

BUILDING STANDARDS COMMISSION

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Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



March 7, 2011

Dennis M. Corbett, Senior Plan Checker
Building and Safety Division
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566

Dear Mr. Corbett:

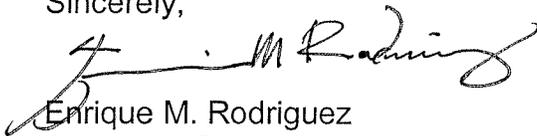
This letter is to acknowledge receipt on January 20, 2011 of the City of Pleasanton submittal pertaining to Ordinance No. 2015 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the 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

ORDINANCE NO. 2015

AN ORDINANCE OF THE CITY OF PLEASANTON REPEALING CHAPTERS 20.04, 20.08, 20.12, 20.16, 20.20, 20.24, 20.32, 20.34, 20.40, 20.48, 20.52, 20.55, 20.58, 20.60, 20.65 AND ADOPTING NEW CHAPTERS 20.04 (BUILDING ADMINISTRATIVE CODE), 20.08 (BUILDING CODE), 20.10 (RESIDENTIAL CODE), 20.12 (PLUMBING CODE), 20.16 (MECHANICAL CODE), 20.20 (ELECTRICAL CODE), 20.24 (FIRE CODE), 20.32 (DANGEROUS BUILDINGS CODE), 20.55 (SWIMMING POOL, SPA AND HOT TUB CODE) AND 20.65 (INTERNATIONAL PROPERTY MAINTENANCE CODE) OF THE PLEASANTON MUNICIPAL CODE BY ADOPTING BY REFERENCE AND AMENDING THE 2009 EDITIONS OF THE INTERNATIONAL BUILDING, RESIDENTIAL, FIRE, AND PROPERTY MAINTENANCE CODES; THE 2009 EDITIONS OF THE UNIFORM PLUMBING, MECHANICAL AND THE SWIMMING POOL, SPA AND HOT TUB CODES; THE 2008 EDITION OF THE NATIONAL ELECTRICAL CODE; AND PMC CHAPTER 20.36 (SECURITY REGULATIONS).

WHEREAS, the State of California Building Standards Commission has adopted a new Title 24 California Code of Regulations, the State Building Standards Code, which will become effective on January 1, 2010; and

WHEREAS, California Health and Safety Code Section 17958 and Section 17958.5 allow the City, by ordinance, to make changes to the State Building Standards Code and other regulations adopted by reference pursuant to California Health and Safety Code Section 17922; and

WHEREAS, California Health and Safety Code Section 17958.5 requires that such changes must be determined to be reasonably necessary because of local climatic, geologic or topographical conditions; and

WHEREAS, California Health and Safety Code Section 17958.7 requires that the City, before making any changes pursuant to Health and Safety Code Sections 17958 and Section 17958.5, shall make an express finding that each such modification of change is needed.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The following chapters of the Pleasanton Municipal Code are repealed: 20.04, 20.08, 20.12, 20.16, 20.20, 20.24, 20.32, 20.34, 20.40, 20.48, 20.52, 20.55, 20.58, 20.60, and 20.65.

Section 2. Chapters 20.04, 20.08, 20.10, 20.12, 20.16, 20.20, 20.24, 20.32, 20.55 and 20.65 of the Pleasanton Municipal Code are hereby added as provided in the attached Exhibit 1.

Section 3. Chapter 20.36.050 Security Regulations of the Pleasanton Municipal Code is hereby amended to read as follows:

"20.36.050 Administration.

This Chapter shall be administered by the Building and Safety Official as a part of the most current edition of the California Building Code, Title 24, Part 2 and the California Residential

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Code, Title 24, Part 2.5 of the California Code of Regulations, published by the International Code Council. All rights of appeal that attach to those Codes shall also attach to this chapter."

Section 4. Adopt the findings set forth in attached Exhibit 2 to support the adoption of the California Building Code in Title 20 of the Municipal Code and the amendments to those codes based upon Pleasanton's climatic, geologic and topographical conditions.

Section 5. Severability. If any provision or clause of this Chapter or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other Chapter provisions or clauses or applications thereof which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this Chapter are declared to be severable.

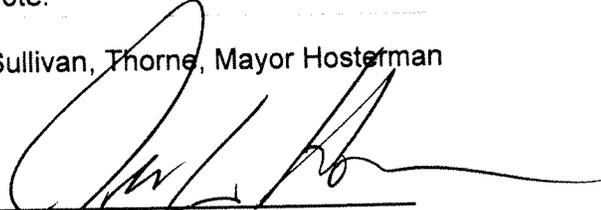
Section 6. A summary of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's office within fifteen (15) days after its adoption.

Section 7. This ordinance shall be effective thirty (30) days after the date of its final passage and adoption.

Section 8. The Building and Safety Official shall file a copy of this Ordinance with the State Department of Housing and Community Development and a copy to the State of California Building Standards Commission.

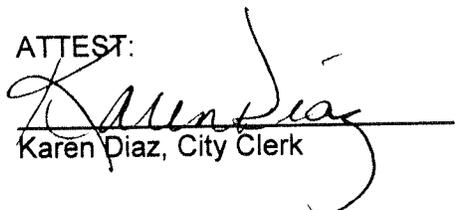
The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on December 7, 2010 and adopted at a regular meeting of the City Council of the City of Pleasanton on January 4, 2011 by the following vote:

Ayes: Councilmembers Cook-Kallio, McGovern, Sullivan, Thorne, Mayor Hosterman
Noes: None
Absent: None



Jennifer Hosterman, Mayor

ATTEST:



Karen Diaz, City Clerk

APPROVED AS TO FORM:



Jonathan Lowell, City Attorney

EXHIBIT 1

Chapter 20.04 BUILDING ADMINISTRATIVE CODE

Sections:

- 20.04.010 Pleasanton Building Administrative Code adopted.**
- 20.04.015 Pleasanton Building Administrative Code amendments.**

20.04.010 Pleasanton Building Administrative Code adopted.

- A. There is adopted for the City of Pleasanton, an administrative code for the technical codes including the 2009 editions of the International Building Code, the International Residential Code, International Property Maintenance Code, the 2009 editions of the Uniform Mechanical Code, Uniform Plumbing Code and Uniform Swimming Pool, Spa and Hot Tub Code, the 2008 edition of the National Electrical Code, the 2010 California Green Building Standards Code and the 1997 edition of the Uniform Housing Code as herein described. The administrative code shall be known as the Pleasanton Building Administrative Code and the same is adopted and incorporated as set out in this chapter.
- B. Where there is a reference in Administrative Code to the "Building Official", Code Official", or "Authority Having Jurisdiction" it shall mean the Chief Building and Safety Official or in the absence of the Chief, the interim, temporary or acting Chief Building and Safety Official.

20.04.015 Pleasanton Building Administrative Code amendments:

Chapter 1A

TITLE, SCOPE AND GENERAL

SECTION 101A — TITLE, PURPOSE AND SCOPE

101A.1 Title. These regulations shall be known as the Pleasanton Building Administrative Code, hereinafter referred to as "this code."

101A.2 Purpose. The purpose of this code is to provide for the administration and enforcement of the Building, Residential, Electrical, Plumbing, Mechanical, Energy, Historical, Fire, Existing Building, Green Building, Swimming Pool, Housing and Property Maintenance Codes which may also be referred to as the "technical codes" as adopted by the City of Pleasanton.

101A.3 Scope. The provisions of this code shall serve as the administrative, organizational and enforcement rules and regulations for the technical codes which regulate site preparation and construction, alteration, movement, enlargement, replacement, demolition, repair, use and occupancy of buildings, structures and equipment of every building or structure or any appurtenances connected or attached to such buildings or structures within this jurisdiction. Provisions in the appendices shall not apply unless specifically adopted. Wherein any provisions in this code conflict with section 108 of the California Building Code for all occupancies regulated by Housing and Community Development (HCD) that section shall govern.

SECTION 102A— APPLICATION TO EXISTING BUILDINGS AND BUILDING SERVICE EQUIPMENT

102A.1 General. Buildings, structures and their building and/or property service equipment to which additions, alterations or repairs are made shall comply with all the requirements of the technical codes for new facilities, except as specifically provided in this section.

102A.2 Additions, Alterations or Repairs. Additions, alterations or repairs may be made to a building or its building and/or property service equipment without requiring the existing building or its building and/or property service equipment to comply with all the requirements of the technical codes, provided the addition, alteration or repair conforms to that required for a new building or building service equipment.

Additions, alterations or repairs made to existing structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the Building and Safety Official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the Building Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance; will cause building service equipment to become overloaded or exceed their rated capacities; will create a health hazard or will otherwise create conditions dangerous to human life. A building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted by the Building Code for new buildings. A building plus new additions shall not exceed the height, number of stories and area specified by the Building Code for new buildings.

Additions or alterations shall not be made to an existing building or structure when the existing building or structure is not in full compliance with the provisions of the Building Code except when the addition or alteration will result in the existing building or structure being no more hazardous based on life safety, fire safety and sanitation, than before such additions or alterations are undertaken.

EXCEPTION: Alterations of existing structural elements, or additions of new structural elements, which are not required by Section 102A.4 and which are initiated for the purpose of increasing the lateral-force resisting strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced, and
2. The lateral loading to required existing structural elements is not increased beyond their capacity, and
3. New structural elements are detailed and connected to the existing structural elements as required by these regulations, and
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations, and
5. An unsafe condition as defined above is not created.

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect a structural member or a part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed, subject to approval by the Building and Safety Official. Installation or replacement of glass shall be as required for new installations. Minor additions, alterations and repairs to existing building service equipment installations may be made in accordance with the technical code in effect at the time the original installation was made, subject to approval of the Building and Safety Official, and provided such additions, alterations and repairs will not cause the existing building service equipment to become unsafe, insanitary or overloaded.

102A.3 Existing Installations. Building service equipment lawfully in existence at the time of the adoption of the technical codes may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and a hazard to life, health or property has not been created by such building service equipment.

102A.4 Existing Occupancy. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the California Building Code or the California Fire Code, or as is deemed necessary by the Building and Safety Official for the general safety and welfare of the occupants and the public. A change in the use or occupancy of any existing building or structure shall comply with the provisions of Section 309A of this code and Section 3408 of the Building Code.

102A.4.1 Installation of Smoke Alarms. No residential property may be sold or traded in the City of Pleasanton unless and until the seller installs or provides for the installation of smoke alarms in accordance with Section 907.2.11 of the California Building Code or Section R314 of the California Residential Code, as applicable. This requirement may be met by the seller placing in an escrow account, for the use of the buyer, sufficient funds to pay for said installation.

102A.5 Maintenance. Buildings, structures and building and/or property service equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the technical codes shall be maintained in conformance with the technical code under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and their building service equipment. To determine compliance with this section, the Building and Safety Official may cause a structure to be inspected.

102A.6 Moved Buildings. Buildings, structures and their building and/or property service equipment moved into or within the City of Pleasanton shall comply with the provisions of the technical codes for new buildings or structures and their building and/or property service equipment.

102A.7 Temporary Structures. Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the Building and Safety Official for a limited period of time. Buildings or structures erected under a special permit need not comply with the type of construction or fire-resistive time periods required by the Building Code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

102A.8 Historic Buildings. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building, structure, or its building and/or property service equipment may be made without conforming to the requirements of the technical codes as provided in Section 3409 of the California Building Code and when authorized by the Building and Safety Official, provided:

1. The building or structure has been designated under constituted authority of the City of Pleasanton as having special historical or architectural significance.
2. Unsafe conditions as described in this code are corrected.
3. The restored building or structure and its building service equipment will be no more hazardous based on life and fire-safety and sanitation than the existing building.

103A Definitions

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, latest edition, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

ADDITION is an extension or increase in floor area or height of a building or structure.

ALTER or ALTERATION is a change or modification in construction or building and/or property service equipment.

APPROVED as to materials, types of construction, equipment and systems, refers to approval by the Building and Safety Official. The Building and Safety Official may require an investigation and tests conducted by technical or scientific organizations at the applicant's expense, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the Building and Safety Official.

BUILDING is a structure used or intended for supporting or sheltering a use or occupancy.

BUILDING CODE shall mean the California Residential Code for one- and two-family dwelling occupancies, and shall mean the California Building Code for all other occupancies, as adopted by this jurisdiction.

BUILDING, EXISTING is a building erected prior to the adoption of this code, or one for which a legal building permit has been issued.

BUILDING AND SAFETY OFFICIAL is the officer or other designated authority charged with the administration and enforcement of the technical codes, or a regularly authorized deputy. Where there is a reference in any of the technical codes to the "Building Official" or "Authority Having Jurisdiction" it shall mean the Chief Building and Safety Official or in the absence of the Chief Building and Safety Official, the interim, temporary or acting Chief Building and Safety Official.

BUILDING and/or PROPERTY SERVICE EQUIPMENT refers to the plumbing, mechanical, electrical and elevator equipment including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration,

fire-fighting and transportation facilities essential to the occupancy of the building or structure for its designated use.

ELECTRICAL CODE is the California Electrical Code, as adopted by the City of Pleasanton.

IBC STANDARDS are those standards published in the California Reference Code as adopted by the City of Pleasanton.

JURISDICTION as used in this code, is the City of Pleasanton which adopts this code for administrative regulations within its area of authority.

LISTED and LISTING are terms referring to equipment and materials included in a list published by an approved testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of current productions of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards or tests and has been tested or evaluated and found suitable for use in a specified manner.

MECHANICAL CODE is the California Mechanical Code, as adopted by the City of Pleasanton.

OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

ON-SITE WORK is work that is constructed on a property between a building foundation and the property line.

OWNER is any person, agent, firm or corporation having a legal or equitable interest in the property.

PERMIT is an official document or certificate issued by the Building and Safety Official authorizing performance of a specified activity.

PERSON is a natural person, heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

PLUMBING CODE is the California Plumbing Code, as adopted by the City of Pleasanton.

REPAIR is the reconstruction or renewal of any part of an existing building, structure or building and/or property service equipment for the purpose of its maintenance.

SHALL as used in this code, is mandatory.

STRUCTURAL OBSERVATION means the visual observation of the structural system, for general conformance to the approved plans and specifications, at significant construction stages and at completion of the structural system.

STRUCTURE is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

TECHNICAL CODES refer to those codes adopted by this jurisdiction containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and building service equipment as herein defined.

VALUATION or VALUE as applied to a building and its building and/or property service equipment shall be the estimated cost to construct or replace the building and its building and/or property service equipment in kind, based on current labor and material replacement costs as determined by the Building and Safety Official.

104A Conflicting Provisions. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of the technical codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. When conflicting provisions or requirements occur between this code, the technical codes and other codes or laws, the Building & Safety Official shall determine which provision or requirement shall govern.

105A Alternate Materials, Methods of Design and Methods of Construction. The provisions of the technical codes are not intended to prevent the use of any material, method of design or method of construction not specifically prescribed by the technical codes, provided an alternate has been approved and its use authorized by the Building and Safety Official.

An alternative material, design or method of construction shall be approved where the Building and Safety Official finds that the proposed design is satisfactory and complies with the intent of the provisions of the technical codes, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The Building and Safety Official shall require that sufficient evidence or proof be submitted to substantiate claims that may be made regarding its use. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in the technical codes, shall consist of valid research reports from approved sources. Whenever there is insufficient evidence of compliance with the provisions of the technical codes, or evidence that a material or method does not conform to the

requirements of technical codes, or in order to substantiate claims for alternative materials or methods, the Building & Safety Official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Building and Safety Official shall approve the testing procedures. Tests shall be performed by an approved agency. The details of an action granting approval of an alternate shall be recorded in the files of the Building and Safety Division.

106A Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code or any technical code, the Building & Safety Official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Building & Safety Official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of technical codes and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of actions granting modifications shall be recorded and entered in the files of the Building and Safety Division.

Chapter 2A

ORGANIZATION AND ENFORCEMENT

SECTION 201A — AUTHORITY

201A.1 Creation of Enforcement Agency. There is hereby established in the City of Pleasanton a Division of Building & Safety which shall be under the administrative and operational control of the Building and Safety Official.

201A.2 General. Whenever the term or title "administrative authority," "responsible official," "Building and Safety Official," "chief inspector," "authority having jurisdiction," or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the Building and Safety Official designated by the authority of the City of Pleasanton.

SECTION 202A — POWERS AND DUTIES OF THE BUILDING AND SAFETY OFFICIAL

202A.1 General. The Building and Safety Official is hereby authorized and directed to enforce all the provisions of this code and the referenced technical codes. For such purposes, the Building and Safety Official shall have the powers of a law enforcement officer.

The Building and Safety Official shall have the power to render interpretations of this code and the referenced technical codes, and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary to clarify the application of the provisions of this code or the technical codes. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

202A.2 Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the Building and Safety Official may appoint such number of technical officers, plan reviewers and inspectors and other employees as shall be authorized from time to time. The Building and Safety Official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.

202A.3 Right of Entry. When necessary to make an inspection to enforce any of the provisions of this code the technical codes, or when the Building and Safety Official has reasonable cause to believe that there exists in any building or upon a premises a condition which is contrary to or in violation of this code or any of the technical codes which makes the building or premises unsafe, dangerous or hazardous, the Building and Safety Official is authorized to enter the building or premises at all reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied, that credentials be presented to the occupant and entry requested. If such building or premises is unoccupied, the Building and Safety Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused, the Building and Safety Official shall have recourse to the remedies provided by law to secure entry.

~~**202A.4 Stop Orders.** Whenever the Building and Safety Official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the Building and Safety Official is authorized to issue a stop work order. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.~~

202A.5 Violations. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

The Building and Safety Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the

provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

If the notice of violation is not complied with promptly, the Building and Safety Official is authorized to request the City Attorney to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building and Safety Official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

When a building or structure or building and/or property service equipment therein regulated by this code and the technical codes is being used contrary to the provisions of such codes, the Building and Safety Official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the Building and Safety Official after receipt of such notice to make the structure, or portion thereof, or building and/or property service equipment comply with the requirements of such codes.

202A.6 Authority to Disconnect Utilities. The Building and Safety Official or the Building and Safety Official's authorized representative shall have the authority to authorize disconnection of utility service or energy supplied to the building, structure or building and/or property service equipment therein regulated by this code or the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section 308A. The Building and Safety Official shall notify the serving utility and wherever possible the owner and occupant of the building, structure or building and/or property service equipment of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

202A.7 Authority to Condemn Building Service and/or Property Equipment. When the Building and Safety Official ascertains that building and/or property service equipment regulated in the technical codes has become hazardous to life, health or property, or has become unsanitary, the Building and Safety Official shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. Defective building and/or property service equipment shall not be maintained after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises.

When any building and/or property service equipment is maintained in violation of the technical codes and in violation of a notice issued pursuant to the provisions of this section, the Building and Safety Official shall institute appropriate action to prevent, restrain, correct or abate the violation.

202A.8 Connection after Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building and/or property service equipment which has been disconnected or ordered to be disconnected by the Building and Safety Official or the use of which has been ordered to be discontinued by the Building and Safety Official until the Building and Safety Official authorizes the reconnection and use of such equipment.

