits for which work has not commenced in the first six calendar months from the date of issuance, a renewal permit may be obtained provided that:

A. No changes have been made or will be made in the original plans and specifications for such work;

B. The expiration has not exceeded three years from the original issuance date;

C. The same edition of the California codes is in effect as used in the initial plan check;

D. A fee equal to one-half the amount required for a new permit is paid;

E. The renewal permit shall expire three calendar years from the date of initial permit issuance.

Where later editions of the California codes have been adopted than used in the initial plan check, such applications for renewal shall be considered as a new plan check submittal. Accordingly, plans shall reflect the requirements of the current codes in effect, a full new plan check is required, and a full new plan check fee shall be paid. Upon completion of a new plan check, the permit may be renewed upon payment of a permit fee equal to one-half the amount required for a new permit.

2. Permits where work has commenced. For permits where work has commenced and was subsequently stopped as defined herein, a renewal permit may be obtained provided that:

A. No changes have been made or will be made in the original plans and specifications for such work;

B. The expiration has not exceeded three years from the original issuance date;

C. A fee equal to one-half the amount required for a new permit is paid, except that where construction has progressed and has been approved to the point of requiring only a final inspection, a fee equal to one quarter the amount required for a new permit shall be paid;

D. A renewal permit shall expire three (3) calendar years from the date of initial permit issuance.

3. Permits that have exceeded three years. For permits that have exceeded three years beyond the issuance date, a renewed permit may be obtained provided that:

A. Construction in reliance upon the building permit has commenced and has been approved;

B. No changes have been made or will be made in the original plans and specifications for such work;

C. A fee equal to the full amount required for a new permit is paid except that where the Authority Having Jurisdiction determines that construction has progressed to the point that a lesser fee is warranted, such lesser fee shall be paid.

The maximum life of a permit renewal in accordance with this subsection shall be one calendar year from the date of renewal. The permit may be renewed for each calendar year thereafter provided that all requirements of (A), (B), and (C) as stated in this subsection are met.

4. Extension of an unexpired permit. For an extension of an unexpired permit, the permittee may apply for an extension of the time within which work under that permit may be continued when for good and satisfactory reasons the permittee is unable to continue work within the time required by this section. The Authority Having Jurisdiction may extend the time for action by the permittee for a period not exceeding 6 calendar months upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

5. Permits issued where the permittee has been deployed to a foreign country, may be held in abeyance until six months after the return of the permittee from his/her deployment if necessary, upon application for such relief by the permittee.

15.08.045 Chapter 1, DIVISION II, Section 105.7 Placement of permit—Amended. Section 105.7 of the 2010 California Building Code is amended to read as follows:

Section 105.7 Placement of permit. The building permit or a copy, the inspection record, and the approved plans shall all be kept on site until the completion of the project. The inspection record is to be kept on the job unless removed by the building official.

15.08.050 Chapter 1, DIVISION II, Section 105.8 Permit denial—Added. Section 105.8 of the 2010 California Building Code is added as follows:

Section 105.8 Permit denial. The Authority Having Jurisdiction may deny the issuance of a building permit on any property where there exists an unsafe or a substandard building as provided in Chapter 15.10 and 15.16 of the National City Municipal Code, or where there exists unlawful construction, or where there exists a violation of the National City Municipal Code.

15.08.055 Chapter 1, DIVISION II, Section 109.2 Schedule of permit fees—Amended. Section 109.2 of the 2010 California Building Code is amended to read as follows:

Section 109.2 Schedule of permit fees. Fees shall be assessed in accordance with the most recent fee schedule adopted by the National City City Council .

15.08.056 Plan Review Fees--Added. Section 15.08.056 is added to read as follows:

15.08.056 Plan Review Fees. When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in the current City of National City fee schedule.

15.08.060 Chapter 1, DIVISION II, Section 109.4 Work commencing before permit issuance--Amended. Section 109.4 of the 2010 California Building Code is amended to read as follows:

Section 109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an administrative penalty equal to the inspection fee portion the permit fee that would be required by this code if a permit were to be issued. The administrative penalty is in addition to a permit fee.

When a plan review is required for issuance of such permit, the plan review fee portion will not be subject to said penalty. The payment of such administrative penalty shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

15.08.062 Applications and extensions--Added. Application and Extensions An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Authority Having Jurisdiction is authorized to grant a maximum of three extensions for an additional time of three months each provided there have been no changes to the plans and that no new codes have been adopted since the initial plan check was conducted. A fee equal to 25% of the initial plan check fee will be assessed for the second and subsequent plan check extensions. The extension shall be requested in writing and justifiable cause demonstrated.

15.08.065 Chapter 1, DIVISION II, Section 110.3.8.1 Reinspections--Added. Section 110.3.8.1 of the 2010 California Building Code is added to read as follows:

Section 110.3.8.1 Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when any of the following occurs:

1. The portion of work for which the inspection was called is not complete; the corrections previously required and called for are not made;
2. Calling for an inspection before the job is ready for such inspection or re-inspection;
3. The inspection record card or the approved plans are not posted or otherwise available to the inspector;
4. Failure to provide access on the date for which the inspection is requested; or,
5. Deviating from the approved plans when such deviation or change required approval of the building official.

To obtain a re-inspection, the permittee shall file an application therefore in writing upon a form provided for that purpose and pay the re-inspection fee as specified in the Fee Schedule adopted by the City Of National City. In instances where a re-inspection fee has been assessed, no further inspections shall be performed until the fees have been paid.

15.08.070 Chapter 1, DIVISION II, Section 111.3 Temporary occupancy certificate—Amended. Section 111.3 of the 2010 California Building Code is amended to read as follows:

Section 111.3 Temporary Occupancy Certificate. Where a project or a major portion thereof is substantially complete and can be safely occupied, but practical difficulties delay completion of work, the building official may issue a Temporary Certificate of Occupancy for the use of a portion or portions of the building or structure prior to the completion of the entire project.

Prior to issuance of a Temporary Certificate of Occupancy, the premises shall be inspected by all affected City departments who shall prepare a list of work required to be completed and shall forward the list along with a recommendation for approval or disapproval of the issuance of a Temporary Certificate of Occupancy to the building official.

Upon receipt of a recommendation for approval from all affected City departments, the Authority Having Jurisdiction may prepare a written document granting temporary occupancy that shall include the following:

1. Work yet to be completed;
2. Maximum time allotted for completion of said work;
3. Property owner's signature and the signature of the contractor agreeing to complete the work within the prescribed time or vacate the premises upon order of the building official until such work is completed;
4. Evidence that a faithful performance bond has been posted if required by any affected city department; and
5. A copy of a written document granting temporary occupancy shall be provided to all affected city departments.

15.08.075 Chapter 1, DIVISION II, Section 113.1 Board of Appeals—Amended. Section 113.1 of the 2010 California Building Code is amended to read as follows:

Section 113.1 Board of Appeals. The City Council, pursuant to National City Municipal Code Chapter 15.04, shall have jurisdiction to review the items as enumerated in Chapter 15.08 of the National City Municipal Code.

15.08.080 Chapter 1, DIVISION II, Section 114.1 Violations—Amended. Section 114.1 of the 2010 California Building Code is amended to read as follows:

Section 114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

Violation of any provision of this code shall be punishable as a misdemeanor and shall carry the penalties as prescribed in Chapter 1.20 of the National City Municipal Code.

15.08.085 Section 501.2 Address numbers—Amended. Section 501.2 of the 2010 California Building Code is amended to read as follows:

Section 501.2 Address numbers. Every principal building or structure within the incorporated limits of the City of National City shall be identified by a designated street number as issued by the National City Fire Department.

Approved numbers or addresses shall be placed on all new and existing buildings, adjacent to the principal entrance to the premises or at a point that is highly visible and legible from the street. If necessary, directional signs shall be posted showing proper access to the given address from a point where the Fire Department access roadway leaves the dedicated street, to the entrance of each addressed building. All such numbers shall be Arabic numerals or alphabetical letters and shall be a minimum of 4 inches (102mm) high with a minimum stroke width of 0.5 inches (12.7mm), and shall be placed on a contrasting background.

15.08.090 Table 1505.1 Minimum roof covering classification—Amended. Table 1505.1 of the 2010 California Building Code is amended to read as follows:

Due to climatic and geographical conditions within the City of National City, Table 1505.1 is amended as follows:

Table 1505.1

Minimum Roof Covering Classification for Types of Construction

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

15.08.092 Chapter 18, Division II, Section 1803 Geotechnical Investigations, Subsection 1803.1.1—Added. Chapter 18, Division II, Section 1803 Geotechnical Investigations, Subsection 1803.1.1.1.1 of the 2010 California Building Code is added to read as follows:

Subsection 1803.1.1.1.1. A geotechnical investigation shall be submitted with each application for a building permit for a new building or addition 500 square feet and larger. The investigation and report shall comply with the requirements of Section 1803.

15.08.093 Chapter 31, Division II, Section 3109 Swimming Pool Enclosures and Safety Devices, Subsection 3109.4.48 (4) - Construction requirements for building a pool or spa—Amended. Section 3109.4.4.8 (4) of the 2010 California Building Code is added to read as follows:

Section 3109.4.4.8 (4) Construction requirements for building a pool or spa. (4) Whenever any building permit is issued and there is an existing swimming pool, toddler pool or spa, the permit shall require that the suction outlet of the existing swimming pool, toddler pool or spa be updated so as to be equipped with an anti-entrapment cover meeting current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME).

15.08.095 Section 3409.1.1 Historic buildings–Amended. Section 3409.1.1 of the 2010 California Building Code is added to read as follows:

Section 3409.1.1 Historic Buildings. The repair, alteration, enlargement, maintenance and moving of historic buildings which are designated as historic pursuant to National City Municipal Code Chapter 18.139 shall comply with the provisions of the State Historical Building Code (Part 8, Title 24, California Code of Regulations) and shall be subject to the review of permit requirements of National City Municipal Code Chapter 18.139.

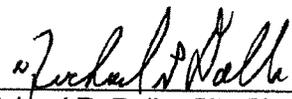
15.08.100 Appendix Chapters C, G, H and I–Adopted. Appendix Chapters C, G, H and I of the 2010 California Building Code are adopted.

PASSED and ADOPTED this 23rd day of November, 2010.



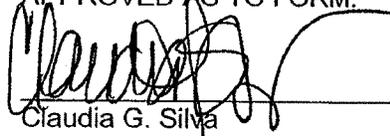
Ron Morrison, Mayor

ATTEST:



Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Claudia G. Silva
City Attorney

Passed and adopted by the Council of the City of National City, California, on November 23, 2010, by the following vote, to-wit:

Ayes: Councilmembers Morrison, Sotelo-Solis, Van Deventer, Zarate.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally adopted until seven calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on November 9, 2010 and on November 23, 2010.

I FURTHER CERTIFY THAT said ordinance was read in full prior to its final passage or that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

I FURTHER CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2010-2349 of the City Council of the City of National City, passed and adopted by the Council of said City on November 23, 2010.



