

**BUILDING STANDARDS COMMISSION**

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



December 11, 2013

Brad Wungluck  
Senior Building Inspector  
City of Manteca  
1001 W Center Street  
Manteca, CA 95337

RE: Ordinance #1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532

Dear Mr. Wungluck:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on November 20, 2013.

Our review finds the submittal to contain eleven ordinances modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code 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.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §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 blue ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings



Nov. 20, 2013

# CITY OF MANTECA

COMMUNITY DEVELOPMENT  
DEPARTMENT

November 7, 2013

Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833

Re: Certified Copies of the City of Manteca Adopted Code with Amendments and Findings

To Whom It May Concern:

The purpose of this letter is to file the City of Manteca amendments with the California Building Standards Commission regarding the 2013 California Codes. Enclosed are certified copies of the most recently adopted Ordinances regarding the codes and amendments specific to the City of Manteca. It also includes the Resolution making express findings and determinations as required by California Health and Safety Code due to climatic, geological, and/or topographical.

Please place these documents in the Building Standards Commission files to indicate that they were submitted and received.

Should you have any questions please contact me at the number listed below.

Respectfully Submitted,

Brad Wungluck  
Senior Building Inspector  
City of Manteca  
1001 W Center Street  
Manteca, CA 95337  
[bwungluck@ci.manteca.ca.us](mailto:bwungluck@ci.manteca.ca.us)  
209-456-8562

Cc: Don Lupul, City Attorney  
Frederic Clark, Community Development Director  
Joann Tilton, City Clerk

**RESOLUTION NO. R2013-189**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA  
MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT  
MODIFICATIONS TO THE 2013 CALIFORNIA BUILDING,  
RESIDENTIAL, ELECTRICAL, MECHANICAL, AND PLUMBING CODES,  
AS ADOPTED BY THE CITY OF MANTECA, ARE REASONABLY  
NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL, OR  
TOPOGRAPHICAL CONDITIONS.**

**WHEREAS**, the City Council of the City of Manteca intends to pass ordinances adopting the California Building Standards Codes which consist of the 2013 editions of the California Building Code, Residential Code, Electrical Code, Plumbing Code, and Mechanical Code; the 1997 Uniform Housing Code, the Uniform Code for Building Conservation, the Uniform Code for the Abatement of Dangerous Buildings; and

**WHEREAS**, California Health and Safety Code Section 17958, 17958.5, and 17958.7 require the governing body of a city, before making any modifications or changes to the California Building Standards Code, to make express findings that such modifications or changes are reasonably necessary because of local climatic, geological or topographical conditions; and

**WHEREAS**, the City Council of Manteca finds that a departure from the Building Standards Codes is reasonably necessary due to local climatic, geological, or topographical conditions, and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Manteca as follows:

**Section 1.** The above recitals are true and correct and are incorporated herein by reference.

**Section 2.** Legislative Findings. Modifications and changes contained in the Manteca Building Code, Residential Code, Electrical Code, Plumbing Code, Mechanical Code, Housing Code, Dangerous Buildings Code, and Building Conservation Code, are required to provide specific and greater protections to the public health, safety, and welfare than are afforded by the California Building Standards Code due to climatic, geological, and topographical conditions. The legislative findings for such modifications and changes are made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code as set forth in the attached "Building and Safety Code, Analysis of Amendments to the California Code of Regulation" attached hereto as "Exhibit 1" and by this reference incorporated herein.

**RESOLUTION NO. R2013-189**

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**Section 3.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this resolution.

**Section 4.** This resolution shall become effective on the effective date of Ordinance Nos. 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531 and 1532, or January 1, 2014, whichever is later.

**Section 5.** The City Clerk is hereby authorized and directed to transmit a certified copy of this Resolution along with copies of Ordinance Nos. 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531 and 1532, to the California Building Standards Commission of the State of California as required by Health and Safety Code Section 17958.7.

**DATED:** October 15, 2013

**ROLL CALL:**

**AYES:** Councilmembers DeBrum, Harris, Hernandez, Moorhead and Weatherford

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

  
**WILLIE W. WEATHERFORD**  
**MAYOR**

**ATTEST:**

  
**JOANN TILTON, MMC**  
**CITY CLERK**

The foregoing is a correct copy of the original on file in this office.

**ATTEST**   
**JOANN TILTON, City Clerk**

**CITY OF MANTECA BUILDING AND SAFETY CODE, 2013**  
(Analysis of Amendments to the California Code of Regulations)

**Introduction:**

The City of Manteca Building and Safety Code is comprised of distinct Chapters as follows:

- 15.04 Building Code
- 15.05 Building Conservation Code
- 15.08 Housing Code
- 15.10 Residential Code
- 15.12 Plumbing Code
- 15.16 Mechanical Code
- 15.18 Energy Code
- 15.20 Electrical Code
- 15.21 Building Board of Appeals
- 15.22 Green Building Standards Code
- 15.28 Dangerous Buildings
- 15.29 Post Disaster Safety Assessment Placards
- 15.30 Post Disaster Abatement
- 15.31 Disaster Repair and Reconstruction

The regulatory requirements contained within Chapters 15.04, 15.08, 15.10, 15.12, 15.16, 15.18, 15.20, and 15.22 are based on requirements within the California Code of Regulations (CCR), specifically portions of Title 24 and Title 25. The California Building Standards Commission (CBSC) adopted such requirements into the California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, and California Green Building Standards. Adoption of the Uniform Housing Code is mandated through the State Housing Law (Health and Safety Code, Division 13, Part 1.5 Section 17960). The 1997 Edition of the Uniform Housing Code was adopted by the California Department of Housing and Community Development as provided for in CCR, Title 25, Division 1, Chapter 1, Subchapter 1, Article 5, Section 32.

Local adoption of these codes is mandated on January 1, 2014. Prior to such adoption, jurisdictional bodies may amend said codes if such amendments are justified on the basis of local climatic, local geologic, or local topographic condition which makes amendments necessary.

The following summary discusses the reason and justification for each amendment. Each amendment is identified by the section number used in the proposed ordinance.

















## Exhibit 1

### Key Justifications for Amendments to Title 24 of the California Code of Regulations:

- A- This amendment is necessary for administrative clarification and does not modify a Building Standard pursuant to California Health and Safety Code Sections 17958, 17958.5, and 17958.7. This amendment establishes administrative standards for the effective enforcement of building standards throughout the City of Manteca.
  
- B- This amendment is justified on the basis of a local climatic condition. The seasonal climatic conditions, hot and dry weather, during the late summer and fall create severe fire hazards to the public health and welfare in the City. The severe seasonal fog that can cause delays in fire response time also create a severe hazard to the public health and welfare in the City. These conditions combined with the geologic characteristics of the City create hazardous conditions for which departure from the California Building Standards Code is required.
  
- C- This amendment is justified on the basis of a local geologic condition. The City is subject to earthquake hazards caused by its location near the San Andreas, Hayward, Concord-Green Valley, Vernalis, and Greenville Faults. Said faults are generally considered major Northern California faults which may experience rupture at any time. Thus because the city is within a seismic area the modifications are designed to better limit property damage as a result of seismic activity and establish criteria for repair of damaged property following a local emergency.
  
- D- City of Manteca topography includes railroad tracks which can make timely response by fire suppression vehicles difficult. Additionally, long periods of hot, dry weather, combined with unpredictable seasonal winds result in increased exposure to fire risk. The modifications and additions are reasonably necessary to combat the hazards brought about by the local topographical conditions.



**ORDINANCE NO. 1522**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA  
REPEALING AND AMENDING CHAPTER 15.04 OF THE MANTECA  
MUNICIPAL CODE ADOPTING THE "2013 CALIFORNIA BUILDING  
CODE" WITH CERTAIN AMENDMENTS AND DELETIONS**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS  
FOLLOWS:

**WHEREAS**, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

**WHEREAS**, Health and Safety Code Section 17958 mandates that cities and counties adopt the model codes with state amendments no more than 180 days after the state adoption (which will occur on January 1, 2014), and

**WHEREAS**, the State of California has determined adoption of the 2013 California Building Code, is necessary to achieve necessary safety and hazard avoidance, and

**WHEREAS**, the State of California requires that all local building departments enforce the adopted 2010 California Building Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

**WHEREAS**, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

**WHEREAS**, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

**Section I.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.04, Building Code, is hereby repealed.

**Section II.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.04, Building Code, shall read as follows.

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**15.04.010 Adoption.**

That certain document, one copy of which is on file in the Office of the City Clerk of the City of Manteca, being marked and designated as the 2013 California Building Code, California Code of Regulations, Title 24, Part 2, Volumes 1 and 2, including Appendix Chapters C, F, H, I, J, and K, as published by the International Code Council, as now existing, or hereafter amended, regulating and governing the conditions of all properties, buildings, and structures; by providing the standards for facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use; and the condemnation of such structures; providing for the issuance of permits and collection of fees therefor; and providing penalties for the violation thereof; and each and all of the regulations, provisions, penalties, conditions, and terms of said 2013 California Building Code on file in Office of the City Clerk of the City of Manteca is hereby referred to, adopted as the Building Code of the City of Manteca.

**15.04.020 Definitions.**

- A. Building Department. Whenever the term “building department” or “building safety division” is used in this code it means the city of Manteca building safety division.
- B. Building Official. The individual invested with the responsibility for overseeing and enforcing applicable life safety codes, and building codes, laws, and statutes. The building official is charged with the administration of the building department, interpretation of code requirements, and direction of the code adoption process.

The building official, under the direction of the community development director is the individual who plans, coordinates and directs the operations and activities of the building department; implements city activities assuring compliance with building standards including plan check, inspection, and corrections to hazards; oversees and participates in inspections; oversees the review and approval of building plans and specifications; implements goals, policies, and procedures for the division.

The building official is responsible for the administration and enforcement of California Code of Regulations, Title 24, and other applicable codes in accordance with Health and Safety Code 18949, 17920, and California Code of Regulations, Title 24, Part 2, Section 202.