202A.9 Liability. The Building and Safety Official, member of the board of appeals or employee charged with the enforcement of this code and the technical codes, while acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. A suit brought against the Building and Safety Official or employee's of the City of Pleasanton because of such act or omission performed by the Building and Safety Official or employee in the enforcement of the provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by the City of Pleasanton until final termination of such proceedings, and any judgment resulting there from, shall be assumed by this jurisdiction. The Building and Safety Official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling a building, structure or building and/or property service equipment therein for damages to persons or property caused by defects, nor shall the code enforcement agency or the City of Pleasanton be held as assuming such liability by reason of the inspections authorized by this code or permits or certificates issued under this code or the technical codes.

202A.10 Cooperation of Other Officials and Officers. The Building and Safety Official may request, and shall receive, the assistance and cooperation of other officials of the City of Pleasanton so far as is required in the discharge of the duties required by this code, the technical codes or other pertinent laws or ordinances.

203A DANGEROUS OR UNSAFE BUILDINGS, STRUCTURES OR BUILDING SERVICE EQUIPMENT

Buildings or structures regulated by this code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings.

Building and/or property service equipment regulated by such codes, which constitutes a fire, electrical or health hazard, or an unsanitary condition, or is otherwise dangerous to human life is, for the purpose of this section, unsafe. Use of buildings, structures or building and/or property service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures or appendages and building and/or property service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in Chapter 20.32, the Pleasanton Dangerous Buildings Code, or such alternate procedure as may be adopted by the City of Pleasanton. As an alternative, the Building and Safety Official or other employee or official of the City of Pleasanton as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

203A.1 Substandard buildings. Any building or portion thereof including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building:

- A. Inadequate sanitation shall include, but not be limited to, the following:
1. Lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit.
 2. Lack of, or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
 3. Lack of, or improper kitchen sink.
 4. Lack of hot and cold running water to plumbing fixtures in a hotel.

5. Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
6. Lack of adequate heating.
7. Lack of, or improper operation of required ventilating equipment.
8. Lack of minimum amounts of natural light and ventilation required by this code.
9. Room and space dimensions less than required by the building code.
10. Lack of required electrical lighting.
11. Dampness of habitable rooms.
12. Infestation of insects, vermin, or rodents as determined by the health officer.
13. General dilapidation or improper maintenance.
14. Lack of connection to required sewage disposal system.
15. Lack of adequate garbage and rubbish storage and removal facilities as determined by the health officer.

B. Structural hazards shall include, but not be limited to, the following:

1. Deteriorated or inadequate foundations.
2. Defective or deteriorated flooring or floor supports.
3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
4. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
5. Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
6. Members of ceilings, roofs, ceilings and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration.
7. Members of ceiling, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
8. Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration.
9. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.

C. Any nuisance.

D. All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.

E. All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures.

F. All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.

- G. Faulty weather protection, which shall include, but not be limited to, the following:
 - 1. Deteriorated, crumbling, or loose plaster.
 - 2. Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors.
 - 3. Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
 - 4. Broken, rotted, split, or buckled exterior wall coverings or roof coverings.
- H. Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.
- I. All materials of construction, except those which are specifically allowed or approved by this code, and which have been adequately maintained in good and safe condition.
- J. Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.
- K. Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the California Building Code.
- L. All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy.
- M. When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.
- N. All buildings or portions thereof that are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.
- O. All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.

P. Inadequate structural resistance to horizontal forces.

Q. Any other definition as specified in California Health & Safety Code Section §17920.3.

All buildings or portions thereof which are determined to be substandard are declared to be public nuisances and may be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in the International Property Maintenance Code, the Pleasanton Dangerous Buildings Code or by any other remedy available at law. It shall be unlawful to maintain or use any such substandard building. Except that any condition which would require displacement of sound walls or ceilings to meet height, length, or width requirements of ceilings, rooms, and dwellings shall not by itself be considered sufficient existence of dangerous conditions making a substandard building, unless the building was constructed, altered or converted in violation of such requirements in effect at the time of construction, alteration or conversion.

203A.2 Illegal buildings, structures or installations.

A. Every building or structure or portion thereof, and every electrical, plumbing or mechanical installation or portion thereof, erected, installed, constructed, enlarged, altered, repaired, moved, converted, or improved without a permit and which was subject to the requirements for permits by the California Building Code as adopted by the City of Pleasanton is declared to be an illegal building, structure or installation. All illegal buildings, structures or installations shall be made to conform to the provisions of this chapter or shall be demolished and removed as may be required by the Building and Safety Official.

B. Whenever necessary to assure compliance with the foregoing provisions, the owner of any illegal building, structure or installation shall uncover any concealed portions of such building, structure, electrical, plumbing, or mechanical installation for inspection and shall perform such tests as may be required by the Building and Safety Official.

C. It is unlawful to use or maintain any illegal buildings, structure or installation or portion thereof which was erected, installed, constructed, enlarged, altered, repaired, moved, converted, or improved without a permit.

D. All illegal buildings, structures or installations or portions thereof may be abated by being made to conform to the provisions of this chapter or by demolition and remove in accordance with the provisions specified by any remedy available at law.

203A.3 Emergency Measures

A. Imminent danger. When, in the opinion of the Code Official, there is imminent danger of failure or collapse of a building that endangers life, or when any building or part of a building has fallen and life is endangered by the occupation of the building,

or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases, or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The Code Official shall cause to be posted at each entrance to such structure a notice prohibiting occupancy. It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition, or of demolishing the same.

- B. Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the code official there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.
- C. Closing streets. When necessary for public safety, the code official shall temporarily close structures and close or order the authority having jurisdiction to close sidewalks, streets, public ways, and places adjacent to unsafe structures, and prohibit the same from being utilized.
- D. Emergency repairs. For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.
- E. Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.
- F. Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

SECTION 204A — BOARD OF APPEALS

204A.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the Building and Safety Official relative to the application and interpretations of the technical code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and building and/or property service equipment and who are not employees of the jurisdiction. The Building and Safety Official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board of appeals shall be appointed by the City Council and shall hold office at its pleasure. The board shall adopt

rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building and Safety Official.

Alternatively, the City may use Five (5) Building Official members of the East Bay Chapter of the International Code Council, chosen on a case-by-case basis, to serve as the Board of Appeals for the City of Pleasanton. The ICC East Bay Chapter, an organization of Building Officials, Building Inspectors, and Construction Industry personnel, was formed in 1947 to help maintain consistent and uniform code enforcement and code interpretation for our region. Building Officials from jurisdictions within Alameda, Contra Costa counties and neighboring counties are also members. Building Official members of the ICC East Bay Chapter are well versed in the technical and administrative provisions of construction codes.

204A.2 Limitations of Authority. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code or the administrative provisions of the technical codes nor shall the board be empowered to waive requirements of either this code or the technical codes.

SECTION 205A — VIOLATIONS

It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building and/or property service equipment, or cause or permit the same to be done in violation of this code and the technical codes. Penalties for violations will be as provided in Section 1.12.020 of the Pleasanton Municipal Code.

Chapter 3A

PERMITS AND INSPECTIONS

SECTION 301A - PERMITS

301A.1 Permits Required. Except as specified in Section 301A.2, any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building and Safety Official and obtain the required permit.

301A.2 Work Exempt from Permit. A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction.

301A.2.1 Building permits. A building permit shall not be required for the following:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, carpeting, and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R 3 Occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings supported by an exterior wall of Group R, Division 3 and Group U Occupancies that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
13. Non-fixed and movable fixtures, cases, counters and partitions not over 5 feet 9 inches (1753 mm) high.
14. Decks not exceeding 200 square feet (18.58m²) in area, that are not more than 30" above grade at any point, are not attached to a one- and two-family dwelling and do not serve the required exit door.

Unless otherwise exempted by this code or the technical codes, separate plumbing, electrical and mechanical permits will be required for the above exempted items.

301A.2.2 Plumbing permits. A plumbing permit shall not be required for the following:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that should any concealed trap, drain pipe, water, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

301A.2.3 Electrical permits. An electrical permit shall not be required for the following:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.
2. Repair of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
3. Temporary decorative lighting in or outside of one- and two-family dwellings.
4. Repair or replacement of current-carrying parts of any switch, contactor or control device the same location.
5. Reinstallation of attachment plug receptacles when the receptacle is not moved from its previous location, but not the outlets therefore.
6. Repair or replacement of any over current device of the required capacity in the same location.
7. Temporary wiring for experimental purposes in suitable experimental laboratories.
8. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
9. Low-energy power, control and signal circuits of Class II and Class III as defined in the Electrical Code.
10. A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

301A.2.4 Mechanical permits. A mechanical permit shall not be required for the following:

1. Portable heating appliances.
2. Portable ventilating appliances.
3. Portable cooling units.
4. Portable evaporative coolers.
5. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by the Mechanical code.
6. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
7. Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of the technical codes. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

SECTION 302A — APPLICATION FOR PERMIT

302A.1 Application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the Building & Safety Division for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications, and other data as required in Section 302A.2.
5. State the valuation of the proposed work, based on current labor and material costs.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as may be required by the Building and Safety Official.

302A.2 Submittal Documents. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in three or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the Building and Safety Official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The Building and Safety Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

EXCEPTION: The Building and Safety Official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

302A.3 Information on Plans and Specifications. Plans and specifications shall be drawn to scale on substantial paper and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Where conventional construction provisions are identified in Group R 3 occupancies, all braced wall lines shall be identified on the construction documents and all pertinent information including, but not limited to, bracing methods, location and length of braced wall panels, foundation requirements of braced wall panels at top and bottom shall be provided. Plans for buildings of other than Group R 3 and Group U Occupancies shall indicate how required structural and fire resistive integrity will be maintained where

penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

Section 302A.4 – Design Professional in Responsible Charge

302A.4.1 General. When it is required that documents be prepared by an architect or engineer, the Building and Safety Official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner may designate a substitute registered design professional in responsible charge who shall perform all the duties required of the original registered design professional in responsible charge. The Building and Safety Official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating all submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

302A.4.2 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the Building and Safety Official within a specified period. Deferral of any submittal items shall have prior approval of the Building and Safety Official. The registered design professional in responsible charge shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the Building and Safety Official. Submittal documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Building and Safety Official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the Building and Safety Official.

302A.5 Inspection and Observation Program. When special inspection is required by Section 306A, the registered design professional in responsible charge shall prepare an inspection program which shall be submitted to the Building and Safety Official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work to have special inspection, the name or names of the individuals or firms who are to perform the special inspections and indicate the duties of the special inspectors.

The special inspector shall be employed by the owner, the registered design professional in responsible charge, or an agent of the owner, but not the contractor or any other person responsible for the work.

When structural observation is required by Section 307A, the inspection program shall name the individuals or firms who are to perform structural observation and describe the

stages of construction at which structural observation is to occur. The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

302A.6 Time Limitation of Application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building and Safety Official is authorized to grant one extension of time for an additional period not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application.

SECTION 303A — PERMITS ISSUANCE

303A.1 Issuance. The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the Building and Safety Official or his or her authorized representative. Such plans may be reviewed by other departments of the City of Pleasanton to verify compliance with any applicable laws under its jurisdiction. If the Building and Safety Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and the technical codes and other pertinent laws and ordinances, and that the fees specified in Section 304A have been paid, the Building and Safety official shall issue a permit therefor as soon as practicable.

When the Building and Safety Official issues a permit, the construction documents shall be approved in writing or by a stamp which states "REVIEWED FOR CODE COMPLIANCE." One set of construction documents so reviewed shall be retained by the Building and Safety Official. Another set of approved plans and specifications shall be returned to the applicant, shall be kept at the site of work at all times during which the work authorized, and shall be open to inspection by the Building and Safety Official or his or her authorized representative. Such approved plans and specifications shall not be changed, modified or altered without authorizations from the Building and Safety Official, and all work regulated by this code and the technical codes shall be done in accordance with the approved plans.

The Building and Safety Official is authorized to issue a permit for the construction of part of a building, structure or building service equipment before the entire plans and specifications for the whole building or structure or building and or property service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the technical codes. The holder of a partial permit shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire building, structure or building service will be granted.

303A.2 Retention of Plans. The Building and Safety Division shall maintain an official copy, which may be an electronic copy or on microfilm, of the plans for every building during the life of the building, for which the division issues a building permit. Except for plans of a common interest development as defined in Section 1351 of the Civil Code, plans need not be filed for:

- a. Single or multiple dwellings not more than two stories and basement in height.
- b. Garages and other structures appurtenant to buildings in item A.
- c. Farm or ranch buildings.
- d. Any one-story building not constructed of steel frame or concrete where the span between bearing walls does not exceed 25 feet.

303A.3 Validity of Permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the City of Pleasanton. Permits presuming to give authority to violate or cancel the provisions of this code or the technical codes or of other ordinances of the City of Pleasanton shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building and Safety Official from thereafter requiring the correction of errors in construction documents and other data. The Building and Safety Official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of the City of Pleasanton.

303A.4 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced, or if 180 days has elapsed since the most recent approval has been given by the Building and Safety Official for a required inspection, as enumerated in Section 305A.5 of this code. The Building & Safety Official is authorized to grant, in writing, one extension of time, for a period not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

If the permit has expired, before such work can be recommenced, a new permit shall be first obtained to do so, and the fee there-for shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The Building and Safety Official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

303A.5 Suspension or Revocation. The Building and Safety Official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 304A — FEES

304A.1 General. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid. Fees shall be assessed in accordance with the provisions in the fees and charges section of the Pleasanton Municipal Code.

304A.2 Permit Fees. The fee for each permit shall be as set forth in the fees and charges section of the Pleasanton Municipal Code. Where a technical code has been adopted by the City of Pleasanton for which no fee schedule is shown in the Pleasanton Municipal Code, the fee required shall be established by the Building and Safety Official base on time and material.

The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as finish work, painting, roofing, electrical, gas, mechanical, plumbing equipment, elevators, fire-extinguishing systems and permanent systems. If, in the opinion of the Building and Safety Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building and Safety Official. Final building permit valuation shall be set by the Building and Safety Official.

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 investigation fee established by the Building and Safety Official that shall be in addition to the required permit fees.

The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

304A.3 Plan Review Fees. When submittal documents are required by Section 302A.2, a plan review fee shall be paid at the time of submitting the submittal documents for plan review.

A. The building, energy, access, fire sprinkler, fire alarm, grading, on-site, electrical, mechanical and/or plumbing plan review fee shall be as shown in the Fees and Charges Table of the Pleasanton Municipal Code.

- B. The plan review fees specified in this section are separate fees from the permit fees specified in Section 304A.2 and are in addition to the permit fees.
- C. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 302A.4.2, an additional plan review fee shall be charged at the rate shown in the Fees and Charges Table of the Pleasanton Municipal Code.

304A.4 Expiration of Plan Review. An application for a permit for any proposed work under review shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building and Safety Official is authorized to grant one extension of time for an additional period not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

304A.5 Investigation Fees: Work without a Permit.

304A.5.1 Investigation. 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 a special investigation fee established by the Building and Safety Official that shall be in addition to the required permit fees.

304A.5.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by the Fees and Charges Table of the Pleasanton Municipal Code. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes nor from the penalty prescribed by law.

304.6A Fee Refunds. The Building and Safety Official may authorize refunding of a fee paid hereunder which was erroneously paid or collected. The Building and Safety Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The Building and Safety Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination or inspection time has been expended.

The Building and Safety Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

SECTION 305A — INSPECTIONS

305A.1 General. Construction or work for which a permit is required shall be subject to inspection by the Building and Safety Official and the construction or work shall remain accessible and exposed for inspection purposes until approved. In addition, certain types of construction shall have continuous inspection as specified in Section 306A. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code, the technical codes or of other ordinances of the City of Pleasanton. Inspections presuming to give authority to violate or cancel the provisions of this code, the technical codes or of other ordinances of the City of Pleasanton shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Building and Safety Official nor the City of Pleasanton shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

A survey of the lot may be required by the Building and Safety Official to verify that the structure is located in accordance with the approved plans.

305A.2 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or the agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the Building and Safety Official conveniently to make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the Building and Safety Official.

305A.3 Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the Building and Safety Official that such work is ready for inspection. The Building and Safety Official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be made electronically, in writing or by telephone at the option of the Building and Safety Official.

It shall be the duty of the person requesting any inspections required either by this code or the technical codes to provide access to and means for inspection of the work.

In addition to scheduled inspections required herein, the Building and Safety Official may inspect any existing building or structure for cause within the City or when requested to do so by an owner or person acting under authority of the owner. Such request shall be made in writing by the property owner, who may be required to submit evidence to indicate such authority. A statement of all findings shall be sent to the owner and a record shall be kept on file in the office of the Building and Safety Official. Applications shall be accompanied by an inspection fee based on the Fees and Charges Appendix in the Municipal Code.

305A.4 Approval Required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building and Safety Official. The Building and Safety Official, upon notification, shall make the requested inspections and shall either indicate that that portion of the construction is satisfactory as completed or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions which do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building and Safety Official.

There shall be a final inspection and approval by the Building and Safety Official of all buildings, structures, plumbing, mechanical and or electrical and on-site permits when completed and ready for occupancy and use.

305A.5 Preliminary Inspection. Before issuing a permit, the Building and Safety Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

305A.6 Required Building Inspections. Reinforcing steel or structural framework of any part of a building or structure or any plumbing, mechanical or electrical components shall not be covered or concealed without first obtaining the approval of the Building and Safety Official. Protection of joints and penetrations in fire- resistive assemblies shall not be concealed from view until inspected and approved.

The Building and Safety Official shall require notification from the permit holder in order to make the following inspections:

1. **Foundation Inspection.** Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. Plumbing, mechanical or electrical components are required to be in place. For concrete foundations, required forms shall be in place prior to inspection. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.
2. **Under-slab and Under-floor Inspection.** Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing or insulation installed, including the subfloor.
3. **Floodplain Inspection in designated flood hazard areas.** Upon placement of the lowest floor and prior to further vertical construction, a registered design professional shall prepare and submit documentation to the Building and Safety Official of the elevation of the lowest floor, including basement, as required in Section 1612.5 of the California Building Code, or for one-and two-family dwellings, Section R322 of the California Residential Code.

4. Shear and Roof Inspection. A lateral bracing, roof framing and sheathing inspection shall be made before any weather protection covering or roofing material is installed on the walls or roof of any building.
5. Plumbing, Mechanical, Gas and Electrical Inspection. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.
6. Frame Inspection. Framing inspections shall be made after the roof deck or sheathing are approved and the structure is adequately protected from weather intrusion, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating, wiring, piping and ducts are approved.
7. Sprinkler System Pre-Concealment Inspection. Fire sprinklers shall be installed in all required locations, and the sprinkler piping installation shall be tested and inspected prior to the concealment of any sprinkler system piping.
8. Energy Efficiency Inspections. Inspections shall be made to determine compliance with Title 24, Part 6 and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency. Wall and concealed ceiling insulation inspections are required to be made after the frame inspection is approved and before being covered.
9. Lath and/or wallboard Inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.
 Exception: Gypsum board that is not part of a fire-resistance-rated assembly.
10. Fire-resistance-rated Construction Inspection. Wherever fire-resistance-rated construction is required, the Building and Safety Official shall require an inspection of such construction after all lathing and/or wallboard is in place, but before any plaster is applied, or before wallboard joints and fasteners are taped and finished. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.
11. Other Inspections. In addition to the inspections specified above, the Building and Safety Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.
12. Final Inspection. Final inspection shall be made after the permitted work is complete and prior to occupancy.

305A.7 Required Building and/or Property Service Equipment Inspections.