Michael R. Dalla
City Clerk of the City of National City, California

By: _____
Deputy

ORDINANCE NO. 2010 – 2352

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF NATIONAL CITY ADOPTING OF
THE 2010 CALIFORNIA PLUMBING CODE, TABLE 2902.1
THE 2010 CALIFORNIA BUILDING CODE, AND CHAPTER 1,
DIVISION II OF THE 2010 CALIFORNIA PLUMBING CODE,
CALIFORNIA CODE OF REGULATIONS TITLE 24,
PART 5, AMENDING, ADDING, AND DELETING
CERTAIN SECTIONS OF THESE CODES, AND AMENDING
CHAPTER 15.20 OF THE NATIONAL CITY MUNICIPAL CODE

The City Council of the City of National City does ordain as follows:

Section 1. The City Council of the City of National City hereby adopts the 2010 California Plumbing Code, Chapter 1, Division II of said Code, and the Uniform Plumbing Code (2009 Edition), and Table 2902.1 of the 2010 California Building Code, establishing regulations for the installation, maintenance and alteration of plumbing systems within the city.

Section 2. The City Council of the City of National City hereby amends, adds, and deletes certain sections of the Codes stated herein based on local climatic, topographic or geological conditions that justify deviating from said Code, and amends Chapter 15.20 of the National City Municipal Code to read as follows:

CHAPTER 15.20

CALIFORNIA PLUMBING CODE

Sections:

- | | |
|-----------|---|
| 15.20.005 | 2010 California Plumbing Code—Adopted. |
| 15.20.015 | Chapter 1, Division II—Adopted and amended. |
| 15.20.020 | Chapter 1, Division II, Section 102.2.2 Right of entry—Amended. |
| 15.20.025 | Chapter 1, Division II, Section 102.3.2 Penalties—Amended. |
| 15.20.027 | Work commencing before permit issuance—Added. |
| 15.20.030 | Chapter 1, Division II, Section 103.3.4 Expiration—Amended. |
| 15.20.032 | Expiration of Plans—Added. |
| 15.20.033 | Applications and extensions—Added. |
| 15.20.035 | Chapter 1, Division II, Section 103.3.6 Permit denial—Added. |
| 15.20.040 | Chapter 1, Division II, Section 103.4.1 Permit fees—Amended. |
| 15.20.042 | Placement of Permit—Added. |
| 15.20.045 | Chapter 1, Division II, Section 103.4.2 Plan review fees—Amended. |
| 15.20.050 | Chapter 1, Division II, Section 103.5.6 Reinspections—Amended. |
| 15.20.055 | Chapter 1, Division II, Section 103.9 Advisory and Appeals Board—Added. |
| 15.20.060 | Chapter 1, Division II, Table 1-1 Plumbing permit fees—Deleted. |
| 15.20.065 | Table No. 4.1 Minimum plumbing facilities—Deleted. |
| 15.20.070 | Table 2902.1 Minimum number of required plumbing fixtures of the 2010 California Building Code—Adopted. |

15.20.005 2010 California Plumbing Code–Adopted. The city council adopts, and incorporates herein as the city plumbing code, except as amended, deleted, or added by this chapter, for the purpose of prescribing in the City of National City, regulations governing the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any plumbing, gas, or drainage piping and systems or water heating or treating equipment. in or on any building or structure or outdoors on any premises or property, the 2010 California Plumbing Code, California Code of Regulations Title 24, Part 5, and Table 2902.1 of the 2010 California Building Code, of which a copy of all codes have been and are now filed in the office of the Building Official and the same are adopted and incorporated as if fully set forth in this chapter, and the provisions shall be controlling within the city limits.

15.20.015 Chapter 1, Division II–Adopted and Amended. Appendix Chapter 1, Division II of the 2010 California Plumbing Code is amended to read as follows:

Chapter 1, Division II, ADMINISTRATION is adopted subject to the additions, amendments, and deletions contained in this Chapter.

15.20.020 Chapter 1, Division II, Section 102.2.2 Right of entry–Amended. Section 102.2.2 of the 2010 California Plumbing Code is amended to read as follows:

102.2.2 Right of Entry. When necessary to make an inspection to enforce any of the provision of this code, or when the Authority Having Jurisdiction has reasonable cause to believe that there exists in any building or upon any premises a condition or code violation which make such building or premises unsafe, dangerous or hazardous, the Authority Having Jurisdiction and/or their authorized representatives may request entry as specified in Chapter 1.12 of the National City Municipal Code.

15.20.025 Chapter 1, Division II, Section 102.3.2 Penalties–Amended. Section 102.3.2 of the 2010 California Plumbing Code is amended to read as follows:

102.3.2 Penalties. Violation of any provision of this code shall be punishable as a misdemeanor and shall carry the penalties as prescribed in Chapter 1.20 of the National City Municipal Code.

15.020.027 Work commencing before permit issuance–Added. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an administrative penalty equal to the inspection fee portion the permit fee that would be required by this code if a permit were to be issued. The administrative penalty is in addition to a permit fee. When a plan review is required for issuance of such permit, the plan review fee portion will not be subject to said penalty. The payment of such administrative penalty shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

15.20.030 Chapter 1, Division II, Section 103.3.4 Expiration–Amended. Section 103.3.4 of the 2010 California Plumbing Code is amended to read as follows:

103.3.4. Expiration. Every permit issued by the Authority Having Jurisdiction under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within six calendar months from the date of such permit, or if the

building or work authorized by such permit is stopped at any time after the work is commenced for a period of 6 calendar months, or if the building or work authorized by such permit exceeds three (3) calendar years from the issuance date of the permit. Work shall be presumed to have commenced if the permittee has obtained a required inspection approval of work authorized by the permit by the Authority Having Jurisdiction within six calendar months of the date of permit issuance.

Work shall be presumed to be stopped if the permittee has not obtained a required inspection approval of work by the Authority Having Jurisdiction within each 6 month period upon the initial commencement of work authorized by such permit.

Before such work can be recommenced, a new permit, or a renewal permit as specified below, shall be first obtained.

1. Permits where work has not commenced. For permits for which work has not commenced in the first six calendar months from the date of issuance, a renewal permit may be obtained provided that:

A. No changes have been made or will be made in the original plans and specifications for such work;

B. The expiration has not exceeded three years from the original issuance date;

C. The same edition of the California codes is in effect as used in the initial plan check;

D. A fee equal to one-half the amount required for a new permit is paid;

E. The renewal permit shall expire three calendar years from the date of initial permit issuance.

Where later editions of the California codes have been adopted than used in the initial plan check, such applications for renewal shall be considered as a new plan check submittal. Accordingly, plans shall reflect the requirements of the current codes in effect, a full new plan check is required, and a full new plan check fee shall be paid. Upon completion of a new plan check, the permit may be renewed upon payment of a permit fee equal to one-half the amount required for a new permit.

2. Permits where work has commenced. For permits where work has commenced and was subsequently stopped as defined herein, a renewal permit may be obtained provided that:

A. No changes have been made or will be made in the original plans and specifications for such work;

B. The expiration has not exceeded three years from the original issuance date;

C. A fee equal to one-half the amount required for a new permit is paid, except that where construction has progressed and has been approved to the point of requiring only a final inspection, a fee equal to one quarter the amount required for a new permit shall be paid;

D. A renewal permit shall expire three (3) calendar years from the date of initial permit issuance.

3. Permits that have exceeded three years. For permits that have exceeded three years beyond the issuance date, a renewed permit may be obtained provided that:

A. Construction in reliance upon the building permit has commenced and has been approved;

B. No changes have been made or will be made in the original plans and specifications for such work;

C. A fee equal to the full amount required for a new permit is paid except that where the Authority Having Jurisdiction determines that construction has progressed to the point that a lesser fee is warranted, such lesser fee shall be paid.

The maximum life of a permit renewal in accordance with this subsection shall be one calendar year from the date of renewal. The permit may be renewed for each calendar year thereafter provided that all requirements of (A), (B), and (C) as stated in this subsection are met.

4. Extension of an unexpired permit. For an extension of an unexpired permit, the permittee may apply for an extension of the time within which work under that permit may be continued when for good and satisfactory reasons the permittee is unable to continue work within the time required by this section. The Authority Having Jurisdiction may extend the time for action by the permittee for a period not exceeding 6 calendar months upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

5. Permits issued where the permittee has been deployed to a foreign country, may be held in abeyance until six months after the return of the permittee from his/her deployment if necessary, upon application for such relief by the permittee.

15.020.032 Expiration of plan review—Added. An application for a permit shall be deemed to have been abandoned six months after the date of filing, unless such application has been pursued in good faith or the permit has been issued; except that the Authority having Jurisdiction is authorized to grant a maximum of three extensions for additional time of three months each, provided there have been no changes to the plans and no new codes have been adopted since the initial plan check was conducted. A fee equal to 25% of the initial plan check fee will be assessed for each plan check extension. The extension shall be requested in writing and justifiable cause demonstrated.

15.20.033 Applications and extensions—Added. An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Authority Having Jurisdiction is authorized to grant a maximum of three extensions for an additional time of three months each provided there have been no changes to the plans and that no new codes have been adopted since the initial plan check was conducted. A fee equal to 25% of the initial plan check fee will be assessed for the second and subsequent plan check extensions. The extension shall be requested in writing and justifiable cause demonstrated.

15.20.035 Chapter 1, Division II, Section 103.3.6 Permit denial—Amended. Section 103.3.6 of the 2010 California Plumbing Code is amended to read as follows:

103.3.6 Permit denial. The Authority Having Jurisdiction may deny the issuance of a building permit on any property where there exists an unsafe or a substandard building as provided in the Chapters 15.10 and 15.16 of the National City Municipal Code, or where there exists unlawful construction, or where there exists a violation of the National City Municipal Code.

15.20.040 Chapter 1, Division II, Section 103.4.1 Permit fees–Amended. Section 103.4.4 Permit Fees. Fees shall be assessed in accordance with the most recent fee schedule adopted by the National City City Council .

15.20.042 Placement of Permit-Added. The building permit or a copy, the inspection record, and the approved plans shall all be kept on site until the completion of the project. The inspection record is to be kept on the job unless removed by the building official.

15.20.045 Chanter 1, Division II, Section 103.4.2 Plan review fees–Amended. Section 103.4.2 of the 2010 California Plumbing Code is amended to read as follows:

103.4.2 Plan Review Fees. When a plan or other data are required to be submitted by 103.2.2, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be as set forth in the fee schedule adopted by the City Council. When plans are incomplete or changed so as to require an additional plan review fee, the fee shall be as per the fee schedule.

15.20.050 Chapter 1, Division II, Section 103.5.6 Reinspections–Amended. The fourth paragraph of Section 103.5.6 of the 2010 California Plumbing Code is amended to read as follows:

Section 103.5.6 Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when any of the following occurs:

1. The portion of work for which the inspection was called is not complete; the corrections previously required and called for are not made;
2. Calling for an inspection before the job is ready for such inspection or re-inspection;
3. The inspection record card or the approved plans are not posted or otherwise available to the inspector;
4. Failure to provide access on the date for which the inspection is requested; or,
5. Deviating from the approved plans when such deviation or change required approval of the building official.

To obtain a re-inspection, the permittee shall pay the re-inspection fee as specified in the most current Fee Schedule adopted by the National City City Council . In instances where a re-inspection fee has been assessed, no further inspections shall be performed until the fees have been paid.

15.20.055 Chapter 1, Division II, Section 103.9 Advisory and Appeals Board–Added. Section 103.9 of the 2010 California Plumbing Code is added to read as follows:

103.9 Advisory and Appeals Board. The City Council, pursuant to National City Municipal Code Chapter 15.04, shall have jurisdiction to review the items as enumerated in Chapter 15.20 of the National City Municipal Code.

15.20.060 Chapter 1, Division II, Table 1-1 Plumbing permits fees–Deleted. Table 1-1 of Chapter 1, Division II, entitled "Plumbing Permit Fees", is deleted.

