

BUILDING STANDARDS COMMISSION

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



February 12, 2013

Kim Bridwell, Acct. Clerk II
Building/Planning Department
City of Yreka
701 Fourth Street
Yreka, CA 96097

Dear Kim Bridwell:

This letter is to acknowledge receipt on February 11, 2013 of the City of Yreka submittal pertaining to Ordinance Nos. 831 and 833 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code §17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the findings and the modifications or changes 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 [Health and Safety Code Section 13869.7(c)], ATTENTION: State Housing Law Program Manager, rather than the Commission. Likewise, ordinances containing energy efficiency standards may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

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

Sincerely,

A handwritten signature in black ink that reads "Enrique M. Rodriguez". The signature is written in a cursive style with a large initial "E" and "M".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



City of Yreka
701 Fourth Street • Yreka, CA 96097
(530) 841-2386 • FAX (530) 842-4836



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SACRAMENTO BUILDING
STANDARDS COMMISSION

February 6, 2013

To: Building Standards Commission
2525 Natomas Park Dr. # 130
Sacramento, CA 95833

From: City of Yreka
701 4th Street
Yreka, CA 96097

Re: City of Yreka Ordinance # 831 & 833

Enclosed are copies of Ordinance No. 831 – An Ordinance of the City Council of the City of Yreka, CA, repealing and amending by adding various sections of Title 11 of the Yreka Municipal Code relating to the adoption by reference of uniform construction codes; adding new Chapter 11.50 relating to placards used to denote conditions relating to continued occupancy of buildings; and repealing certain ordinances.

Ordinance No. 833 – An Ordinance of the City Council of the City of Yreka amending Ordinance 831 regarding Section 11.01.080 of the Yreka Municipal code in Title 11, building and construction.

Thank you,

Kim Bridwell
Acct. Clerk II Building/Planning Dept.

ORDINANCE NO. - 831

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YREKA, CALIFORNIA, REPEALING AND AMENDING BY ADDING VARIOUS SECTIONS OF TITLE 11 OF THE YREKA MUNICIPAL CODE RELATING TO THE ADOPTION BY REFERENCE OF UNIFORM CONSTRUCTION CODES; ADDING NEW CHAPTER 11.50 RELATING TO PLACARDS USED TO DENOTE CONDITIONS RELATING TO CONTINUED OCCUPANCY OF BUILDINGS; AND REPEALING CERTAIN ORDINANCES

WHEREAS, the State Building Standards Commission adopted the 2010 California Building Standards Code, codified in Title 24 of the California Code of Regulations; and

WHEREAS, the City Council of the City of Yreka (the “City”) wish to update the rules and regulations governing building and construction in the City limits to reflect the 2010 California Building Standards Code, California Code of Regulations Title 24 (“CBSC”); and

WHEREAS, the City desires to make certain amendments to the 2010 CBSC in order to address the health and safety issues of the City’s local climatic, geological or topographical conditions; and,

WHEREAS, before making changes to the CBSC pursuant to Health and Safety Code Section 17958.5, Health and Safety Code Section 17958.7 requires the City to make express findings that such changes are reasonably necessary because of local climatic, geological or topographical conditions; and,

WHEREAS, the Applied Technology Council (“ATC” developed building placards (“ATC 20 placards”) that clearly identify the condition of a building for continued occupancy; and,

WHEREAS, the City would like to officially adopt the ATC-20 placards to make then enforceable under law and to protect to the property owner, tenant and the general public;

Now, therefore, the City Council of the City of Yreka does hereby ordain as follows:

SECTION 1. **Repeal.**

- A. Chapters 11.02, 11.05, 11.07, 11.12, 11.16, 11.18, and 11.19 are repealed in their entirety.
- B. Chapter 11.04 is repealed except that this ordinance shall not have any effect upon existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed Chapter.

