

BUILDING STANDARDS COMMISSION

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



February 15, 2011

Mark Ross, Building Official
City of Palos Verdes Estates
340 Palos Verdes Drive West
Palos Verdes Estates, CA 90274-1299

Dear Mr. Ross:

This letter is to acknowledge receipt on January 19, 2011 of the City of Palos Verdes Estates submittal pertaining to Ordinance No. 10-698 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.

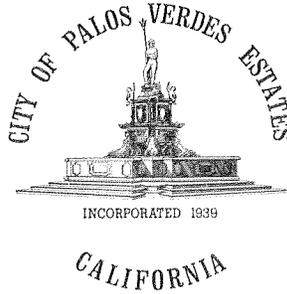
Sincerely,

A handwritten signature in black ink that reads "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

CITY OF PALOS VERDES ESTATES



1/14/2011

California Building Standards Commission
2525 Natomas Park Dr., Suite 120
Sacramento, California 95833

RE: City of Palos Verdes Estates, Building Ordinance

Mr. Dave Walls:

The City of Palos Verdes Estates has adopted the current 2010 California Building, Plumbing, Mechanical and Electrical, Green Building Structural and International Property Maintenance, Uniform Solar Energy, Swimming Pool, Spa and Hot Tub Codes of the State of California.

The City of Palos Verdes Estates has recommended changes and modifications to the Codes and have advised that certain said changes and modifications to the 2007 Editions of the California Building are reasonably necessary due to local conditions in the City and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Code or are reasonably necessary to safeguard life and property within the City of Palos Verdes Estates.

The enclosed City Ordinance is for your files.

If additional information is desired please telephone this office at (310)378-0383

Sincerely,

Mike Ross
Building Official
City of Palos Verdes Estates

2011 JUN 19 A 11:14
CITY OF PALOS VERDES ESTATES
CALIFORNIA BUILDING
STANDARDS COMMISSION

ORDINANCE NO. 10-698

**AN ORDINANCE OF THE CITY OF PALOS VERDES ESTATES
AMENDING CHAPTER 15.12 OF TITLE 15 OF THE PALOS VERDES
ESTATES MUNICIPAL CODE BY ADOPTING THE 2010 EDITIONS OF
THE CALIFORNIA BUILDING CODES AND RELATED MODEL
CODES WITH APPENDICES AND AMENDMENTS THERETO**

**THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES DOES
HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. Findings.

1. In July 2010, the State Building Standards Commission approved and published the 2010 edition of the California Building Standards Code (Title 24 of the California Code of Regulations);
2. Health and Safety Code Section 17958 mandates that the City of Palos Verdes Estates adopt ordinances and regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922;
3. Health and Safety Code Section 17958.5 permits the City to make changes or modifications to the codes as are reasonably necessary because of local conditions;
4. Health and Safety Code Section 17958.5 requires that the City make findings that such changes or modifications are needed due to climatic, geographic, or topographic conditions;
5. The Building Official has recommended that changes and modifications be made to the 2010 Codes, and has advised that certain of said changes and modifications to the California Building Code, 2010 Edition, are reasonably necessary due to local conditions within the City of Palos Verdes Estates, and has further advised that the remainder of the said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Codes, or are reasonably necessary to safeguard life and property within the City of Palos Verdes Estates because The City of Palos Verdes Estates is adjacent to the Pacific Ocean and the salt air carried by the winds off the ocean is extremely corrosive to aluminum wiring.

6. The City Council conducted a duly noticed public hearing to consider and review the California Building Standards Codes and local amendments, at which time hearing testimony and evidence was presented to and considered by the City Council.