Whenever the term “building official” or “building inspector” is used in the code, it means the chief building official in charge of the building safety division.

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C. City. Whenever the term “municipality” or “city” is used in the building code, it means the city of Manteca.

D. Deputize. The act of the building official authorizing an inspector, plans examiner, technician, officer, or other employee to have certain duties and powers of the building official as specified in California Health and Safety Code, California Code of Regulations Title 24 or other applicable code.

E. Enforcing Agency. “Enforcing agency” means the community development department, building safety division of the city of Manteca.

F. Person. Whenever the term “person” is used, it means and includes any individual, firm, partnership, joint venture, association, concern, corporation, estate trust, business, trust, receiver, syndicate or any other group or combination acting as a unit.

**15.04.030 Enforcement.**

California Code of Regulations, Title 24, Part 2, and all other applicable codes shall be enforced by the building official. The building official may appoint inspectors, plans examiners, technicians, officers and other employees. The building official may deputize such employees of the building department or other employees of the city of Manteca as necessary and these employees shall have the duties and powers as delegated by the building official to carry out the functions of the enforcement agency in accordance with California Code of Regulations, Title 24, Part 2, Section 103. The building official shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules, regulations, and policies shall be in conformity with the intent and purpose of this code. The building official may authorize the San Joaquin County health department as the city designated enforcement authority. See Section 15.04.020 for definitions of “building official” and “deputize.”

**15.04.040 Division II, Scope and Administration, Section [A]105.8 added—Responsibility of Permittee.**

Section [A]105 is amended by adding Section [A]105.8 to read as follows:  
Section [A]105.8: Building permits shall be presumed to incorporate the provision that the applicant, the applicants agent, employees or contractors shall carry out the proposed work in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto, whether specified or not. No approval

shall relieve or exonerate any person from the responsibility of complying with the provisions and intent of this code.

**15.04.050 Division II, Scope and Administration, Section [A]109.4 amended - Investigation Fees – Work Without a Permit.**

A. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

B. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with other provisions of this code, nor any penalty prescribed by law.

**15.04.060 Division II, Scope and Administration, Section [A]110.3.5 amended—Lath and Gypsum Board 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.

**15.04.070 Division II, Scope and Administration, Section [A]113.1 amended—Board of appeals.**

Division II, Scope and Administration, Section [A]113.1 of the California Building Code, is amended to read:

**SECTION 113.1: BOARD OF APPEALS**

Whenever the Building Official shall disapprove an application of refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued and wrongly interpreted, or to hear and decide appeals of orders, decisions, or determinations made by the Building Official, the applicant or any person directly and adversely affected thereby, or the authorized agent of either of said parties, may appeal from the decision of the Building Official to the Building Board of Appeals of the City of Manteca within thirty days from the date of said decision, and the said Board of Appeals may, after a hearing, affirm, reverse, or modify said decision of the Building Official.

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**15.04.080 Division II, Scope and Administration, Section [A]114.4 amended—Violation penalties.**

Division II, Scope and Administration, Section [A]114.4 of the California Building Code is amended to read:

**SECTION 114.4: VIOLATIONS PENALTIES**

Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificates or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City Council, Building Board of Appeals or a court of competent jurisdiction, within the time fixed herein, shall severally for each and every violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$1000.00 or by imprisonment in the City Jail of the City of Manteca, or the County Jail of the County of San Joaquin for not more than six months or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

**15.04.090 Section 1907.2 added.**

Section 1907 of the California Building Code is amended by adding Section 1907.2 to read as follows:

1907.2 Additional Requirements. Slab dowels in all occupancies, slab connection from existing slabs to new construction shall be placed at a minimum twenty-four (24) inches on center with reinforcing steel of one half inch minimum diameter, eighteen (18) inches in length. Embedment into the existing shall be a minimum of six (6) inches.

**15.04.100 Section 3304.1.1 amended.**

Section 3304.1.1 of the California Building Code is amended by adding Section 3304.1.1.1 to read as follows:

3304.1.1 Difference of Elevation exceeding 18". On adjacent lots where a difference in elevation of 18 inches or greater exists, a

retaining wall of reinforced concrete or reinforced concrete block must be constructed between the lots.

**15.04.110 Valuations.**

The determination of value or valuation under any of the provisions of this code shall be made by the Building Official and shall be based on the latest building valuation data as printed in the building standards published bimonthly by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601. The valuation to be used in computing any permit related 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 work or permanent equipment.

EXCEPTION: Other fees may be established by the Building Official or by the presentation to the Building Safety Division of a bona fide contract signed by the licensed contractor.

**15.04.120 Permit fees.**

A. Permit fees for each permit shall be paid as set forth in Resolution No. R2010-149 or by a determination by the Building Official of the estimated reasonable costs of service.

In addition, in the case of permits for the erection or construction of a new dwelling unit, commercial structures or industrial structures, the following fees shall be assessed. "Dwelling unit, commercial structures or industrial structures," for purposes of permit fees and fire facility fees, means all that area covered by a common roof and, in the case of permitted detached structure, all the area covered by roofs.

<b>Permit</b>	<b>Fees (Effective Jan. 1, 2007)</b>
<b>Government Building Facilities Use</b>	
Very Low-Density Residential	\$3,800.00 per unit
Low-Density Residential	3,800.00 per unit
Medium-Density Residential	3,169.00 per unit
High-Density Residential	2,852.00 per unit
Commercial Mixed-Use	2,852.00 per unit
Major equipment purchase	350.00 per unit
<b>Fire Facility Fee</b>	
Residential	0.30 per sq. ft.
Commercial	0.13 per sq. ft.
Industrial	0.03 per sq. ft.

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B. For all mobile home parks, modular buildings and campsites where building square footage of a structure is not available, the fire facility fee shall be six hundred dollars per unit. "Unit," as used in this subsection, means that space designed to be occupied by one self-contained (i.e., one mobile home, one modular building use or one campsite).

C. All fire facility fees are due and payable at the time the property which is subject to a building permit has been determined by the Building Official or designee as ready for occupancy.

D. The fire facility fee set forth in this section shall not apply to projects that hold valid vested tentative maps as of the effective date of Ordinance No. 1173 or persons who possess building permits issued prior to the effective date of Ordinance No. 1173; for these projects and permit holders, the fee in existence prior to this amendment shall remain in effect.

E. The government building facilities fee will remain at the above-noted fee through December 31, 2011. Effective January 1, 2012, the government building facilities fee will be adjusted to reflect the previous two years' changes of the Twenty-City U.S. Average Engineering News-Record (ENR) Official Construction Cost Index. Thus, the government building facilities fee that will become effective January 1, 2012 shall be the amount assessed effective January 1, 2007, plus the ENR increase from January 1, 2010 to January 1, 2011, and the ENR increase from January 1, 2011 to January 1, 2012. In each subsequent year thereafter, the adjustment shall reflect the change in the Construction Cost Index from January one year to January the following year, and developer shall pay those fees in place at time payment is due. In no event shall the fees be less than in any previous year.

**15.04.130 Plan review fee.**

Plan review fees shall be paid as set forth in Resolution No. R2010-149 or by a determination by the Building Official of the estimated reasonable costs of service.

**15.04.140 Electrical, plumbing and mechanical fees.**

Electrical, plumbing, and mechanical fees shall be paid as set forth in Resolution No. R2010-149 or by a determination by the Building Official of the estimated reasonable costs of service.

**15.04.150 Plan Retention.**

For the purpose of maintaining copies of plans for residential, commercial, and industrial buildings and covering all associated technological costs associated with such scanning, storage, and

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maintenance pursuant to California Health and Safety Code, Section 19850, when a building permit is required by the California Building Code, a fee shall be charged based on the estimated reasonable cost to the city for the maintenance of said plans.

**15.04.160 Sewer connection allocation system.**

No building permits shall be issued by the city which necessitate sewer connections or which, in the judgment of the Director of Public Works, would customarily require or necessitate a sewer connection except in accordance with the allocation guidelines set by the City Council by resolution. (Ord. 1228 § 1 (part), 2003)

**15.04.170 Street improvement required.**

A. The street area adjacent to all premises shall be improved at the expense of the property owner with curbs, gutters, sidewalk and street paving from gutter to existing paving or center of street, according to standards established by the City Council, before the building permit for new construction or remodeling is issued. Engineering improvement plans shall be submitted to the Public Works Department by the property owner and are subject to the approval by the city engineer.

B. Completion of the improvements required by section A of this section may be deferred to coincide with the new construction or remodeling if, prior to the issuance of the building permit, the property owner enters into an agreement with the city requiring completion of said improvement prior to final inspection of the new construction or remodeling. Said agreement shall require the property owner to provide a performance bond in an amount equal to one hundred percent of the estimated cost of constructing such improvements. In lieu of such agreement, in the discretion of the City Engineer, the property owner may enter into an agreement requiring the property owner to immediately pay the city the estimated cost of design and installation of street improvement.

C. Notwithstanding any other provisions of this section, no property owner shall be required to install street improvement nor be required to enter into any agreement described where the City Engineer certifies in writing that such street improvements will be the subject of a city-funded public improvement project within twelve months of the issuance of the building permit. The exception created by this subsection shall be deemed applicable to any new construction or remodeling commenced after December 1, 1990.

In the event that the City Engineer determines that the installation of the improvements set forth in subsection A of this section should be

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deferred, then the following shall occur: prior to the issuance of a building permit, the city and the property owner shall enter into an agreement. The agreement shall provide, at the option of the city, that the property owner shall deposit cash with the city equal to the amount set by the city engineer as his or her estimate of the cost of design and installation of the deferred improvements, or the property owner shall grant a lien, in a form approved by the city, on the land subject to the property owner's development in an amount equal to the cost of design and installation of the deferred improvements. The lien granted by the property owner shall be in addition to any other lien provided by law. The agreement required by this section shall further provide that it shall be binding on the property owner's successors, heirs, beneficiaries, survivors and assigns.

D. Driveways shall be removed and curb and sidewalk installed at the expense of the property owner when buildings or other obstructions are constructed, demolished or removed causing abandonment of those driveways.