SECTION 2. **Findings.** The City finds it is necessary to adopt local amendments to the following subcodes of the CBSC: Building Code and Fire Code. These local amendments have been evaluated and recognized by the City as tools for addressing problems with building construction in the City of Yreka, which are aimed at establishing and maintaining an environment that will afford the City a high level of fire and life safety to all those who work live and play within the City’s boundaries. The City finds as follows:

A. The City, pursuant to the authority granted it under California Health and Safety Code Sections 17958.5 and 18941.5, has determined that there is a need to establish building standards that are more restrictive than those adopted by the State of California and found in Title 24 and Title 25 of the California Code of Regulations. These new building standards have been determined by the City of Yreka to address the problems, concerns and future direction by which the City can establish and maintain an environment which will afford an appropriate level of fire and life safety to all who live and work within its boundary.

B. Under the provisions of Sections 17958.5 and 18941.5 of the Health and Safety Code, the amendment of state building standards at the local level must be reasonably necessary due to local climatic, topographical and/or geological conditions and the City must make express findings in this regard. The Council has determined that the following findings of fact address and present the local climatic, topographical, and/or geological conditions, which either singularly or in combination, have caused the aforementioned amendments to be adopted:

1. CLIMATIC

a. The City of Yreka has extreme variations in weather patterns: summers are arid and hot, winters are freezing and snowy, fall and spring can bring any combination of weather pattern together, and high winds are frequent during changes of weather patterns. As a result, the climate in the City of Yreka area can have a great influence on fire behavior and other major emergency events in the City.

2. TOPOGRAPHICAL

a. The City of Yreka is subject to possible flooding in low lying elevations within the City and along creeks which are seasonal.

b. Climate and Weather relating to wildland fire risks. As reported in the Jay Perkins Proposed Changes for the Yreka Local Responsibility Area re Fire Hazard Severity Zones approved by the City Council on May 15, 2008, the City of Yreka is situated in the Shasta Valley in north central Siskiyou County. Climate associated with wildland is not atypical for other Mediterranean type systems; cool, rainy winter months followed by four or more months of hot, dry weather with no front-borne rain. This pattern sets the area up for long, hot dry summers. The wildland fire season occurs primarily mid-June through late-September. However, drought and climate change are responsible for fire season starting as early as mid-April and lasting well into October.

Temperatures into the 90's coupled with relative humidity in the teens are not uncommon in summer. Wind is the most variable of the weather elements. It is also the weather component most responsible for dramatic fire spread and fire intensity that we experience. Daily summer winds are typically out of the south, southwest reinforced by the daytime heating of the valley floor. Wind speeds average about six to eight miles per hour.

There are several wind situations that do occur in the Shasta Valley that can be responsible for potentially problematic wildfire events:

1. Winds associated with summer thunderstorm occurrence. This is a common wind event associated with summer thunderstorm weather. Well developed thunderstorm cells have characteristically strong downdrafts. These strong downdrafts can push fires in any direction depending on the location of a fire with respect to the location of the thunderstorm cell. When the

thunderstorm cells move on the wind event is finished, but it can leave a problem wildfire in its aftermath. Downdraft winds can reach peak gusts of from 40 to 60 miles per hour.

2. Early fall north/northeast wind events. These events commonly occur annually. The wind is strong and low double digit to single digit relative humidity is not uncommon with these events. Typically short lived (18 to 24 hours), fires in the greater Siskiyou or adjacent counties have experienced significant fire growth. 20 to 40 mile per wind speeds can be predicted.

3. A third situation, which occurred during the Going fire outside of town in July 2006, is associated with late afternoon intense heating before the sun sets below the ridge. The intense valley heating can "draw" the wind from the hills towards the valley, creating a high speed, down slope wind situation. Though typically short-lived, wind speeds can reach into the 20 mile per hour range.

4. Topography. The City is mainly situated on lands that are flat or gently rolling. The western edge of the City does have slopes that are about 30%. These slopes have an easterly facing aspect that the setting sun leaves first. The other outstanding feature within the LRA is an area known as Butcher hill. Butcher Hill is located directly east of 1-5 in the centrally located. The area of greatest concern on Butcher Hill is the aspect that directly faces the City. It is a west aspect, which directly faces the sun at the peak of the daytime heating. These aspects are the hottest and driest during the summer months.

5. Fuels. The City of Yreka has areas which have been identified as having wildland fuel profiles which are considered Very High.