SECTION 2. Chapter 15.12 of Title 15 of the City of Palos Verdes Estates Municipal Code is hereby amended in its entirety to read as follows:

Chapter 15.12 Building Codes Adoptions and Amendments

15.12.010 Adoption of California Building Code and Related Model Codes.

Except as provided in this Chapter 15.12 and elsewhere in this Title 15, the California Building Code Part 1 and 2, 2010 Edition, including Chapter 1 Scope and Administration with Appendices I and J; the California Residential Code 2010 Edition, including appendices H and O as Published by the California Building Standards Commission, the California Plumbing Code, 2010 Edition, including Appendix G; the California Mechanical Code, 2010 Edition; the California Electrical Code, 2010 Edition; the International Property Maintenance Code, 2009 Edition, as published by the International Code Council; the Uniform Swimming Pool, Spa and Hot Tub Code, 2009 Edition, as published by the International Association of Plumbing and Mechanical Officials; the Uniform Solar Energy Code; 2009 Edition, as published by the International Association of Plumbing and Mechanical Officials; the California Energy Code, 2010, as published by the International Code Council; the California Historical Building Code, 2010 Edition, as published by the International Code Council; the California Existing Building Code, 2010 Edition, as published by the International Code Council; the California Referenced Standards, 2010 Edition, as published by the International Code Council; are hereby adopted by reference and made a part of this Chapter as though set forth in this Chapter in full. Said Codes shall comprise the construction codes of the City of Palos Verdes Estates. All inconsistencies between the Building and other codes set forth in Title 15 and the codes adopted by reference herein are hereby deemed changes, modifications, amendments, additions or deletions thereto authorized by California Health and Safety Sections 17958.5 and 17958.7.

15.12.020 Administration.

- A. A copy of each construction code shall be maintained in the office of the city clerk and shall be made available for public inspection.

- B. Except as otherwise provided in this chapter, the governing rules, regulations and conditions of administrative procedure for the city building codes shall be as set forth in Chapter 1 of the California Building Code, 2010 Edition, and such rules, regulations and conditions shall prevail over any provision pertaining to administrative procedure set forth in any of the other construction codes adopted by reference in Section 15.12.010.

- C. Whenever the word "jurisdiction" appears in the construction codes, it shall mean and refer to the City of Palos Verdes Estates. Whenever the term "Building Official" appears in the construction codes, it shall mean and refer to the Building Official of the City of Palos Verdes Estates or his or her designee.

15.12.030 Fees.

Notwithstanding any provision of any construction codes adopted by reference in Section 15.12.010, all fees shall be established by resolution of the city council.

15.12.040 Liability.

Notwithstanding the provisions of Section 15.12.010, Section 104.8 of Chapter 1 of the California Building Code is hereby amended by adding a sentence to the end of the paragraph as follows:

The provisions of this section shall apply if the Building Official or his/her authorized representative are employees of this jurisdiction and shall also apply if the Building Official or his/her authorized representative are acting under contract as agents of this jurisdiction.

15.12.050 Maintenance agreement.

Prior to issuance of a permit, the applicant shall execute a "Construction Site Maintenance Agreement" with the city that sets forth requirements governing the work authorized by such permit. The agreement shall be prepared by the building official and shall contain all pertinent provisions of city ordinances and regulations.

15.12.060 Building Permit Expiration.

Notwithstanding the provisions of Section 15.12.010, Section 105.5 of Chapter 1 of the California Building Code is hereby amended as follows:

Every permit issued by the Building Official 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 completed through final inspection within eighteen (18) months from the date of issuance of such permit, provided, however, that for good cause, upon initial application for a permit, the City Council may establish a different expiration date when it is anticipated such date will be necessary to complete construction due to extenuating circumstances. Upon expiration, before work under the permit can be recommenced, a new permit shall be obtained. Such new permit shall be valid for six (6) months, and the fee therefore shall be one-half the amount required for a new permit for such work, if no changes have been made or will be made in the original plans and specifications for the work and not more than one year has passed since the expiration of the permit; otherwise, such new permit shall be subject to all terms and conditions applicable to new permits.

Any permittee holding an unexpired permit may apply for an extension of the time within which the permittee may complete work under that permit when the permittee is unable to complete the work within the time required by this section although proceeding with due diligence. Application for extension shall be filed on forms prescribed by the Building Official and be accompanied by payment of the fee as the City Council may establish by resolution. The Building Official may extend the time for completion of work under the permit by the permittee for a period of time not exceeding 180 days upon finding the permittee has been proceeding with due diligence and that circumstances beyond the control of the permittee have prevented such work from being completed. No permit shall be so extended more than once.