E. As used in this section, "new construction or remodeling" means laying of paving, sidewalk, construction of new structures, or renovation of existing structures where the cost thereof exceeds an amount equal to four times the cost of the required street improvements.

**Section III. SEVERABILITY:**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

**Section IV. EFFECTIVE DATE:**

This Ordinance shall take effect and be in force on January 1, 2014 or 60 (sixty) days from the date of adoption, whichever is later.

**Section V: PUBLICATION:**

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

**DATED:** November 5, 2013

**ROLL CALL:**

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**AYES:** Councilmembers DeBrum, Harris, Hernandez and Weatherford

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Mayor Pro Tempore Moorhead



**WILLIE W. WEATHERFORD  
MAYOR**

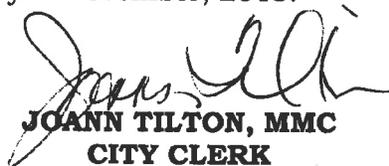
**ATTEST:**



**JOANN TILTON, MMC  
CITY CLERK**

**CERTIFICATE**

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1522 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 15<sup>th</sup> day of October, 2013, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 5<sup>th</sup> day of November, 2013.



**JOANN TILTON, MMC  
CITY CLERK**

**ORDINANCE NO. 1523**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA  
REPEALING AND AMENDING CHAPTER 15.08 "HOUSING CODE" OF THE  
MANTECA MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS FOLLOWS:

**WHEREAS**, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

**WHEREAS**, Health and Safety Code Section 17922 adopts the most current edition of the Uniform Housing Code, and the 1997 Uniform Housing Code with state amendments is the most currently published edition, and

**WHEREAS**, the purpose of the Uniform Housing Code is to provide minimum standards to safeguard life or limb, property, and public welfare by regulating and controlling the use, occupancy, location, and maintenance of all residential buildings, and

**WHEREAS**, the State of California has determined adoption of the 1997 Uniform Housing Code with state amendments, is necessary to achieve necessary safety and hazard avoidance, and

**WHEREAS**, the current Municipal Code, Chapter 15.08 references the previous editions of the adopted codes.

**Section I.:**

Manteca Municipal Code, Title 14 Buildings and Construction, Chapter 15.08, Housing Code, is hereby repealed.

**Section II.:**

Chapter 15.08, Housing Code, shall read as follows:

**15.08.010 Adoption.**

That certain document, one copy of which is on file in the office of the city clerk being marked and designated as Uniform Housing Code, 1997 Edition except its definition of "substandard building," published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California, to provide a just, equitable, and practical method, to be cumulated with, and in addition to any other remedy provided by the California Building Code, 2013 edition, or otherwise available at law, whereby buildings or structures which from any cause endanger the life,

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limb, health, morals, property, safety, or welfare of the general public or their occupants, may be required to be repaired, vacated or demolished, except as amended, deleted, and/or added to by the provisions of this chapter.

**15.08.020 Section 203 amended—Board of appeals.**

Section 203 of the Uniform Housing Code, is amended to read as follows:

**SECTION 203. BUILDING BOARD OF APPEALS**

203.1 General. In order to provide for final interpretation of the provisions of this code and to hear appeals, there shall be a Board of Appeals, known as the Building Board of Appeals.

**15.08.030 Section 204 amended—Violation and penalties.**

Section 204 of the Uniform Housing Code is amended to read as follows:

Section 204.2 Any person, firm, or corporation, whether as owner, lessee, sublessee, or occupant violating any of the provisions of this code shall be deemed guilty of a misdemeanor and upon conviction thereof, shall punishable by a fine of not more than \$1000.00 or by imprisonment in the City Jail of the City of Manteca, or the County Jail of the County of San Joaquin for not more than six months or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

Section 204.3. If any section, subsection, sentence, clause phrase, or portion of this code is for any reason held to be unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of this code.

**15.08.040 Section 302 amended—Fees.**

Section 302 of the Uniform Housing Code is amended to read:

**Section 302—FEES**

When a building permit is required by section 301 of this code, a fee shall be charged based on the estimated reasonable cost to the City.

**15.08.050 Substandard building defined.**

A substandard building shall be as defined in Section 17920.3 of the California Health and Safety Code. (Ord. 1224 § 1, 2003)

**Section III. SEVERABILITY:**

**ORDINANCE NO. 1523**

**Page No. 3**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

**Section IV. EFFECTIVE DATE:**

This Ordinance shall take effect and be in force on January 1, 2014 or 60 (sixty) days from the date of adoption, whichever is later.

**Section V: PUBLICATION:**

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

**DATED:** November 5, 2013

**ROLL CALL:**

**AYES:** Councilmembers DeBrum, Harris, Hernandez, and Weatherford

**NOES:** None

**ABSENT:** Mayor Pro Tempore Moorhead

**ABSTAIN:** None



**WILLIE W. WEATHERFORD  
MAYOR**

**ATTEST:**



**JOANN TILTON, MMC  
CITY CLERK**

**ORDINANCE NO. 1523**

**Page No. 4**

**CERTIFICATE**

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1523 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 15<sup>th</sup> day of October, 2013, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 5th day of November, 2013.

  
**JOANN TILTON, MMC**  
**CITY CLERK**

**ORDINANCE NO. 1524**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA  
AMENDING CHAPTER 15.10 OF THE MANTECA MUNICIPAL CODE  
ADOPTING THE "2013 CALIFORNIA RESIDENTIAL CODE" WITH  
CERTAIN AMENDMENTS AND DELETIONS**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS  
FOLLOWS:

**WHEREAS**, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

**WHEREAS**, Health and Safety Code Section 17958 mandates that cities and counties adopt the model codes with state amendments no more than 180 days after the state adoption (which will occur on January 1, 2014), and

**WHEREAS**, the State of California has determined adoption of the 2013 California Residential Code, is necessary to achieve necessary safety and hazard avoidance, and

**WHEREAS**, the State of California requires that all local building departments enforce the adopted 2013 California Residential Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

**WHEREAS**, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

**WHEREAS**, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

**Section I.**

Manteca Municipal Code, Buildings and Construction Chapter 15.10, Residential Code is hereby repealed.

**Section II.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.10, Residential Code, shall read as follows.

**ORDINANCE NO. 1524**

**Page No. 2**

**15.10.010 Adoption.**

That certain document, one copy of which is on file in the Office of the City Clerk of the City of Manteca, being marked and designated as the 2013 California Residential Code, California Code of Regulations, Title 24, Part 2.5, including Appendix Chapters H, K, and O, as published by the International Code Council, as now existing, or hereafter amended, regulating and governing the conditions of all properties, buildings, and structures; by providing the standards for facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use; and the condemnation of such structures; providing for the issuance of permits and collection of fees therefor; and providing penalties for the violation thereof; and each and all of the regulations, provisions, penalties, conditions, and terms of said 2013 California Building Code on file in Office of the City Clerk of the City of Manteca is hereby referred to, adopted as the Residential Code of the City of Manteca.

**15.10.020 Definitions.**

- A. Building Department. (See Section 15.04.020 for definition.)
- B. Building Official. (See Section 15.04.020 for definition.)
- C. City. (See Section 15.04.020 for definition.)
- D. Deputize. (See Section 15.04.020 for definition.)
- E. Enforcing Agency. (See Section 15.04.020 for definition.)
- F. Person. (See Section 15.04.020 for definition.)

**15.10.030 Enforcement.**

California Code of Regulations, Title 24, Part 2.5, and all other applicable codes shall be enforced by the building official.

The building official may appoint inspectors, plans examiners, technicians, officers and other employees. The building official may deputize such employees of the building department or other employees of the city of Manteca as necessary and these employees shall have the duties and powers as delegated by the building official to carry out the functions of the enforcement agency in accordance with California Code of Regulations, Title 24, Part 2, Section 103.

The building official shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary in order to clarify the application of

the provisions of this code. Such interpretations, rules, regulations, and policies shall be in conformity with the intent and purpose of this code.

**ORDINANCE NO. 1524**

**Page No. 3**

The building official may authorize the San Joaquin County health department as the city designated enforcement authority.

See Section 15.04.020 for definitions of "building official" and "deputize."

**15.10.040 Section R110.3 amended – Final Inspection – Certificate of Occupancy**

Section R110.3 is amended by adding exception 1 to read as follows:

110.2 Exception 1 - The final inspection approval on the Inspection Record shall serve as the certificate of occupancy for R-3 and U occupancies.

**15.10.050 Investigation fees—Work without a permit.**

A. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

B. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with other provisions of this code, nor any penalty prescribed by law.

**Section III. SEVERABILITY:**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

**Section IV. EFFECTIVE DATE:**

This Ordinance shall take effect and be in force on January 1, 2014 or 60 (sixty) days from the date of adoption, whichever is later.

**Section V: PUBLICATION:**

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

**ORDINANCE NO. 1524**

**Page No. 4**

**DATED:** November 5, 2013

**ROLL CALL:**

**AYES:** Councilmembers DeBrum, Harris, Hernandez and Weatherford

**NOES:** None

**ABSENT:** Mayor Pro Tempore Moorhead

**ABSTAIN:** None

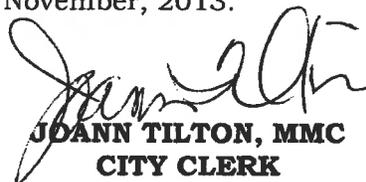
  
**WILLIE W. WEATHERFORD**  
**MAYOR**

**ATTEST:**

  
**JOANN TILTON, MMC**  
**CITY CLERK**

**CERTIFICATE**

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1524 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 15<sup>th</sup> day of October, 2013, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 5<sup>th</sup> day of November, 2013.