3. GEOLOGICAL

a. The City of Yreka is subject to ground tremors from seismic events as the City Seismic Design Category (D) is as determined by CBC Chapter 16.

b. The City of Yreka is located in Seismic Design Category (D), as defined by the International Code Council, an area with a higher risk of seismic activity than most areas in the country. Catastrophic earthquakes account for 60% of worldwide casualties associated with natural disasters. Economic damage from earthquakes is increasing, even in technologically advanced countries, as shown by the 1989 Loma Prieta, CA, (\$ 6 billion), 1994 Northridge, CA, (\$ 25 billion), and 1995 Kobe, Japan, (> \$ 100 billion) earthquakes. Additionally, a high degree of hazard to occupants has been found to occur from unsupported fixtures, appliances and appurtenances in ceilings. These fixtures, though small in size, have been found to create a significant hazard to occupants in the event of seismic activity.

Soil conditions have been found to be a source of concern for footing and foundation design. Additionally, expansive soils can hold large amounts of moisture for extended periods of time. Either of these factors, or a combination of both has been found to create an increased risk of moisture intrusion under slabs in certain, common construction methods. Accordingly, soils analysis according to Chapter 18 of the CBC is necessary to identify whether proposed building sites are impacted.

C. Based upon the local climatic, topographical and geological conditions identified in Section B, the specific amendments identified in Yreka Municipal Code Sections 11.01.190 are found to be reasonable and necessary modifications to the requirements established pursuant to Sections

17958.5 and 18941.5. While it is clearly understood that the adoption of such amendments may not prevent the incidence failures, the implementation of these various amendments to the code attempt to reduce the severity and potential loss of life, property and protection of the environment.

D. California Health and Safety Code Section 17958.7 requires that building standards modifications or change be expressly marked and identified as to which each finding refers. Therefore, the City Council finds that the following table identifies the sections of the subcodes that have been amended by the City and the corresponding local climatic, geological and topographical conditions, as identified in Section B, that have necessitated the modification of the state’s building standards.

Code Section	Local Condition:
Building Code Chapter 1, Section 1.1.8, and California Residential Code Section 1.1.8 (YMC § 11.01.190 (windload))	1a, 2a, 2b
Building Code Chapter 1, Section 1.1.8, and California Residential Code Section 1.1.8 (YMC § 11.01.190) (snowload)	1a, 2a

SECTION 3. Yreka Municipal Code Amendment – Title 11 is hereby amended by adding new Chapter 11.01. A new Chapter 11.01 of the Yreka Municipal Code “Uniform Codes” as follows:

11.01.010 Purpose.

This chapter is enacted for the purpose of adopting rules and regulations pursuant to the State Housing Law and the Health and Safety Code, for the protection of the public health, safety and general welfare of the occupant and the public governing the creation, construction, enlargement, conversion, alteration, repair, moving, removal, demolition, occupancy, use, height, court area, sanitation, ventilation and maintenance of any building used for human habitation; provided, however, that nothing in the codes adopted in this chapter shall be construed to prevent any person from performing his own building, mechanical, plumbing or electrical work when performed with the permits in compliance with this chapter.

11.01.020 Definitions.

Whenever any of the following names or terms are used in this chapter or in any of the codes adopted by reference by this chapter, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed thereto by this section:

A. “Board of appeals,” “housing advisory and appeals board” and any other reference to the appellate body, mean the Board of Appeals for the City of Yreka made up of five (5) Building Official members who are Building Officials and/or Building Inspectors and/or Construction Industry personnel who are located within the jurisdictions of Siskiyou and Shasta counties, appointed on a case by case basis. Building Officials are well versed in the technical and administrative provisions of construction codes.

B. The “Accessibility Appeals Board” shall mean the Board of Appeals for the City of Yreka plus an additional two members having demonstrated experience dealing with accessibility standards and their applications, appointed on a case by case basis.

C. All decisions by the Board of Appeals and by the Accessibility Appeals Board shall be submitted in writing to the City Council for final review. All actions found by the City Council to be based on incomplete or inadequate analysis shall be referred back to the appropriate board for further deliberations.