15.20.065 Table 4.1 Minimum plumbing facilities–Deleted. Table 4-1 of Chapter 4, entitled "Minimum Plumbing Facilities", is deleted.

15.20.070 Table 2902.1 Minimum number of required plumbing fixtures of the 2010 California Building Code-Adopted.

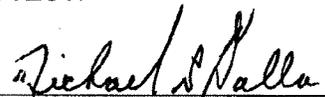
Table 2902.1 of the 2010 California Building Code is hereby adopted. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 2902.1. Types of occupancies not shown in Table 2902.1 shall be considered individually by the Authority Having Jurisdiction. The number of occupants shall be determined by this code. Occupancy classification shall be determined in accordance with Chapter 3 of the 2010 California Building Code.

PASSED and ADOPTED this 23rd day of November, 2010.



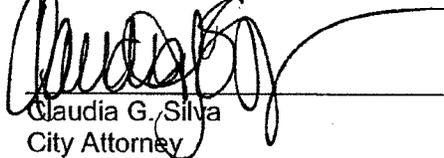
Ron Morrison, Mayor

ATTEST:



Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Claudia G. Silva
City Attorney

Passed and adopted by the Council of the City of National City, California, on November 23, 2010, by the following vote, to-wit:

Ayes: Councilmembers Morrison, Sotelo-Solis, Van Deventer, Zarate.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally adopted until seven calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on November 9, 2010 and on November 23, 2010.

I FURTHER CERTIFY THAT said ordinance was read in full prior to its final passage or that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

I FURTHER CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2010-2352 of the City Council of the City of National City, passed and adopted by the Council of said City on November 23, 2010.



Michael R. Dalla
City Clerk of the City of National City, California

By: _____
Deputy

ORDINANCE NO. 2010 – 2353

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
ADOPTING THE 2010 CALIFORNIA ELECTRICAL CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3, ANNEX H
OF SAID CODE, AND THE 2009 NATIONAL ELECTRICAL CODE,
AS AMENDED ESTABLISHING REQUIREMENTS, RULES AND STANDARDS
FOR ELECTRICAL INSTALLATIONS AND MATERIALS WITHIN THE CITY,
AND AMENDING CHAPTER 15.24 OF THE NATIONAL CITY MUNICIPAL CODE
PERTAINING TO THE CALIFORNIA ELECTRICAL CODE

The City Council of the City of National City does ordain as follows:

Section 1. The City Council of the City of National City hereby adopts the 2010 California Electrical Code, Title 24, Part 3, Annex H of said Code and the 2009 National Electrical Code.

Section 2. The City Council of the City of National City hereby amends, deletes and adds sections to the 2010 California Electrical Code, Annex H of said Code, and the 2009 National Electrical Code, based on local climatic, topographic or geological conditions that justify deviating from said Code, thereby amending Chapter 15.24 of the National City Municipal Code, to read as follows:

CHAPTER 15.24

CALIFORNIA ELECTRICAL CODE

Sections:

- | | |
|-----------|--|
| 15.24.005 | 2010 California Electrical Code, Annex H of the 2010 California Electrical Code and 2009 National Electrical Code—Adopted and amended. |
| 15.24.010 | Annex H. Administration and enforcement—Adopted and amended. |
| 15.24.015 | Annex H. Section 80.13(7) Right of entry—Amended. |
| 15.24.020 | Annex H. Section 80.13(17) Electric fences prohibited—Added. |
| 15.24.025 | Annex H. Section 80.15 Appeals Board—Amended. |
| 15.24.030 | Annex H, Section 80.19(D) Annual permits—Deleted. |
| 15.24.035 | Annex H, Section 80.19(E) Fees—Amended. |
| 15.24.040 | Annex H, Section 80.19(F) Inspection and approvals—Amended. |
| 15.24.045 | Annex H, Section 80.19(H) Applications and extensions—Amended. |
| 15.24.050 | Annex H, Section 80.19(1) Permit denial—Added. |
| 15.24.055 | Annex H, Section 80.23 Notice of violations, penalties—Adopted and amended. |
| 15.24.060 | Annex H, Section 80.25 Connection to electricity Supply— Deleted. |
| 15.24.065 | Annex H, Section 80.27 Inspectors qualifications—Deleted. |
| 15.24.070 | Annex H, Section 80.29 Liability for damages—Deleted. |
| 15.24.075 | Annex H Section 80.36 Expiration—Added. |

15.24.005 2010 California Electrical Code, Annex H of the 2010 California Electrical Code and the 2009 National Electrical Code—Adopted and amended. The city council adopts and incorporates herein the 2010 California Electrical Code, California Code of Regulations, Title 24, Part 3, including all Annexes, and the 2009 National Electrical Code, for the purpose of prescribing in the City of National City, regulations governing the inspection of installations, investigation of fires caused by electrical installations, the review of construction plans, drawings, and specifications for electrical systems, the design, alteration, modification, construction, maintenance, and testing of electrical systems and equipment, the regulation and control of electrical installations at special events including but not limited to exhibits trade shows, amusement parks, and other similar special occupancies, in or on any building or structure, or outdoors on any premises or property. The City Council hereby amends, deletes, or adds certain section of the 2010 Electrical Code, Annex H of the 2010 Electrical Code, and the 2009 National Electrical Code, based on local climatic, topographic or geological conditions that justify deviating from said Code. Copies of these codes have been and are now filed in the office of the Building Official, and the same are adopted and incorporated as if fully set out at length in this Chapter, and shall be controlling within the city limits.

15.24.010 Annex H. Administration and enforcement—Adopted and amended. ANNEX H to the 2010 California Electrical Code entitled “Administration and Enforcement”, is adopted subject to the following additions, amendments and deletions contained in this Chapter.

15.24.015 Annex H. Section 80.13 (7) Right of entry—Amended. Section 80.13 (7) of Annex H to the 2010 California Electrical Code is amended to read as follows:

80.13 (7) Right of entry. When necessary to make inspections to enforce any provision of this code, or when the Authority Having Jurisdiction has reasonable cause to believe that there exists in any building or upon any premises a condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Authority Having Jurisdiction and/or their representatives may request entry as specified in Chapter 1.12 of the National City Municipal Code.

15.24.020 Annex H. Section 80.13(17)—Added. Section 80.13 (17) of Annex H to the 2010 California Electrical Code is added as follows:

80.13 (17). Electric Fences Prohibited. No electric fence shall be constructed maintained or operated within the City of National City. Electric fences as used herein, include all fences which in any way use electrical energy as an additional deterrent or have wires charge with electricity which are not covered with adequate insulation to protect persons and animals coming in contact therewith.

15.24.025 Annex H. Section 80.15 Appeals Board—Amended. Section 80.15 of Annex H of the 2010 California Electrical Code is amended to read as follows:

80.15 Advisory and Appeals Board. The City Council, pursuant to Chapter 15.04, shall have the jurisdiction to review the items as enumerated in Chapter 15.24 of the National City Municipal Code.

15.24.030 Annex H. Section 80.19(D) Annual permits—Deleted. Section 80.18(D) of Annex H of the 2010 California Electrical Code is deleted.

15.24.035 Annex H. Section 80.19(E) Fees–Amended. Section 80.19(E) of Annex H of the 2010 California Electrical Code is amended to read as follows:

Fees shall be assessed in accordance with the most recent fee schedule adopted by the National City City Council.

15.24.040 Annex H. Section 80.19(F) Inspection and approvals–Amended. Section 80.19(F) of Annex H of the 2010 California Electrical Code is amended to read as follows:

(1) All electrical systems and equipment for which a permit is required by this code shall be subject to inspection by the Authority Having Jurisdiction, and the electrical system shall remain accessible and exposed for inspection purposes until approved by the Authority Having Jurisdiction.

It shall be the duty of the permit applicant to cause the electrical system to remain accessible and exposed for inspection purposes. Neither the Authority Having Jurisdiction, nor the City of National City shall be liable for the expense entailed in the removal or replacement of any material required to permit inspection. When the installation of an electrical system and equipment is complete, an additional and final inspection shall be made. Electrical system and equipment regulated by this code shall not be connected to the energy source until authorized by the Authority Having Jurisdiction.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel provisions of this code of other ordinances of the jurisdiction shall not be valid.

(2) Inspection requests. It shall be of the duty of the person doing the work authorized by the permit to notify the Authority Having Jurisdiction that such work is ready for inspection. The Authority Having Jurisdiction may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the Authority Having Jurisdiction.

It shall be the duty of the person requesting inspections required by this code to provide access to and means for inspection of such work.

(3) Operation of Electrical Equipment. The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment. The request for inspection of such equipment must have been with the Authority Having Jurisdiction not more than 48 hours after such replacement work is completed and before any portion of such electrical system is concealed by any permanent portion of the building.

(4) Other Inspections. In addition to the called inspections required by this code the Authority Having Jurisdiction may make or require other inspections of work to ascertain compliance with the provision of this code and other laws which are enforced by the code enforcement agency.

(5) Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when any of the following occurs:

- (A) The portion of the work for which the inspection was called is not complete;
- (B) The corrections previously required and for are not made;
- (C) Calling for an inspection before the job is ready for such inspection or re-inspection;

(D) The inspection record card or the approved plans are not posted or otherwise available to the inspector; or

(E) Deviating from the approved plans when such deviation or change required approval of the Authority having jurisdiction.

This provision is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the approved plans are not readily available to the inspector for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Authority Having Jurisdiction.

In the instances where re-inspection fees have been assessed no additional inspection of the work will be performed until the required fees have been paid.

15.24.045 Annex H. Section 80.19(H) Applications and extensions—Amended.

Section 80.19(H) of Annex H of the 2010 California Electrical Code is amended to read as follows:

80.19(H) Application and Extensions. An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Authority Having Jurisdiction is authorized to grant a maximum of three extensions for an additional time of three months each provided there have been no changes to the plans and that no new codes have been adopted since the initial plan check was conducted. A fee equal to 25% of the initial plan check fee will be assessed for the second and subsequent plan check extensions. The extension shall be requested in writing and justifiable cause demonstrated.

Every permit issued by the Authority Having Jurisdiction under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within six calendar months from the date of such permit, or if the building or work authorized by such permit is stopped at any time after the work is commenced for a period of 6 calendar months, or if the building or work authorized by such permit exceeds three (3) calendar years from the issuance date of the permit. Work shall be presumed to have commenced if the permittee has obtained a required inspection approval of work authorized by the permit by the Authority Having Jurisdiction within six calendar months of the date of permit issuance.

Work shall be presumed to be stopped if the permittee has not obtained a required inspection approval of work by the Authority Having Jurisdiction within each 6 month period upon the initial commencement of work authorized by such permit.

Before such work can be recommenced, a new permit, or a renewal permit as specified below, shall be first obtained.

1. Permits where work has not commenced. For permits for which work has not commenced in the first six calendar months from the date of issuance, a renewal permit may be obtained provided that:

A. No changes have been made or will be made in the original plans and specifications for such work;

B. The expiration has not exceeded three years from the original issuance date;

C. The same edition of the California codes is in effect as used in the initial plan check;

D. A fee equal to one-half the amount required for a new permit is paid;

E. The renewal permit shall expire three calendar years from the date of initial permit issuance.

Where later editions of the California codes have been adopted than used in the initial plan check, such applications for renewal shall be considered as a new plan check submittal. Accordingly, plans shall reflect the requirements of the current codes in effect, a full new plan check is required, and a full new plan check fee shall be paid. Upon completion of a new plan check, the permit may be renewed upon payment of a permit fee equal to one-half the amount required for a new permit.