  
**JOANN TILTON, MMC**  
**CITY CLERK**

**ORDINANCE NO. 1525**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA  
AMENDING CHAPTER 15.12 OF THE MANTECA MUNICIPAL CODE  
ADOPTING THE "2013 CALIFORNIA PLUMBING CODE" WITH CERTAIN  
AMENDMENTS,**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS  
FOLLOWS:

**WHEREAS**, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

**WHEREAS**, Health and Safety Code Section 17958 mandates that cities and counties adopt the model codes with state amendments no more than 180 days after the state adoption (which will occur on January 1, 2014), and

**WHEREAS**, the State of California has determined adoption of the 2013 California Plumbing Code, is necessary to achieve necessary safety and hazard avoidance, and

**WHEREAS**, the State of California requires that all local building departments enforce the adopted 2013 California Plumbing Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

**WHEREAS**, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

**WHEREAS**, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

**Section I.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.12, Plumbing Code, is hereby repealed.

**Section II.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.12, Plumbing Code, shall read as follows.

**ORDINANCE NO. 1525**

**Page No. 2**

**15.12.010 Adoption.**

That certain document, one copy of which is on file in the Office of the City Clerk of the City of Manteca, being marked and designated as the 2013 California Plumbing Code, California Code of Regulations, Title 24, Part 5, as published by the International Association of Plumbing and Mechanical Officials, as now existing, or hereafter amended, regulating and governing the conditions of all properties, buildings, and structures; by providing the standards for facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use; and the condemnation of such structures; providing for the issuance of permits and collection of fees therefor; and providing penalties for the violation thereof; and each and all of the regulations, provisions, penalties, conditions, and terms of said 2013 California Plumbing Code on file in Office of the City Clerk of the City of Manteca is hereby referred to, adopted as the Building Code of the City of Manteca.

**15.12.020 Enforcement.**

California Code of Regulations, Title 24, Part 5, and all other applicable codes shall be enforced by the building official. The building official may appoint inspectors, plans examiners, technicians, officers and other employees. The building official may deputize such employees of the building department or other employees of the city of Manteca as necessary and these employees shall have the duties and powers as delegated by the building official to carry out the functions of the enforcement agency in accordance with California Code of Regulations, Title 24, Part 2, Section 103. The building official shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules, regulations, and policies shall be in conformity with the intent and purpose of this code. The building official may authorize the San Joaquin County health department as the city designated enforcement authority. See Section 15.04.020 for definitions of "building official" and "deputize."

**15.12.030 Dangerous and insanitary construction—Nuisance.**

A. Any portion of a plumbing system found by the administrative authority to be insanitary as defined in the California Plumbing Code is declared to be a nuisance.

1. Whenever brought to the attention of the department having jurisdiction that any insanitary conditions exist or that any construction or work regulated by this code is dangerous, unsafe, insanitary, a nuisance or a menace to life, health or property or otherwise in violation of this code, the department may request an investigation by the administrative authority who, upon determining such information to be fact, shall order any person, firm or

corporation using or maintaining any such condition or responsible for the use of maintenance thereof to discontinue the use or maintenance thereof or to repair, alter, change, remove or demolish same for the proper protection of life, health or property and in the case of any gas piping or gas appliance may order any person, firm or corporation supplying gas to such piping or appliance to discontinue supplying gas thereto until such piping or appliance is made safe to life, health or property.

2. Every such order shall be in writing, addressed to the owner, agent or person responsible for the premises in which such condition exists and shall specify the date or time for compliance with such order.

C. Refusal, failure or neglect to comply with any such notice or order shall be considered a violation of this code.

D. When any plumbing system is maintained in violation of this code and in violation of any notice issued pursuant to the provisions of this section or where a nuisance exists in any building or on a lot on which a building is situated, the administrative authority may institute any appropriate action or proceeding in any court of competent jurisdiction to prevent, restrain, correct or abate the violation or nuisance.

**15.12.040 Appendix Chapter 1, Section 103.4.1 amended—Fees.**

Permit fees for each permit shall be paid as set forth in Resolution No. R2010-149 or by a determination by the Building Official of the estimated reasonable cost of service.

**15.12.050 Board of appeals.**

Whenever the Building Official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued and wrongly interpreted, the applicant or any

person directly and adversely affected thereby, or the authorized agent of either of said parties, may appeal from the decision of the Building Official to the Building Board of Appeals of the City of Manteca within thirty days from the date of said decision, and the said board of appeals may, after a hearing, affirm, reverse, or modify said decision of the Building Official.

The Building Board of Appeals shall have no authority relative to the interpretation of the administrative provisions of the California Plumbing Code nor shall the board be empowered to waive any requirements of the California Plumbing Code.

The appeal shall be made in writing and the appellant or his or her representative may appeal in person and may introduce evidence to support his or her claim(s).

**15.12.060 Appendix Chapter 1, Section 102.4 amended—Violations and penalties.**

Chapter 1, Section 102.4 of the California Plumbing Code is amended to read:

**SECTION 102.4 VIOLATIONS AND PENALTIES**

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

Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificates or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City Council, Building Board of Appeals or a court of competent jurisdiction, within the time fixed herein, shall severally for each and every violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$1000.00 or by imprisonment in the City Jail of the City of Manteca, or the County Jail of the County of San Joaquin for not more than six months or by both such fine and

imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

B. The issuance or granting of a permit or approval of plans and specifications shall not be deemed to be a permit for, or an approval of, any violation of any of the provisions of this code, or any applicable provision of state law. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as work or use which it authorizes is lawful.

C. The issuance of a permit upon plans and specifications shall not prevent the City Building Official from thereafter requiring the correction of errors in the plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code, or any other applicable provision of state law.

**ORDINANCE NO. 1525**

**Page No. 5**

**Section III. SEVERABILITY:**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

**Section IV. EFFECTIVE DATE:**

This Ordinance shall take effect and be in force on January 1, 2014 or 60 (sixty) days from the date of adoption, whichever is later.

**Section V: PUBLICATION:**

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

**DATED:** November 5, 2013

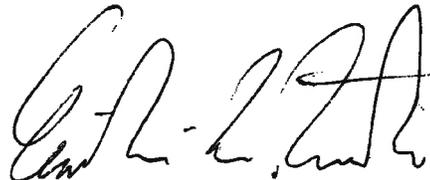
**ROLL CALL:**

**AYES:** Councilmembers DeBrum, Harris, Hernandez and Weatherford

**NOES:** None

**ABSENT:** Mayor Pro Tempore Moorhead

**ABSTAIN:** None



**WILLIE W. WEATHERFORD  
MAYOR**

**ATTEST:**



**JOANN TILTON, MMC  
CITY CLERK**

**CERTIFICATE**

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1525 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 15<sup>th</sup> day of October, 2013, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 5th day of November, 2013.

  
**JOANN TILTON, MMC**  
**CITY CLERK**

**ORDINANCE NO. 1526**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA  
REPEALING AND AMENDING CHAPTER 15.16 OF THE MANTECA  
MUNICIPAL CODE ADOPTING THE "2013 CALIFORNIA MECHANICAL  
CODE" WITH CERTAIN AMENDMENTS AND DELETIONS,**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS FOLLOWS:

**WHEREAS**, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

**WHEREAS**, Health and Safety Code Section 17958 mandates that cities and counties adopt the model codes with state amendments no more than 180 days after the state adoption (which will occur on January 1, 2014), and

**WHEREAS**, the State of California has determined adoption of the 2013 California Mechanical Code with state amendments, known as the 2013 California Mechanical Code, is necessary to achieve necessary safety and hazard avoidance, and

**WHEREAS**, the State of California requires that all local building departments enforce the adopted 2013 California Mechanical Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

**WHEREAS**, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

**WHEREAS**, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

**Section I.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.16, Mechanical Code, is hereby repealed.

**Section II.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.16, Mechanical Code, shall read as follows.

**15.16.010 Adoption.**

**ORDINANCE NO. 1526**

**Page No. 2**

That certain document, one copy of which is on file in the Office of the City Clerk of the City of Manteca, being marked and designated as the 2013 California Mechanical Code, California Code of Regulations, Title 24, Part 4, as published by the International Association of Plumbing and Mechanical Officials, as now existing, or hereafter amended, regulating and governing the conditions of all properties, buildings, and structures; by providing the standards for facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use; and the condemnation of such structures; providing for the issuance of permits and collection of fees therefor; and providing penalties for the violation thereof; and each and all of the regulations, provisions, penalties, conditions, and terms of said 2013 California Mechanical Code on file in Office of the City Clerk of the City of Manteca is hereby referred to, adopted as the Mechanical Code of the City of Manteca.

**15.16.020 Chapter 1, Section 108.1 amended—Organization and enforcement.**

California Code of Regulations, Title 24, Part 4, and all other applicable codes shall be enforced by the building official.

The building official may appoint inspectors, plans examiners, technicians, officers and other employees. The building official may deputize such employees of the building department or other employees of the city of Manteca as necessary and these employees shall have the duties and powers as delegated by the building official to carry out the functions of the enforcement agency in accordance with California Code of Regulations, Title 24, Part 2, Section 103.

The building official shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules, regulations, and policies shall be in conformity with the intent and purpose of this code.

The building official may authorize the San Joaquin County health department as the city designated enforcement authority.

See Section 15.04.020 for definitions of "building official" and "deputize."

**15.16.030 Permit fees.**

Permit fees for each permit shall be paid as set forth in Resolution No. R2010-149 or by a determination by the Building Official of the estimated reasonable cost of service.

**15.16.040 Chapter 1, Section 110.1 amended—Board of appeals.**

Chapter 1, Section 110.1 is amended to read by adding Section 108.3:

**ORDINANCE NO. 1526**

**Page No. 3**

General. Whenever the Building Official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued and wrongly interpreted, the applicant or any person directly or adversely affected thereby or the authorized agent of either of said parties may appeal from the decision of the Building Official to the Building Board of Appeals of the City of Manteca within thirty days from the date of said decision, and said Board of Appeals may, after a hearing, affirm, reverse, or modify said decision of the Building Official.