D. “Building official,” “plumbing official,” “chief,” “electrical inspector,” “fire code official,” “administrative authority” and similar references to a chief administrative position mean the Chief Building Official of the city of Yreka; provided, however, that:

1. Where such terms are used in connection with those duties imposed by statute or ordinance upon the county health officer the terms shall include the county health officer;

2. For the purpose of implementing the Uniform Building Code (Dangerous Building), Volume IV, Uniform Code for the Abatement of Dangerous Buildings the term “authorized representative” of the “building official” shall refer to and include the director of environmental health and such personnel of the Siskiyou County department of environmental health as he may designate.

E. “Building department,” “electrical department,” “plumbing department,” “department of fire prevention”, “office of administrative authority” or “housing department” means the building department of the city.

F. “City clerk” means the ex officio clerk of the city council.

G. “City council” or “mayor” means the governing elected officials of the city of Yreka.

H. “Fire chief” means the chief of the fire department of the city wherein a particular building is or is to be located, or, for any area not within the city limits, the same shall mean the county fire warden designated by the board of supervisors.

I. “Safety assessment” is a visual, non-destructive examination of a building or structure for the purpose of determining the condition for continued occupancy.

11.01.030 Uniform codes adopted.

Subject to the modifications and amendments contained in this chapter, the following primary and secondary codes are adopted and incorporated into the codes of the city by reference and as having the same legal effect as if their respective contents were set forth in this chapter and which may be amended and/or corrected from time to time:

A. The 2010 California Building Code (CBC) which references the International Building Code 2009 Edition together with Appendix J, as published by the International Code Council, Inc, and state amendments.

B. The Uniform Housing Code, 1997 Edition, as published by the International Council of Building Officials, is adopted by reference as the housing code of the city.

C. The 2010 California Plumbing Code which references the Uniform Plumbing Code, 2009 Edition, together with the appendices thereto, and state amendments as published by the International Association of Plumbing and Mechanical Officials is adopted by reference as the plumbing code of the city.

D. The 2010 California Electric Code which references the National Electrical Code, 2008 Edition, as published by the National Fire Protection Association and state amendments is adopted by reference as the electrical code of the city.

E. The 2010 California Mechanical Code which references the Uniform Mechanical Code, 2009 Edition, together with the appendices thereto, as published by the International Association of Plumbing and Mechanical Officials, and state amendments, is adopted by reference as the mechanical code of the city.

F. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, as published by the International Council of Building Officials, is adopted by reference as the dangerous buildings code of the city, with Section 205 amended as follows:

Section 205.1. In order to provide for final interpretation of provisions of this code and to hear appeals provided for hereunder, there is hereby established a Board of Appeals as defined in City Code Section 11.01.020. The Building Official shall be an ex officio member of and shall act as secretary to said Board. The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant, with a copy to the Building Official. Appeals to the board shall be processed in accordance with the provisions contained in Section 501 of this code. Copies of all rules or regulations adopted by the Board shall be delivered to the Building Official, who shall make them freely accessible to the public.

G. The Uniform Sign Code, 1997 Edition, as published by the International Council of Building Officials, is adopted by reference as the sign code for the city with the following exception: Section 303 item 3 is deleted.

H. The California Referenced Standards Code, 2010 Edition, together with appendices thereto, as published by the International Code Council, with state amendments, is adopted by reference as the building standards of the city.

I. The 2010 California Fire Code which references the International Fire Code, 2009 Edition as published by the International Code Council, including appendices, with state amendments, is adopted by reference as the fire code of the city.

J. The California Building Standards Administrative Code, 1998 edition, as published by the International Conference of Building Officials, is adopted by reference as the building standards administrative code of the city, for fee schedules contained therein.

K. The 2010 California Building Standards Administrative Code, as published by the California Building Standards Commission, is adopted by reference as the building standards administrative code of the city.

L. The 2010 California Residential Code with Appendices (CRC), incorporating the 2009 edition of the International Residential Code, as published by the International Code Council, is adopted by reference as the residential code of the city.

M. The 2010 California Green Building Standards Code, as published by the California Building Standards Commission, is adopted by reference as the green building standards code of the city.