305A.7.1 General. For all stand alone plumbing, mechanical and electrical permits and all other building and/or property service equipment for which a permit is required by this code shall be inspected by the Building and Safety Official. Building service equipment intended to be concealed by a permanent portion of the building shall not be

concealed until inspected and approved. Before any property service equipment is buried or covered it shall be inspected by the Building and Safety Official. When the installation of building and/or property service equipment is complete, a final inspection shall be made. Building and/or property service equipment regulated by the technical codes shall not be connected to the water, fuel or power supply or sewer system until authorized by the Building and Safety Official.

305A.7.2 Operation of building service equipment. The requirements of this section shall not be considered to prohibit the operation of building service equipment installed to replace existing building service equipment serving an occupied portion of the building in the event a request for inspection of such building service equipment has been filed with the Building and Safety Official not more than 48 hours after the replacement work is completed, and before any portion of such building service equipment is concealed by permanent portions of the building.

305A.8 Reinspections. A reinspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when inspections called for are not made. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, 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 Building and Safety Official.

To obtain a reinspection after a reinspection fee has been assessed, the applicant shall first pay the assessed re-inspection fee in accordance with the Fees and Charge as set forth in the Pleasanton Municipal Code.

SECTION 306A — SPECIAL INSPECTIONS

306A.1 General. Where application is made for construction as described in this Chapter 17 of the California Building Code, the owner or the registered design professional in responsible charge acting as the owner's agent shall employ one or more approved agencies to perform inspections during construction on the types of work listed under Section 1704. These inspections are in addition to the inspections identified in Section 305A of this code.

EXCEPTION: Special inspections are not required for work of a minor nature as approved by the Building and Safety Official.

SECTION 307A — STRUCTURAL OBSERVATION

Structural observation shall be provided when so designated by the architect or engineer of record, or when such observation is specifically required by the Building and Safety Official and comply with the requirements in Section 1710 of the California Building Code.

The owner shall employ a registered design professional to perform structural observations as defined in Section 1702. Prior to the commencement of observations, the structural observer shall submit to the Building and Safety Official a written statement identifying the frequency and extent of structural observations. At the conclusion of the work included in the permit, the structural observer shall submit to the Building and Safety Official a written statement that the site visits have been made and identify any reported deficiencies which, to the best of the structural observer's knowledge, have not been resolved.

Structural observation does not include or waive the responsibility for the inspections required by Section 305A.6, 1704 of the California Building Code or other sections of this code.

SECTION 308A — CONNECTION TO UTILITIES

308A.1 Energy Connections. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the Building and Safety Official.

308A.2 Temporary Connections. The Building and Safety Official shall have the authority to authorize the temporary connection of the building or other service equipment to the source of energy, fuel or power.

SECTION 309A — CERTIFICATE OF OCCUPANCY

309A.1 Use or Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof be made until the Building and Safety Official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the City of Pleasanton. Certificates presuming to give authority to violate or cancel the provisions of this code or the technical codes or of other ordinances of the City of Pleasanton shall not be valid.

EXCEPTION: One- and two-family dwellings, Group U Occupancies and work exempt from permits under Section 301A.2.

309A.2 Change in Use. Changes in the character or use of an existing structure shall not be made except as specified in Sections 3406 and 3407 of the California Building Code.

309A.3 Certificate Issued. After the Building and Safety Official inspects the building or structure and finds no violations of the provisions of the technical codes or other laws which are enforced by the City of Pleasanton, the Building and Safety Official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.

2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of the technical codes for the occupancy and the division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building and Safety Official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy.
9. The type of construction.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

309A.4 Temporary Certificate of Occupancy. The Building and Safety Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The Building and Safety Official shall set a time period during which the temporary certificate of occupancy is valid.

309A.5 Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building and Safety Official.

309A.6 Revocation. The Building and Safety Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**Chapter 20.08
BUILDING CODE**

Sections:

- 20.08.010 California Building Code adopted.**
- 20.08.020 CBC Chapter 1 Division II deleted.**
- 20.08.030 CBC Section 310.3.4 added - Installation of Spark Arrestors**
- 20.08.040 CBC Section 903 amended.– Automatic Sprinkler Systems**
- 20.08.050 CBC Section 904 amended – Alternative Automatic Fire-Extinguishing Systems.**
- 20.08.060 CBC Section 907.2.11.2 Item 5 added – Groups R-2, R-2.1, R-3, R-3.1, R-4.**
- 20.08.070 CBC Section 1505.1 amended – Fire Classification.**
- 20.08.080 CBC Section 1613.8 amended - Earthquake Loads.**
- 20.08.090 CBC Section 1704.4 amended - Concrete Construction.**
- 20.08.100 CBC Section 1809.8 amended – Plain concrete footings.**
- 20.08.110 CBC Section 1908.1.8 amended - ACI 318 section 22.10.1.**
- 20.08.120 CBC Section 1910.1 amended - Minimum Slab Provisions.**
- 20.08.130 CBC Table 2306.7 amended – Allowable Shear for Wind or Seismic Forces For Shear Walls of Lath and Plaster or Gypsum Board Wood Framed Wall Assemblies.**
- 20.08.140 CBC Section 2308.12.4 amended – Braced wall line sheathing.**
- 20.08.150 CBC Section 2308.12.5 amended – Attachment of sheathing.**
- 20.08.160 CBC Chapter 24 amended – Glass and Glazing.**
- 20.08.170 CBC Chapter 31B adopted and amended – Public Swimming Pools.**

20.08.010 California Building Code adopted.

- A. The International Building Code, 2009 Edition, as amended and set forth in the California Building Code, Title 24, Part 2 of the California Code of Regulations, published by the International Code Council is hereby adopted, together with Appendices H and J, except as set forth in this chapter.
- B. The International Building Code (IBC) adopted in this chapter by reference is amended by the following additions, deletions and amendments thereto as set forth in this chapter. Reference numbers herein are taken from the 2010 California Building Code.
- C. These regulations shall be known as the Pleasanton Building Code, hereinafter referred to as “this code.”
- D. Where there is a reference in the code to the "Building Official" or "Authority Having Jurisdiction" it shall mean the "Building and Safety Official" or in the absence of the Building and Safety Official, the interim, temporary or acting Building and Safety

Official. (Ord. 1965 § 2, 2007; Ord. 1869 § 2, 2002; Ord. 1806 § 2, 2000; Ord. 1778 § 2, 1999; Ord. 1669 § 2, 1995; Ord. 1561 § 2, 1992; Ord. 1449 § 2, 1990; Ord. 1385 § 2, 1988; Ord. 1169 § 1, 1984; Prior Code § 2-12.35)

20.08.020 CBC Chapter 1 Division II deleted.

Chapter 1 Division II is deleted in its entirety.

20.08.030 CBC Section 310.3.4 added - Installation of Spark Arrestors

Section 310.3 is amended by adding Section 310.3.4 to read as follows:

Section 310.3.4 Installation of Spark Arrestors. Existing dwelling units shall be retrofitted with a spark arrestor upon the occurrence of any of the following events:

1. Upon notice from the City;
2. Re-roofing;
3. Resale of the dwelling unit;
4. Issuance of a building permit for alterations, repairs or additions in excess of \$1,000.

In the event of a resale of a dwelling unit, the seller shall be responsible to comply with this ordinance. Any real property professional representing the seller shall be required to notify the seller of seller's obligation to comply with this ordinance.

The spark arrestor shall conform to the requirements specified in the CBC Section 2113.9.1.

20.08.040 CBC Section 903 amended – Automatic Sprinkler Systems.

Section 903 of the California Building Code 2010 Edition, (24 C.C.R. Part 2), and including by reference the International Building Code, 2009 Edition is amended to read as shown in section 903 of the Pleasanton Fire Code (PMC Chapter 20.24).

20.08.050 CBC Section 904 amended – Alternative Automatic Fire-Extinguishing Systems.

Section 904 of the California Building Code 2010 Edition, (24 C.C.R. Part 2), and including by reference the International Building Code, 2009 Edition is amended to read as shown in section 904 of the Pleasanton Fire Code (PMC Chapter 20.24).

20.08.060 CBC Section 907.2.11.2 Item 5 added - Groups R-2, R-2.1, R-3, R-3.1, R-4.

Section 907.2.11.2 is amended by adding Section 907.2.11.2 Item 5 to read as follows:

5. No R-2, R-2.1, R-3, R-3.1 or R-4 occupancies may be sold or traded in the City of Pleasanton unless and until the seller installs or provides for the installation of smoke alarms in accordance with Section 907.2.11.2. This requirement may be

met by the seller placing in an escrow account, for the use of the buyer, sufficient funds to pay for said installation.

20.08.070 CBC Section 1505.1 amended – Fire Classification.

Table 1505.1 Minimum Roof Coverings Classification is deleted, and Section 1501.1 is amended to add the following paragraph to read as follows:

Roof coverings shall be fire retardant minimum Class B or higher for all buildings regardless of type of construction.

20.08.080 CBC Section 1613.8 amended - Earthquake Loads.

Section 1613 is amended by adding Section 1613.8 to read as follows:

1613.8 ASCE 7, Section 12.8.7. Modify ASCE 7, Section 12.8.7 by amending Equation 12.8-16 as follows:

$$\theta = \frac{P_x \Delta I}{V_x h_{sx} C_d} \quad (12.8-16)$$

20.08.090 CBC Section 1704.4 amended - Concrete Construction.

Section 1704.4 is amended to read as follows:

1704.4 Concrete Construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1704.4.

Exceptions: Special inspections shall not be required for isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

20.08.100 CBC Section 1809.8 amended – Plain concrete footings.

Section 1809.8 is amended to read as follows:

1809.8 Plain concrete footings. The edge thickness of plain concrete footings supporting walls of other than light-frame construction shall not be less than 8 inches (203mm) where placed on soil and in all cases, as a minimum, one ½" (51mm) continuous rebar shall be placed at the top and at the bottom of all grade beams and spread footings.

Exception: For plain concrete footings supporting Groups R-3 and one story Group U occupancies the edge thickness is permitted to be 6 inches (152mm), provided that the footing does not extend beyond a distance greater than the thickness of the

footing on either side of the supported wall. In all cases, as a minimum, one ½" (51mm) continuous rebar shall be placed at the top and at the bottom of all grade beams and spread footings.

20.08.110 CBC Section 1908.1.8 amended - ACI 318 section 22.10.1.

Section 1908.1.8 is amended to read as follows:

1908.1.8 ACI 318, section 22.10. Delete ACI 318, section 22.10, and replace with the following:

22.10 - Plain concrete in structures assigned to seismic design category C, D, E or F.

22.10.1- Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

- (a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.
- (b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception: In detached one and two-family dwellings three stories or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

20.08.120 CBC Section 1910.1 amended - Minimum Slab Provisions.

Section 1910.1 is amended to read as follows:

1910.1 General. The thickness of concrete floor slabs supported directly on the ground shall not be less than 3½ inches (89 mm). A minimum 10-mil (0.010 inch, .20mm) polyethylene moisture retarder with joints lapped not less than 6 inches (152 mm) shall be placed above a minimum of 4-inches (102 mm) of crushed or angular rock capillary moisture barrier or other approved equivalent methods and materials used to provide slab-stability and moisture protection of the interior environment of the building. The capillary moisture barrier material shall have a maximum particle size of ¾-inch with no more than 10 percent smaller than ¼-inch. In order to promote a more uniform curing of the slab and to provide protection for the polyethylene moisture retarder, a minimum of two-inches of fine clean sand shall be placed directly over the moisture retarder. As a minimum and in all cases where a slab is to be placed inside of a building, the slab shall be reinforced with not less than six inches by six inches ten gauge welded wire

mesh or an approved alternate installed on approved supports at mid height of the concrete slab.

Exception: A vapor retarder, sand and rock are not required:

1. For detached structures accessory to occupancies in Group R-3, such as garages, utility buildings or other unheated facilities.
2. For unheated storage rooms having an area of less than 70 square feet (6.5 m²) and carports attached to occupancies in Group R-3.
3. For buildings of other occupancies where migration of moisture through the slab from below will not be detrimental to the intended occupancy of the building and the rock is determined not to be needed for support or stability of the concrete floor slab.
4. For driveways, walks, patios and other flatwork which will not be enclosed at a later date.
5. Where approved based on local site conditions.

In all slabs under habitable spaces, a minimum of 4 inches (102 mm) of crushed rock capillary water barrier shall be provided under the minimum 10 mil vapor retarder. The vapor barrier shall be protected by a minimum of 2 inches (51 mm) of sand, or equivalent protection.

20.08.130 CBC Table 2306.7 amended – Allowable Shear for Wind or Seismic Forces For Shear Walls of Lath and Plaster or Gypsum Board Wood Framed Wall Assemblies.

Table 2306.7 is amended to read as follows:

**TABLE 2306.7
LATH AND PLASTER OR GYPSUM BOARD WOOD FRAMED WALL ASSEMBLIES**

TYPE OF MATERIAL	THICKNESS OF MATERIAL	WALL CONSTRUCTION	FASTENER SPACING ^a MAXIMUM (inches)	MINIMUM FASTENER SIZE ^{b, c, h, i}
1. Expanded metal or woven wire lath and Portland cement plaster	7/8"	Unblocked	6	No. 11 gage 1-1/2" long, 7/16" head No. 16 gage galv. staple, 7/8" legs
2. Gypsum lath, plain or perforated with vertical joints staggered	3/8" lath and 1/2" plaster	Unblocked	5	No. 13 gage galv. 1-1/8" long, 19/64" head, plasterboard nail
3. Gypsum lath, plain or perforated	3/8" lath and 1/2" plaster	Unblocked	5	No. 16 gage galv. staple, 1-1/8" long, 0.120" nail, min. 3/8" head, 1-1/4" long
4. Gypsum board, gypsum veneer base or water-resistant gypsum backing board	1/2"	Unblocked ^d	7	5d cooler (1-5/8" x 0.086") or wallboard 0.120" nail, min. 3/8" head, 1-1/2" long No. 16 gage galv. staple, 1-1/2" long
		Unblocked ^d	4	
		Unblocked	7	
		Unblocked	4	
		Blocked	7	
		Blocked	4	
		Unblocked	8/12 ^f	No. 6—1-1/4" screws ^g

		Blocked ^e	4/16 ^f			
		Blocked ^{d,e}	4/12 ^f			
		Blocked ^e	8/12 ^f			
		Blocked ^e	6/12 ^f			
	5/8"	Unblocked ^d	7	6d cooler (1-7/8" x 0.092") or Wallboard 0.120" nail, min. 3/8" head, 1-3/4" long No. 16 gage galv. staple, 1-1/2" legs, 1-5/8" long		
			4			
		Blocked ^e	7			
			4			
		Blocked ^e Two-ply	Base ply: 9 Face ply: 7		Base ply-6d cooler (1-1/8" x 0.092") or wallboard 1-3/4" x 0.120" nail, min. 3/8" head 1-5/8" 16 gage galv. Staple 1-5/8" 16 gage galv. staple	
					Face ply-8d cooler (2-3/8" x 0.113") or wallboard 0.120" nail, min. 3/8" head, 2-3/8" long No. 15 gage galv. staple, 2-1/4" long	
Unblocked	8/12 ^h	No. 6—1-1/4" screws ^g				
Blocked ^e	8/12 ^h					

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per foot = 14.5939 N/m.

- Applies to fastening at studs, top and bottom plates and blocking.
- Alternate fasteners are permitted to be used if their dimensions are not less than the specified dimensions. Drywall screws are permitted to substitute for the 5d (1-5/8" x 0.086"), and 6d (1-7/8" x 0.092") (cooler) nails listed above, and No. 6 1-1/4", inch Type S or W screws for 6d (1-7/8" x 0.092") (cooler) nails.
- For properties of cooler nails, see ASTM C 514.
- Maximum framing spacing of 24 inches on center.
- All edges are blocked, and edge fastening is provided at all supports and all panel edges.
- First number denotes fastener spacing at the edges; second number denotes fastener spacing at intermediate framing members.
- Screws are Type W or S.
- Staples shall have a minimum crown width of 7/16 inch, measured outside the legs, and shall be installed with their crowns parallel to the long dimension of the framing members.
- Staples for the attachment of gypsum lath and woven-wire lath shall have a minimum crown width of 3/4 inch, measured outside the legs.

20.08.140 CBC Section 2308.12.4 amended – Braced wall line sheathing.

Section 2308.12.4 is amended to read as follows:

2308.12.4 Braced wall line sheathing. Braced wall lines shall be braced by one of the types of sheathing prescribed by Table 2308.12.4 as shown in Figure 2308.9.3. The sum of lengths of braced wall panels at each braced wall line shall conform to Table 2308.12.4. Braced wall panels shall be distributed along the length of the braced wall line and start at not more than 8 feet (2438mm) from each end of the braced wall line. Panel sheathing joints shall occur over studs or blocking. Sheathing shall be fastened to studs, top and bottom plates and at panel edges occurring over blocking. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide [1 1/2 inch (38 mm)] or large members.

Braced wall panel construction types shall not be mixed within a braced wall line. Braced wall panels required by Section 2308.12.4 may be eliminated when all of the following requirements are met:

- For one story detached garage Group U occupancies not more than 25 feet in depth or length.

2. The roof and three enclosing walls are solid sheathed with ½-inch nominal thickness wood structural panels with 8d common nails placed 3/8 inches from panel edges and spaced not more than 6 inches on center along all panel edges and 12 inches on center along intermediate framing members. Wall openings for doors or windows are permitted provided a minimum 4 foot wide wood structural braced panel with minimum height to length ratio of 2 to 1 is provided at each end of the wall line and that the wall line be sheathed for 50% of its length.

Cripple walls having a stud height exceeding 14 inches (356 mm) shall be considered a story for the purpose of this section and shall be braced as required for braced wall lines in accordance with Table 2308.12.4. Where interior braced wall lines occur without a continuous foundation below, the length of parallel exterior cripple wall bracing shall be one and one-half times the lengths required by Table 2308.12.4. Where the cripple wall sheathing type used is Type S-W and this additional length of bracing cannot be provided, the capacity of Type S-W sheathing shall be increased by reducing the spacing of fasteners along the perimeter of each piece of sheathing to 4 inches (102 mm) o.c.

20.08.150 CBC Section 2308.12.5 amended – Attachment of sheathing.

Sections 2308.12.5 is amended to read as follows:

2308.12.5 Attachment of sheathing. Fastening of braced wall panel sheathing shall not be less than that prescribed in Table 2308.12.4 or Table 2304.9.1. Wall sheathing shall not be attached to framing members by adhesives.

All braced wall panels shall extend to the roof sheathing and shall be attached to parallel roof rafters or blocking above with framing clips (18 gauge minimum) spaced at maximum 24 inches (6096 mm) on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels shall be laterally braced at each top corner and at maximum 24 inch (6096 mm) intervals along the top plate of discontinuous vertical framing.

20.08.160 CBC Chapter 24 amended – Glass and Glazing.

Chapter 24 is amended to add Section 2410 to read as follows:

Section 2410 Shower Enclosures.

2410.1 General. Glazing and installation of framed and frameless shower units shall be in accordance with manufacturer's instructions and the AGA Industry Frameless Shower Standards (AGA-SHI) and comply with Category II of CPSC 16 CFR 1201.

2410.1.1 Structural Framing. The entire surround of a shower opening shall be no less than nominal wood stud construction or steel studs with wood furring.

2410.1.2 Jumping Retainers. A device shall be installed in the header that prevents a sliding panel from accidentally vacating the opening.