**15.16.050 Chapter 1, Section 111.0 amended—Violations—Penalty.**

Chapter 1, Section 111.0 is amended to read:

A. Any person violating any of the provision of the California Mechanical Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed one thousand dollars or by imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment. Each separate day or portion thereof during which any violation of the California Mechanical Code occurs or continues shall be deemed to constitute a separate offense and upon conviction thereof shall be punishable as provided in this chapter.

B. The issuance or granting of a permit or approval of plans and specifications shall not be deemed to be a permit for, or an approval of, any violation of any of the provisions of state law. No permit presuming to give authority to violate or cancel the provisions of the California Mechanical Code shall be valid, except insofar as work or use which it authorized is lawful.

C. The issuance of a permit upon plans and specifications shall not prevent the City Building Official from thereafter requiring the correction of errors in the plans and specifications or from preventing construction operations being carried on there under when in violation of the California Mechanical Code, this code or any other applicable provision of state law.

**Section III. SEVERABILITY:**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

**Section IV. EFFECTIVE DATE:**

**ORDINANCE NO. 1526**

**Page No. 4**

This Ordinance shall take effect and be in force on January 1, 2014 or 60 (sixty) days from the date of adoption, whichever is later.

**Section V: PUBLICATION:**

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

**DATED:** November 5, 2013

**ROLL CALL:**

**AYES:** Councilmembers DeBrum, Harris, Hernandez and Weatherford

**NOES:** None

**ABSENT:** Mayor Pro Tempore Moorhead

**ABSENT:** None



**WILLIE W. WEATHERFORD  
MAYOR**

**ATTEST:**



**JOANN TILTON, MMC  
CITY CLERK**

**CERTIFICATE**

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1526 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 15<sup>th</sup> day of October, 2013, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 5<sup>th</sup> day of November, 2013.



**JOANN TILTON, MMC  
CITY CLERK**

**ORDINANCE NO. 1527**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA  
REPEALING AND AMENDING CHAPTER 15.18 OF THE MANTECA  
MUNICIPAL CODE ADOPTING THE CALIFORNIA 2013 ENERGY CODE  
WITH CERTAIN AMENDMENTS AND DELETIONS**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS  
FOLLOWS:

**WHEREAS**, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

**WHEREAS**, the State of California has determined adoption of the 2013 California Energy Code is necessary to achieve compliance with green house gas emissions and Assembly Bill 32, and the Global Warming Solutions Act of 2006, and

**WHEREAS**, the State of California requires that all local building departments enforce the adopted 2013 California Energy Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

**WHEREAS**, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

**WHEREAS**, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions, and

**WHEREAS**, the Building Official has recommended that no changes or modifications be made to the Code.

**Section I.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.18, Building Energy Efficiency Standards, is hereby repealed.

**Section II.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.18, Energy Code, shall read as follows.

**Chapter 15.18 Energy Code.**

**15.18.010 Adoption.**

That certain document, one copy of which is on file in the Office of the City Clerk of the City of Manteca, being marked and designated as the 2013 California Energy Code, California Code of Regulations, Title 24, Part 6, as published by the International Code Council, as now existing, or hereafter

## **ORDINANCE NO. 1527**

### **Page No. 2**

amended, regulating and governing the conditions of all properties, buildings, and structures; by providing the standards for facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use; and the condemnation of such structures; providing for the issuance of permits and collection of fees therefor; and providing penalties for the violation thereof; and each and all of the regulations, provisions, penalties, conditions, and terms of said 2013 California Energy Code on file in Office of the City Clerk of the City of Manteca is hereby referred to, adopted as the Energy Code of the City of Manteca.

#### **Chapter 15.18.020 Organization and Enforcement:**

California Code of Regulations, Title 24, Part 6, and all other applicable codes shall be enforced by the building official.

The building official may appoint inspectors, plans examiners, technicians, officers and other employees. The building official may deputize such employees of the building department or other employees of the city of Manteca as necessary and these employees shall have the duties and powers as delegated by the building official to carry out the functions of the enforcement agency in accordance with California Code of Regulations, Title 24, Part 2, Section 103. The building official shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules, regulations, and policies shall be in conformity with the intent and purpose of this code. The building official may authorize the San Joaquin County health department as the city designated enforcement authority.

See Section 15.04.020 for definitions of "building official" and "deputize."

#### **Chapter 15.18.030 Board of Appeals**

Whenever the Building Official disapproves an application or refuses to grant a permit or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued and wrongly interpreted, the applicant or any person

directly and adversely affected thereby, or the authorized agent of either of said parties, may appeal from the decision of the Building Official to the Building Board of Appeals of the City of Manteca within thirty days from the date of said decision of the Building Official. The decision of said Board shall be final.

#### **Chapter 15.18.040 Violations-Penalty.**

A. The issuance or granting of a permit or approval of plans and specifications shall not be deemed to be a permit for, or an approval of, any violation of any of the provisions of state law. No permit presuming, to give authority to violate or cancel the provisions of the California Energy Code shall be valid, except insofar as work or use which it authorized is lawful.

**ORDINANCE NO. 1527**

**Page No. 3**

B. The issuance of a permit upon plans and specifications shall not prevent the Building Official from thereafter requiring the correction of errors in the plans and specifications or from preventing construction operations being carried on hereunder when in violation of the California Energy Code, this code or any other applicable provision of state law.

**Section III. SEVERABILITY:**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

**Section IV. EFFECTIVE DATE:**

This Ordinance shall take effect and be in force on January 1, 2014 or 60 (sixty) days from the date of adoption, whichever is later.

**Section V: PUBLICATION:**

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

**DATED:** November 5, 2013

**ROLL CALL:**

**AYES:** Councilmembers DeBrum, Harris, Hernandez and Weatherford

**NOES:** None

**ABSENT:** Mayor Pro Tempore Moorhead

**ABSTAIN:** None



**WILLIE W. WEATHERFORD  
MAYOR**

**ATTEST:**



**JOANN TILTON, MMC  
CITY CLERK**

**ORDINANCE NO. 1527**

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**CERTIFICATE**

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1527 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 15<sup>th</sup> day of October, 2013, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 5th day of November, 2013.

  
**JOANN TILTON, MMC**  
**CITY CLERK**

**ORDINANCE NO. 1528**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA  
REPEALING AND AMENDING CHAPTER 15.20 OF THE MANTECA  
MUNICIPAL CODE ADOPTING THE "2013 CALIFORNIA ELECTRICAL  
CODE" WITH CERTAIN AMENDMENTS AND DELETIONS,**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS  
FOLLOWS:

**WHEREAS**, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

**WHEREAS**, Health and Safety Code Section 17958 mandates that cities and counties adopt the model codes with state amendments no more than 180 days after the state adoption (which will occur on January 1, 2014), and

**WHEREAS**, the State of California has determined adoption of the 2013 California Electrical Code, is necessary to achieve necessary safety and hazard avoidance, and

**WHEREAS**, the State of California requires that all local building departments enforce the adopted 2013 California Electrical Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

**WHEREAS**, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

**WHEREAS**, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

**Section I.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.20, Electrical Code, is hereby repealed.

**Section II.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.20, Electrical Code, shall read as follows.

**15.20.010 Adoption.**

That certain document, one copy of which is on file in the Office of the City Clerk of the City of Manteca, being marked and designated as the 2013 California Electrical Code, California Code of Regulations, Title 24, Part 3,

**ORDINANCE NO. 1528**

**Page No. 2**

including Annex Chapters A, B, C, D, F, G, and H, as published by BNi Publications, as now existing, or hereafter amended, regulating and governing the conditions of all properties, buildings, and structures; by providing the standards for facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use; and the condemnation of such structures; providing for the issuance of permits and collection of fees therefor; and providing penalties for the violation thereof; and each and all of the regulations, provisions, penalties, conditions, and terms of said 2013 California Building Code on file in Office of the City Clerk of the City of Manteca is hereby referred to, adopted as the Electrical Code of the City of Manteca.

**15.20.020 Section 203 amended—Board of appeals.**

Section 80.15 of Annex H of the 2013 California Electrical Code is amended to read:

Whenever the Building Official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant or any person directly or adversely affected thereby, or the authorized agent of either of said parties, may appeal the decision of the Building Official to the Building Board of Appeals of the City of Manteca within thirty days from the date of said decision of the Building Official. The decision of said Board shall be final.

**15.20.030 Paragraphs added to Article 100—Definitions.**

Article 100, Definitions, of the NEC is amended by adding definitions to read as follows:

- A. Building Department. (See Section 15.04.020 for definition.)
- B. Building Official. (See Section 15.04.020 for definition.)
- C. City. (See Section 15.04.020 for definition.)
- D. Deputize. (See Section 15.04.020 for definition.)
- E. Enforcing Agency. (See Section 15.04.020 for definition.)
- F. Person. (See Section 15.04.020 for definition.)

**15.20.040 Connection of wiring to supply.**

A. It is unlawful for any person, firm or corporation to energize or permit to be energized any electrical wiring coming under the provisions of this chapter until such wiring shall have been inspected and approved by the Building Official. The Building Official may give

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**Page No. 3**

written temporary permission to furnish electric current to, or the use of electric current through, any electric wiring for a reasonable length of time, if it appears to the building official that such electrical wiring may be used safely and that there exists an urgent necessity for such use.

B. Any utility company furnishing electrical current, under such temporary permit, shall be requested to disconnect such electrical service within five days of written notice from the Building Official that such electrical wiring cannot be approved.

C. Unless written approval is obtained from the city Building Official, all occupied residential buildings shall have an approved, operating connection to the local electrical utility.

**15.20.050 Article 230.70(A)(1) amended—Exterior means of disconnection.**

Article 230.70(A)(1) of the California Electrical Code is amended to read as follows:

Location. The service disconnecting means shall be installed at a readily accessible location outside of a building or structure or the installation thereof shall be approved by the Building Official and the Fire Chief.