N. The California Energy Code, 2010 Edition published by the International Code Council, is adopted by reference as the energy code of the city.

O. The California Historical Building Code, 2010 Edition published by the California Building Standards Commission, is adopted by reference as the historical building code of the city.

P. The California Existing Building Code, 2010 Edition published by the California Building Standards Commission, is adopted by reference as the existing building code of the city.

11.01.035. All construction, alteration, moving demolition, repair and use of any building or structure within the city shall be made in conformance with the state code and any rules and regulations promulgated pursuant thereto and as they are amended from time to time, together with the amendments of such appendices as are specifically identified in this ordinance as adopted by the City of Yreka.

11.01.040 Copies of adopted codes.

The city clerk shall maintain at least one copy of each primary code adopted by reference, and each secondary code pertaining thereto, at the office of the city clerk for public inspection while this Ordinance is in force.

11.01.050 Utility connections.

It is unlawful for any person, including utility companies, to connect electric power lines or liquefied petroleum gas or natural gas sources permanently to any building or structure for which a permit is required by this chapter until the final inspection has been made and the approval signed by the building inspector. This section shall not prohibit the erection and use of temporary power poles approved by the power company during the course of construction, when approved by the building official.

11.01.060 Encroachment or grading.

No building permit shall be issued for which an encroachment or grading permit is required, unless and until the requirements prerequisite to the encroachment or grading permit have been met.

11.01.070 Conformance of construction to law.

No building permit shall be issued unless and until the building official is satisfied that the construction authorized by the permit will not violate any existing law or ordinance.

11.01.075 Construction work hours.

It shall be the responsibility of anyone engaging in construction or demolition work to restrict the hours of work activity on the site as follows.

A. No construction equipment shall be operated nor any outdoor construction or repair work shall be permitted within five hundred feet from any occupied residence except during the hours of

seven a.m. to seven p.m., Monday through Saturday, and eight a.m. to five p.m., on Sunday. Interior work which would not create noise or disturbance noticeable to a reasonable person of normal sensitivity in the surrounding neighborhood shall not be subject to these restrictions.

B. A request for an exception to the permitted construction hours and days may be granted by the chief building inspector for emergency work, to offset project delays due to inclement weather, for twenty-four-hour construction projects, or other similar occurrences.

C. City projects determined by the director of public works to be emergencies shall be exempt from these provisions.

11.04.080 Violations and penalties.

A. It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or building service equipment or cause or permit the same to be done in violation of this chapter.

B. Any person, firm, corporation or other entity which violates any of the provisions of this chapter including any of the codes adopted by reference, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specification of plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction shall be guilty of an infraction unless otherwise provided in this code.

C. Any person, firm, corporation or other entity which is guilty of an infraction under this chapter shall be punished by:

1. A fine not exceeding one hundred dollars for the first violation;
2. A fine not exceeding five hundred dollars for a second or subsequent conviction within one year.

Any failure to correct the condition for which the infraction is imposed within a period of seven days after the issuance of a citation, and for each seven day period thereafter may be treated as a separate and additional violation subject to the same penalties set forth herein.

In addition to the penalties set forth above, any violation beyond the third conviction within a one-year period or any willful violation of this section which creates an immediate threat to the health, safety or welfare of the members of the public or the occupants of any structure in violation of this section may be charged as a misdemeanor punishable as provided in Chapter 1.04.

D. In addition to the penalties set forth herein, any person, firm, corporation or other entity guilty of a violation of this chapter shall be liable for such costs, expenses and disbursements paid or incurred by the city in correction, abatement and prosecution of the violation.

11.01.090 Enforcement.

A. Pursuant to Section 836.5 of the California Penal Code, the chief building official, any deputy or assistant building official, agent or other employee of the building department of City of Yreka

is authorized to enforce the provisions of this chapter and to arrest or issue citations to violators thereof.

B. The city manager shall have the power to designate by written order that particular officers and other individuals shall be authorized to enforce particular provisions of this chapter as described in subsection A of this section in addition to those persons set forth therein.

C. Nothing in this Chapter shall bar the City from using the enforcement procedures and penalties established in Title 1 of the Yreka Municipal Code.