2. Permits where work has commenced. For permits where work has commenced and was subsequently stopped as defined herein, a renewal permit may be obtained provided that:

A. No changes have been made or will be made in the original plans and specifications for such work;

B. The expiration has not exceeded three years from the original issuance date;

C. A fee equal to one-half the amount required for a new permit is paid, except that where construction has progressed and has been approved to the point of requiring only a final inspection, a fee equal to one quarter the amount required for a new permit shall be paid;

D. A renewal permit shall expire three (3) calendar years from the date of initial permit issuance.

3. Permits that have exceeded three years. For permits that have exceeded three years beyond the issuance date, a renewed permit may be obtained provided that:

A. Construction in reliance upon the building permit has commenced and has been approved;

B. No changes have been made or will be made in the original plans and specifications for such work;

C. A fee equal to the full amount required for a new permit is paid except that where the Authority Having Jurisdiction determines that construction has progressed to the point that a lesser fee is warranted, such lesser fee shall be paid.

The maximum life of a permit renewal in accordance with this subsection shall be one calendar year from the date of renewal. The permit may be renewed for each calendar year thereafter provided that all requirements of (A), (B), and (C) as stated in this subsection are met.

4. Extension of an unexpired permit. For an extension of an unexpired permit, the permittee may apply for an extension of the time within which work under that permit may be continued when for good and satisfactory reasons the permittee is unable to continue work within the time required by this section. The Authority Having Jurisdiction may extend the time for action by the permittee for a period not exceeding 6 calendar months upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

5. Permits issued where the permittee has been deployed to a foreign country, may be held in abeyance until six months after the return of the permittee from his/her deployment if necessary, upon application for such relief by the permittee.

15.24.050 Annex H. Section 80.19(I) Permit denial--Added. Section 80.19(1) of Annex H of the 2010 California Electrical Code is added as follows:

80.19(I) Permit Denial. The Authority Having Jurisdiction may deny the issuance of a building permit on any property where there exists an unsafe or substandard building as provided in chapter 15.10 and 15.16 of the National City Municipal Code, or where there exists unlawful construction or a violation of the National City Municipal Code.

15.24.055 Annex H. Section 80.23 Notice of violation and penalties--Amended. Section 80.23 of the California Electrical Code, 2010 Edition, is amended to read as follows:

80.23 Notice and Violations and Penalties. Notice of violations and penalties shall conform to (A) and (B).

(A) Violations.

(1) Whenever the Authority Having Jurisdiction determines that there are violations of this Chapter, a written notice shall be issued to confirm such findings.

(2) Any order or notice issued pursuant to this Chapter shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either by personal service or mail or by delivering the same to and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such order or notice shall be posted on the premises and the order or notice shall be mailed by registered or certified mail, with return receipt requested, to the last known address of the owner, occupant, or both.

(B) Penalties.

(1) Any person who fails to comply with the provisions of this Chapter or fails to carry out an order made pursuant to this Chapter or violates any condition attached to a permit, approval, or certificate shall be subject to the penalties established by this jurisdiction.

(2) Failure to comply with the time limits of an abatement notice or other corrective notice issued by the Authority Having Jurisdiction shall result in each day that such violation continues being regarded as a new and separate offense.

(3) Violations of any provisions of this code may be punishable as a misdemeanor and shall carry the penalties as prescribed in Chapter 1.20 of the National City Municipal Code.

15.24.060 Annex H. Section 80.25(C) Connection to electricity supply--Deleted. Section 80.25(C) of Annex H of the 2010 California Electrical Code is deleted.

15.24.065 Annex H. Section 80.27 Inspectors qualifications--Deleted. Section 80.27 of Annex H of the 2010 California Electrical Code is deleted.

15.24.070 Annex H. Section 80.29 Liability for damages–Deleted. Section 80.29 of the California Electrical Code, 2010 Edition, is deleted.

15.24.075 Annex H Section 80.36 Expiration–Added. Section 80.36–Added. Section 80.36 of Annex H to the California Electrical Code is added as follows:

Section 80.36 Expiration. Every permit issued by the Authority Having Jurisdiction under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within six calendar months from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after work has commenced for a period of six calendar months, or if the building or work authorized by such permit exceeds three calendar years from the issuance date of the permit. Work shall be presumed to be suspended or abandoned if the permittee has not obtained a required inspection approval of work by the Authority Having Jurisdiction within each six month period upon commencement of work authorized by such permit.

In the event a permit has expired, a permittee may recommence work only if either a new permit or renewal permit is obtained, as specified below:

1. Permits where work was not commenced. For permits for which work was not been commenced in the first six calendar months from the date of issuance, a renewal permit may be issued only if:

(A) No changes have been made or will be made in the original plans and specifications for such work;

(B) The expiration has not exceeded three years from the original issuance date;

(C) The same edition of the adopted codes is in effect as used in the initial plan check; and,

(D) A fee equal to one-half the amount required for a new permit is paid.

The renewal permit shall expire three calendar years from the date of the initial permit issuance. When later editions of the codes have been adopted than used in the initial plan check, such applications for renewal shall be considered as a new plan check submittal. Accordingly, plans shall reflect the requirements of the current codes in effect. a full new plan check is required and a full new plan check fee shall be paid. Upon completion of the new plan check, the permit may be renewed upon payment of a permit fee equal to one-half the amount required for a new permit.

2. Permit where work was commenced. For permits where work was commenced and was subsequently stopped as defined herein, a renewal permit may be obtained only if:

(A) No changes have been made or will be made in the original plans and specifications for such work;

(B) The expiration has not exceeded three years from the original permit issuance date;

(C) A fee equal to one-half the amount required for a new permit is paid, except that where construction has progressed to the point of requiring only a final inspection. a fee equal to one-quarter of the amount required for new permit shall be paid;

(D) A renewal permit shall expire three calendar years from the date of the initial permit issuance.

The maximum life of a permit renewal in accordance with this sub-section shall be one calendar year from the date of renewal. The permit may be renewed each calendar year thereafter provided that all requirements of (A) (8) and (C) as stated in this sub-section are met.

3. Extension of an unexpired permit. For an extension of a permit which has not yet expired, the permittee may apply for an extension of time within which work under that permit may be continued when for good and satisfactory reasons the permittee is unable to continue work within the time required by this chapter. The Authority Having Jurisdiction may extend the time for action by the permittee for a period not exceeding six calendar months beyond the expiration date in effect at the time of the extension application, upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action being taken.

Permits issued where the permittee has been deployed to a foreign country, may be held in' abeyance until six months after the return of the permittee from his/her deployment if necessary, upon application for such relief by the permittee.

4. Permits that have exceeded three years. For permits that have exceeded three years beyond the issuance date. a permit renewal may be obtained, provided that:

(A) Construction in reliance upon the building permit has been commenced and has been approved;

(B) No changes have been made or will be made in the original plans and specifications for such work; and

(C) A fee equal to the full amount required for a new permit is paid, except that where the Authority Having Jurisdiction determines that construction has progressed to the point that a lesser fee is warranted, such lesser fee shall be paid.

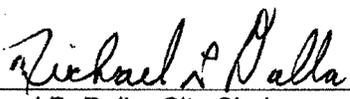
A permit renewed pursuant to this subsection shall not exceed one calendar year from the date of renewal. A permit may be renewed annually provided that all requirements of (A), (B), and (C) above are met.

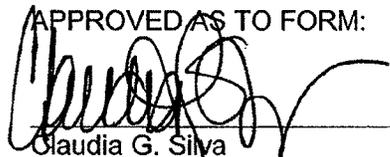
Section 15.24.080 Annex G, Supervisory Control and Data Acquisition (SCADA)- Deleted. Annex G of the 2010 California Electrical Code is deleted.

PASSED and ADOPTED this 23rd day of November, 2010.


Ron Morrison, Mayor

ATTEST:


Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Claudia G. Silva
City Attorney

Passed and adopted by the Council of the City of National City, California, on November 23, 2010, by the following vote, to-wit:

Ayes: Councilmembers Morrison, Sotelo-Solis, Van Deventer, Zarate.
Nays: None.
Absent: None.
Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally adopted until seven calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on November 9, 2010 and on November 23, 2010.

I FURTHER CERTIFY THAT said ordinance was read in full prior to its final passage or that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

I FURTHER CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2010-2353 of the City Council of the City of National City, passed and adopted by the Council of said City on November 23, 2010.



Michael R. Dalla
City Clerk of the City of National City, California

By: _____
Deputy

ORDINANCE NO. 2010 – 2351

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF NATIONAL CITY ADOPTING
THE 2010 CALIFORNIA MECHANICAL CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4,
AND ADOPTING APPENDIX CHAPTERS 1, A, B, C AND D
OF SAID CODE; AND THE 2009 UNIFORM MECHANICAL
CODE, AND AMENDING CHAPTER 15.14 OF
THE NATIONAL CITY MUNICIPAL CODE, PERTAINING
TO THE CALIFORNIA MECHANICAL CODE

The City Council of the City of National City does ordain as follows:

Section 1 The City Council of the City of National City hereby adopts the 2010 California Mechanical Code, California Code of Regulations, Title 24, Part 4, and Appendix Chapters, 1, A, B, C and D of said Code; and the 2009 Uniform Mechanical Code.

Section 2 The City Council of the City of National City hereby amends and deletes certain sections of the 2010 California Mechanical Code, based on local climatic, topographic or geological conditions that justify deviating from said Code, and amends Chapter 15.14 of the National City Municipal Code to read as follows:

CHAPTER 15.14

CALIFORNIA MECHANICAL CODE

Sections:

- 15.14.005 2010 California Mechanical Code—Adopted.
- 15.14.015 Chapter 1, Division II, Administration—Adopted and amended.
- 15.14.020 Chapter 1, Division II, Section 108.3 Right of entry—Amended.
- 15.14.025 Chapter 1, Division II, Section 110.0 Board of Appeals—Amended.
- 15.14.030 Chapter 1, Division II, Section 114.0 Violations—Amended.
- 15.14.033 Penalties—Added.
- 15.14.035 Chapter 1, Division II, Section 114.4—Expiration—Amended.
- 15.14.040 Chapter 1, Division II, Section 114.6 Permit denial—Added.
- 15.14.045 Chapter 1, Division II, Section 115.1 Fees general—Amended.
- 15.14.050 Chapter 1, Division II, Section 115.2 Permit fees—Amended.
- 15.14.055 Chapter 1, Division II, Section 115.3 Plan review fees, Paragraph 3—Amended.
- 15.14.060 Chapter 1, Division II, Section 115.4 Expiration of plan review—Amended.
- 15.14.065 Chapter 1, Division II, Section 116.6 Reinspection—Amended.
- 15.14.070 Chapter 1, Division II, Table 1-1 Mechanical permit fees—Deleted.
- 15.14.075 Appendix Chapter A, B, C and D—Adopted.

15.14.005 2010 California Mechanical Code–Adopted. The city council adopts and incorporates herein as the National City Mechanical Code, for the purpose of prescribing in the City of National City, regulations governing the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration system, incineration or other miscellaneous heat producing appliance, in or on any building or structure or outdoors on any premises or property, the 2010 California Mechanical Code, California code of Regulations Title 24, Part 4, except such portions as are deleted, added, or amended by this Chapter based on local climatic, topographic or geological conditions that justify deviating from said Code, of which a copy of both have been and are now on file in the office of the Building Official and the same are adopted and incorporated as if fully set out at length in this Chapter, shall be controlling within the city limits.