2410.1.3 Towel Bars and Handles. Horizontal bars and handle shall not be mounted to the interior of the glass surfaces. A vertical handle may be mounted to the interior of the door.

2410.1.4 Hinged Doors. Hinged doors shall open outward and provide a minimum of 22 inches (559 mm) clear opening when opened to 90°. Bi-folding doors: No portion of a bi-fold door may open into the shower area

Exception: Self centering doors that swing both ways are permitted provided there is no restriction for the door to open outward to 90°.

2410.1.5 Steam/Canopied Enclosures. The roof or enclosed glass top of a shower enclosure shall be $\frac{3}{8}$ inch (9.5mm) tempered laminated glass or $\frac{3}{8}$ inch (9.5mm) plastic and shall not exceed 36 inches (914 mm) in the short dimension.

2410.2 Frameless Light Glass Shower Enclosures.

2410.2.1 Minimum Thickness. Frameless Light Hinging and Sliding Shower Doors shall be a minimum of $\frac{3}{16}$ inch (5.0 mm) tempered glass.

2410.2.2 Size Limitation. Compression hinged doors shall not exceed 28 inch (711 mm) in width. Compression attached rollers to sliding doors shall not exceed 32 inches (813 mm) in width. Neither may exceed 70 inches (1,778 mm) in height.

Exception: When $\frac{1}{4}$ inch (6 mm) tempered glass is used with through-glass fastening, hinged doors shall not exceed 36 inches (914 mm) in width and 96 inches (2,438 mm) in height.

2410.2.3 Panels. All $\frac{3}{16}$ inch (5.0 mm) or $\frac{1}{4}$ inch (7mm) panels shall be framed and attached to three sides.

2410.3 Frameless Heavy Glass Shower Enclosures.

2410.3.1 Hinges. Hinge weights shall not exceed the manufacturer's tested maximum load. Each hinge shall be labeled with its load rating and the label may not be removed before inspection. Three hinges are allowed only when a plumb substrate is provided.

2410.3.2 Screws. Stainless steel screws shall be used of minimum size #10 and a length sufficient to make a minimum penetration into the wood frame of $1\frac{1}{2}$ inch (38 mm). This penetration into the substrate shall be sealed with a non-hardening, asphalt base sealant.

2410.3.3 Minimum Thickness. Hinged shower doors and stationary panels shall be a minimum of $\frac{3}{8}$ inch (10 mm) tempered glass.

2410.3.4 Recommended Clearances. Clearance between a door and panel or door and wall shall be no less than $\frac{1}{8}$ inch (3.2 mm). Clearance at the bottom of the door shall be no less than $\frac{3}{16}$ inch (5 mm) between the exposed glass edge and the curb or threshold.

2410.4 Size Limitation.

2410.4.1 Doors. Shower doors shall not exceed 38 inches (965 mm) in width or 150 lbs. in weight.

Exception: These limits may be exceeded only when a licensed engineer submits a stamped calculation.

2410.4.2 Non-load Bearing Panels. $\frac{3}{8}$ inch (10 mm) panels may not exceed 110 (2,794 mm) united inches, width + height (UI). $\frac{1}{2}$ inch (12 mm) panels shall not exceed 120 (3,048 mm) UI, as per AGA-SH1. Height limitation, 84 inches (2,134mm).

Exception: When three sides of the panel are attached to the structure, the UI limitations may be removed. A transom shall be considered the same as a header or ceiling mount and shall be secured with channel or clips on 4 sides.

2410.5 Mechanical Fastening Hardware (metal clips, header, tube bracing or channels)

2410.5.1 Metal Clips. U Channels shall be fastened to the finished shower wall. The only permitted penetration through the finished shower wall shall be the mounting screws for clips, channels, and hinges. Reglet design is not recommended.

2410.5.2 Clip Location. Clips on the long edge of the glass shall be located between 4 inches (102 mm) and 8 inches (203 mm) from each end of the glass. A third clip shall be on the long edge if the glass exceeds 48" in length. Clips shall be centered on the short edge on panels up to 16 inches (406 mm) in width. For greater widths, two clips shall be used, one at each one-third point.

2410.5.3 Non-Load Bearing Side Panels. Non-load bearing side panels shall be mounted by mechanical fasteners on the bottom and the top or bottom and one vertical side.

Exception: For two in-line side panels (such as a buttress design) and/or to a return panel, the vertical butt joint(s) shall be sealed with a structural silicone sealant and shall be secured at the top with a joint spanning clip(s) or header.

2410.5.4 Load-bearing side panels. Load-bearing side panels and any return panel shall be secured with mechanical fasteners on three sides. The minimum width of a load-bearing panel shall be 5 inches (127 mm).

20.08.170 CBC Chapter 31B adopted and amended – Public Swimming Pools.

Chapter 31B is adopted and amended to add the following Sections to read as follows:

Section 3118B.3.1 Existing pool and spa enclosures. Any new or replacement swimming pool, spa, swimming pool/spa enclosure shall be constructed and maintained per the current requirements in Chapter 31B of the California Building Code. Any existing swimming pool, spa, swimming pool/spa enclosure repair may maintain the existing barrier and latch height requirements in place at the time of the original lawfully permitted construction approval.

Section 3118B.5 Barrier prerequisite to filling of pool. An inspection to verify pool barriers are installed, functional and in compliance with the current laws and approved plans shall occur and be approved by the Building and Safety Official before water may be introduced into any public pool or spa.

**Chapter 20.10
RESIDENTIAL CODE**

Sections:

- 20.10.010 California Residential Code adopted**
- 20.10.020 CRC Chapter 1 Division II is deleted.**
- 20.10.030 CRC Section R202 amended – Definitions**
- 20.10.040 CRC Table R301.2(1) amended – Climate and Geographic Design Criteria**
- 20.10.050 CRC Table R301.5 amended – Minimum Uniformly Distributed Live Loads**
- 20.10.060 CRC Section R308 amended –Glazing.**
- 20.10.070 CRC Section R313 amended– Automatic Fire Sprinkler Systems**
- 20.10.080 CRC Section R314.3.2 added – Smoke Alarm Installation at Time of Sale or Transfer**
- 20.10.090 CRC Section R329 added - Installation of Spark Arrestors**
- 20.10.100 CRC Section R403.1.3 amended – Seismic Reinforcing.**
- 20.10.110 CRC Section R502.2.2 amended – Decks**
- 20.10.120 CRC Section R506.2.4 amended – Reinforcement support.**
- 20.10.130 CRC Table R602.10.1.2(2) amended – Bracing Requirements based on Seismic Design Category.**
- 20.10.140 CRC Section R602.10.2.1 amended – Reinforcement support.**
- 20.10.150 CRC Section R907.7 added – Fire Classification.**
- 20.10.160 CRC Section AG102 amended – Definitions.**
- 20.10.170 CRC Section AG105 amended – Barrier Requirements.**

20.10.010 California Residential Code adopted

- A. The International Residential Code, 2009 Edition, as amended and set forth in the California Code of Regulations, Title 24, Part 2.5, published by the International Code Council is hereby adopted, together with Appendices G and H except as set forth in this chapter.
- B. The International Residential Code (IRC) adopted in this chapter by reference is amended by the following additions, deletions and amendments thereto as set forth in this chapter. Reference numbers herein are taken from the 2010 California Residential Code.
- C. These regulations shall be known as the Pleasanton Residential Code, hereinafter referred to as “this code.”
- D. Where there is a reference in the code to the "Building Official" or "Authority Having Jurisdiction" it shall mean the "Building and Safety Official" or in the absence of the

Building and Safety Official, the interim, temporary or acting Building and Safety Official.

20.10.020 CRC Chapter 1 Division II is deleted.

Chapter 1 Division II is deleted.

20.10.030 CRC Section R202 amended – Definitions

Section R202 is amended by adding the following definition to read as follows:

BALCONY, EXTERIOR, is an exterior floor projecting from and supported by a structure, without additional independent supports.

20.10.040 CRC Table R301.2(1) amended – Climate and Geographic Design Criteria

Table R301.2(1) is amended to read as follows:

**TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^g	ICE BARRIER UNDER-LAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^k		Weathering ^a	Frost line depth ^b	Termite ^c					
N/A	85 mph	NO	D ₀ , D ₁ , D ₂ , E	negligible	N/A	Very Heavy	32°	NO	Footnote g	2%	58.7°

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., “negligible,” “moderate” or “severe”) for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- The frost line depth may require deeper footings than indicated in Figure R403.1(1). The City of Pleasanton does not require additional depth of footing below finish grade.
- The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- The outdoor design dry-bulb temperature was selected from the columns of 97½-percent values for winter from Appendix D of the *International Plumbing Code*.
- The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- The date of the City of Pleasanton’s entry into the National Flood Insurance Program: May 5, 1971.
The date(s) of the Flood Insurance Study: August 3, 2009; September 30, 1997; September 19, 1984; June 1980 revised August 31, 1982.
The panel numbers and dates of all currently effective FIRMs adopted by the City of Pleasanton, as amended: Panel 06001C0304G; Panel 06001C0308G; Panel 06001C0309G; Panel 06001C0316G; Panel 06001C0317G; Panel 06001C0318G; Panel 06001C0319G; Panel 06001C0328G; Panel 06001C0336G; Panel 06001C0337G; Panel 06001C0339G; Panel 06001C0343G; Panel 06001C0460G; Panel 06001C0476G; Panel 06001C0480G; and Panel 06001C0485G, all effective August 3, 2009.
- In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with “YES.” Otherwise, the jurisdiction shall fill in this part of the table with “NO.”
- The City of Pleasanton selected the 100-year (99%) value on the National Climatic Data Center data table “Air Freezing Index- USA Method (Base 32°)” at www.ncdc.noaa.gov/fpsf.html.
- The City of Pleasanton selected the mean annual temperature from the National Climatic Data Center data table “Air Freezing Index-USA Method (Base 32°F)” at www.ncdc.noaa.gov/fpsf.html.

- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

20.10.050 CRC Table R301.5 amended – Minimum Uniformly Distributed Live Loads

Table R301.5 is amended to read as follows:

**TABLE R301.5
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS
(in pounds per square foot)**

USE	LIVE LOAD
Attics without storage ^b	10
Attics with limited storage ^{b, 8}	20
Habitable attics and attics served with fixed stairs	30
Balconies (exterior) and decks ^e	60
Fire escapes	40
Guardrails and handrails ^d	200 ^h
Guardrail in-fill components ^f	50 ^h
Passenger vehicle garages ^a	50 ^a
Rooms other than sleeping room	40
Sleeping rooms	30
Stairs	40 ^c

For SI: 1 pound per square foot = 0.0479 kPa, 1 square inch = 645 mm², 1 pound = 4.45 N.

- a. Elevated garage floors shall be capable of supporting a 2,000-pound load applied over a 20-square-inch area.
- b. Attics without storage are those where the maximum clear height between joist and rafter is less than 42 inches, or where there are not two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high by 2 feet wide, or greater, located within the plane of the truss. For attics without storage, this live load need not be assumed to act concurrently with any other live load requirements.
- c. Individual stair treads shall be designed for the uniformly distributed live load or a 300-pound concentrated load acting over an area of 4 square inches, whichever produces the greater stresses.
- d. A single concentrated load applied in any direction at any point along the top.
- e. *Decks that are not exterior balconies may be designed at 40 psf.* See Section R502.2.2 for decks attached to exterior walls.
- f. Guard in-fill components (all those except the handrail), balusters and panel fillers shall be designed to withstand a horizontally applied normal load of 50 pounds on an area equal to 1 square foot. This load need not be assumed to act concurrently with any other live load requirement.
- g. For attics with limited storage and constructed with trusses, this live load need be applied only to those portions of the bottom chord where there are two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high or greater by 2 feet wide or greater, located within the plane of the truss. The rectangle shall fit between the top of the bottom chord and the bottom of any other truss member, provided that each of the following criteria is met.
1. The attic area is accessible by a pull-down stairway or framed in accordance with Section R807.1.
 2. The truss has a bottom chord pitch less than 2:12.
 3. Required insulation depth is less than the bottom chord member depth. The bottom chords of trusses meeting the above criteria for limited storage shall be designed for the greater of the actual imposed dead load or 10 psf, uniformly distributed over the entire span.
- h. Glazing used in handrail assemblies and guards shall be designed with a safety factor of 4. The safety factor shall be applied to each of the concentrated loads applied to the top of the rail, and to the load on the in-fill components. These loads shall be determined independent of one another, and loads are assumed not to occur with any other live load.

20.10.060 CRC Section R308.7 added –Shower Enclosures.

Section R308 is amended by adding section R308.7 to read as shown in section 2410 of the Pleasanton Building Code (PMC Chapter 20.08).

20.10.070 CRC Section R313 amended– Automatic Fire Sprinkler Systems

Section R313 is deleted in its entirety and amended to read as follows:

R313.1 Automatic Fire Sprinkler Systems. An automatic residential fire sprinkler system shall be designed and installed in accordance with NFPA 13D in all new one- and two- family dwellings and townhouses. In addition, the fire-sprinkler system shall be designed and sprinklers shall be installed in the following locations:

1. Attic shall be provided with intermediate temperature-rated residential fire sprinklers for detection coverage, and located at a spacing equivalent to 30 feet by 30 feet centers and a maximum distance of 15 feet from outside walls.
2. Fire sprinklers shall be provided in garages. Fire sprinklers shall be intermediate rated, quick response type, with a maximum coverage area of 130 square feet per sprinkler.

R313.2 Large One- and Two-Family Dwelling Residential Sprinkler Systems. In addition to the requirements specified in R313.1, one- and two- family dwellings with a habitable floor area greater than 7,500 square feet shall have an automatic fire-sprinkler system designed to include all sprinklers within a compartment, up to a maximum of four sprinklers.

20.10.080 CRC Section R314.3.2 added – Smoke Alarm Installation at Time of Sale or Transfer.

Section R314.3 is amended by adding Section R314.3.2 to read as follows:

R314.3.2 Installation at time of resale or transfer. No one- or two-family dwelling may be sold or traded in the City of Pleasanton unless and until the seller installs or provides for the installation of smoke alarms in accordance with Section R314.3. This requirement may be met by the seller placing in an escrow account, for the use of the buyer, sufficient funds to pay for said installation.

20.10.090 CRC Section R329 added - Installation of Spark Arrestors

Chapter 3 is amended by adding Section R329 Installation of Spark Arrestors to read as follows:

R329 Installation of Spark Arrestors. Existing one- and two-family dwellings shall be retrofitted with a spark arrestor upon the occurrence of any of the following events:

1. Upon notice from the City;

2. Re-roofing;
3. Resale of the dwelling unit;
4. Issuance of a building permit for alterations, repairs or additions in excess of \$1,000.

In the event of a resale of a dwelling unit, the seller shall be responsible to comply with this ordinance. Any real property professional representing the seller shall be required to notify the seller of seller's obligation to comply with this ordinance.

The spark arrestor shall conform to the requirements specified in the CRC Section R1003.9.1.

20.10.100 CRC Section R403.1.3 amended – Seismic Reinforcing.

Section R403.1.3 is amended to read as follows:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D₀, D₁ and D₂, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D₀, D₁ and D₂ where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D₀, D₁ and D₂ where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories D₀, D₁ and D₂, masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

20.10.110 CRC Section R502.2.2 amended – Decks

Section R502.2.2 is amended to read as follows:

R502.2.2 Decks. Where supported by attachment to an exterior wall, decks shall be positively anchored to the primary structure and designed for both vertical and lateral loads as applicable. Such attachment shall not be accomplished by the use of toenails or nails subject to withdrawal. Where positive connection to the primary building structure cannot be verified during inspection, decks shall be self-supporting. For exterior balconies with cantilevered framing members, connections to exterior walls or other framing members, shall be designed and constructed to resist uplift resulting from

the full live load specified in Table R301.5 acting on the cantilevered portion of the exterior balcony.

20.10.120 CRC Section R506.2.4 amended – Reinforcement support.

Section R506.2.4 is amended to read as follows:

R506.2.4 Reinforcement support. Where provided in slabs on ground, reinforcement shall be supported to remain in place from the center to upper one third of the slab for the duration of the concrete placement. As a minimum, and in all cases where a slab is to be placed inside of a building, the slab shall be reinforced with not less than six inches by six inches ten gauge welded wire mesh, or an approved alternate.

In all slabs under habitable spaces, a minimum of 4 inches (102 mm) of crushed rock capillary water barrier shall be provided under a minimum 10 mil vapor retarder. The vapor barrier shall be protected by a minimum of 2 inches (51 mm) of sand or equivalent protection.

20.10.130 CRC Table R602.10.1.2(2) amended – Bracing Requirements based on Seismic Design Category.

Table R602.10.1.2(2) is amended to read as follows:

Add the “d” footnote notation in the title of Table R602.10.1.2(2) after the three footnotes currently shown, to read:

TABLE R602.10.1.2(2)^{a, b, c, d}

Add a new footnote “d” to the end of CRC Table R602.10.1.2(2), to read:

- d. In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted, and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

20.10.140 CRC Section R602.10.2.1 amended – Reinforcement support.

Section R602.10.2.1 is amended to add section R602.10.2.1.1 to read as follows:

R602.10.2.1.1 Limits on methods GB and PCP. In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D₀, D₁, and D₂, the use of Method PCP is limited to one-story single family dwellings and accessory structures.

20.10.150 CRC Section R907.7 added – Fire Classification.

Section R902.1 is amended to read as follows:

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class B roofing shall be installed in the City of Pleasanton. Roofing required by this section shall be listed shall be tested in accordance with UL 790 or ASTM E108.

20.10.160 CRC Section AG102 amended – Definitions.

Section AG102 definition of “SWIMMING POOL” is amended to read as follows:

SWIMMING POOL means any structure intended for swimming or recreational bathing that contains water over 18 inches (457 mm) deep. Swimming pool includes in-ground and above-ground structures and includes, but is not limited to, hot tubs, spas, portable spas and nonportable wading pools.

20.10.170 CRC Section AG105 amended – Barrier Requirements.

Section AG105 is amended to read as follows:

AG105.1 Application. The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near drowning by restricting access to swimming pools, spas and hot tubs.

AG105.2 Outdoor swimming pool. Whenever a building permit is issued for construction of a new swimming pool or spa, or any building permit is issued for remodeling of an existing pool or spa, at a private, single-family home, it shall be surrounded by a barrier which shall comply with the following:

1. The pool shall be isolated from access to a home by an enclosure that meets the requirements of AG105.5.1.
2. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions, cavities or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.
3. 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 (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1³/₄ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1³/₄ inches (44 mm) in width.
4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm).

Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.

5. Maximum mesh size for chain link fences shall be a $2\frac{1}{4}$ -inch (57 mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than $1\frac{3}{4}$ inches (44 mm).
6. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than $1\frac{3}{4}$ inches (44 mm).
7. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 6, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 60 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
 - 7.1. T
The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate; and
 - 7.2. T
The gate and barrier shall have no opening larger than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
8. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:
 - 8.1. T
The pool shall be equipped with an approved powered safety cover in compliance with ASTM F 1346; or
 - 8.2. D
Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or
 - 8.3. O
Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 8.1 or 8.2 described above.
9. 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:
 - 9.1. T
The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
 - 9.2. T
The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 8. When the ladder or

steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

Prior to the issuance of any final approval for the completion of permitted construction or remodeling work, the Building and Safety Official shall inspect and verify the drowning safety prevention devices required have been installed and functional properly.