11.01.100 Building permit-Business license required.

A. Any contractor or subcontractor who applies for permits to do work within the city limits of the city shall be denied permits if he does not possess current valid city business licenses.

B. Any permits issued in error to anyone not licensed by the city shall be revoked until such time as all fees are paid and licenses are valid.

11.01.110 Building permit-Application-Plans and specifications.

A. Applications are to be signed by the property owner or a duly licensed contractor, engineer or architect.

B. With each application for a building permit, and when required by the building official for enforcement of any provisions of this chapter, three sets of plans and specifications shall be submitted. The building official may require plans and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such.

11.01.120 Building permit-Professional designs required.

All structures or buildings classified in Occupancy Groups A, B, E, F, H, I, M, S and R-1 shall be designed in accordance with the Building and Professional Codes of the state of California.

11.01.130 Building permit-Term-Retention of plans.

A. The permits for Occupancy Groups A, B, F, E, H, I, M, S and R-1 will expire twelve months after issuance. The permit documents and plans or a retrievable document image of the permit documents and plans will be retained as a permanent record for the life of the structure.

B. Permits for R-3 and U occupancy groups shall be valid for two years from the date of their issuance provided that the time limits of starting work or work stoppage are met. The permit documents and plans or a retrievable document image of the permit documents and plans will be retained as a permanent record for the life of the structure.

11.01.140 Building permit-Fees.

Building permit fees shall be prescribed in Section 304 of the 1997 Uniform Administrative Code, except buildings shall be valued as determined by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

11.01.150 Fees for plan checking, inspections and/or related permits.

The city council shall establish a schedule of fees, as found in the master fee schedule, to be charged and collected for plan checking, inspection services performed, and for the issuance of permits. A copy of these fee schedules shall be kept in the office of the city clerk and shall be available for public inspection in all city offices where permits are issued.

11.01.160 CBC Chapter 1, Section 111.1 (2010 CBC) amended and CRC Section R110.1-Certificate of occupancy Required.

Chapter 1, Section 111.1 and CRC Section R110.1 shall be amended to add:

No building or structure shall be used or occupied without a certificate of occupancy. Such a certificate shall not be issued until compliance with all city requirements has been met. Occupying or using a structure without this approval constitutes a public nuisance.

11.01.170 CBC Chapter 1, Section 111.1 amended and CRC Section R110.1 -Certificate of occupancy-Requirements.

Chapter 1, Section 111.1 and CRC Section R110.1 shall be amended to add:

A certificate of occupancy shall not be issued until all applicable city ordinances, resolutions, regulations and the conditional use permit conditions have been complied with.

11.01.180 CBC Chapter 1, Section 110.3.10 amended and CRC Section R109.2- Final inspection.

Chapter 1 Section 110.3.10 and CRC Section R109.2 shall be amended to read as follows:

Final Inspection: To be made after final grading and the building is completed and ready for occupancy. This shall mean all electrical, plumbing and mechanical complete and ready for occupancy, as well as all floor covering installed and painting completed, as well as any required exterior landscaping complete with house, sidewalks and streets cleaned.

11.01.190 California Building Code Amendments

CBC Chapter 16 & CRC R301.2 Climatic and Geographic Design Criteria

CBC 1608 & CRC R301.2.3 Snow Loads: are hereby amended as follows:

The minimum snow load in the City limits is 40 pounds per square foot for roof snow.

CBC 1609. 3. 2 Basic wind speed: is hereby amended to add as follows: *Siskiyou County is designated to be within a special wind region. In certain areas, the basic wind speed is higher, as determined by case studies and the approval of the building official.*

The minimum Basic Wind Speed is 80 mph (b). For the area east of Butcher Hill, the minimum Basic Wind Speed is 90 mph (c). The wind speeds specified are "the Basic wind speed; m.p.h. V_{fm}".

11.01.200. **Penalties.** In addition to the penalty provision provided in Section 11.01.090 of this chapter, violations of Chapter 11.01 shall be subject to enforcement and penalties as set out in Title 1 of the Yreka Municipal Code.

SECTION 4. Reserved.