15.14.015 Chapter 1, Division II, Administration–Adopted and amended. Appendix Chapter 1, Division II, “Administration” is adopted subject to the additions, amendments and deletions provided in this Chapter.

15.14.020 Chapter 1, Division II, Section 108.3 Right of entry–Amended. Section 108.3 of the California Mechanical Code is amended to read as follows:

108.3 Right of entry. When necessary to make inspections to enforce any provision of this code, or when the Authority Having Jurisdiction has reasonable cause to believe that there exists in any building or upon any premises a condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Authority Having Jurisdiction and/or their representatives may request entry as specified in Chapter 1.12 of the National City Municipal Code.

15.14.025 Chapter 1, Division II, Section 110.0 Board of Appeals–Amended. Section 110.0 of the California Mechanical Code is amended to read as follows:

110.0 Board of Appeals. The City Council, pursuant to National City Municipal Code Chapter 15.04, shall have the jurisdiction to review the items as enumerated in Chapter 15.14 of the National City Municipal Code.

15.14.030 Chapter 1, Division II, Section 111.0 Violations–Amended. Section 111.0 of the California Mechanical Code is amended to read as follows:

111.0 Violations. Violations of any provision of this code shall be punishable as a misdemeanor and shall carry the penalties as prescribed in Chapter 1.20 of the National City Municipal Code.

15.14.033 Penalties. Violation of any provision of this code shall be punishable as a misdemeanor, and shall carry the penalties as prescribed in Chapter 1.20 of the National City Municipal Code.

15.14.035 Chapter 1, Division II, Section 114.4 Expiration–Amended. Section 114.4 of the California Mechanical Code is amended to read as follows:

114.4 Expiration. Every permit issued by the Authority Having Jurisdiction under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not

commenced within six calendar months from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after work has commenced for a period of six calendar months, or if the building or work authorized by such permit exceeds three calendar years from the issuance date of the permit. Work shall be presumed to be suspended or abandoned if the permittee has not obtained a required inspection approval of work by the Authority Having Jurisdiction within each six month period upon commencement of work authorized by such permit.

In the event a permit has expired, a permittee may recommence work only if either a new permit or renewal permit is obtained, as specified below:

1. Permits where work was not commenced. For permits for which work was not been commenced in the first six calendar months from the date of issuance, a renewal permit may be issued only if:

(A) No changes have been made or will be made in the original plans and specifications for such work;

(B) The expiration has not exceeded three years from the original issuance date;

(C) The same edition of the adopted codes is in effect as used in the initial plan check; and,

(D) A fee equal to one-half the amount required for a new permit is paid.

The renewal permit shall expire three calendar years from the date of the initial permit issuance. When later editions of the codes have been adopted than used in the initial plan check, such applications for renewal shall be considered as a new plan check submittal. Accordingly, plans shall reflect the requirements of the current codes in effect. a full new plan check is required and a full new plan check fee shall be paid. Upon completion of the new plan check, the permit may be renewed upon payment of a permit fee equal to one-half the amount required for a new permit.

2. Permit where work was commenced. For permits where work was commenced and was subsequently stopped as defined herein, a renewal permit may be obtained only if:

(A) No changes have been made or will be made in the original plans and specifications for such work;

(B) The expiration has not exceeded three years from the original permit issuance date;

(C) A fee equal to one-half the amount required for a new permit is paid, except that where construction has progressed to the point of requiring only a final inspection. a fee equal to one-quarter of the amount required for new permit shall be paid;

(D) A renewal permit shall expire three calendar years from the date of the initial permit issuance.

The maximum life of a permit renewal in accordance with this sub-section shall be one calendar year from the date of renewal. The permit may be renewed each calendar year thereafter provided that all requirements of (A) (B) and (C) as stated in this sub-section are met.

3. Extension of an unexpired permit. For an extension of a permit which has not yet expired, the permittee may apply for an extension of time within which work under that permit may be continued when for good and satisfactory reasons the permittee is unable to continue work within the time required by this chapter. The Authority Having Jurisdiction may extend the time

for action by the permittee for a period not exceeding six calendar months beyond the expiration date in effect at the time of the extension application, upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action being taken.

Permits issued where the permittee has been deployed to a foreign country, may be held in' abeyance until six months after the return of the permittee from his/her deployment if necessary, upon application for such relief by the permittee.

4. Permits that have exceeded three years. For permits that have exceeded three years beyond the issuance date. a permit renewal may be obtained, provided that:

(A) Construction in reliance upon the building permit has been commenced and has been approved;

(B) No changes have been made or will be made in the original plans and specifications for such work; and.

(C) A fee equal to the full amount required for a new permit is paid, except that where the Authority Having Jurisdiction determines that construction has progressed to the point that a lesser fee is warranted, such lesser fee shall be paid.

A permit renewed pursuant to this subsection shall not exceed one calendar year from the date of renewal. A permit may be renewed annually provided that all requirements of (A), (B), and (C) above are met.

5. Permits issued where the permittee has been deployed to a foreign country, may be held in abeyance until six months after the return of the permittee from his/her deployment if necessary, upon application for such relief by the permittee.

15.14.040 Chapter 1, Division II, Section 114.6 Permit denial–Added. Section 114.6 of the California Mechanical Code is added to read as follows:

114.6 Permit denial. The Authority having Jurisdiction may deny the issuance of a building permit on any property where there exists an unsafe or a substandard building as provided in Chapter 15.10 and 15.16 of the National City Municipal Code, or where there exists unlawful construction, or where there exists a violation of the National City Municipal Code.

15.14.045 Chapter 1, Division II, Section 115.1 Fees general–Amended. Section 115.1 of the California Mechanical Code is amended as follows:

115.1 General. Fees shall be assessed in accordance with the most recent fee schedule adopted by the National City City Council.

15.14.050 Chapter 1, Division II, Section 115.2 Permit fees–Amended. Section 115.2 of the California Mechanical Code is amended as follows:

115.2 Permit Fees. Fees shall be assessed in accordance with the most recent fee schedule adopted by the National City City Council.

15.14.055 Chapter 1, Division II, Section 115.3 Plan review fees, Paragraph 3–Amended. Section 115.3, paragraph 3 of the California Mechanical Code is amended as follows:

When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in the current City of National City fee schedule.

15.14.060 Chapter 1, Division II, Section 115.4 Expiration of plan review–Amended. Section 115.4 of the California Mechanical Code is amended to read as follows:

115.4 Expiration of Plan Review. An application for a permit shall be deemed to have been abandoned six months after the date of filing, unless such application has been pursued in good faith or the permit has been issued; except that the Authority having Jurisdiction is authorized to grant a maximum of three extensions for additional time of three months each, provided there have been no changes to the plans and no new codes have been adopted since the initial plan check was conducted. A fee equal to 25% of the initial plan check fee will be assessed for each plan check extension. The extension shall be requested in writing and justifiable cause demonstrated.

15.14.065 Chapter 1, Division II, Section 116.6 Reinspections–Amended. Section 116.6 of the California Mechanical Code is amended to read as follows:

116.6 Paragraph 3. Re-inspections. To obtain a re-inspection, the permittee shall pay the re-inspection fee as specified in the most current Fee Schedule adopted by the National City City Council. In instances where a re-inspection fee has been assessed, no further inspections shall be performed until the fees have been paid.

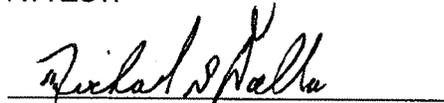
15.14.070 Chapter 1, Division II, Table 1-1 Mechanical permit fees–Deleted. Table 1-1, Mechanical Permit Fees is deleted.

15.14.075 Appendix Chapters A, B, C and D–Adopted. Appendix Chapters A, B, C and D of the California Mechanical Code are adopted.

PASSED and ADOPTED this 23rd day of November, 2010.


Ron Morrison, Mayor

ATTEST:


Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Claudia G. Silva
City Attorney

Passed and adopted by the Council of the City of National City, California, on November 23, 2010, by the following vote, to-wit:

Ayes: Councilmembers Morrison, Sotelo-Solis, Van Deventer, Zarate.
Nays: None.
Absent: None.
Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally adopted until seven calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on November 9, 2010 and on November 23, 2010.

I FURTHER CERTIFY THAT said ordinance was read in full prior to its final passage or that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

I FURTHER CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2010-2351 of the City Council of the City of National City, passed and adopted by the Council of said City on November 23, 2010.



Michael R. Dalla
City Clerk of the City of National City, California

By: _____
Deputy

ORDINANCE NO. 2010 – 2350

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF NATIONAL CITY ADOPTING
THE 2010 CALIFORNIA ENERGY CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24,
PART 6, AND AMENDING CHAPTER 15.75 OF
THE NATIONAL CITY MUNICIPAL CODE PERTAINING
TO THE CALIFORNIA ENERGY CODE

The City Council of the City of National City does ordain as follows:

Section 1. The City Council of the City of National City hereby adopts the 2010 California Energy Code, California Code of Regulations, Title 24, Part 6, establishing regulations for the installation, maintenance and alteration of energy systems within the city.

CHAPTER 15.75

CALIFORNIA ENERGY CODE

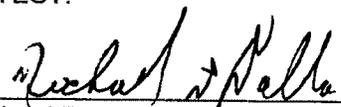
15.75.010 California Energy Code—Adopted. The City Council adopts and incorporates herein, for the purpose of prescribing regulations for the conservation of energy, the 2010 California Energy Code, California Code of Regulations Title 24, Part 6. Except as otherwise provided by this Chapter, all construction of buildings where energy will be utilized shall be in conformance with the 2010 California Energy Code.

PASSED and ADOPTED this 23rd day of November, 2010.



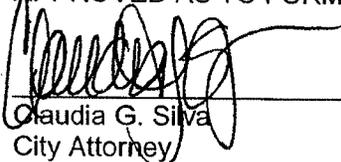
Ron Morrison, Mayor

ATTEST:



Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Claudia G. Silva
City Attorney

Passed and adopted by the Council of the City of National City, California, on November 23, 2010, by the following vote, to-wit:

Ayes: Councilmembers Morrison, Sotelo-Solis, Van Deventer, Zarate.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally adopted until seven calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on November 9, 2010 and on November 23, 2010.

I FURTHER CERTIFY THAT said ordinance was read in full prior to its final passage or that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

I FURTHER CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2010-2350 of the City Council of the City of National City, passed and adopted by the Council of said City on November 23, 2010.



Michael R. Dalla
City Clerk of the City of National City, California

By: _____
Deputy

ORDINANCE NO. 2010 – 2354

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF NATIONAL CITY ADOPTING
THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11,
AND AMENDING THE NATIONAL CITY MUNICIPAL CODE
BY ADDING CHAPTER 15.78 PERTAINING TO
THE CALIFORNIA GREEN BUILDING STANDARDS CODE

The City Council of the City of National City does ordain as follows:

Section 1. The City Council of the City of National City hereby adopts the 2010 California Green Building Standards Code, California Code of Regulations Title 24, Part 11, establishing regulations to enhance building design and construction within the city.