AG105.3 Indoor swimming pool. Walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 8.

AG105.4 Prohibited locations. Barriers shall be located to prohibit permanent structures, equipment or similar objects from being used to climb them.

AG105.5 Barriers.

AG105.5.1 Enclosure; required characteristics. An enclosure shall have all of the following characteristics:

1. Any access gates through the enclosure open away from the swimming pool and are self-closing with a self-latching device placed no lower than 60 inches (1524 mm) above the ground.
2. A minimum height of 60 inches (1524 mm).
3. A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches (51 mm).
4. Gaps or voids, if any, do not allow passage of a sphere equal to or greater than 4 inches (102 mm) in diameter.
5. An outside surface free of protrusions, cavities or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.

AG105.5.2 Barrier exceptions. Spas or hot tubs with locking safety covers that comply with the American Society for Testing Materials Emergency Performance Specification (ASTM ES 13-89) or ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

AG105.6 Barrier prerequisite to filling of pool. An inspection to verify pool barriers are installed, functional and in compliance with the approved plans shall occur and be approved by the Building and Safety Official before water may be introduced into any pool or spa.

AG105.7 Existing pool and spa barriers. Any new or replacement pool barrier shall be constructed and maintained per the current barrier requirements in the section AG105.5.1. Any existing swimming pool, spa, swimming pool/spa enclosure repair may maintain the original barrier and latch height requirements lawfully in place at the time of the original permitted construction.

Every person in possession of land within the City of Pleasanton, either as owner, purchaser under contract, lessee, tenant or licensee, upon which is situated a private swimming pool or spa, shall at all times maintain on the lot or premises upon which

such pool is located and completely surround such pool, lot or premises a fence or other solid structure or barrier. All gates or doors opening through such enclosure shall be kept securely closed at all such times when not in actual use and shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely closed at all times when not in actual use.

**Chapter 20.12
PLUMBING CODE**

Sections:

- 20.12.010 Uniform Plumbing Code adopted.**
- 20.12.020 CPC Chapter 1 Division II deleted.**
- 20.12.030 CPC Section 1.8.4.2 amended – Fees.**
- 20.12.040 CPC Section 412.1 amended – Fixture Count.**

20.12.010 Uniform Plumbing Code adopted.

- A. The Uniform Plumbing Code, 2009 Edition, as amended and set forth in the California Code of Regulations, Title 24, Part 5, published by the International Association of Plumbing and Mechanical Officials is hereby adopted, together with Chapter 16A Part II, Appendices G and L except as set forth in this chapter.
- B. The Uniform Plumbing Code (UPC) adopted in this chapter by reference is amended by the following additions, deletions and amendments thereto as set forth in this chapter. Reference numbers herein are taken from the 2010 California Plumbing Code.
- C. These regulations shall be known as the Pleasanton Plumbing Code, hereinafter referred to as “this code.”
- D. Where there is a reference in the code to the "Building Official" or "Authority Having Jurisdiction" it shall mean the "Building and Safety Official" or in the absence of the Building and Safety Official, the interim, temporary or acting Building and Safety Official.

20.12.020 CPC Chapter 1 Division II deleted.

Chapter 1 Division II is deleted in its entirety.

20.12.030 CPC Section 1.8.4.2 amended – Fees.

Section 1.8.4.2 is amended to read as follows:

Fees. The fees for permits and plan reviews of said Code shall be as set forth in the City of Pleasanton Master Fee Schedule.

20.12.040 CPC Section 412.1 amended – Fixture Count.

Section 412.1 is amended to read as follows:

412.1 Fixture Count. Plumbing fixtures shall be provided for the type of building occupancy and in the minimum numbers as shown in either Table 4-1 of the California Plumbing Code, Table 2902.1 of the California Building Code, or as determined by the Building and Safety Official.

**Chapter 20.16
MECHANICAL CODE**

Sections:

- 20.16.010 California Mechanical Code adopted.**
- 20.16.020 CMC Chapter 1 Division II deleted.**
- 20.16.030 CMC Section 1.8.4.2 amended –Fees.**

20.16.010 California Mechanical Code adopted.

- A. The Uniform Mechanical Code, 2009 Edition, as amended and set forth in the California Code of Regulations, Title 24, Part 4, published by the International Association of Plumbing and Mechanical Officials is hereby adopted, together with all Appendices except as set forth in this chapter.
- B. The Uniform Mechanical Code (UPC) adopted in this chapter by reference is amended by the following additions, deletions and amendments thereto as set forth in this chapter. Reference numbers herein are taken from the 2010 California Mechanical Code.
- C. These regulations shall be known as the Pleasanton Mechanical Code, hereinafter referred to as “this code.”
- D. Where there is a reference in the code to the "Building Official" or "Authority Having Jurisdiction" it shall mean the "Building and Safety Official" or in the absence of the Building and Safety Official, the interim, temporary or acting Building and Safety Official.

20.16.020 CMC Chapter 1 Division II deleted.

Chapter 1 Division II is deleted in its entirety.

20.16.030 CMC Section 1.8.4.2 amended –Fees.

Section 1.8.4.2 is amended to read as follows:

Fees. The fees for permits and plan reviews of said Code shall be as set forth in the City of Pleasanton Master Fee Schedule.

**Chapter 20.20
ELECTRICAL CODE**

Sections:

- 20.20.010 California Electrical Code adopted.**
- 20.20.020 CEC Section 89.108.4.2 amended –Fees.**
- 20.20.030 CEC Annex H – deleted.**

20.20.010 California Electrical Code adopted.

- A. The National Electrical Code, 2008 Edition, as amended and set forth in the California Code of Regulations, Title 24, Part 3, published by the National Fire Protection Association is hereby adopted, together with all Appendices except as set forth in this chapter.
- B. The National Electrical Code (NEC) adopted in this chapter by reference is amended by the following additions, deletions and amendments thereto as set forth in this chapter. Reference numbers herein are taken from the 2010 California Electrical Code.
- C. These regulations shall be known as the Pleasanton Electrical Code, hereinafter referred to as “this code.”
- D. Where there is a reference in the code to the "Building Official" or "Authority Having Jurisdiction" it shall mean the "Building and Safety Official" or in the absence of the Building and Safety Official, the interim, temporary or acting Building and Safety Official.

20.20.020 CEC Section 89.108.4.2 amended –Fees.

Section 89.108.4.2 is amended to read as follows:

Fees. The fees for permits and plan reviews of said Code shall be as set forth in the City of Pleasanton Master Fee Schedule.

20.20.030 CEC Annex H – deleted.

Annex H is deleted in its entirety.

**Chapter 20.24
FIRE CODE**

Sections:

- 20.24.010 California Fire Code adopted.**
- 20.24.020 CFC Chapter 1, Division II, Table 105.6.8 amended – Permit Amounts for Compressed Gases.**
- 20.24.030 CFC Chapter 1, Division II, Table 105.6.10 amended – Permit Amounts for Cryogenic Fluids.**
- 20.24.040 CFC Section 105.6.16 Item 3 amended – Flammable and combustible liquids.**
- 20.24.050 CFC Section 105.6.16 Item 12 added - Permit Amounts for Hazardous Materials, Flammable and Combustible Liquids and Gases at Residential Occupancies.**
- 20.24.060 CFC Table 105.6.20 amended – Permit Amounts for Hazardous Materials.**
- 20.24.070 CFC Section 105.6.47 Item 4 added - Radioactive Materials.**
- 20.24.080 CFC Section 108 deleted - Board of Appeals.**
- 20.24.090 CFC Section 114 added – Unauthorized Discharges.**
- 20.24.100 CFC Section 504.1.1 added – Guardrails for firefighter safety.**
- 20.24.110 CFC Section 506.1 amended - Where required.**
- 20.24.120 CFC Section 603.4 amended - Portable unvented heaters.**
- 20.24.130 CFC Section 605.11 added – Immersion Heaters.**
- 20.24.140 CFC Section 608.6.4 added – Failure of Ventilation System.**
- 20.24.150 CFC Section 903.2 amended – Automatic Sprinkler Systems Where Required.**
- 20.24.160 CFC Sections 903.2.1, 903.2.1.1, 903.2.1.2, 903.2.1.3, 903.2.1.4, 903.2.1.5, 903.2.2, 903.2.3, 903.2.4, 903.2.4.1, 903.2.5, 903.2.5.1, 903.2.5.2, 903.2.5.3, 903.2.5.4, 903.2.6, 903.2.6.1, 903.2.6.2, 903.2.7, 903.2.7.1, 903.2.8, 903.2.9, 903.2.9.1, 903.2.9.2 903.2.10 and 903.2.10.1 are deleted.**
- 20.24.170 CFC Section 903.3.1.2 amended - NFPA 13R Sprinkler Systems.**
- 20.24.180 CFC Section 903.3.1.3 amended – NFPA 13D sprinkler systems.**
- 20.24.190 CFC Section 903.3.1.3.1 added – Existing residential dwellings.**
- 20.24.200 CFC Section 903.3.1.3.2 added – Large One- and Two-Family Dwelling Residential Sprinkler Systems.**
- 20.24.210 CFC Section 1802 deleted – Definition, Continuous Gas Detection System.**
- 20.24.220 CFC Section 1802 deleted – Definition, Workstation.**
- 20.24.230 CFC Section 2701.1, Exception 5 amended – Refrigeration systems.**
- 20.24.240 CFC Section 2701.2.2.2 amended – Health Hazards.**
- 20.24.250 CFC Section 2703.2.2.1 Item 7 added – Secondary containment.**
- 20.24.260 CFC Section 2703.2.2.1 Item 8 added – Low melt point materials.**

- 20.24.270 CFC Section 2703.2.2.2 amended – Additional regulations for supply piping for health hazard materials.
- 20.24.280 CFC Section 2703.2.10 added – Biodiesel and methanol equipment.
- 20.24.290 CFC Section 2703.5.2 added – Ventilation ducting.
- 20.24.300 CFC Section 2703.5.3 added – H Occupancies.
- 20.24.310 CFC Section 2703.9.8 amended – Separation of incompatible materials.
- 20.24.320 CFC Section 2703.9.11 added – Fire extinguishing systems for workstations dispensing, handling or using hazardous materials.
- 20.24.330 CFC Section 2703.13 added – Automatic Filling of Tanks.
- 20.24.340 CFC Section 2703.14 added – Required Systems.
- 20.24.350 CFC Section 2704.10 amended – Supervision.
- 20.24.360 CFC Section 3007.3 added – Liquefied carbon dioxide.
- 20.24.370 CFC Section 3102 amended – Definition, Corrosive.
- 20.24.380 CFC Section 3308.2 added – Prohibition of Fireworks.
- 20.24.390 CFC Section 3308.3 added – Seizure of Fireworks.
- 20.24.400 CFC Section 3404.2.7.5.8 amended - Exception.
- 20.24.410 CFC Section 3701.3 added – Moderately Toxic Gases.
- 20.24.420 CFC Section 3702.1 added - Definitions.
- 20.24.430 CFC Section 3704.1.4 added – Automatic shutoff valve.
- 20.24.440 CFC Section 3704.1.5 added – Maximum threshold quantity.
- 20.24.450 CFC Section 3704.1.6 added – Reduced flow valve.
- 20.24.460 CFC Section 3704.1.7 added – Annual maintenance.
- 20.24.270 CFC Section 3704.1.8 added – Fire extinguishing systems.
- 20.24.480 CFC Section 3704.1.9 added – Local gas shut off.
- 20.24.490 CFC Section 3704.1.10 added – Exhaust ventilation monitoring.
- 20.24.500 CFC Section 3704.1.11 added – Emergency response plan.
- 20.24.510 CFC Section 3704.1.12 added – Emergency response liaisons.
- 20.24.520 CFC Section 3704.1.13 added – Emergency drills.
- 20.24.530 CFC Section 3704.1.14 added – Cylinder leak testing.
- 20.24.540 CFC Section 3704.1.15 added – Inert gas purge system.
- 20.24.550 CFC Section 3704.1.16 added – Seismic shutoff valve.
- 20.24.560 CFC Section 3704.1.17 added – Emergency alarm.
- 20.24.570 CFC Section 3704.2.2.7 amended – Treatment systems.
- 20.24.580 CFC Section 3704.2.2.10.1 amended – Alarms.
- 20.24.590 CFC Section 3704.3.3 amended – Outdoor storage weather protection for portable tanks and cylinders.
- 20.24.600 CFC Section 4105.4 added – Pyrophoric gas distribution systems.
- 20.24.610 CFC Section 4603.4 amended – Existing commercial or industrial buildings or structures.
- 20.24.620 CFC Appendix D amended - Fire Apparatus Access Roads.

20.24.010 California Fire Code adopted.

- A. The International Fire Code, 2009 Edition, as amended and set forth in the California Code of Regulations, Title 24, Part 9, published by the International Code Council is hereby adopted, together with Appendices D as amended, E (informational purposes), F, and H as amended except as set forth in this chapter.
- B. The International Fire Code (IFC) adopted by reference for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion in this chapter by reference is amended by the following additions, deletions and amendments thereto as set forth in this chapter. Reference numbers herein are taken from the 2010 California Fire Code.
- C. These regulations shall be known as the Pleasanton Fire Code, hereinafter referred to as "this code."
- D. Where there is a reference in the code to the "Fire Official," "Fire Code Official" or "Authority Having Jurisdiction," it shall mean the "Fire Chief" or in the absence of the Fire Chief, the Fire Marshal.

20.24.020 CFC Chapter 1, Division II, Table 105.6.8 amended – Permit Amounts for Compressed Gases.

Table 105.6.8 is amended to read:

Type of Gas	Amount (cubic feet at NTP)
Corrosive	200
Flammable (except cryogenic fluids and LPG)	200
Highly Toxic	Any amount
Inert and Simple Asphyxiant	200
Moderately Toxic	Any amount
Oxydizing (including oxygen)	200
Pyrophoric	Any amount
Toxic	Any amount
All other gases subject to HMBP reporting (per material)	200

20.24.030 CFC Chapter 1, Division II, Table 105.6.10 amended – Permit Amounts for Cryogenic Fluids.

Table 105.6.10 is amended to read:

Type of Cryogenic Fluid	Cubic feet at NTP
Corrosive	Any Amount
Flammable	Any Amount
Inert	200
Oxidizing (including oxygen)	200

Physical or health hazard not indicated above	Any amount
All other materials subject to HMBP requirements (per material)	200

20.24.040 CFC Section 105.6.16 Item 3 amended – Flammable and combustible liquids.

Section 105.6.16 Item 3 is amended to read:

To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons except for fuel oil in the fuel tanks of portable equipment.

20.24.050 CFC Section 105.6.16 Item 12 added - Permit Amounts for Hazardous Materials, Flammable and Combustible Liquids and Gases at Residential Occupancies.

Section 105.6.16 Item 12 is added to read:

12. Storage of flammable and combustible liquids and flammable gases at Group R occupancies are limited as follows:

1. Outside storage of flammable liquids (including gasoline) is limited to 30 gallons.
2. Outside storage of combustible liquids (including diesel and kerosene) is limited to 55 gallons.
Exception: Emergency generators used for life safety purposes.
3. Outside storage of compressed and liquefied flammable gas is limited to 15 gallons or 540 cubic feet.
Exceptions:
 - a. Emergency generators used for life safety purposes.
 - b. Facility gas supply for occupancies not provided with natural gases services. Amounts over 1,000 gallons must be approved by the fire official.
4. Manufacture of Biodiesel and Methanol at Residential Occupancies. The manufacture of biodiesel and methanol is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies both inside and outside buildings.

20.24.060 CFC Table 105.6.20 amended – Permit Amounts for Hazardous Materials.

Table 105.6.20 is amended to add:

Moderately toxic gas	20 cubic feet
Other materials subject to California Health and Safety Code Chapter 6.95 Hazardous Materials Business Plan requirements	55 gallons (liquids) 500 pounds (solids)

20.24.070 CFC Section 105.6.47 Item 4 added - Radioactive Materials.

Section 105.6.47 Item 4 is added to read:

4. **Radioactive Materials.** To store or handle more than one micro curie (37,000 Becquerel) of radioactive material not contained in a sealed source or more than 1 mill curie (37,000,000 Becquerel) of radioactive material in a sealed source or sources, or any amount of radioactive material for which a specific license from the Nuclear Regulatory Commission is required.

20.24.080 CFC Section 108 deleted - Board of Appeals.

Section 108 is deleted.

20.24.090 CFC Section 114 added – Unauthorized Discharges.

Section 114 is added to read:

114.1 Unauthorized Discharges. The Fire Department may charge fees to recover the cost of response to incidents involving the discharge or the threatened discharge of a hazardous (or suspected hazardous) material.

20.24.100 CFC Section 504.1.1 added – Guardrails for firefighter safety.

Section 504.1.1 is added to read:

504.1.1 Guardrails for firefighter safety. Approved guardrails, barriers or other similar safeguards shall be installed when, in the opinion of the Fire Chief, such safeguards are required to protect firefighter safety during emergency operations.

20.24.110 CFC Section 506.1 amended - Where required.

Section 506.1 is amended to read:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is needed for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed adjacent to the front or main entrance or other acceptable location/s to facilitate emergency entry. Key box mounting height shall be 4 foot minimum above grade to 6 foot maximum or as approved by the fire code official.

20.24.120 CFC Section 603.4 amended - Portable unvented heaters.

Section 603.4 is amended to read:

603.4 Portable unvented heaters. Portable unvented fuel-fired heating equipment shall be prohibited in occupancies in Groups A, E, I, R-1, R-2, R-2.1, R-3, R-3.1 and R-4. Use of portable unvented heater in other occupancies shall be approved by the fire code official.

[Balance to remain the same]

20.24.130 CFC Section 605.11 added – Immersion Heaters.

Section 605.11 is added to read:

605.11 Immersion heaters. All electrical immersion heaters used in dip tanks, sinks, vats and similar operations shall be provided with approved over-temperature controls and low liquid level electrical disconnects. Manual reset of required protection devices shall be provided.

20.24.140 CFC Section 608.6.4 added – Failure of Ventilation System.

Section 608.6.4 is added to read:

608.6.4 Failure of ventilation system. Failure of the ventilation system shall automatically disengage the charging system or other suitable fail-safe operation acceptable to the fire code official.

20.24.150 CFC Section 903.2 amended – Automatic Sprinkler Systems Where Required.

Section 903.2 is amended to read:

Section 903.2 Where required. Approved automatic fire extinguishing systems in new buildings and structures shall be as provided in all new occupancies and locations.

Exception: Group U occupancies that do not exceed 200 square feet of floor area.

20.24.160 CFC Sections 903.2.1, 903.2.1.1, 903.2.1.2, 903.2.1.3, 903.2.1.4, 903.2.1.5, 903.2.2, 903.2.3, 903.2.4, 903.2.4.1, 903.2.5, 903.2.5.1, 903.2.5.2, 903.2.5.3, 903.2.5.4, 903.2.6, 903.2.6.1, 903.2.6.2, 903.2.7, 903.2.7.1, 903.2.8, 903.2.9, 903.2.9.1, 903.2.9.2 903.2.10 and 903.2.10.1 are deleted.

20.24.170 CFC Section 903.3.1.2 amended - NFPA 13R Sprinkler Systems.

Section 903.3.1.2 is amended to read:

903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies up to and including four stories in height shall be permitted to be installed throughout in accordance with NFPA 13R as amended in Chapter 47 and the following; Sprinklers shall be provided in all attic areas. Attic sprinklers shall be intermediate rated residential sprinklers.