**15.20.070 Section 300.24 added—Wiring methods, general requirements.**

Article 300, Wiring Methods, General Requirements, of the California Electrical Code is amended by adding Section 300.24 to read as follows:

300.24. Raceways and Wireways on Roof Tops. Raceways and wireways on roofs shall have a minimum of one-half inch (1/2") clearance above the roof surface, and shall be installed in a manner acceptable to the building official. Raceways and Conduits on rooftops shall utilize the ASHRAE Handbook – *Fundamentals* (Sacramento being the closest City) to determine the Temperature Adjustment in accordance with 310.15 (B)(3)(c).

**15.20.080 Section 334.12(A)(11) added—Nonmetallic sheathed cable.**

Article 334.12(A)(11) Nonmetallic sheathed cable is amended by adding Section 334.12(A)(11) as follows:

334.12(A)(11) Commercial and industrial uses. Types NM, NMC or NMS cable shall not be installed in buildings used for industrial or commercial purposes.

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**15.20.090 Section 334.16 added—Exposed work, residential garages.**

Article 334 is amended by adding Section 334.16 as follows:

334.16 Exposed work, Residential garages. Exposed work below the plate line in residential garages shall be in an approved raceway. Where a cable or cables pierce a required fire protection wall, the cable or cables shall be protected by enclosing the cable or cables on the garage side with a metal or equivalent raceway extending five (5) feet beyond the protective wall.

**15.20.100 Paragraph (B)(3) added to Section 204—Violations—Uniform Administrative Code Provisions.**

Section 80.23(B) of Annex H is amended by adding paragraph (B)(3) as follows:

(B) Any person who shall violate any of the provisions of the California Electrical Code hereby adopted or fails to comply therewith, or who shall violate or fail to comply with any order made thereunder, or shall build in violation of any detailed statement-of specifications or plans submitted and approved thereunder, or any certificates or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City Council or a court of competent jurisdiction, within the time fixed herein, shall severally for each and every violation and noncompliance respectfully, be guilty of a misdemeanor, punishable by a fine of not more than \$1000.00 or by imprisonment in the county jail for not more than six months or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

**15.20.110 Section 80.19(E) of Annex H — Fees.**

Section 80.19(E) of Annex H is amended to read as follows:

80.19 (E) Fees. Where not otherwise covered by section 15.04.100 of the Manteca Municipal Code, the fee for each electrical permit shall be as set forth in Resolution 2010-149 or by a determination of the estimated reasonable costs of service by the building official.

**15.20.120 Investigation Fees- Work without a permit.**

**ORDINANCE NO. 1528**

**Page No. 5**

A. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

B. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with other provisions of this code, nor any penalty prescribed by law.

**Section III. SEVERABILITY:**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

**Section IV. EFFECTIVE DATE:**

This Ordinance shall take effect and be in force on January 1, 2014 or 60 (sixty) days from the date of adoption, whichever is later.

**Section V: PUBLICATION:**

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

**DATED:** November 5, 2013

**ROLL CALL:**

**AYES:** Councilmembers DeBrum, Harris, Hernandez and Weatherford

**NOES:** None

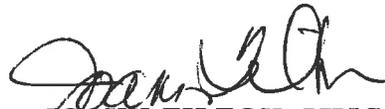
**ABSENT:** Mayor Pro Tempore Moorhead

**ABSTAIN:** None



**WILLIE W. WEATHERFORD**  
**MAYOR**

**ATTEST:**



**JOANN TILTON, MMC**  
**CITY CLERK**

**CERTIFICATE**

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1528 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 15<sup>TH</sup> day of October, 2013, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 5th day of November, 2013.



**JOANN TILTON, MMC**  
**CITY CLERK**

**ORDINANCE NO. 1529**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA  
REPEALING AND AMENDING CHAPTER 15.21, "BUILDING BOARD  
OF APPEALS," OF THE MANTECA MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS  
FOLLOWS:

**WHEREAS**, there is a necessity to maintain a current Ordinance regarding the Building Board of Appeals,

**WHEREAS**, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

**WHEREAS**, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

**Section I.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.21, Building Board of Appeals, is hereby repealed.

**Section II.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.21, Building Board of Appeals, shall read as follows.

**15.21.010 Building Board of Appeals.**

The Building Board of Appeals is created in order to hear appeals by persons aggrieved due to administrative decisions in the application of the California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code and California Electrical Code or regulation adopted thereto of the City of Manteca.

**15.21.020 Definitions.**

The definitions are to read as follows:

- A. "Board" means the building board of appeals.
- B. Building Official. The individual invested with the responsibility for overseeing and enforcing applicable life safety codes, and building codes, laws, and statutes. The building official

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is charged with the administration of the building department, interpretation of code requirements, and direction of the code adoption process.

The building official, under the direction of the community development director is the individual who plans, coordinates and directs the operations and activities of the building department; implements city activities assuring compliance with building standards including plan check, inspection, and corrections to hazards; oversees and participates in inspections; oversees the review and approval of building plans and specifications; implements goals, policies, and procedures for the division.

The building official is responsible for the administration and enforcement of California Code of Regulations, Title 24, and other applicable codes in accordance with Health and Safety Code 18949, 17920, and California Code of Regulations, Title 24, Part 2, Section 202.

Whenever the term "building official" or "building inspector" is used in the code, it means the chief building official in charge of the building safety division.

C. "Member" means a member of the building board of appeals.

**15.21.030 Organization and membership.**

The organization and membership will read as follows:

A. The Board shall be comprised of three members and one alternate member appointed by the Manteca City Council. The building official shall be ex-officio Secretary of the Board, but shall not vote.

1. One member shall be a licensed general contractor;
2. One member shall be a licensed architect;
3. One member shall be a registered civil or structural engineer;
4. One member shall be an alternate and shall be a licensed general contractor, a licensed architect or a registered engineer. This member shall attend only when there is a conflict of interest or in the absence of one of the above-listed members.

B. The members of the Board serve for four year terms at the pleasure of the Manteca City Council. The members first appointed serve for the following terms: one for a term of one year, one for a term of two years, one for a term of three years and one for a term of four years. The members first appointed shall, at their first meeting decide by lot which of them shall serve for terms of one, two, three and four years, respectively. Thereafter, members shall be appointed for terms of four years, except that in the event of a vacancy in office,

**ORDINANCE NO. 1529**

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the member appointed to fill the vacancy shall serve for the unexpired term to which he or she is appointed.

C. The members of the board shall receive twenty-five dollars compensation for each meeting of the Board for which they are actually present.

D. The City Council may establish, by resolution, an application fee for appeals.

E. 1. The Board shall establish regular meeting dates and may, from time to time, call special meetings. A meeting shall not be held if there is no business to conduct.

2. The City Council shall declare a vacancy in the office of any member who is absent from three consecutive regular meetings of the Board without prior notification given to the board chairman.

F. A member shall be neither an elected officer nor an employee, consultant or contractor of the city, but he or she shall not be disqualified as a member by his or her membership on, or employment by any other board, commission, agency or authority of, or created by or for, city.

G. No member shall knowingly acquire any interest in any property which is the subject of any appeal before the Board. A member having any interest in such property shall make immediate disclosure of the fact of an interest to the Board, and he or she shall be disqualified from all deliberations by the Board relating to that property.

H. The Board shall adopt by-laws to govern its function in accordance with the provisions herein.

I. The Board shall elect a chairperson and vice-chairperson from among its members. The term of office of the chairperson and vice-chairperson shall be for the calendar year or its balance should they be elected to fill a vacancy. The time, place, and frequency of its meetings shall be fixed by the Board.

**15.21.040 Powers and duties.**

The powers and duties are to read as follows:

A. The Board's function is to hear appeals of administrative decisions regarding use of alternative materials, interpretations pertaining to enforcement of any provisions of the California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code and California Electrical Code or regulation adopted thereto of the city.

B. Conduct of Appeals:

**ORDINANCE NO. 1529**

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1. The Board shall exercise its powers in such manner that substantial justice is done most nearly in accord with the intent and purpose of this code.

2. The Board shall adopt rules of procedure for the conduct of appeals, make provision for adequate notice of hearing to all parties, provide for a hearing open to the public of all appeals to be commenced not less than ten, nor more than sixty days from the date of filing of the petition for appeal, record minutes of all its proceedings, and provide copies of such minutes for inspection as a public record.

**C. Procedure on Petition for Hearing of Appeal.**

1. Upon filing of the petition, the secretary shall set the matter on the agenda for consideration by the Board.

2. Notice in writing of not less than ten calendar days shall be given to the applicant or petitioner specifying the time and place of the hearing.

3. At the hearing, the petitioner shall be given an opportunity to be heard and present any evidence to support his or her request.

**D. Decisions.**

1. No later than ten calendar days after hearing, the Board shall formally report its findings of fact and, together with the reasons, its decisions in writing.

2. The formal report shall order the petition or application either granted, denied or modified and specify any conditions or limitations imposed.

3. A copy of the findings and decisions shall be forwarded to the petitioner or his or her representative at the address shown upon the petition on file within ten calendar days of the decision.

**E.** A copy of the report shall be forwarded to the administrative office whose decision has been appealed.

**F.** The Board shall file the original of its report in its permanent records.

**G.** All decisions of the Board shall become final and effective ten calendar days after notice of the results of a hearing before the Board is mailed to the appellants.

**H.** The findings and decisions of the board shall be final and conclusive, but nothing in this code shall be construed to deprive any person of recourse to the courts as he or she may be entitled to under the law.

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**Section III. SEVERABILITY:**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

**Section IV. EFFECTIVE DATE:**

This Ordinance shall take effect and be in force on January 1, 2014 or 60 (sixty) days from the date of adoption, whichever is later.

**Section V: PUBLICATION:**

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

**DATED:** November 5, 2013

**ROLL CALL:**

**AYES:** Councilmembers DeBrum, Harris, Hernandez and Weatherford

**NOES:** None

**ABSENT:** Mayor Pro Tempore Moorhead

**ABSTAIN:** None



**WILLIE W. WEATHERFORD  
MAYOR**

**ATTEST:**



**JOANN TILTON, MMC  
CITY CLERK**

**ORDINANCE NO. 1529**

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**CERTIFICATE**

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1529 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 15<sup>th</sup> day of October, 2013, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 5<sup>th</sup> day of November, 2013.