CHAPTER 15.78

CALIFORNIA GREEN BUILDING STANDARDS CODE

15.78.010 California Green Building Standards Code—Adopted. The City Council adopts and incorporates herein for the purpose of prescribing regulations for the reduction of negative impacts or increasing positive environmental impacts and encouraging sustainable construction practices, the 2010 California Green Building Standards Code, California Code of Regulations Title 24, Part 11. All construction of buildings shall be in conformance with the 2010 California Green Building Standards Code, except as otherwise provided by this Chapter.

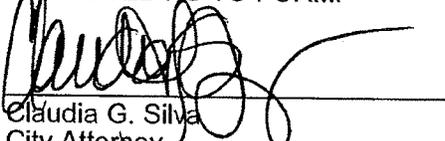
PASSED and ADOPTED this 23rd day of November, 2010.


Ron Morrison, Mayor

ATTEST:


Michael R. Dalla, City Clerk

APPROVED AS TO FORM:


Claudia G. Silva
City Attorney

Passed and adopted by the Council of the City of National City, California, on November 23, 2010, by the following vote, to-wit:

Ayes: Councilmembers Morrison, Sotelo-Solis, Van Deventer, Zarate.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally adopted until seven calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on November 9, 2010 and on November 23, 2010.

I FURTHER CERTIFY THAT said ordinance was read in full prior to its final passage or that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

I FURTHER CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2010-2354 of the City Council of the City of National City, passed and adopted by the Council of said City on November 23, 2010.



Michael R. Dalla
City Clerk of the City of National City, California

By: _____
Deputy

ORDINANCE NO 2010 – 2356

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF NATIONAL CITY, ADOPTING
THE 2009 UNIFORM SWIMMING POOL, SPA AND
HOT TUB CODE, AND AMENDING CHAPTER 15.22 OF
THE NATIONAL CITY MUNICIPAL CODE, PERTAINING TO
THE UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE

The City Council of the City of National City does ordain as follows:

Section 1. The City Council of the City of National City hereby adopts the 2009 Uniform Swimming Pool, Spa and Hot Tub Code.

Chapter 15.22

UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE

Sections:

- 15.22.005 Uniform Swimming Pool, Spa and Hot Tub Code (2009 Edition)—Adopted.
- 15.22.010 Chapter 1, Section 104 "Administrative authority"—Deleted.
- 15.22.015 Chapter 1, Section 102.2 "Duties and powers of the administrative authority"—Amended.
- 15.22.020 Chapter 1, Section 102.3 "Violations—Amended.
- 15.22.22 Chapter 1, Section 102.3.2 Penalties—Amended.
- 15.22.025 Chapter 1, Section 103.1 "Permit required"—Deleted.
- 15.22.030 Chapter 1, Section 103.4 "Fees"—Amended.
- 15.22.035 Chapter 1, Section 117 "Board of appeals"—Amended.
- 15.22.040 Chapter 2, Section 202 "Definitions"—Amended.
- 15.22.045 Chapter 3, Section 3109.4.1 of the 2010 California Building Code "Barrier protection required"—Amended.
- 15.22.050 Chapter 1, Division II Section 102.2.2 Right of entry—Amended.
- 15.22.055 Expiration.
- 15.22.060 Permit Denial.
- 15.22.065 Permit Fees.
- 15.22.070 Plan Review Fees.
- 15.22.075 Reinspection.
- 15.22.080 Advisory and Appeals Board.
- 15.22.085 Placement of Permit.
- 15.22.090 Expiration of Plans.
- 15.22.095 Work Commencing without a Permit.

15.22.005 Uniform Swimming Pool, Spa and Hot Tub Code (2009 Edition)–Adopted.

There is adopted by the city council for the purpose of prescribing regulations governing the erection, installation, construction, enlargement, alteration, addition, repair, replacement, maintenance, and use or occupancy of any swimming pool, spa or hot tub that certain code known as the Uniform Swimming Pool, Spa and Hot Tub Code as copyrighted by the International Association of Plumbing and Mechanical Officials, being particularly the 2009 Edition, save and except such portions as are hereinafter deleted, modified or amended, based on local climatic, geological, or topographical conditions that justify deviating from such code, of which one copy is now on file in the office of the Building Official; and the same is adopted and incorporated as fully as if set out at length in this chapter and from January 1, 2011, the provisions thereof shall be controlling within the limits of the city.

15.22.010 Chapter 1, Section 104 "Administrative authority"–Deleted. Section 104 of the Uniform Swimming Pool, Spa and Hot Tub Code is hereby deleted.

15.22.015 Chapter 1, Section 102.2 "Duties and powers of the administrative authority"–Amended. Section 102.2 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended by adding the following:

102.2 Duties and Powers of the Administrative Authority. The San Diego County Health Department and/or its authorized representatives are authorized to enforce this code in accordance with the terms of the agreement between the City of National City and the San Diego County Health Department.

15.22.020 Chapter 1, Section 102.3 "Violations"–Amended. Section 102.3 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

102.3. Violations. Violations of any provisions of this code shall be punishable as a misdemeanor and shall carry the penalties as prescribed in Chapter 1.20 of the National City Municipal Code. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use that is authorized is lawful. The issuance or granting of a permit or approval of plans shall not prevent the Administrative Authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code or of any other ordinance or from revoking any approval when issued in error.

15.22.022 Chapter 1, Section 102.3.2 Penalties–Amended. Section 102.3.2 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

102.3.2 Penalties. Violation of any provision of this code shall be punishable as a misdemeanor and shall carry the penalties as prescribed in Chapter 1.20 of the National City Municipal Code.

15.22.025 Chapter 1, Section 103.3.4 "Permits"–Deleted. Section 103.3.4 of the Uniform Swimming Pool, Spa and Hot Tub Code is deleted.

15.22.030 Chapter 1, Section 103.4.1 "Fees"--Amended. Chapter 1, Section 103.4.1 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

103.4.1 Fees. Every applicant for a permit to install, remove, alter, repair or replace or cause to be installed, removed, altered, repaired, or replaced any swimming pool, spa or hot tub; any swimming pool, spa or hot tub plumbing, gas or draining piping; or any swimming pool, spa, or hot tub heater, fixture, or water treating equipment in a building or premises shall first state in writing on the application for a permit provided for that purpose, the character of work proposed to be done. Permit fees shall be as established by the most recently adopted fee schedule.

15.22.033 Chapter 1 Section 103.4.3.2 "Work commencing without a permit" – Amended. Section 103.4.3.2 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

Section 103.4.3.2 Work commencing without a permit. Any person who shall commence any swimming pool, spa, or hot tub work for which a permit is required by this code without having obtained a permit therefor, shall be subject to an administrative penalty equal to the inspection fee portion of the permit fee that would be required by this code if a permit were to be issued. The administrative penalty is in addition to a permit fee however, this provision shall not apply to emergency work when it shall be demonstrated to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefor, before the commencement of the work. In all such cases, a permit must be obtained by the next business day, and if such permit is not obtained for the completion of such emergency work, the administrative penalty as herein provided shall be charged.

15.22.035 Chapter 1, Section 117 "Board of appeals"--Amended. Section 117 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

Section 117 Board of Appeals. The City Council, pursuant to National City Municipal Code Chapter 15.04, shall have jurisdiction to review the items as enumerated in Chapter 15.22 of the National City Municipal Code.

15.22.040 Chapter 2, Section 202 "Definitions"--Amended. Section 202 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended by adding the following definitions:

Section 202 Definitions.

Above Ground/On Ground Pool - See definition of swimming pool.

Approved safety pool cover - means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society of Testing and Materials (ASTM) in compliance with Standard F1346-91.

Enclosure - is a fence, wall, or other barrier that isolates a swimming pool from access to the home.

Exit alarms - devices that make audible, continuous alarm sounds when any door or window, that permits access from the residence to the pool area that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.

Grade (surface) - is the underlying surface such as earth or a walking surface.

Hot Tub - See definition of swimming pool.

Spa - See definition of swimming pool.

Swimming Pool - is any structure intended for swimming or recreational bathing that contains water over 18 inches deep. This includes in-ground, aboveground and on-ground swimming pools, hot tubs, spas, portable spas and nonportable wading pools.

Swimming Pool, Indoor - is any swimming pool which is totally contained within a structure and surrounded on all four sides by walls of said structure.

Swimming Pool, Outdoor - is any swimming pool which is not an indoor pool as defined herein.

15.22.045 Chapter 31, Section 3109.4.1 "Barrier height and clearances"--Amended.
Section 3109.4.21 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

Section 3109.4.1 Barrier Protection Required. Outdoor swimming pools, including in-ground, aboveground, and on-ground pools, hot tubs and spas shall be provided with a barrier that shall comply with the following:

1. The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier that faces away from the swimming pool and shall be constructed to withstand the forces specified in the Uniform Building Code. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured to a hard surface such as concrete. This measurement shall be taken on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

2. Openings in the barrier shall not allow passage of a 4-inch diameter sphere.

3. Solid barriers that do not have openings, such as masonry or stone walls, shall not contain indentations or protrusions except for tooled masonry joints.

4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches and there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 2 inches in width, and spacing between vertical members shall not exceed 4 inches.

5. Maximum mesh size for chain link fences shall be a 1¾-inch square. The wire shall be not less than 11½ gauge.

6. Access gates shall comply with the requirements of items (1) through (7) and shall be equipped to accommodate a locking device no less than 54 inches above grade. Pedestrian access gates shall open outward away from the pool and shall be self-closing with a self-latching device. Gates other than pedestrian access gates shall comply with the requirements of items (1) through (7) and shall be equipped with a locking device.

7. Where a wall of a dwelling serves as part of the barrier, doors with direct access to the pool through that wall shall be equipped with an alarm that produces an audible warning when the door and its screen, if present, are opened. The alarm shall sound continuously for a minimum of 30 seconds, within 7 seconds after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 DBA when measured indoors at 10 feet. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touch pad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for no more than 15 seconds. The deactivation switch shall be located at least 54 inches above the threshold of the door. Other means of protection, such as self-closing doors with self-latching devices approved by the building official, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by the alarm system described above.

8. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then (a) the ladder or steps shall be capable of being secured, locked or removed to prevent access or, (b) the ladder or steps shall be surrounded by a barrier which meets the requirements of items (1) through (9). When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch diameter sphere.

9. Hot tubs and spas located outdoors and not exceeding 64 square feet may have rigid pool covers meeting American Society for Testing and Materials (ASTM) Standard F1346-91 equipped with a permanent locking and latching device in lieu of a required barrier.

10. Where unusual circumstances exist that make strict enforcement of (1) through (10) impractical, the administrative authority may grant modifications for individual cases pursuant to Section 106 of the Uniform Building Code.

15.22.050 Chapter 1, Division II Section 102.2.2 Right of entry—Amended. Division II, Section 102.2.2 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

Section 102.2.2 Right of Entry. When necessary to make an inspection to enforce any of the provision of this code, or when the Authority Having Jurisdiction has reasonable cause to believe that there exists in any building or upon any premises a condition or code violation which make such building or premises unsafe, dangerous or hazardous, the Authority Having Jurisdiction and/or their authorized representatives may request entry as specified in Chapter 1.12 of the National City Municipal Code.

15.22.055 Chapter 1, Division II, Section 103.3.4 Expiration—Amended. Section 103.3.4 of the 2010 California Plumbing Code is amended to read as follows:

103.3.4 Expiration. Every permit issued by the Authority Having Jurisdiction under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within six calendar months from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after work has commenced for a period of six calendar months, or if the building or work authorized by such permit exceeds three calendar years from

the issuance date of the permit. Work shall be presumed to be suspended or abandoned if the permittee has not obtained a required inspection approval of work by the Authority Having Jurisdiction within each six month period upon commencement of work authorized by such permit.