20.24.180 CFC Section 903.3.1.3 amended – NFPA 13D sprinkler systems.

Section 903.3.1.3 is amended to read:

903.3.1.3 NFPA 13D sprinkler systems. Residential automatic fire sprinklers systems shall be installed in accordance to NFPA 13D in all new one- and two- family dwellings. In addition, the fire-sprinkler system shall be designed and sprinklers shall be installed in the following additional locations:

1. A
Attic shall be provided with intermediate temperature-rated residential fire sprinklers for detection coverage, and located at a spacing equivalent to 30 feet by 30 feet centers and a maximum distance of 15 feet from outside walls.
2. F
Fire sprinklers shall be provided in garages. Fire sprinklers shall be intermediate rated, quick response type, with a maximum coverage area of 130 square feet per sprinkler.

20.24.190 CFC Section 903.3.1.3.1 added – Existing residential dwellings.

Section 903.3.1.3.1 is added to read:

903.3.1.3.1 Existing residential dwellings. Existing residential dwellings may be reviewed on a case by case basis and shall be provided with an automatic fire extinguishing system conforming to the most current requirements of the 2010 California Building Code, California Fire Code, the National Fire Protection Association (NFPA) 13D when:

1. Additional units as a result of a lot division or any change to existing conditions of approval resulting in more than two R-3 occupancies, or alteration affecting fire department access in accordance with the California Fire Code Section 503.
2. Additions to residential structures creating an area exceeding the existing infrastructure of the public utilities for fire-flow and flow duration for residential dwellings in conformance with CFC Section B105.1 and B105.2.

3. Changes to the existing property lines or addition of structures encroaching upon property line setbacks affecting fire department operational area or egress to public way of occupants.
4. Changes to the occupancy classification of the residential use including Institutional type care facilities, daycare facilities above or below grade level or a home based business of a higher fire hazard classification in conformance with California Fire Code.

20.24.200 CFC Section 903.3.1.3.2 added – Large One- and Two-Family Dwelling Residential Sprinkler Systems.

Section 903.3.1.3.2 is added to read:

903.3.1.3.2 Large One- and Two-Family Dwelling Residential Sprinkler Systems.

In addition to the requirements specified in 903.3.1.3, one- and two- family dwellings with a habitable floor area greater than 7,500 square feet shall have an automatic fire-sprinkler system designed to include all sprinklers within a compartment, up to a maximum of four sprinklers.

20.24.210 CFC Section 1802 deleted – Definition, Continuous Gas Detection System.

Section 1802, definition for Continuous Gas Detection System is deleted.

20.24.220 CFC Section 1802 deleted – Definition, Workstation.

Section 1802, definition for Workstation is deleted.

20.24.230 CFC Section 2701.1, Exception 5 amended – Refrigeration systems.

Section 2701.1, Exception 5 is amended to read:

5. Refrigeration systems - Sections 2701, 2702, and 2703 apply to refrigeration systems. Sections 2704 and 2705 do not apply to refrigeration systems (see Section 606).

20.24.240 CFC Section 2701.2.2.2 amended – Health Hazards.

Section 2701.2.2.2 is amended to read:

Section 2701.2.2.2 Health hazards. The material categories listed in this section are classified as health hazards. A material with a primary classification as a health hazard can also pose a physical hazard.

1. Highly toxic, toxic and moderately toxic.
2. Corrosive materials.

20.24.250 CFC Section 2703.2.2.1 Item 7 added – Secondary containment.

Section 2703.2.2.1 Item 7 is added to read:

7. Secondary containment or equivalent protection from spills shall be provided for piping for liquid hazardous materials where a spill is determined to be a plausible event and where such an event would endanger people, property or the environment and for highly toxic, toxic, and corrosive gases above threshold quantities listed in Tables 3704.2 and 3704.3. Secondary containment includes, but is not limited to double walled piping.

Exceptions:

1. Secondary containment is not required for corrosive gases if the piping is constructed of inert materials.
2. Piping under sub-atmospheric conditions if the piping is equipped with an alarm and fail-safe-to-close valve activated by a loss of vacuum.

20.24.260 CFC Section 2703.2.2.1 Item 8 added – Low melt point materials.

Section 2703.2.2.1 Item 8 is added to read:

8. Low melt point materials, such as plastic, shall not be used for oxidizing materials, flammable materials, combustible liquids, pyrophoric materials, toxic gases, highly toxic gases, or moderately toxic gases. L

Exception: Facility specific systems approved by the Fire Chief.

20.24.270 CFC Section 2703.2.2.2 amended – Additional regulations for supply piping for health hazard materials.

Section 2703.2.2.2 is amended to read:

2703.2.2.2 Additional regulations for supply piping for health hazard materials. Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 in accordance with NFPA 704 shall be in accordance with ASME B31.3 and the following:

1. Piping and tubing utilized for the transmission of toxic, highly toxic, moderately toxic gases or highly volatile corrosive liquids and gases shall have welded, or brazed connections throughout except for connections within an exhausted enclosure if the material is a gas, or an approved method of drainage or containment is provided for connections if the material is a liquid.

2. Piping and tubing shall not be located within corridors, within any portion of a means of egress required to be enclosed in fire-resistance-rated construction or in concealed spaces in areas not classified as Group H Occupancies.

Exception: Piping and tubing within the space defined by the walls of corridors and the floor or roof above or in concealed space above other occupancies when installed in accordance with Section 415.8.6.3 of the California Building Code as required for Group H, Division 5 Occupancies.

3. All primary piping for toxic, highly toxic and moderately toxic gases shall pass a helium leak test of 1×10^{-9} cubic centimeters/second where practical, or shall pass testing in accordance with an approved, nationally recognized standard. Tests shall be conducted by a qualified "third party" not involved with the construction of the piping and control systems.

20.24.280 CFC Section 2703.2.10 added – Biodiesel and methanol equipment.

Section 2703.2.10 is added to read:

2703.2.10 Biodiesel and methanol equipment. Biodiesel and methanol manufacturing/processing equipment shall be listed or approved. Such equipment shall at a minimum adequately address electrical system, materials of construction, ventilation, seismic and process control and shut-down safety issues.

20.24.290 CFC Section 2703.5.2 added – Ventilation ducting.

Section 2703.5.2 is added to read:

2703.5.2 Ventilation ducting. Product conveying ducts for venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

20.24.300 CFC Section 2703.5.3 added – H Occupancies.

Section 2703.5.3 is added to read:

2703.5.3 H Occupancies. In "H" occupancies, all piping and tubing may be required to be identified when there is any possibility of confusion with hazardous materials transport tubing or piping. Flow direction indicators are required.

20.24.310 CFC Section 2703.9.8 amended – Separation of incompatible materials.

Section 2703.9.8 is amended to read:

2703.9.8 Separation of incompatible materials. Incompatible materials in storage and storage of materials that are incompatible with materials in use shall be separated.

When the stored materials are in containers having a capacity of more than 5 pounds (2 kg) or 0.5 gallon (2 L), separation shall be accomplished by:

1. Segregating incompatible materials in storage by a distance of not less than 20 feet (6096 mm) and in an independent containment system, if secondary containment is required.

[the balance of this section is un-amended]

20.24.320 CFC Section 2703.9.11 added – Fire extinguishing systems for workstations dispensing, handling or using hazardous materials.

Section 2703.9.11 is added to read:

2703.9.11 Fire extinguishing systems for workstations dispensing, handling or using hazardous materials. Combustible and non-combustible workstations which dispense, handle or use hazardous materials shall be protected by an approved automatic fire extinguishing system in accordance with Section 1803.10

Exception: Internal fire protection is not required for Biological Safety Cabinets that carry NSF/ANSI certification where quantities of flammable liquids in use or storage within the cabinet do not exceed 500ml.

20.24.330 CFC Section 2703.13 added – Automatic Filling of Tanks.

Section 2703.13 is added to read:

2703.13 Automatic Filling of Tanks. Systems that automatically fill flammable or combustible liquid tanks shall be equipped with approved overfill protection, that sends an alarm signal to a location that is normally occupied during normal business hours and immediately stops the filling of the tank. The alarm signal and automatic shutoff shall be tested in a manner acceptable to the fire code official on an annual basis and records of such testing shall be maintained on-site for a period of five (5) years.

Exception: Emergency generator tanks.

20.24.340 CFC Section 2703.14 added – Required Systems.

Section 2703.14 is added to read:

2703.14 Required Systems. When emergency alarms, detection or automatic fire extinguishing system is required by this code due to the storage, use or handling of hazardous materials, such systems shall comply with Sections 2704.9 and 2704.10.

20.24.350 CFC Section 2704.10 amended – Supervision.

Section 2704.10 is amended to read:

2704.10 Supervision. Required emergency alarm, detection and automatic fire-extinguishing systems shall be supervised by an approved central, proprietary or remote station service.

20.24.360 CFC Section 3007.3 added – Liquefied carbon dioxide.

Section 3007.3 is added to read:

3007.3 Liquefied carbon dioxide. Storage, use and handling of liquefied carbon dioxide shall comply with this section.

3007.3.1 Storage, use and handling. Storage, use and handling of liquefied carbon dioxide shall comply with NFPA Standard 55, Chapter 13.

3007.3.2 Fill bibs. Approved, outside fill bibs shall be provided when containers are filled on-site when required by the fire code official.

20.24.370 CFC Section 3102 amended – Definition, Corrosive.

Section 3102 Definition is amended to read:

CORROSIVE. A chemical that causes visible destruction of, or irreversible alterations in, living tissue by chemical action at the point of contact.

1. A chemical shall be considered corrosive if, when tested on the intact skin of albino rabbits by the method described in DOT 49 CFR 173.137, such chemical destroys or changes irreversibly the structure of the tissue at the point of contact following an exposure period of 4 hours. This term does not refer to action on inanimate surfaces.
2. A liquid with a pH of 2 or less or 12.5 or more, except for foodstuffs and medicines.
3. Any hazardous waste defined as corrosive by applicable hazardous waste regulations

20.24.380 CFC Section 3308.2 added – Prohibition of Fireworks.

3308.2 Prohibition of Fireworks. It shall be unlawful for any person, corporation, or entity to possess, store, offer for sale, expose for sale, sell at retail or wholesale, use or explode any fireworks.

Exception: The use of fireworks as part of a professional display, operated by a California State licensed pyrotechnic operator as set forth in Section 3308.1

20.24.390 CFC Section 3308.3 added – Seizure of Fireworks.

3308.3 Seizure of Fireworks. The Fire Chief shall seize, take, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of this article.

20.24.400 CFC Section 3404.2.7.5.8 amended - Exception.

Section 3404.2.7.5.8, Exception, is amended to read:

Exception: Outside aboveground tanks with a capacity of 100 gallons (378 L) or less.

20.24.410 CFC Section 3701.3 added – Moderately Toxic Gases.

Section 3701.3 is added to read:

3701.3 Moderately Toxic Gases. Moderately Toxic gases shall comply with the requirements for Toxic gases in Section 3704 of this Chapter. Section 2701.3 Performance-based design alternative shall be used for refrigeration systems.

20.24.420 CFC Section 3702.1 added - Definitions.

The following definitions are added to read:

Moderately Toxic Gas. A chemical or substance that has a median lethal concentration (LC50) in air more than 2000 parts per million but not more than 5000 parts per million by volume of gas or vapor, when administered by continuous inhalation for an hour, or less if death occurs within one hour, to albino rats weighing between 200 and 300 grams each.

Maximum Threshold Quantity (Max TQ). The maximum quantity of a moderately toxic or toxic gas, which may be stored in a single vessel before a more stringent category of regulation is applied. The following equation shall be used to calculate the Max TQ:

Max TQ (pounds) = LC50 (ppm) x 2 lb. Gas Mixtures, the LC50 value for a gas mixture containing toxic, highly toxic or moderately toxic components shall be calculated using the formula in Appendix E, Section 103.1.3.1.

20.24.430 CFC Section 3704.1.4 added – Automatic shutoff valve.

Section 3704.1.4 is added to read:

3704.1.4 Automatic shut-off valve. An automatic shut-off valve, which is of a failsafe to close design, shall be provided to shut off the supply of highly toxic gases for any of the following:

1. Activation of a manual fire alarm system.
2. Activation of the gas detection system.
3. Failure of emergency power.
4. Failure of primary containment.
5. Seismic activity.
6. Failure of required ventilation.
7. Manual activation at an approved remote location.

20.24.440 CFC Section 3704.1.5 added – Maximum threshold quantity.

Section 3704.1.5 is added to read:

3704.1.6 Maximum threshold quantity. Toxic gases stored or used in quantities exceeding the maximum threshold quantity in a single vessel per control area or outdoor control area shall comply with the requirements for highly toxic gases of this Chapter.

20.24.450 CFC Section 3704.1.6 added – Reduced flow valve.

Section 3704.1.6 is added to read:

3704.1.7 Reduced flow valve. All containers of materials other than lecture bottles containing Highly Toxic material and having a vapor pressure exceeding 29 psi shall be equipped with a reduced flow valve when available. If a reduced flow valve is not available, the container shall be used with a flow-limiting device. All flow limiting devices shall be part of the valve assembly and visible to the eye when possible; otherwise, they shall be installed as close as possible to the cylinder source.

Exception: When the process use rate is approximately equal to the maximum flow rate of the cylinder/tank valve.

20.24.460 CFC Section 3704.1.7 added – Annual maintenance.

Section 3704.1.7 is added to read:

3704.1.7 Annual maintenance. All safety control systems at a facility shall be maintained in good working condition and tested not less frequently than annually. Maintenance and testing shall be performed by persons qualified to perform the maintenance and tests. Maintenance records and certifications shall be available to any representative of the Livermore- Pleasanton Fire Department for inspection upon request.

20.24.270 CFC Section 3704.1.8 added – Fire extinguishing systems.

Section 3704.1.8 is added to read:

3704.1.8 Fire extinguishing systems. Buildings and covered exterior areas for storage and use areas of materials regulated by this Chapter shall be protected by an automatic fire sprinkler system in accordance with NFPA 13. The design of the sprinkler system for any room or area where highly toxic, toxic and moderately toxic gases are stored, handled or used shall be in accordance with Section 2704.5.

20.24.480 CFC Section 3704.1.9 added – Local gas shut off.

Section 3704.1.9 is added to read:

3704.1.9 Local gas shut off. Manual activation controls shall be provided at locations near the point of use and near the source, as approved by the fire code official. The fire code official may require additional controls at other places, including, but not limited to, the entry to the building, storage or use areas, and emergency control stations. Manual activated shut-off valves shall be of a fail-safe-to-close design.

20.24.490 CFC Section 3704.1.10 added – Exhaust ventilation monitoring.

Section 3704.1.10 is added to read:

3704.1.10 Exhaust ventilation monitoring. For gases exceeding threshold quantities, a continuous monitoring system utilizing a low switch shall be provided to assure that the required exhaust ventilation rate is maintained. The monitoring system shall initiate a local alarm. The alarm shall be both visual and audible and shall be designed to provide warning both inside and outside of the interior storage, use, or handling area.

20.24.500 CFC Section 3704.1.11 added – Emergency response plan.

Section 3704.1.11 is added to read:

3704.1.11 Emergency response plan. If the preparation of an emergency response plan for the facility is not required by any other law, responsible persons shall prepare, or cause to be prepared, and filed with the fire code official, a written emergency response plan. If the preparation of an emergency response plan is required by other law, a responsible person shall file a copy of the plan with the Fire Chief.

20.24.510 CFC Section 3704.1.12 added – Emergency response liaisons.

Section 3704.1.12 is added to read:

3704.1.12 Emergency response liaisons. Responsible persons shall be designated and trained to be liaison personnel for the Livermore Pleasanton Fire Department. These persons shall aid the Fire Department in preplanning emergency responses, identifying locations where regulated materials are stored, handled and used, and be familiar with the chemical nature of such material. An adequate number of personnel for each work shift shall be designated

20.24.520 CFC Section 3704.1.13 added – Emergency drills.

Section 3704.1.13 is added to read:

3704.1.13 Emergency drills. Emergency drills of the on-site emergency response personnel and liaisons shall be conducted on a regular basis but not less than once every six months. Records of drills conducted shall be maintained.

20.24.530 CFC Section 3704.1.14 added – Cylinder leak testing.

Section 3704.1.14 is added to read:

3704.1.14 Cylinder leak testing. Cylinders shall be tested for leaks immediately upon delivery and again immediately prior to departure. Testing shall be approved by the fire code official in accordance with appropriate nationally recognized industry standards and practices, if any. Appropriate remedial action shall be immediately undertaken when leaks are detected

20.24.540 CFC Section 3704.1.15 added – Inert gas purge system.

Section 3704.1.15 is added to read:

3704.1.15 Inert gas purge system. Gas systems shall be provided with dedicated inert gas purge systems. A dedicated inert gas purge system may be used to purge more than one gas, provided the gases are compatible. Purge gas systems inside buildings shall be located in an approved gas cabinet unless the system operates by vacuum demand. Backflow prevention shall be provided.

Exception: Refrigeration systems.

20.24.550 CFC Section 3704.1.16 added – Seismic shutoff valve.

Section 3704.1.16 is added to read:

3704.1.16 Seismic shutoff valve. For other than lecture bottles, an automatic seismic shut-off valve, which is of a fail-safe to close design, shall be provided to shutoff the supply of highly toxic, toxic and moderately toxic gases with an LC50 less than 3000 parts per million upon a seismic event within 5 seconds of a horizontal sinusoidal oscillation having a peak acceleration of 0.3G (1.47m/sec²) and a period of 0.4 seconds

20.24.560 CFC Section 3704.1.17 added – Emergency alarm.

Section 3704.1.17 is added to read:

3704.1.17 Emergency Alarm. When toxic gases exceeding 10 cu. ft. and any amount of highly toxic compressed gases are transported through corridors or exit enclosures, there shall be an emergency telephone system, a local manual alarm station or an approved alarm-initiating device at not more than 150-foot (45720 mm) intervals and at each exit and exit-access doorway throughout the transport route. The signal shall be relayed to an approved central, proprietary or remote station service or constantly attended on-site location and shall also initiate a local audible alarm.

20.24.570 CFC Section 3704.2.2.7 amended – Treatment systems.

Section 3704.2.2.7 is amended to read:

3704.2.2.7 Treatment systems. The exhaust ventilation from gas cabinets, exhausted enclosures, gas rooms and local exhaust systems required in Sections 3704.2.2.4 and 3704.2.2.5 shall be directed to a treatment system. The treatment system shall be utilized to handle the accidental release of gas and to process exhaust ventilation. The treatment system shall be designed in accordance with Sections 3704.2.2.7.1 through 3704.2.2.7.5 and Section 505 of the California Mechanical Code.

Exceptions:

1. Highly toxic, toxic and moderately toxic gases storage. A treatment system is not required for cylinders, containers and tanks in storage when all of the following are provided:
 - 1.1. Valve outlets are equipped with gastight outlet plug or caps.
 - 1.2. Hand wheel-operated valves have handles secured to prevent movement.
 - 1.3. Approved containment vessels or containment systems are provided in accordance with Section 3704.2.2.3.