  
**JOANN TILTON, MMC**  
**CITY CLERK**

**ORDINANCE NO. 1530**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA  
REPEALING, RENAMING, AND AMENDING CHAPTER 15.22 OF THE  
MANTECA MUNICIPAL CODE ADOPTING THE "2013 CALIFORNIA GREEN  
BUILDING STANDARDS CODE" WITH CERTAIN AMENDMENTS AND  
DELETIONS**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS FOLLOWS:

**WHEREAS**, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

**WHEREAS**, Health and Safety Code Section 17958 mandates that cities and counties adopt the model codes with state amendments no more than 180 days after the state adoption (which will occur on January 1, 2014), and

**WHEREAS**, the State of California has determined adoption of the 2013 California Green Building Standards Code is necessary to achieve necessary safety and hazard avoidance, and

**WHEREAS**, the State of California requires that all local building departments enforce the adopted 2013 California Green Building Standards Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

**WHEREAS**, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

**WHEREAS**, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

**Section I.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.22, CALGreen Code, is hereby repealed.

**Section II.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.22, Green Code, shall read as follows.

**Chapter 15.22 Green Code:**

**15.22.010 Adoption.**

## **ORDINANCE NO. 1530**

### **Page No. 2**

That certain document, one copy of which is on file in the Office of the City Clerk of the City of Manteca, being marked and designated as the 2013 California Green Building Standards Code, California Code of Regulations, Title 24, Part 11, as published by the California Building Standards Commission, as now existing, or hereafter amended, regulating and governing the conditions of all properties, buildings, and structures; by providing the standards for facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use; and the condemnation of such structures; providing for the issuance of permits and collection of fees therefor; and providing penalties for the violation thereof; and each and all of the regulations, provisions, penalties, conditions, and terms of said 2013 California Green Building Standards Code on file in Office of the City Clerk of the City of Manteca is hereby referred to, adopted as the Green Code of the City of Manteca.

#### **15.22.020 Definitions.**

- A. Building Department. (See Section 15.04.020 for definition.)
- B. Building Official. (See Section 15.04.020 for definition.)
- C. City. (See Section 15.04.020 for definition.)
- D. Deputize. (See Section 15.04.020 for definition.)
- E. Enforcing Agency. (See Section 15.04.020 for definition.)
- F. Person. (See Section 15.04.020 for definition.)

#### **15.22.030 Enforcement.**

California Code of Regulations, Title 24, Part 11, and all other applicable codes shall be enforced by the Building Official.

The building official may appoint inspectors, plans examiners, technicians, officers and other employees. The building official may

deputize such employees of the building department or other employees of the city of Manteca as necessary and these employees shall have the duties and powers as delegated by the building official to carry out the functions of the enforcement agency in accordance with California Code of Regulations, Title 24, Part 2, Section 103.

The building official shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules, regulations, and policies shall be in conformity with the intent and purpose of this code.

**ORDINANCE NO. 1530**

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The building official may authorize the San Joaquin County health department as the city designated enforcement authority.

See Section 15.04.020 for definition of "building official" and "deputize."

**Section III. SEVERABILITY:**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

**Section IV. EFFECTIVE DATE:**

This Ordinance shall take effect and be in force on January 1, 2014 or 60 (sixty) days from the date of adoption, whichever is later.

**Section V: PUBLICATION:**

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

**DATED:** November 5, 2013

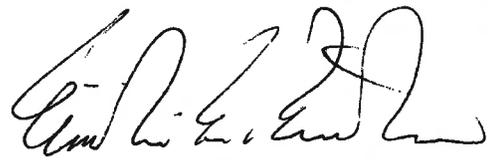
**ROLL CALL:**

**AYES:** Councilmembers DeBrum, Harris, Hernandez and Weatherford

**NOES:** None

**ABSENT:** Mayor Pro Tempore Moorhead

**ABSENT:** None



**WILLIE W. WEATHERFORD  
MAYOR**

**ATTEST:**



**JOANN TILTON, MMC  
CITY CLERK**

**CERTIFICATE**

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1530 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 15<sup>TH</sup> day of October, 2013, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 5th day of November, 2013.



**JOANN TILTON, MMC  
CITY CLERK**

**ORDINANCE NO. 1531**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA  
REPEALING AND AMENDING CHAPTER 15.28, "DANGEROUS BUILDINGS,"  
OF THE MANTECA MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS FOLLOWS:

**WHEREAS**, there is a necessity to maintain a current Ordinance regarding the classification and abatement of dangerous buildings which endanger life, health, property and public safety,

**WHEREAS**, there exists currently Chapter 15.28 "Dangerous Buildings" of the Manteca Municipal Code,

**WHEREAS**, Chapter 15.28 "Dangerous Buildings" of the Manteca Municipal Code currently contains references to codes that are not the current editions,

**WHEREAS**, there exists a need to update all code references to be current and in effect.

**Section I.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.28, Dangerous Buildings, is hereby repealed.

**Section II.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.28, Dangerous Buildings, shall read as follows.

**15.28.010 Adoption.**

That certain document, three copies of which are on file in the office of the city clerk, being marked and designated as "Uniform Code for the Abatement of Dangerous Buildings," 1997 Edition, published by the International Conference of Building Officials to provide a just, equitable, and practical method, to be cumulative with, and in addition to any other remedy provided by the California Building Code, 2013 Edition, or the Uniform Housing Code, 1997 Edition, or otherwise available at law, whereby buildings or structure 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, except as amended, deleted and/or added to by the provisions of this chapter.

**15.28.020 Section 205 amended—Board of appeals.**

**ORDINANCE NO. 1531**

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Section 205 of Chapter 2 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read as follows:

Section 205. In order to provide for final interpretation of the provisions of this code and to hear appeals, there shall be a Board of Appeals, known as the Building Board of Appeals.

**15.28.030 Section 203 amended—Violations and penalties.**

Section 203 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read as follows:

Section 203.1 No person, firm or corporation, whether as owner, lessee, sublessee, or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy, or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of this code or any order issued by the Building Official hereunder.

Section 203.2 Any person, firm, or corporation, whether as owner, lessee, sublessee, or occupant violating any provisions of this code shall be deemed a guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not to exceed one thousand dollars, or by imprisonment in the city or county jail for not to exceed six months, or by both such fine and imprisonment.

Section 203.3 If any section, subsection, sentence, clause, phrase, or portion of this code is for any reason held to be unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this code.

**15.28.040 Section 301 amended—Definitions.**

Section 203 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read as follows:

- A. Building Department. (See Section 15.04.020 for definition.)
- B. Building Official. (See Section 15.04.020 for definition.)
- C. City. (See Section 15.04.020 for definition.)
- D. Deputize. (See Section 15.04.020 for definition.)
- E. Enforcing Agency. (See Section 15.04.020 for definition.)
- F. Person. (See Section 15.04.020 for definition.)
- G. Building Code is the California Building Code promulgated by the International Code Council, as adopted by the City of Manteca.

**Section III. SEVERABILITY:**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid

**ORDINANCE NO. 1531**

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provision of application, and to this end the provisions of this Ordinance are severable.

**Section IV. EFFECTIVE DATE:**

This Ordinance shall take effect and be in force on January 1, 2014 or 60 (sixty) days from the date of adoption, whichever is later.

**Section V: PUBLICATION:**

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

**DATED:** November 5, 2013

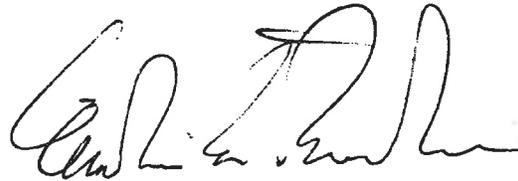
**ROLL CALL:**

**AYES:** Councilmembers DeBrum, Harris, Hernandez and Weatherford

**NOES:** None

**ABSENT:** Mayor Pro Tempore Moorhead

**ABSENT:** None



**WILLIE W. WEATHERFORD  
MAYOR**

**ATTEST:**



**JOANN TILTON, MMC  
CITY CLERK**

**CERTIFICATE**

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1531 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 15<sup>TH</sup> day of October, 2013, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 5th day of November, 2013.

  
**JOANN TILTON, MMC**  
**CITY CLERK**

**ORDINANCE NO. 1532**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA  
REPEALING AND AMENDING CHAPTER 15.31, "DISASTER REPAIR AND  
RECONSTRUCTION," OF THE MANTECA MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS  
FOLLOWS:

**WHEREAS**, there is a necessity to maintain a current Ordinance regarding the Repair and Reconstruction of damaged structures due to a disaster,

**WHEREAS**, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

**WHEREAS**, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

**Section I.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.31, "Disaster Repair and Reconstruction," is hereby repealed.

**Section II.:**

Manteca Municipal Code Title 15, Buildings and Construction, Chapter 15.31, "Disaster Repair and Reconstruction," shall read as follows.

**15.31.010 Intent.**

This chapter establishes standards and regulations for the expeditious reconstruction of structures damaged as a result of a disaster for which a local emergency has been declared by the City Council. The chapter does not allow exemptions from the building, fire, electrical, mechanical, plumbing, other codes, or city ordinances.

**15.31.020 Application of provisions.**

A. The provisions of this chapter are applicable to all buildings and structures regulated by the city following each disaster after a local emergency has been declared by the City Council.

B. The requirements of this chapter may be waived by the Building Official subject to an engineering evaluation as defined in Section 15.31.030.

**15.31.030 Definitions.**

For the purpose of this chapter, the following definitions apply:

“Architect” means a person licensed by the state of California to practice architecture as prescribed by the state of California Business and Professions Code.

“Building Official” is the officer or other designated authority charged with the administration and enforcement of this chapter or duly authorized representative.

“Civil engineer” means a person registered by the state of California to practice civil engineering as prescribed by the state of California Business and Professions Code.

“Current code” means the edition of the California Building Code as published by the International Code Council as adopted by the city in accordance with operation of law pursuant to Section 18941.5 of the state of California Health and Safety Code. The edition to be applied shall be that edition in effect at the time of the declaration of a local emergency by the city council.