In the event a permit has expired, a permittee may recommence work only if either a new permit or renewal permit is obtained, as specified below:

1. Permits where work was not commenced. For permits for which work was not been commenced in the first six calendar months from the date of issuance, a renewal permit may be issued only if:

(A) No changes have been made or will be made in the original plans and specifications for such work;

(B) The expiration has not exceeded three years from the original issuance date;

(C) The same edition of the adopted codes is in effect as used in the initial plan check; and,

(D) A fee equal to one-half the amount required for a new permit is paid.

The renewal permit shall expire three calendar years from the date of the initial permit issuance. When later editions of the codes have been adopted than used in the initial plan check, such applications for renewal shall be considered as a new plan check submittal. Accordingly, plans shall reflect the requirements of the current codes in effect. a full new plan check is required and a full new plan check fee shall be paid. Upon completion of the new plan check, the permit may be renewed upon payment of a permit fee equal to one-half the amount required for a new permit.

2. Permit where work was commenced. For permits where work was commenced and was subsequently stopped as defined herein, a renewal permit may be obtained only if:

(A) No changes have been made or will be made in the original plans and specifications for such work;

(B) The expiration has not exceeded three years from the original permit issuance date;

(C) A fee equal to one-half the amount required for a new permit is paid, except that where construction has progressed to the point of requiring only a final inspection. a fee equal to one-quarter of the amount required for new permit shall be paid;

(D) A renewal permit shall expire three calendar years from the date of the initial permit issuance.

The maximum life of a permit renewal in accordance with this sub-section shall be one calendar year from the date of renewal. The permit may be renewed each calendar year thereafter provided that all requirements of (A) (8) and (C) as stated in this sub-section are met.

3. Extension of an unexpired permit. For an extension of a permit which has not yet expired, the permittee may apply for an extension of time within which work under that permit may be continued when for good and satisfactory reasons the permittee is unable to continue work within the time required by this chapter. The Authority Having Jurisdiction may extend the time for action by the permittee for a period not exceeding six calendar months beyond the expiration date in effect at the time of the extension application, upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action being taken.

Permits issued where the permittee has been deployed to a foreign country, may be held in abeyance until six months after the return of the permittee from his/her deployment if necessary, upon application for such relief by the permittee.

4. Permits that have exceeded three years. For permits that have exceeded three years beyond the issuance date, a permit renewal may be obtained, provided that:

(A) Construction in reliance upon the building permit has been commenced and has been approved;

(B) No changes have been made or will be made in the original plans and specifications for such work; and

(C) A fee equal to the full amount required for a new permit is paid, except that where the Authority Having Jurisdiction determines that construction has progressed to the point that a lesser fee is warranted, such lesser fee shall be paid.

5. Permits issued where the permittee has been deployed to a foreign country, may be held in abeyance until six months after the return of the permittee from his/her deployment if necessary, upon application for such relief by the permittee.

A permit renewed pursuant to this subsection shall not exceed one calendar year from the date of renewal. A permit may be renewed annually provided that all requirements of (A), (B), and (C) above are met.

15.22.060 Permit Denial. The Authority Having Jurisdiction may deny the issuance of a building permit on any property where there exists an unsafe or a substandard building as provided in the Chapters 15.10 and 15.16 of the National City Municipal Code, or where there exists unlawful construction, or where there exists a violation of the National City Municipal Code.

15.22.065 Permit Fees. Fees shall be assessed in accordance with the most recent Fee Schedule adopted by the National City City Council .

15.22.070 Plan Review Fees. When a plan or other data are required to be submitted by 103.2.2, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be as set forth in the fee schedule adopted by the City Council. When plans are incomplete or changed so as to require an additional plan review fee, the fee shall be as per the fee schedule.

15.22.075 Reinspection. A re-inspection fee may be assessed for each inspection or re-inspection when any of the following occurs:

1. The portion of work for which the inspection was called is not complete; the corrections previously required and called for are not made;
2. Calling for an inspection before the job is ready for such inspection or re-inspection;
3. The inspection record card or the approved plans are not posted or otherwise available to the inspector;
4. Failure to provide access on the date for which the inspection is requested; or,
5. Deviating from the approved plans when such deviation or change required approval of the building official.

To obtain a re-inspection, the permittee shall pay the re-inspection fee as specified in the most current Fee Schedule adopted by the National City City Council . In instances where a re-inspection fee has been assessed, no further inspections shall be performed until the fees have been paid.

15.22.080 Advisory and Appeals Board. The City Council, pursuant to National City Municipal Code Chapter 15.04, shall have jurisdiction to review the items as enumerated in Chapter 15.20 of the National City Municipal Code.

15.22.085 Placement of Permit Placement of permit. The building permit or a copy, the inspection record, and the approved plans shall all be kept on site until the completion of the project. The inspection record is to be kept on the job unless removed by the building official.

15.22.090 Expiration of Plans. An application for a permit shall be deemed to have been abandoned six months after the date of filing, unless such application has been pursued in good faith or the permit has been issued; except that the Authority having Jurisdiction is authorized to grant a maximum of three extensions for additional time of three months each, provided there have been no changes to the plans and no new codes have been adopted since the initial plan check was conducted. A fee equal to 25% of the initial plan check fee will be assessed for each plan check extension. The extension shall be requested in writing and justifiable cause demonstrated.

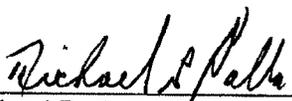
15.22.095 Work Commencing without a Permit. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an administrative penalty equal to the inspection fee portion the permit fee that would be required by this code if a permit were to be issued. The administrative penalty is in addition to a permit fee. When a plan review is required for issuance of such permit, the plan review fee portion will not be subject to said penalty. The payment of such administrative penalty shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

PASSED and ADOPTED this 23rd day of November, 2010.



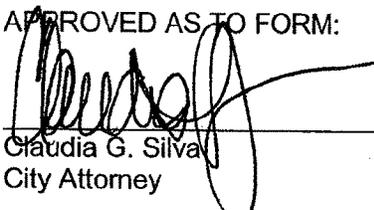
Ron Merrison, Mayor

ATTEST:



Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Claudia G. Silva
City Attorney

Passed and adopted by the Council of the City of National City, California, on November 23, 2010, by the following vote, to-wit:

Ayes: Councilmembers Morrison, Sotelo-Solis, Van Deventer, Zarate.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally adopted until seven calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on November 9, 2010 and on November 23, 2010.

I FURTHER CERTIFY THAT said ordinance was read in full prior to its final passage or that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

I FURTHER CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2010-2356 of the City Council of the City of National City, passed and adopted by the Council of said City on November 23, 2010.



Michael R. Dalla
City Clerk of the City of National City, California

By: _____
Deputy

ORDINANCE NO. 2010 – 2357

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF NATIONAL CITY ADOPTING
THE 2010 CALIFORNIA RESIDENTIAL CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2.5,
AND AMENDING THE NATIONAL CITY MUNICIPAL CODE
BY ADDING CHAPTER 15.79 PERTAINING
TO THE CALIFORNIA RESIDENTIAL CODE

The City Council of the City of National City does ordain as follows:

Section 1. The City Council of the City of National City hereby adopts the 2010 California Residential Code, California Code of Regulations, Title 24, Part 2.5.

Section 2. The City Council of the City of National City hereby amends, adds, and deletes certain sections of the 2010 California Residential Code and Chapter 1 of said Code, thereby adding Chapter 15.79 of the National City Municipal Code to read as follows:

CHAPTER 15.79

CALIFORNIA RESIDENTIAL CODE

Sections:

- 15.79.010 California Building Code—Adopted and Amended.
- 15.79.025 Chapter 1, DIVISION II, Section R104.6 – “Right of entry”—Amended.
- 15.79.030 Chapter 1, DIVISION II, Section R105.2 – “Work exempt from permit”—Amended.
- 15.79.035 Chapter 1, DIVISION II, Section R105.3.2 – “Time limitation of application”—Amended.
- 15.79.040 Chapter 1, DIVISION II, Section R105.5 – “Expiration”—Amended.
- 15.79.045 Chapter 1, DIVISION II, Section R105.7 – “Placement of permit”—Amended.
- 15.79.050 Chapter 1, DIVISION II, Section R105.8.1 – “Permit denial”—Added.
- 15.79.055 Chapter 1, DIVISION II, Section R108.2 - “Fees”—Amended.
- 15.79.060 Chapter 1, DIVISION II, Section R108.6 - “Work commencing before permit issuance”—Amended.
- 15.79.065 Chapter 1, DIVISION II, Section R109.3.8.1 - “Reinspections”—Added.
- 15.79.070 Chapter 1, DIVISION II, Section R110.4 - “Temporary occupancy”—Amended.
- 15.79.075 Chapter 1, DIVISION II, Section R112.1 - “Board of Appeals”—Amended.
- 15.79.080 Chapter 1, DIVISION II, Section R113.1 - “Violations”—Amended.
- 15.79.085 Chapter 1, Division II, Section R319.1 - “Address numbers”—Amended.

- 15.79.090 Chapter 1, Division II, Section R902.1 "Roofing covering material"--Amended.
- 15.79.095 Plan Review Fees.
- 15.79.100 Applications and extensions.

15.79.010 California Residential Code Adopted. The city council adopts, for the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, use, height, area, fire resistance and maintenance of one- and two-family dwellings and townhouses not more than three stories above grade, the 2010 California Residential Code, California Code of Regulations Title 24, Part 2.5 of the California State Health and Safety Code Sections 18901, et. seq., published by the California Building Standards Commission based on the International Residential Code 2009 Edition, including specified Appendices, save and except such portions as are deleted, added, or modified based on the climatic, topographic, or geologic conditions, of which copies of all the codes have been and are now filed in the office of the Building Official and, the same are adopted and incorporated as fully set out at length in this chapter, and the provisions thereof shall be controlling within the city limits.

15.79.025 Chapter 1, DIVISION II, Section R104.6 "Right of entry"--Amended. Section 104.6 of the 2010 California Residential Code is amended to read as follows:

R104.6 Right of Entry. When necessary to make an inspection to enforce any of the provision of this code, or when the Authority Having Jurisdiction has reasonable cause to believe that there exists in any building or upon any premises a condition or code violation which make such building or premises unsafe, dangerous or hazardous, the Authority Having Jurisdiction and/or their authorized representatives may request entry as specified in Chapter 1.12 of the National City Municipal Code.

15.79.030 Chapter 1, DIVISION II, Section R105.2 "Building"--Amended. Chapter 1, DIVISION II, Section R105.2 of the 2010 California Residential Code is amended by adding the following:

11. Playground, gymnastic and similar equipment and structures used for recreation and athletic activities accessory to Group R Division 3 structures.

12. Repairs to lawfully existing Group R Division 3 structures and Group U occupancy structures accessory to Group R Division 3 structures constructed pursuant to a building permit which involves only the replacement of component parts or existing work completed with similar materials only for the purpose of maintenance and do not affect any structural components or plumbing, mechanical or electrical installations. Repairs exempt from permit requirements shall not include any addition, change or modification in construction, exit facilities or permanent fixtures or equipment. Specifically exempt from permit requirements are:

- A) Painting and decorating including refinishing of exterior stucco finishes.
- B) Installation of floor covering.