20.24.580 CFC Section 3704.2.2.10.1 amended – Alarms.

Section 3704.2.2.10.1 is amended to read:

3704.2.2.10.1. Alarms. The gas detection system shall initiate a local alarm and transmit a signal to a constantly attended control station when a short-term hazard condition is detected. The alarm shall be both visual and audible and shall provide warning both inside and outside the area where the gas is detected. The audible alarm shall be distinct from all other alarms.

20.24.590 CFC Section 3704.3.3 amended – Outdoor storage weather protection for portable tanks and cylinders.

Section 3704.3.3 is amended to read:

3704.3.3 Outdoor storage weather protection for portable tanks and cylinders. Weather protection in accordance with Section 2704.13 and this section shall be provided for portable tanks and cylinders located outdoors and not within gas cabinets or exhausted enclosures. The storage area shall be equipped with an approved automatic sprinkler system in accordance with Section 903.3.1.1

20.24.600 CFC Section 4105.4 added – Pyrophoric gas distribution systems.

Section 4105.4 is added to read:

4105.4 Pyrophoric gas distribution systems.

4105.4.1 Ventilation. Cylinders in use and non-welded or brazed connections shall be provided with approved, local ventilation. Failure of the ventilation system (as determined by air flow measurement) shall automatically shut down the distribution system at the source.

4105.4.2 Automatic shutdown. Pyrophoric gas distribution systems shall be provided with an approved release detection system at points of use and non-welded or –brazed connections. Upon activation, the detection system shall automatically shut down the distribution system at the source.

20.24.610 CFC Section 4603.4 amended – Existing commercial or industrial buildings or structures.

4603.4 Existing commercial or industrial buildings or structures. An automatic fire sprinkler system shall be provided in existing commercial buildings in accordance with Section 4603.4.1, Section 4603.4.2 and as follows:

1. Additions to any commercial or industrial building creating a 50% or more increase of floor area, or an addition of any size creating a total area exceeding 8,000 square feet.

Exception: Additions not greater than 500 square feet in area to an existing non-fire sprinklered building providing accessory storage space or solely for the purpose of providing accessibility shall not be required to be provided with automatic fire sprinklers.

2. When a change in occupancy classification results in an increased fire hazard or risk to business operations or increased life safety hazard of the occupants.

Any detached or attached structure added to a parcel of land already containing automatic extinguishing system protected buildings.

20.24.620 CFC Appendix D amended - Fire Apparatus Access Roads.

Section D103.4 is amended to read:

Section D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance to Livermore-Pleasanton Fire Department Standards of Operations and as approved by the fire code official.

Section D103.5.8 is deleted.

Section D103.5.9 is deleted.

Section D106 is deleted.

Section D107 .1 is deleted.

**Chapter 20.32
DANGEROUS BUILDINGS CODE**

Sections:

- 20.32.010 Pleasanton Dangerous Buildings Code adopted.**
20.32.020 Pleasanton Dangerous Buildings Code.

20.32.010 Pleasanton Dangerous Buildings Code adopted.

- A. There is adopted the Pleasanton Dangerous Buildings Code, as more particularly described in this section, and the same is adopted and incorporated as fully as set out at length in this chapter.
- B. Where there is a reference in the code to the "building official" it shall mean the "Building and Safety Official," or in the absence of the Building and Safety Official, the interim, temporary or acting Building and Safety Official.
- C. The provisions of this code are determined to be equivalent to the provisions of California Code of Regulations, Title 25 (CCR, T25), Division 1, Chapter 1, Subchapter 1, Article 1, as allowed by Article 6, #52 of the same chapter.

20.32.020 Pleasanton Dangerous Buildings Code.

**CHAPTER 1
TITLE & SCOPE**

Section 1.01 Title

These regulations shall be known as the "Pleasanton Dangerous Buildings Code," may be cited as such, and will be referred to herein as "this code."

Section 1.02 Purpose and Scope

- A. Purpose. It is the purpose of this code to provide a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the Building Code, Housing Code or otherwise available by law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants, may be required to be repaired, vacated or demolished.

The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

- B. Scope. The provisions of this code shall apply to all dangerous buildings as herein defined, which are now in existence or which may hereafter become dangerous in this jurisdiction.

Section 1.03 Alterations, Additions and Repairs

All buildings or structures which are required to be repaired under the provisions of this code shall be subject to the provisions of Chapter 34 of the Building Code.

CHAPTER 2 ENFORCEMENT

Section 2.01 General

- A. Administration. The Building & Safety Official is hereby authorized to enforce the provisions of this code.
- B. The Building & Safety Official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.
- C. Inspections. The health officer, the fire marshal and the building & safety official are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this code.
- D. Right of Entry. When it is necessary to make an inspection to enforce the provisions of this code, or when the building & safety official has reasonable cause to believe that there exists in a building or upon a premise a condition which is contrary to or in violation of this code which makes the building or premise unsafe, dangerous or hazardous, the building & safety official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premise be unoccupied, the building & safety official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused, the building & safety official shall have recourse to the remedies provided by law to secure entry.

Section 2.02 Abatement of Dangerous Buildings

All buildings or portions thereof which are determined after inspection by the building & safety official to be dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Section 4.01 of this code.

Section 2.03 Violations

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, remove, improve, convert or demolish, equip, use, occupy or maintain any building or structure to cause or permit the same to be done in violation of this code. Penalties for violations shall be as provided in section 1.12.020 of the Pleasanton Municipal Code. (Ord. 1169 § 3, 1984; Prior Code § 2-13.17)

Section 2.04 Inspection of Work

All buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the building & safety official in accordance with and in the manner provided by this code and sections 305A of the Pleasanton Building Administrative Code.

Section 2.05 Board of Appeals

- A. General. In order to hear and decide appeals of orders, decisions or determinations made by the Building and Safety Official relative to the application and interpretations of this code, there is a board of appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the City of Pleasanton. The Building and Safety Official shall be an ex officio member of the board and shall act as secretary to said board but shall have no vote on any matter before the board. The board shall be appointed by the City and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the Building and Safety Official. Appeals to the board shall be processed in accordance with the provisions contained in section 5.01 of this code. Copies of all rules or regulations adopted by the board shall be delivered to the Building and Safety Official, who shall make them freely accessible to the public.
- B. Limitations of Authority. The Board shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

CHAPTER 3 DEFINITIONS

Section 3.01 General

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in either this chapter or as specified in the California Building Code, California Residential Code or the Housing Code. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. The most current edition of *Webster's Third New International Dictionary of the English Language, Unabridged*, shall be construed as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

Building Code is the current edition of the California Building Code, or for one- and two-family dwellings the California Residential Code, promulgated by the International Code Council, as adopted by the City.

Dangerous Buildings is any building or structure deemed to be dangerous under the provisions of section 3.02 of this code.

Section 3.02 Dangerous Building

For the purpose of this code, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered:

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
6. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
7. Whenever any portion thereof has cracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar construction.
8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
10. Whenever the exterior walls or other vertical structure members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings.

12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
13. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of the county, as specified in the Building Code or of any law or ordinance of the state or county relating to the condition, location or structure of buildings.
14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (i) strength, (ii) fire-resisting qualities or characteristic, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Building and Safety Official to be a fire hazard.
17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

CHAPTER 4

NOTICES AND ORDERS OF BUILDING AND SAFETY OFFICIAL

Section 4.01 General.

- A. Commencement of proceedings. When the Building and Safety Official has inspected or caused to be inspected any building and has found and determined that such building is a dangerous building, the Building and Safety Official shall commence proceedings to cause the repair, vacation or demolition of the building.
- B. Notice and Order. The Building and Safety Official shall issue a notice and order directed to the record owner, occupant, lease holder, mortgagee, agent and other interested parties of the building. The notice and order shall contain:
 1. The street address and a legal description sufficient for identification of the premises upon which the building is located.

2. A statement that the Building and Safety Official has found the building to be dangerous, with a brief and concise description of the conditions found to render the building dangerous under the provisions of section 3.02 of this code.
3. A statement of the action required to be taken as determined by the Building and Safety Official.
 - i) If the Building and Safety Official has determined that the building or structure must be repaired, the order shall require that a building permit be secured therefor and that the work physically commenced within no less than sixty days and to be completed within a reasonable time taking into account the circumstances.
 - ii) If the Building and Safety Official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within a certain time from the date of the order as determined by the Building and Safety Official to be reasonable.
 - iii) If the Building and Safety Official has determined that the building or structure must be demolished, the order shall require that the building be vacated within no less than 60 days and that a demolition permit be secured before the 60 days are up, and that the demolition be completed within the time that the Building and Safety Official shall determine as reasonable.
4. Statements advising that if any required repair or demolition work is not commenced within the time specified, the Building and Safety Official (i) will order the building vacated and posted to prevent further occupancy until the work is completed, and (ii) may proceed to cause the work to be done and charge the costs thereof against property and/or the owner.
5. Statements advising (i) that any person having any record title or legal interest in the building may appeal from the notice or any action of the Building and Safety Official to the Board of Appeals, provided the appeal is made in writing as provided in this code and filed with the Building and Safety Official within 30 days from the date of service of such notice and order; and (ii) that failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.
6. Failure to commence work of reconditioning or demolition within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the Building and Safety Official shall call and have a full and adequate hearing upon the matter, giving the affected parties at least 10 days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if the evidence supports a finding that the building or structure is a nuisance or detrimental to the health, safety, or welfare of the residents of the city the Building and Safety Official shall issue an order making specific findings of fact, which shows the building or structure to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the building or structure to be demolished and removed, or repaired. If the evidence does not support a finding that the building or structure is a nuisance or detrimental to the health, safety, or welfare of the residence of the county no order shall be issued.

- C. **Service of Notice and Order.** The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner and posted on the property; and one copy thereof shall be served on each of the following if known to the Building and Safety Official or disclosed from official public records; the occupant, lessee, mortgagee, agent and any others having an interest in the property as per the recorder of deeds records. The failure of the Building and Safety Official to serve any person required herein to be served shall not invalidate any proceedings thereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section.
- D. **Method of Service.** Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by personal service or certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the county. If no address is known, then a copy of the notice and order shall be mailed to the person at the address of the building or structure involved but if service cannot be had by either method then service may be had by publication. The failure of any person to receive such a notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date of mailing.
- E. **Proof of Service.** Proof of service of the notice and order shall be certified to at the time of service by written declaration under penalty of perjury executed by the persons effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail shall be affixed to the copy of the notice and order retained by the Building and Safety Official.

Section 4.02 Recordation of Notice and Order

If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the Building and Safety Official shall file in the office of the county recorder a certificate describing the property and certifying (i) that the building is a dangerous building and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists as a dangerous building on the property described in the certificate, the Building and Safety Official shall file a new certificate with the county recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer dangerous, whichever is appropriate.

Section 4.03 Repair, Vacation and Demolition

The following standards shall be followed by the Building and Safety Official (and by the board of appeals if an appeal is taken) in ordering the repair, vacation or demolition of any dangerous building or structure.

- 1) Any building declared a dangerous building under this code shall be made to comply with one of the following:
 - a. The building shall be repaired in accordance with the current building code or other current code applicable to the type of substandard conditions requiring repair; or

- b. The building shall be demolished at the option of the building owner; or
 - c. If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry.
- 2) If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or its occupants, it shall be ordered to be vacated.

Section 4.04 Notice to Vacate

- A. Posting. Every notice to vacate shall, in addition to being served as provided in Section 4.01(c), be posted at or upon each exit of the building and shall be in the following form:

DO NOT ENTER
UNSAFE TO OCCUPY
 It is a misdemeanor to occupy this building or to remove or deface this notice.
BUILDING & SAFETY OFFICIAL
CITY OF PLEASANTON
 Date: _____ Building & Safety Official: _____
 Property Address: _____
 200 Old Bernal Avenue, Pleasanton, CA 94566
 (925) 931-5300

- B. Compliance. Whenever such notice is posted, the Building and Safety Official shall include a notification thereof in the notice and order issued under Sub-section (b) of Section 4.01, reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted, except that entry may be made to repair, demolish or remove such building under permit. No person shall remove any such notice after it is posted until the required repairs, demolition or removal have been completed and a "Certificate of Occupancy" issued pursuant to the provisions of the Building Code.

CHAPTER 5
APPEAL

Section 5.01 General

- A. Form of Appeal. Any person entitled to service under Section 4.01(C) may appeal from any notice and order or any action of the Building and Safety Official under this code by filing at the office of the Building and Safety Official a written appeal containing:
- 1. A heading in the words: "Before the board of appeals of the City of Pleasanton"
 - 2. A caption reading: "Appeal of, " giving the names of all appellants in the appeal.

3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order.
4. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant.
5. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.
6. The signatures of all parties named as appellants and their official mailing addresses.
7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

The appeal shall be filed within 30 days from the date of the service of such order or action of the Building and Safety Official; provided, however, that if the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or adjacent property and is ordered vacated and is posted in accordance with Section 4.04, such appeal shall be filed within 10 days from the date of the service of the notice and order of the Building and Safety Official.

- B. Processing of Appeal. Upon receipt of any appeal filed pursuant to this section, the Building and Safety Official shall present it at a special meeting of the board of appeals.
- C. Scheduling and Noticing Appeal for Hearing. As soon as practicable after receiving the written appeal, the board of appeals shall fix a date, time and place for the hearing of the appeal by them. Such date shall not be less than 10 days nor more than 60 days from the date the appeal was filed with the Building and Safety Official. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the secretary, or chairman of the board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.

Section 5.02 Effect of Failure to Appeal

Failure of any person to file an appeal in accordance with the provisions of Section 5.01 shall constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or any portion thereof.

Section 5.03 Scope of Hearing on Appeal

Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

Section 5.04 Staying of Order under Appeal

Except for vacation orders made pursuant to Section 4.04, enforcement of any notice and order of the Building and Safety Official issued under this code shall be stayed during the tendency of an appeal therefrom which is properly and timely filed.

CHAPTER 6 PROCEDURES FOR CONDUCT OF HEARING APPEALS

Section 6.01 General

- A. Hearing Examiners. The board may appoint one or more hearing examiners or designate one or more of its members to serve as hearing examiners to conduct the hearings. The examiner hearing the case shall exercise all powers relating to the conduct of hearings until it is submitted to the board for decision.
- B. Record. A record of the entire proceedings shall be made by tape recording or by any other means of permanent recording determined to be appropriate by the board.
- C. Reporting. The proceedings at the hearing shall also be reported by a phonographic reporter if requested by any party thereto. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefor. Such fees will be established by the board, but shall not be greater than the cost involved.
- D. Continuances. The board may grant continuances for good cause shown; however, when a hearing examiner has been assigned to such hearing, no continuances may be granted except by the examiner for good cause shown so long as the matter remains before the examiner.
- E. Oaths-Certification. In any proceedings under this chapter, the board, any board member, or the hearing examiner has the power to administer oaths and affirmations and to certify to official acts.
- F. Reasonable Dispatch. The board and its representatives shall proceed with reasonable dispatch to conclude any matter before it. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

Section 6.02 Form of Notice of Hearing.

The notice to appellant shall be substantially in the following form, but may include other information:

"You are hereby notified that a hearing will be held before the Board of Appeals at _____ on the _____ day of _____, 19____, at the hour of _____, upon the notice and order served upon you. You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by filing an affidavit therefor with the board of appeals.

Section 6.03 Subpoenas

- A. Filing of Affidavit. The board or examiner may obtain the issuance and service of a subpoena for the attendance of witnesses or the production of other evidence at a hearing upon the request of a member of the board or upon the written demand of any party. The issuance and service of such subpoena shall be obtained upon the filing of an affidavit therefor which states the name and address of the proposed

witness; specifies the exact things sought to be produced and the materiality thereof in detail to the issues involved; and states that the witness has the desired things in possession or under control. A subpoena need not be issued when the affidavit is defective in any particular.

- B. Cases Referred to Examiner. In cases where a hearing is referred to an examiner, all subpoenas shall be obtained through the examiner.
- C. Penalties. Any person who refuses without lawful excuse to attend any hearing or to produce material evidence which the person possesses or controls as required by any subpoena served upon such person as provided for herein shall be guilty of a misdemeanor.

Section 6.04 Conduct of Hearing

- A. Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- B. Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- C. Hearsay Evidence. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions in courts of competent jurisdiction in this state.
- D. Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state.
- E. Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- F. Rights of Parties. Each party shall have these rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called the witness to testify;
 - 5. To rebut the evidence;
 - 6. To be represented by anyone who is lawfully permitted to do so.
- G. Official Notice.
 - 1. What may be noticed. In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or of official records of the board or departments and ordinances of the county or rules and regulations of the board.
 - 2. Parties to be Notified. Parties present at the hearing shall be informed of the matters to be noticed, and these matters shall be noted in the record, referred to therein, or appended thereto.
 - 3. Opportunity to Refute. Parties present at the hearing shall be given a reasonable opportunity, on request, to refute the officially noticed matters by evidence or by

- written or oral presentation of authority, the manner of such refutation to be determined by the board or hearing examiner.
4. Inspection of the Premises. The board or the hearing examiner may inspect any building or premises involved in the appeal during the course of the hearing, provided that (i) notice of such inspection shall be given to the parties before the inspection is made, (ii) the parties are given an opportunity to be present during the inspection, and (iii) the board or the hearing examiner shall state for the record upon completion of the inspection the material facts observed and the conclusions drawn therefrom. Each party then shall have a right to rebut or explain the matters so stated by the board or hearing examiner.

Section 6.05 Method and Form of Decision

- A. Hearing Before Board Itself. When a contested case is heard before the board itself, a member thereof who did not hear the evidence or has not read the entire record of the proceedings shall not vote on or take part in the decision.
- B. Hearing before Examiner. If a contested case is heard by a hearing examiner alone, the examiner shall within a reasonable time (not to exceed 90 days from the date the hearing is closed) submit a written report to the board. Such report shall contain a brief summary of the evidence considered and state the examiner's findings, conclusions, and recommendations. The report also shall contain a proposed decision in such form that it may be adopted by the board as its decision in the case. All examiner's reports filed with the board shall be matters of public record. A copy of each such report and proposed decision shall be mailed to each party on the date they are filed with the board.
- C. Consideration of Report by Board-Notice. The board shall fix the time, date, and place to consider the examiner's report and proposed decision. Notice thereof shall be mailed to each interested party not less than five days prior to the date fixed, unless it is otherwise stipulated by all of the parties.
- D. Exceptions to Report. Not later than two days before the date set to consider the report, any party may file written exceptions to any part or all of the examiner's report and may attach thereto a proposed decision together with written argument in support of such decision. By leave of the board, any party may present oral argument to the board.
- E. Disposition by the Board. The board may adopt or reject the proposed decision in its entirety, or may modify the proposed decision.
- F. Proposed Decision Not Adopted. If the proposed decision is not adopted as provided in Subsection (E), the board may decide the case upon the entire record before it, with or without taking additional evidence, or may refer the case to the same or another examiner to take additional evidence. If the case is reassigned to a hearing examiner, the examiner shall prepare a report and proposed decision as provided in Subsection (B) hereof and after any additional evidence is submitted. Consideration of such proposed decision by the board shall comply with the provisions of this section.
- G. Form of Decision. The decision shall be in writing and shall contain findings of fact, a determination of the issues presented, and the requirements to be

complied with. A copy of the decision shall be delivered to the appellant personally or sent by certified mail, postage prepaid, return receipt requested.
H. Effective Date of Decision. The effective date of the decision shall be as stated therein.