SECTION 5. **Filing with the CBSC.** A copy of this Ordinance and City of Yreka Municipal Code Chapter 11.0 shall be filed with the California Building Standards Commission in accordance with Health and Safety Code Section 17958.7.

SECTION 6. Adoption of the Chapter 11.50 relating to Safety Assessment Placards.

Title 11 of the City of Yreka Municipal Code is hereby amended by adding a new Chapter, 11.50, to read in its entirety as follows:

Chapter 11.50. Safety Assessment Placards.

Sections:

11.51 Intent

11.52 Application of Provisions

11.53 Placards

Section 11.51 Intent

This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy. The chapter further authorizes the building official and his or her authorized representatives to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment.

Section 11.52 Application of Provisions.

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

Section 11.53 Placards.

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

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

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

3. UNSAFE - Do Not Enter or Occupy is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the building official, or his or her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered.

B. This ordinance number, the name of the jurisdiction, its address, and phone number shall be permanently affixed to each placard.

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

SECTION 7. Repeal. This ordinance repeals ordinance numbers 416, Section 1; 418, Section 1; 553; 676 Section 1; 677, 678, Section 1; Section 1; 710; 712, Section 1, 713, Section 1, 715, 717,

718; 719. This ordinance shall not have any effect upon existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed ordinance.

SECTION 8. Mandatory Duty Savings Clause. By the use of such words as "shall" and "must" herein the City Council does not intend to create a mandatory duty upon the city. **In imposing duties in this ordinance the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.**

SECTION 9. Severability and Validity. If any section, subsection, paragraph or sentence of this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Yreka by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

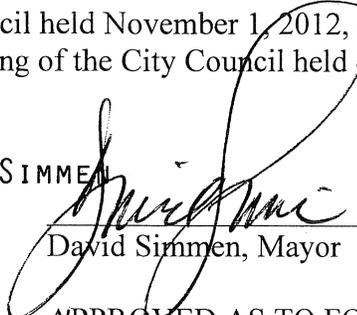
SECTION 10. Effective Date. In accordance with California Government Code Section 36937, this Ordinance shall take effect and be in force on the thirty-first (31st) day after adoption.

SECTION 11. Publication. In accordance with Section 36933 of the Government Code of the State of California, The City Clerk is directed to cause a copy of the full text of this ordinance to be published once in an adjudicated newspaper of general circulation in the City of Yreka within fifteen (15) days after adoption of this ordinance. If the charge for publication of the ordinance exceeds the customary rate charged by the newspaper for publication of private legal notices, the City Clerk is directed to prepare, post and publish a summary of this ordinance as provided in Government Code Section 36933(c)(1). If the charge for publication of this ordinance exceeds the customary rate charged by the newspaper for publication of private legal notices, and the City Clerk determines that it is not feasible to prepare a fair and adequate summary of the proposed or adopted ordinance or amendment, the City Clerk is directed to prepare and cause a display advertisement of at least one-quarter of a page in a newspaper of general circulation in the city to be published at least five days prior to the City Council meeting at which this to be adopted as provided in Government Code Section 36933(c)(2).

SECTION 12. CODIFICATION. The City Clerk is directed and authorized to instruct the publisher of the City of Yreka Municipal Code that codification of this Ordinance is limited to Sections 2, 3 and 6.

Introduced at a regular meeting of the City Council held November 1, 2012, and adopted as an ordinance of the City of Yreka at a regular meeting of the City Council held on November 15, 2012, by the following vote:

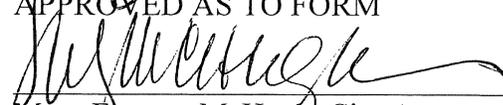
AYES: BICEGO, FOSTER, MERCIER & SIMMEN
NOES: NONE
ABSENT: MCNEIL



David Simmen, Mayor

ATTEST:


Liz Casson, City Clerk

APPROVED AS TO FORM


Mary Frances McHugh, City Attorney

ORDINANCE NO. 833
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YREKA
AMENDING ORDINANCE 831 REGARDING SECTION 11.01.080 OF THE
YREKA MUNICIPAL CODE IN TITLE 11, BUILDINGS AND CONSTRUCTION

BE IT ORDAINED by the City Council of the City of Yreka as follows:

SECTION 1. Section 3 of Ordinance 831 enacted on November 15, 2012, is amended as follows:

Section 11.01.080 of Chapter 11.01 of Title 11, Buildings and Construction, of the Yreka Municipal Code is amended to read as follows:

~~11.04.080~~ 11.01.080 Violations and penalties.