15.12.070 Underground Utilities.

Notwithstanding the provisions of Section 15.12.010, Chapter 1 of the California Building Code is amended by adding section 112.4 to read as follows:

Section 112.4. All new electric, telephone and community antenna service laterals, and wiring between buildings, shall be installed underground, with the following exceptions:

- A. Where existing utility facilities are overhead, and connection thereto would be in a substantially different location from the probable future location of planned underground facilities, an overhead service may be installed, provided that no additional utility pole may be installed without the prior approval of the city council. In any event, appropriate provisions shall be made for future underground service;
- B. Temporary overhead facilities for emergency service for less than ten days and for other temporary purposes for not more than one hundred eighty days as approved by the director of public works.

15.12.080 Amendments To The California Electrical Code.

A. Notwithstanding the provisions of Section 15.12.010, Section 310.2(B) of Title 24 California Code of Regulations Part 3 (the California Electrical Code, 2010 Edition) is hereby amended by adding thereto a second paragraph to read as follows:

"Copper wire shall be used for wiring No. 6 and smaller in all installation. Consideration for use of aluminum wiring can be made by the building official for feeder lines only on an individual basis where adequate safety measures can be ensured."

B. Notwithstanding the provisions of Section 15.12.010, Article 310 of Title 24 California Code of Regulations Part 3 (the California Electrical Code, 2010 Edition) is amended by adding thereto a new Section 310.16 to read as follows:

"310-16 Continuous inspection of aluminum wiring.

"Aluminum conductors of No. 6 or smaller used for branch circuits shall require continuous inspection by an independent testing agency approved by the building official for proper torquing of connections at their termination point."

SECTION 3. This ordinance shall take effect 30 days from the adoption of this ordinance and shall be implemented on January 13, 2011. Projects for which a building permit application and building plans have been submitted prior to the effective date of this ordinance, which building permits have been obtained within 180 days from the effective date of this ordinance, shall be exempt from the provisions of this ordinance. Projects for which a building permit application and building plans have been submitted prior to the effective date of this ordinance, and building permits have not been obtained within 180 days from the effective date of this ordinance, shall be subject to all provisions of this ordinance and the codes referenced in this ordinance. To the extent the provisions of this ordinance are substantially the same as previous provisions of the Palos Verdes Estates Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments.

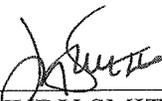
SECTION 4. If any subsection, subdivision, sentence, clause, phrase, or portion of this section, is for any reason held to be invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section. The City Council hereby declares that it would have adopted this section, and each subsection, subdivision, sentence, clause, phrases, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions thereof, be declared invalid or unconstitutional.

SECTION 5. The City Clerk shall certify to the passage of this ordinance and shall cause the same to be posted in the manner required by law.

PASSED, APPROVED AND ADOPTED THIS 14th day of DECEMBER, 2010.

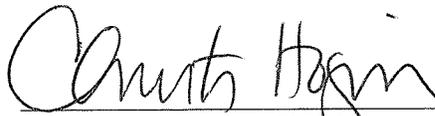

ROSEMARY HUMPHREY, Mayor

ATTEST:



JUDY SMITH, City Clerk

APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney

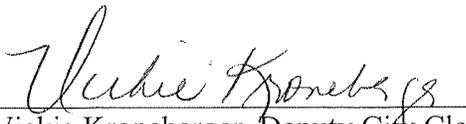
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF PALOS VERDES ESTATES)

I, Vickie Kroneberger, Deputy City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Ordinance 10-698 was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 23rd day of November, 2010, and that thereafter, said Ordinance was duly and regularly adopted and passed by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 14th day of December, 2010, by the following vote, to wit:

AYES: COUNCILMEMBERS: Humphrey, Rea, Goodhart, Perkins, and Bird

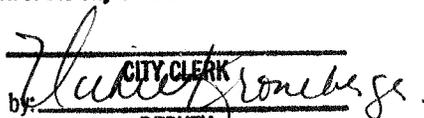
NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None


Vickie Kroneberger, Deputy City Clerk

I hereby certify that the foregoing document is a full, true and correct copy of ORDINANCE 10-698 on file in the office of the City Clerk of the City of Palos Verdes Estates.

1/4/2011
DATE


CITY CLERK
DEPUTY

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