- C) Cabinet work.
 - D) Outside paving on private property not within the public right-of-way.
 - E) Replacement of existing windows with no structural modification of the existing window opening.
13. Ground mounted satellite antennas not exceeding ten feet in diameter and roof mounted satellite antennas not exceeding eight feet in diameter.
14. Painted wall signs and styrofoam or other foam mounted wall signs.

15.79.035 Chapter 1. DIVISION II Section R105.3.2 "Time Limitation of Application"--Amended. Section R105.3.2 of the 2010 California Residential Code is amended to read as follows:

Section R105.3.2 Time limitation of plan check application. An application for a permit shall be deemed to have been abandoned six months after the date of filing, unless such application has been pursued in good faith or the permit has been issued; except that the Authority having Jurisdiction is authorized to grant a maximum of three extensions for additional time of three months each, provided there have been no changes to the plans and no new codes have been adopted since the initial plan check was conducted. A fee equal to 25% of the initial plan check fee will be assessed for each plan check extension. The extension shall be requested in writing and justifiable cause demonstrated.

15.79.040 Chapter 1. DIVISION II, Section R105.5 "Expiration"--Amended. Section 105.5 of the 2010 California Residential Code is amended to read as follows:

Section R105.5 Expiration. Every permit issued by the Authority Having Jurisdiction under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within six calendar months from the date of such permit, or if the building or work authorized by such permit is stopped at any time after the work is commenced for a period of 6 calendar months, or if the building or work authorized by such permit exceeds three (3) calendar years from the issuance date of the permit. Work shall be presumed to have commenced if the permittee has obtained a required inspection approval of work authorized by the permit by the Authority Having Jurisdiction within six calendar months of the date of permit issuance.

Work shall be presumed to be stopped if the permittee has not obtained a required inspection approval of work by the Authority Having Jurisdiction within each 6 month period upon the initial commencement of work authorized by such permit.

Before such work can be recommenced, a new permit, or a renewal permit as specified below, shall be first obtained.

1. Permits where work has not commenced. For permits for which work has not commenced in the first six calendar months from the date of issuance, a renewal permit may be obtained provided that:

A. No changes have been made or will be made in the original plans and specifications for such work;

- B. The expiration has not exceeded three years from the original issuance date;
- C. The same edition of the California codes is in effect as used in the initial plan check;
- D. A fee equal to one-half the amount required for a new permit is paid;
- E. The renewal permit shall expire three calendar years from the date of initial permit issuance.

Where later editions of the California codes have been adopted than used in the initial plan check, such applications for renewal shall be considered as a new plan check submittal. Accordingly, plans shall reflect the requirements of the current codes in effect, a full new plan check is required, and a full new plan check fee shall be paid. Upon completion of a new plan check, the permit may be renewed upon payment of a permit fee equal to one-half the amount required for a new permit.

2. Permits where work has commenced. For permits where work has commenced and was subsequently stopped as defined herein, a renewal permit may be obtained provided that:

- A. No changes have been made or will be made in the original plans and specifications for such work;

- B. The expiration has not exceeded three years from the original issuance date;

- C. A fee equal to one-half the amount required for a new permit is paid, except that where construction has progressed and has been approved to the point of requiring only a final inspection, a fee equal to one quarter the amount required for a new permit shall be paid;

- D. A renewal permit shall expire three (3) calendar years from the date of initial permit issuance.

3. Permits that have exceeded three years. For permits that have exceeded three years beyond the issuance date, a renewed permit may be obtained provided that:

- A. Construction in reliance upon the building permit has commenced and has been approved;

- B. No changes have been made or will be made in the original plans and specifications for such work;

- C. A fee equal to the full amount required for a new permit is paid except that where the Authority Having Jurisdiction determines that construction has progressed to the point that a lesser fee is warranted, such lesser fee shall be paid.

The maximum life of a permit renewal in accordance with this subsection shall be one calendar year from the date of renewal. The permit may be renewed for each calendar year thereafter provided that all requirements of (A), (B), and (C) as stated in this subsection are met.

4. Extension of an unexpired permit. For an extension of an unexpired permit, the permittee may apply for an extension of the time within which work under that permit may be continued when for good and satisfactory reasons the permittee is unable to continue work within the time required by this section. The Authority Having Jurisdiction may extend the time for action by the permittee for a period not exceeding 6 calendar months upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

5. Permits issued where the permittee has been deployed to a foreign country, may be held in abeyance until six months after the return of the permittee from his/her deployment if necessary, upon application for such relief by the permittee.

15.79.045 Chapter 1, DIVISION II, Section R105.7 "Placement of permit"–Amended. Section R105.7 of the 2010 California Residential Code is amended to read as follows:

Section R105.7 Placement of permit. The building permit or a copy, the inspection record, and the approved plans shall all be kept on site until the completion of the project. The inspection record is to be kept on the job unless removed by the building official.

15.79.050 Chapter 1, DIVISION II, Section R105.8.1 "Permit denial" –Added. Section R105.8 of the 2010 California Residential Code is added as follows:

Section R105.8.1 Permit denial. The Authority Having Jurisdiction may deny the issuance of a building permit on any property where there exists an unsafe or a substandard building as provided in the Chapters 15.10 and 15.16 of the National City Municipal Code, or where there exists unlawful construction, or where there exists a violation of the National City Municipal Code.

15.79.055 Chapter 1, DIVISION II, Section R108.2 – "Fees"–Amended. Section R108.2 of the 2010 California Residential Code is amended to read as follows:

Section R108.2 Schedule of permit fees. Fees shall be assessed in accordance with the most recent fee schedule adopted by the National City City Council .

15.79.060 Chapter 1, DIVISION II, Section R108.6 "Work commencing before permit issuance"–Amended. Section R108.6 of the 2010 California Residential Code is amended to read as follows:

Section R108.6 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an administrative penalty equal to the inspection fee portion the permit fee that would be required by this code if a permit were to be issued. The administrative penalty is in addition to a permit fee. When a plan review is required for issuance of such permit, the plan review fee portion will not be subject to said penalty. The payment of such administrative penalty shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

15.79.065 Chapter 1, DIVISION II, Section 109.3.8.1 "Reinspections"–Added. Chapter 1, DIVISION II, Section 109.3 of the 2010 California Residential Code is amended by adding Section 109.3.8.1 to read as follows:

Section 109.3.8.1 Reinspections. A reinspection fee may be assessed for each inspection or re-inspection when any of the following occurs:

1. The portion of work for which the inspection was called is not complete; the corrections previously required and called for are not made;
2. Calling for an inspection before the job is ready for such inspection or re-inspection;
3. The inspection record card or the approved plans are not posted or otherwise available to the inspector;
4. Failure to provide access on the date for which the inspection is requested; or,
5. Deviating from the approved plans when such deviation or change required approval of the building official.

To obtain a re-inspection, the permittee shall pay the re-inspection fee as specified in the most current Fee Schedule adopted by the National City Council . In instances where a re-inspection fee has been assessed, no further inspections shall be performed until the fees have been paid.

15.79.070 Chapter 1, DIVISION II, Section R110.4 "Temporary occupancy certificate"--Amended. Section R110.4 of the 2010 California Residential Code is amended to read as follows:

Section R110.4. Temporary Occupancy Certificate. Where a project or a major portion thereof is substantially complete and can be safely occupied, but practical difficulties delay completion of work, the building official may issue a Temporary Certificate of Occupancy for the use of a portion or portions of the building or structure prior to the completion of the entire project.

Prior to issuance of a Temporary Certificate of Occupancy, the premises shall be inspected by all affected City departments who shall prepare a list of work required to be completed and shall forward the list along with a recommendation for approval or disapproval of the issuance of a Temporary Certificate of Occupancy to the building official.

Upon receipt of a recommendation for approval from all affected City departments, the Authority Having Jurisdiction may prepare a written document granting temporary occupancy that shall include the following:

1. Work yet to be completed;
2. Maximum time allotted for completion of said work;
3. Property owner's signature and the signature of the contractor agreeing to complete the work within the prescribed time or vacate the premises upon order of the building official until such work is completed; and
4. Evidence that a faithful performance bond has been posted if required by any affected city department.
5. A copy of a written document granting temporary occupancy shall be provided to all affected city departments.

15.79.075 Chapter 1, DIVISION II, Section R112.1 "Board of Appeals"--Amended. Section R112.1 of the 2010 California Residential Code is amended to read as follows:

Section R112.1 Board of Appeals. The City Council, pursuant to National City Municipal Code Chapter 15.04, shall have jurisdiction to review the items as enumerated in Chapter 15.79 of the National City Municipal Code.

15.79.080 Chapter 1, DIVISION II, Section R113.1 "Violations"--Amended. Section R113.1 of the 2010 California Residential Code is amended to read as follows:

Section R113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

Violation of any provision of this code shall be punishable as a misdemeanor and shall carry the penalties as prescribed in Chapter 1.20 of the National City Municipal Code.

15.79.085 Chapter 1. DIVISION II, Section R319.1 "Address numbers"--Amended.
Section R319.1 of the 2010 California Residential Code is amended to read as follows:

Section R319.1 Address numbers. Every principal building or structure within the incorporated limits of the City of National City shall be identified by a designated street number as issued by the National City Fire Department.

Approved numbers or addresses shall be placed on all new and existing buildings, adjacent to the principal entrance to the premises or at a point that is highly visible and legible from the street. If necessary, directional signs shall be posted showing proper access to the given address from a point where the Fire Department access roadway leaves the dedicated street, to the entrance of each addressed building. All such numbers shall be Arabic numerals or alphabetical letters and shall be a minimum of 4 inches (102mm) high with a minimum stroke width of 0.5 inches (12.7mm), and shall be placed on a contrasting background.

15.72.090 Chapter 1. DIVISION II, Section R902.1.3 "Roofing Covering Material"--Amended. Section R902.1.3 of the 2010 California Residential Code is amended to read:

Section R 902.1.3 Roof Coverings in all other areas. The entire roof covering 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 every existing structure, shall be a fire-retardant roof covering that is at least Class B.

15.79.095 Plan Review Fees. When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in the current City of National City fee schedule.

15.79.100 Applications and extensions. An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Authority Having Jurisdiction is authorized to grant a maximum of three extensions for an additional time of three months each provided there have been no changes to the plans and that no new codes have been adopted since the initial plan check was conducted. A fee equal to 25% of the initial plan check fee will be assessed for the second and subsequent plan check extensions. The extension shall be requested in writing and justifiable cause demonstrated.

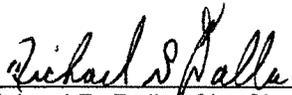
--- Signature Page to Follow ---

PASSED and ADOPTED this 23rd day of November, 2010.



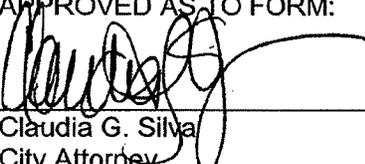
Ron Morrison, Mayor

ATTEST:



Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Claudia G. Silva
City Attorney

Passed and adopted by the Council of the City of National City, California, on November 23, 2010, by the following vote, to-wit:

Ayes: Councilmembers Morrison, Sotelo-Solis, Van Deventer, Zarate.
Nays: None.
Absent: None.
Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally adopted until seven calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on November 9, 2010 and on November 23, 2010.

I FURTHER CERTIFY THAT said ordinance was read in full prior to its final passage or that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

I FURTHER CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2010-2357 of the City Council of the City of National City, passed and adopted by the Council of said City on November 23, 2010.



Michael R. Dalla
City Clerk of the City of National City, California

By: _____
Deputy