A. It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or building service equipment or cause or permit the same to be done in violation of this chapter.

B. Any person, firm, corporation or other entity which violates any of the provisions of this chapter including any of the codes adopted by reference, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specification of plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction shall be guilty of an infraction unless otherwise provided in this code.

C. Any person, firm, corporation or other entity which is guilty of an infraction under this chapter shall be punished by:

1. A fine not exceeding one hundred dollars for the first violation;
2. A fine not exceeding five hundred dollars for a second or subsequent violation conviction within one year.

Any failure to correct the condition for which the infraction is imposed within a period of seven days after the issuance of a citation, and for each seven day period thereafter may be treated as a separate and additional violation subject to the same penalties set forth herein.

In addition to the penalties set forth above, any violation beyond the third conviction within a one-year period or any willful violation of this section which creates an immediate threat to the health, safety or welfare of the members of the public or the occupants of any structure in violation of this section may be charged as a misdemeanor punishable as provided in Chapter 1.04.

D. In addition to the penalties set forth herein, any person, firm, corporation or other entity guilty of a violation of this chapter shall be liable for such costs, expenses and disbursements paid or incurred by the city in correction, abatement and prosecution of the violation.

SECTION 2. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section **15061(b)(3)** that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 3. If any section, subsection, part, clause, sentence or phrase of this Ordinance or the application thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, the validity of the remaining portions of this Ordinance, the application thereof, shall not be effected thereby but shall remain in full force and effect, it being the intention of the City Council to adopt each and every section, subsection, part, clause, sentence phrase regardless of whether any other section, subsection, part, clause, sentence or phrase or the application thereof is held to be invalid or unconstitutional.

SECTION 4. MANDATORY DUTY SAVINGS CLAUSE. By the use of such words as "shall" and "must" herein the City Council does not intend to create a mandatory duty upon the city. In imposing duties in this ordinance the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 6. POSTING AND PUBLICATION. The City Clerk is directed to cause a copy of the full text of this ordinance to be published once in an adjudicated newspaper of general circulation in the City of Yreka within fifteen (15) days after adoption of this ordinance. If the charge for publication of the ordinance exceeds the customary rate charged by the newspaper for publication of private legal notices, the City Clerk is

directed to prepare, post and publish a summary of this ordinance as provided in Government Code Section 36933(c)(1) .

SECTION 7. CODIFICATION. The City Clerk is directed and authorized to instruct the publisher of the City of Yreka Municipal Code that codification of this Ordinance is limited to Section 1.

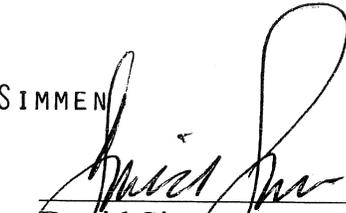
SECTION 8. DISTRIBUTION. The City Clerk is directed to provide a copy of this Ordinance and Ordinance 831 to the State Building Commission.

Introduced at a regular meeting of the City Council held December 6, 2012, and adopted as an ordinance of the City of Yreka at a regular meeting of the City Council held on December 20, 2012 by the following vote:

AYES: BICEGO, FOSTER, MCNEIL & SIMMEN

NOES: NONE

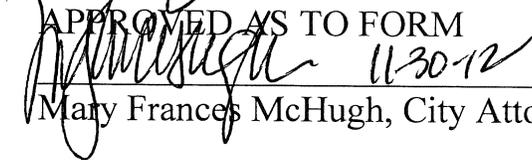
ABSENT: MERCIER



David Simmen, Mayor

ATTEST:


Liz Casson, City Clerk

APPROVED AS TO FORM


Mary Frances McHugh, City Attorney