**CHAPTER 7
ENFORCEMENT OF THE ORDER OF THE BUILDING AND SAFETY OFFICIAL
OR THE BOARD OF APPEALS**

Section 7.01 Compliance

- A. General. After any order of the Building and Safety Official or the board of appeals made pursuant it this code shall have become final, no person to whom any such order is directed shall fail, neglect, or refuse to obey any such order. Any such person who fails to comply with any such order is guilty of a misdemeanor.
- B. Failure to Obey Order. If, after any order of the Building and Safety Official or board of appeals made pursuant to this code has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the Building and Safety Official may (i) cause such person to be prosecuted under Subsection (A) of this section or (ii) institute any appropriate action to abate such building as a public nuisance.
- C. Failure to Commence Work. Whenever the required repair or demolition is not commenced within 30 days after any final notice and order issued under this code becomes effective:
 - 1. The Building and Safety Official shall cause the building described in such notice and order to be vacated by posting at each entrance a notice as follows:

**DANGEROUS BUILDING
DO NOT OCCUPY**

It is a misdemeanor to occupy this building or to remove this notice
**BUILDING & SAFETY OFFICIAL
CITY OF PLEASANTON**

Date: _____ Property Address: _____
Building & Safety Official: _____
200 Old Bernal Avenue, Pleasanton, CA 94566
(925) 931-5300

- 2. No person shall occupy any building which has been posted as specified in this subsection. No person shall remove or deface any such notice so posted until the repairs, demolition, or removal ordered by the Building and Safety Official have been completed and a "Certificate of Occupancy" issued pursuant to the provisions of the Building Code.
- 3. The Building and Safety Official may, in addition to any other remedy herein provided, cause the building to be repaired, secured, demolished or the property cleaned up to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order; or, if the notice and order

required demolition, to cause the building to be sold and demolished and the materials, rubble, and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the person or persons lawfully entitled thereto.

Section 7.02 Extension of Time to Perform Work

Upon receipt of an application from the person required to conform to the order and by agreement of such person to comply with the order if allowed additional time, the Building and Safety Official may grant an extension of time, not to exceed an additional 120 days, within which to complete said repair, rehabilitation or demolition, if the Building and Safety Official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The Building and Safety Official's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal the notice and order.

Section 7.03 Interference with Repair or Demolition Work Prohibited

No person shall obstruct, impede, or interfere with any officer, employee, contractor, or authorized representative of this county or with any person who owns or holds any estate or interest in any building which has been ordered repaired, vacated, or demolished under the provisions of this code; or with any person to whom such building has been lawfully sold pursuant to the provisions of this code, whenever such officer, employee, contractor or authorized representative of the county, person having an interest or estate in such building or structure, or purchaser is engaged in the work or repairing, vacating, and repairing, or demolishing any such building, pursuant to the provisions of this code, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this code.

CHAPTER 8 PERFORMANCE OF WORK OF REPAIR OR DEMOLITION

Section 8.01 General.

- A. Procedure: When any work of repair or demolition is to be done pursuant to section 7.01(C) 3 of this code, the Building and Safety Official shall issue an order as follows:
1. The order will direct the owner to perform the work and it must start within 30 days of notice.
 2. If the owner fails to begin work as specified in 1 of this sub-section, then the Building and Safety Official shall issue an order therefor to the director of public works and the work shall be accomplished by personnel of the City of Pleasanton or by private contractor under direction of said director. Plans and specifications therefor may be prepared by said director, or the director may employ such

architectural and engineering assistance on a contract basis as deemed reasonably necessary. If any part of the work is to be accomplished by private contract, standard public works contractual procedures shall be followed.

- B. **Costs:** The cost of such work shall be paid from the City's repair and demolition fund. Recovery of these costs may be made a special assessment against the property involved, or may be made a personal obligation of the property owner, whichever the City shall determine is appropriate. (Ord. 1669 § 8, 1995)

Section 8.02 Repair and Demolition Fund

- A. **General.** The City of Pleasanton shall establish a special revolving fund to be designated as the repair and demolition fund. Payments shall be made out of said fund upon the demand of the director of public works to defray the costs and expenses which may be incurred by the City of Pleasanton in doing or causing to be done the necessary work of repair or demolition of dangerous buildings.
- B. **Maintenance of Fund.** The City of Pleasanton may at any time transfer to the repair and demolition fund, out of any money in the general fund, such sums as it may deem necessary in order to expedite the performance of the work of repair or demolition, and any sum so transferred shall be deemed a loan to the repair and demolition fund and shall be repaid out of the proceeds of the collections hereinafter provided for shall be paid to the treasurer of the City of Pleasanton who shall credit the same to the repair and demolition fund.

CHAPTER 9 RECOVERY OF COST OF REPAIR OR DEMOLITION

Section 9.01 Account of Expense, Filing of Report

The director of public works shall keep an itemized account of the expense incurred by City of Pleasanton in the repair or demolition of any building done pursuant to the provisions of Section 7.01(C) 3 of this code. Upon the completion of the work of repair or demolition, said director shall prepare and file with the City Clerk a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to Section 4.01(C).

Section 9.02 Notice of Hearing

Upon receipt of said report, the City Clerk shall present it to the City Council for consideration. The City Council shall fix a time, date and place for hearing said report and any protests or objections thereto. The City Clerk shall cause notice of said hearing to be posted upon the property involved, published once in a newspaper of general circulation in the City of Pleasanton, and served by certified mail, postage prepaid, addressed to the owner of the property as the owner's name and address appears on the last equalized roll of Alameda County or as known to the Clerk. Such notice shall be given at least 10 days prior to the date set for the hearing and shall specify the day, hour and place where the City Council will hear and pass upon the director's report,

together with any objections or protests which may be filed as hereinafter provided by any person interested in or affected by the proposed charge.

Section 9.03 Protests and Objections

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the report of the director. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date of receipt. The clerk shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

Section 9.04 Hearing of Protests

Upon the day and hour fixed for the hearing, the City Council shall hear and pass upon the report of the director together with any such objections or protests. The City Council may make such revision, correction or modification in the report or charge as it may deem just; and when the City Council is satisfied with the correctness of the charge, the report (as submitted or as revised, corrected or modified) together with the charge, shall be confirmed or rejected. The decision of the City Council on the report and the charge, and on all protests or objections, shall be final and conclusive.

Section 9.05 Personal Obligation or Special Assessment

- A. General. The City Council may thereupon order that said charge shall be made a personal obligation of the property owner or assess said charge against the property involved.
- B. Personal Obligation. If the City Council orders that the charge shall be a personal obligation of the property owner, it shall direct the City Attorney to collect the same on behalf of the City by use of all appropriate legal remedies.
- C. Special Assessment. If the City Council orders that the charge shall be assessed against the property, it shall confirm the assessment, cause the same to be recorded on the assessment roll, and thereafter said assessment shall constitute a special assessment against and a lien upon the property.

Section 906 Contest

The validity of any assessment made under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced within 30 days after the assessment is placed upon the assessment roll as provided herein. Any appeal from a final judgment in such action or proceeding must be perfected within 30 days after the entry of such judgment.

Section 907 Authority for Installment Payment of Assessments with Interest

The City Council, in its discretion, may determine that assessments in amounts of \$500.00 or more shall be payable in not to exceed five equal annual installments. The City Council's determination to allow payment of such assessments in installments, the number of installments, whether they shall bear interest, and the rate thereof shall be by a resolution adopted prior to the confirmation of the assessment.

Section 908 Lien of Assessment

- A. Priority. Immediately upon its being placed on the assessments roll, the assessment shall be deemed complete, the several amounts assessed shall be payable, and the assessments shall be liens against the lots or parcels of land assessed, respectively. The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be paramount to all other liens except for state, county and property taxes with which it shall be upon a parity. The lien shall continue until the assessment and all interest due and payable thereon are paid.
- B. Interest. All such assessments remaining unpaid after 30 days from the date of recording on the assessment roll shall become delinquent and shall bear interest at the rate of 7 percent per annum from and after said date.

Section 909 Report to Assessor and Tax Collector; Addition of Assessment to Tax Bill
After confirmation of the report, certified copies of the assessment shall be given to the assessor and the tax collector for the City of Pleasanton, who shall add the amount of the assessment to the next regular tax bill levied against the parcel for municipal purposes.

Section 910 Filing Copy of Report with County Auditor
A certified copy of the assessment shall be filed with the Alameda County auditor on or before August 10th. The descriptions of the parcels reported shall be those used for the same parcels on the county assessor's map books for the current year.

Section 911 Collection of Assessment: Penalties for Foreclosure
The amount of the assessment shall be collected at the same time and in the same manner as ordinary property taxes are collected and shall be subject to the same penalties and procedure and sale in case of delinquency as provided for ordinary property taxes. All laws applicable to the levy, collection and enforcement of property taxes shall be applicable to such assessment.
If the City Council has determined that the assessment shall be paid in installments, each installment and any interest thereon shall be collected in the same manner as ordinary property taxes in successive years. If any installment is delinquent, the amount thereof is subject to the same penalties and procedure for sale as provided for ordinary property taxes.

Section 912 Repayment of Repair and Demolition Fund
All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the treasurer of the City of Pleasanton, who shall credit the same to the repair and demolition fund.

Chapter 20.55
SWIMMING POOL, SPA AND HOT TUB CODE

Sections:

- 20.55.010 Swimming Pool, Spa and Hot Tub Code adopted**
20.55.020 Part I (Administration) Article 1.11 amended - Cost of permit.

20.55.010 Swimming Pool, Spa and Hot Tub Code adopted

- A. There is adopted by reference that certain code known as the Uniform Swimming Pool, Spa and Hot Tub Code, more particularly described in this section, except such portions as are amended, modified or deleted in this chapter, and the same is adopted and incorporated as fully as if set out at length in this chapter.
- B. Said code is the Uniform Swimming Pool, Spa and Hot Tub Code, 2009 Edition, prepared by the International Association of Plumbing and Mechanical Officials, one copy of which is on file with the Building and Safety Division for use by the public.
- C. These regulations shall be known as the Pleasanton Swimming Pool, Spa and Hot Tub Code, hereinafter referred to as "this code."
- D. Where there is a reference in the code to the "building official" it shall mean the "Building and Safety Official," or in the absence of the Building and Safety Official, the interim, temporary or acting Building and Safety Official. (Ord. 1869 § 15, 2002; Ord. 1778 § 12, 1999; Ord. 1561 § 14, 1992)

20.55.020 Part I (Administration) Article 1.11 amended - Cost of permit.

Part I (Administration) Article 1.11 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

1.11 Cost of Permit.

- A. Every applicant for a permit to install, alter or repair a swimming pool, spa or hot tub system or part thereof, shall state in writing on the application form provided for that purpose, the character of work proposed to be done and the amount and kind in connection therewith, together with such information pertinent thereto as may be required. Such applicant shall pay for each permit, at the time of making application, a fee as set forth in the Municipal Code Fees and Charges Table (on file in the office of the city clerk).
- B. 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, if subsequently permitted to obtain a permit, pay double the permit fee fixed by the section for such work; provided, however, that 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 as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, a double fee as herein provided shall be charged.

- C. Extra Inspections. When an extra inspection is necessary by reason of deficient or defective work, or otherwise through fault or error on the part of the holder of the permit or on the part of the holder's employees, the holder shall pay a fee as set forth in the Municipal Code Fees and Charges Table (on file in the office of the city clerk)."

Chapter 20.65
INTERNATIONAL PROPERTY MAINTENANCE CODE

Sections:

- 20.65.010 International Property Maintenance Code adopted.**
- 20.65.020 Section 102.3 amended - Application of other Codes.**
- 20.65.030 Section 106.4 amended - Violation penalties.**
- 20.65.040 Section 109.4 deleted - Emergency Repairs.**
- 20.65.050 Section 109.5 deleted - Cost of Emergency Repairs.**
- 20.65.060 Section 109.6 deleted - Violation penalties.**
- 20.65.070 Section 111 deleted – Demolition.**
- 20.65.080 Section 109.6 deleted - Means of Appeal.**
- 20.65.090 Section 202 Definitions – Added**
- 20.65.100 Section 302.4 amended - Weeds.**
- 20.65.110 Section 302.8 amended - Motor Vehicles.**
- 20.65.120 Section 303 amended - Swimming Pools, Spas and Hot Tubs.**
- 20.65.130 Section 304.14 deleted - Insect screens.**
- 20.65.140 Section 404.5 deleted - Overcrowding.**
- 20.65.150 Section 404.6 amended - Efficiency Unit.**

20.65.010 International Property Maintenance Code adopted.

- A. There is adopted by reference that certain code known as the International Property Maintenance Code, more particularly described in this section, except such portions as are amended, modified or deleted in this chapter and the same is adopted and incorporated as fully as if set out at length in this chapter.
- B. Said Code is the International Property Maintenance Code 2009 Edition including all Appendices, published by the International Code Council.
- C. These regulations shall be known as the Pleasanton Property Maintenance Code, hereinafter referred to as "this code."
- D. Wherein the Code references the "Executive Official" or the "Code Official" it shall mean the Building and Safety Official or the Acting, Temporary or interim Building and Safety Official.

20.65.020 Section 102.3 amended - Application of other Codes.

Section 102.3 of the International Property Maintenance Code, 2009 Edition is amended to read as follows:

102.3 Application of other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the provisions of the current edition of the California Building, Plumbing, Electrical and Mechanical Codes as adopted by the City of Pleasanton.

20.65.030 Section 106.4 amended - Violation penalties.

Section 106.4 of the International Property Maintenance Code, 2009 Edition is amended to read as follows:

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. A violation of any section of this code constitutes a violation of the Pleasanton Municipal Code. Penalties for violations will be as provided in Section 1.12.020, 1.24.030, 1.28.030 or any other application section of the Pleasanton Municipal Code.

20.65.040 Section 109.4 deleted - Emergency Repairs.

20.65.050 Section 109.5 deleted - Cost of Emergency Repairs.

20.65.060 Section 109.6 deleted - Violation penalties.

20.65.070 Section 111 deleted - Demolition.

20.65.080 Section 109.6 deleted - Means of Appeal.

20.65.090 Section 202 Definitions - Added

Section 202 of the International Property Maintenance Code, 2009 Edition is amended to have these definitions read as follows:

International Electrical Code or ICC Electrical Code. International Electrical Code or ICC Electrical Code shall mean the Pleasanton Electrical Code.

International Mechanical Code or ICC Mechanical Code. International Mechanical Code or ICC Mechanical Code shall mean the Pleasanton Mechanical Code.

International Plumbing Code or ICC Plumbing Code. International Plumbing Code or ICC Plumbing Code shall mean the Pleasanton Plumbing Code.

International Fuel Gas Code or ICC Fuel Gas Code. International Fuel Gas Code or ICC Fuel Gas Code shall mean the Pleasanton Plumbing Code.

International Residential Code or ICC Residential Code. International Residential Code or ICC Residential Code shall mean the Pleasanton Residential Code.

20.65.100 Section 302.4 amended - Weeds.

Section 302.4 of the International Property Maintenance Code, 2009 Edition is amended to read as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or uncontrolled plant growth in excess of 20 inches in height. All noxious weeds shall be prohibited on developed properties. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided: however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

20.65.110 Section 302.8 amended - Motor Vehicles.

Section 302.8 of the International Property Maintenance Code, 2009 Edition is amended to read as follows:

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exceptions:

1. A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.
2. A vehicle owned by the resident conducting major repair or restoration work on his own vehicle in an enclosed garage.

20.65.120 Section 303 amended - Swimming Pools, Spas and Hot Tubs.

Section 303 of the International Property Maintenance Code, 2009 Edition is amended to read as follows:

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas containing water more than 18 inches (457 mm) in depth shall be completely surrounded by a fence or barrier in compliance with PMC section 20.08.180 or PMC section 20.10.160, as applicable. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 60 inches (1524 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

20.65.130 Section 304.14 deleted - Insect screens.

20.65.140 Section 404.5 deleted - Overcrowding.

20.65.150 Section 404.6 amended - Efficiency Unit.

Section 404.6 of the International Property Maintenance Code, 2009 Edition is amended to read as follows:

404.6 Efficiency Unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit shall have a clear floor area of not less than 220 square feet (20.4 m²), exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower."

{end}

Exhibit 2 - Findings

The City Council of the City of Pleasanton adopts the following findings pursuant to California Health & Safety Code sections 17958, 17958.5 and 17958.7 in support of Municipal Code Chapter 20.08 Building Code, Chapter 20.10 Residential Code, and Chapter 20.24 Fire Code and the respective local amendments that require increased fire protection and structural design and detailing based on the following local climatic, geological or topographic conditions which the City Council finds create building and fire hazards peculiar to Pleasanton:

- A. Local climatic conditions include a low amount of average yearly rainfall, which tend to be concentrated from October through April. From May through September, a dry period occurs where daily temperatures remain high, and there is little measurable precipitation. In addition, the local climate frequently includes high winds which sweep down through the valley. The local dry conditions, combined with high winds, create the risk of a potential fire storm. The California Division of Forestry & Fire Protection has classified areas within and adjacent to the City as Very High Fire Severity Zones.
- B. Local geological conditions include a risk of earthquake and landslides. A number of earthquake faults are located either within or in close proximity to the City. Those with the most direct and potentially destructive impact are the San Andreas, Calaveras, Hayward, Greenville, Mt. Diablo Thrust and Concord-Green Valley Faults. The U.S. Geological Survey (USGS) has identified a 62% probability of a magnitude 6.7 or larger earthquake occurring in the region before 2032.¹ Earthquake damage studies, including the 1994 Northridge earthquake, have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants.
- C. Local topographical conditions include hills on the western border and flat area on the eastern border. Interstate 680 divides the City into two sections, and circulation between areas of the City rely on both freeway overpasses and underpasses. In addition, local traffic must also pass over railroad tracks, creeks, and bridges (to cross arroyos). Water lines which come from tanks on the hills of the City must cross the interstate to feed the automatic fire sprinkler systems installed in buildings throughout the City. During peak a.m. and p.m. traffic periods, the City experiences heavy traffic congestion at key intersections, and near many freeway on-ramp and off-ramps. In the event of an accident or emergency at one of these key intersections, bridges, or other circulation corridors, sections of the City could become isolated and response times increased beyond ideal levels. With the inability of emergency services to guarantee rapid response to various sections of the City, it is necessary to mitigate this problem by requiring additional built-in

¹ See Pleasanton General Plan 2005-2025, Public Safety Element, pages 5-2 through 5-18.

automatic fire protection systems and requirements, which will provide for early detection and initial fire control until the arrival of the fire-fighting equipment and other emergency services.

- D. The potential for earthquakes influences fire protection planning in several ways. A major seismic event would create a city-wide demand on fire protection service which would be beyond the response capacity of the fire department. This potential problem can be mitigated by requiring initial fire control through the installation of automatic fire protection systems. This also supports the need for other structures in the City to be capable of at least initial fire suppression capacity. Finally, as demonstrated above, structural damage to the overpass or bridges connecting the City's various areas would seriously delay emergency vehicle access to these areas.
- E. In the event of an earthquake, damage, to water tanks, water lines and to structures can be expected. In residential and commercial areas, this could include significant damage or collapse of buildings and may cause automatic fire sprinkler systems (installed to mitigate fires in buildings and allow occupants to exit buildings) to either underperform or completely fail. Secondary impacts could include ruptured electric or gas connections lines. The potential for a major seismic event could create a City-wide demand for emergency response and fire protection service which could exceed staff response capacity.