“Engineering evaluation” is an evaluation of a damaged building or structure, or suspected damaged building or structure, performed under the direction of a structural engineer, civil engineer, or architect retained by the owner of the building or structure. Engineering evaluations shall, at a minimum, contain recommendations for repair with appropriate opinion of construction cost for those repairs. All engineering evaluations shall include the engineer’s or architect’s stamp, wet-signature and license expiration date. (Ord. 1068 § 1(part), 1997)

“Substantial Structural Damage” is a condition where:

1. In any story, the vertical elements of the lateral-force-resisting system, have suffered damage such that the lateral load-carrying capacity of the structure in any direction has been reduced by more than 20 percent from its pre-damaged condition, or
2. The capacity of any vertical gravity load-carrying component, or any group of such components, that supports more than 30 percent of the total area of the structure’s floor(s) and roof(s) has been reduced more than 20 percent from its pre-damaged

condition, and the remaining capacity of such affected elements with respect to all dead and live loads is less than 75 percent of that required by the building code for new buildings of similar structure, purpose, and location.

**15.31.040 Repair criteria.**

A. Buildings and structures of all occupancies which have been damaged as the result of a disaster, except as otherwise noted, shall be repaired in accordance with the following criteria:

1. When the estimated value of repair does not exceed ten percent of the replacement value of the structure, the damaged portion may be restored to the pre-disaster condition; except that when the damaged elements include suspended ceiling systems, the ceiling system shall be repaired with all bracing required by current code.

2. When the estimated value of repair is greater than ten percent the replacement value of the structure, the damaged elements shall be repaired and/or brought into conformance with structural requirements of the current codes. (Ord. 1068 § 1(part), 1997)

B. For the purposes of this chapter, the following repair requirements are hereby added as a new Subsection 3403.5 to Section 3403 Additions, Alterations or Repair in the 2013 California Building Code (CBC):

3403.5.1 Repairs. Repairs of structural elements shall comply with this section.

3403.5.1.1 Seismic evaluation and design. Seismic evaluation and design of an existing building and its components shall be based on the following criteria.

3403.5.1.1.1 Evaluation and design procedures. The seismic evaluation and design shall be based on the procedures specified in the building code, ASCE 31 *Seismic Evaluation of Existing Buildings* (for evaluation only) or ASCE 41 *Seismic Rehabilitation of Existing Buildings*. The procedures contained in Appendix A of the *International Existing Building Code* shall be permitted to be used as specified in Section 3403.5.1.1.3.

3403.5.1.1.2 CBC level seismic forces. When seismic forces are required to meet the building code level, they shall be one of the following:

1. 100 percent of the values in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor specified for structural systems classified as "Ordinary" unless it can be demonstrated that the structural system satisfies the proportioning and detailing requirements for systems classified as "Intermediate" or "Special".

2. Forces corresponding to BSE-1 and BSE-2 Earthquake Hazard Levels defined in ASCE 41. Where ASCE 41 is used, the corresponding performance levels shall be those shown in Table 3403.5.1.1.2.

**TABLE 3403.5.1.1.2  
ASCE 41 and ASCE 31 PERFORMANCE LEVELS**

<b>OCCUPANCY CATEGORY (BASED ON IBC TABLE 1604.5)</b>	<b>PERFORMANCE LEVEL FOR USE WITH ASCE 31 AND WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL</b>	<b>PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-2 EARTHQUAKE HAZARD LEVEL</b>
I	Life Safety (LS)	Collapse Prevention (CP)
II	Life Safety (LS)	Collapse Prevention (CP)
III	Note (a)	Note (a)
IV	Immediate Occupancy (IO)	Life Safety (LS)

a. Performance Levels for Occupancy Category III shall be taken as halfway between the performance levels specified for Occupancy Category II and Occupancy Category IV.

3403.5.1.1.3 Reduced CBC level seismic forces. When seismic forces are permitted to meet reduced building code levels, they shall be one of the following:

1. 75 percent of the forces prescribed in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor as specified in Section 3403.5.1.1.2.

2. In accordance with the applicable chapters in Appendix A of the *International Existing Building Code* as specified in Items 2.1 through 2.5 below. Structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A shall be deemed to comply with the requirements for reduced building code force levels.

2.1. The seismic evaluation and design of unreinforced masonry bearing wall buildings in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A1.

2.2. Seismic evaluation and design of the wall anchorage system in reinforced concrete and reinforced masonry wall buildings with flexible diaphragms in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A2.

2.3. Seismic evaluation and design of cripple walls and sill plate anchorage in residential buildings of light-frame wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A3.

2.4. Seismic evaluation and design of soft, weak, or open-front wall conditions in multiunit residential buildings of wood

construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A4.

2.5. Seismic evaluation and design of concrete buildings and concrete with masonry infill buildings in all Occupancy Categories are permitted to be based on the procedures specified in Appendix Chapter A5.

3. In accordance with ASCE 31 based on the applicable performance level as shown in Table 3403.5.1.1.2.

4. Those associated with the BSE-1 Earthquake Hazard Level defined in ASCE 41 and the performance level as shown in Table 3403.5.1.1.2. Where ASCE 41 is used, the design spectral response acceleration parameters  $S_{xs}$  and  $S_{x1}$  shall not be taken less than 75 percent of the respective design spectral response acceleration parameters SDS and SD1 defined by the *California Building Code* and its reference standards.

3403.5.1.2 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.

3403.5.2 Repairs to damaged buildings. Repairs to damaged buildings shall comply with this section.

3403.5.2.1 Unsafe conditions. Regardless of the extent of structural damage, unsafe conditions shall be eliminated.

3403.5.2.2 Substantial structural damage to vertical elements of the lateral-force-resisting system. A building that has sustained substantial structural damage to the vertical elements of its lateral-force-resisting system shall be evaluated and repaired in accordance with the applicable provisions of Section 3403.5.2.2.1 through 3403.5.2.2.3.

3403.5.2.2.1 Evaluation. The building shall be evaluated by a registered design professional, and the evaluation findings shall be submitted to the code official. The evaluation shall establish whether the damaged building, if repaired to its pre-damage state, would comply with the provisions of the building code. Wind forces for this evaluation shall be those prescribed in the building code. Seismic forces for this evaluation are permitted to be the reduced level seismic forces specified in Code Section 3403.5.1.1.3.

3403.5.2.2.2 Extent of repair for compliant buildings. If the evaluation establishes compliance of the pre-damage building in accordance with Section 3403.5.2.2.1, then repairs shall be permitted that restore the building to its pre-damage state, using materials and strengths that existed prior to the damage.

3403.5.2.2.3 Extent of repair for non-compliant buildings. If the evaluation does not establish compliance of the pre-damage building in accordance with Section 3403.5.2.2.1, then the building shall be rehabilitated to comply with applicable provisions of the building code for load combinations including wind or seismic forces. The wind design level for the repair shall be as required by the building code in effect at the time of original construction

unless the damage was caused by wind, in which case the design level shall be as required by the code in effect at the time of original construction or as required by the building code, whichever is greater. Seismic forces for this rehabilitation design shall be those required for the design of the pre-damaged building, but not less than the reduced level seismic forces specified in Section 3403.5.1.1.3. New structural members and connections required by this rehabilitation design shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose, and location.

3403.5.2.3 Substantial structural damage to vertical load-carrying components. Vertical load-carrying components that have sustained substantial structural damage shall be rehabilitated to comply with the applicable provisions for dead and live loads in the building code. Undamaged vertical load-carrying components that receive dead or live loads from rehabilitated components shall also be rehabilitated to carry the design loads of the rehabilitation design. New structural members and connections required by this rehabilitation design shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose, and location.

3403.5.2.3.1 Lateral force-resisting elements. Regardless of the level of damage to vertical elements of the lateral force-resisting system, if substantial structural damage to vertical load-carrying components was caused primarily by wind or seismic effects, then the building shall be evaluated in accordance with Section 3403.5.2.2.1 and, if non-compliant, rehabilitated in accordance with Section 3403.5.2.2.3.

3403.5.2.4 Less than substantial structural damage. For damage less than substantial structural damage, repairs shall be allowed that restore the building to its pre-damage state, using materials and strengths that existed prior to the damage. New structural members and connections used for this repair shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose, and location.

**3403.5.3 Referenced Standards**

ASCE 31-03, Seismic Evaluation of Existing Buildings, California Building Code 3403.5.1.1.1, TABLE 3403.5.1.1.2, 3403.5.1.1.3  
ASCE 41-06, Seismic Rehabilitation of Existing Buildings, California Building Code, 3403.5.1.1.1, 3403.5.1.1.2, TABLE 3403.5.1.1.2, 3403.5.1.1.3

**15.31.050 Repair criteria for chimneys.**

A. All damaged chimneys must be repaired or reconstructed to comply with the requirements of Chapter 21 of the California Building Code.

Damaged portions of chimneys shall be removed in accordance with the following criteria:

1. When the damaged portion of the chimney is located between the roof line and the top of the chimney, the damaged portion may be removed to the roof line provided the roof and ceiling anchorage are in sound condition. The reconstruction portion of the chimney shall be braced to the roof structure using an approved method.
2. Of a single-story structure in which the damaged portion of the chimney is below the roof line or the damaged portion extends from above the roof line to below the roof line, the chimney may be removed to the top of the firebox.
3. For a multistory structure, the damaged portion of the chimney shall be removed from the top to a floor line where anchorage is found.
4. In any structure where the firebox has been damaged, the entire chimney and firebox shall be removed to the foundation. If the foundation is in sound condition, the firebox and chimney may be reconstructed using the existing foundation. If the foundation has been damaged, the foundation shall be removed and replaced.

B. Where existing conditions preclude the installation of all anchorage required by Chapter 21 of the California Building Code, alternate systems may be used in accordance with the alternate methods and materials provisions of the California Building Code when approved by the Building Official.

C. Where the portion of the chimney extending above the roof line exceeds two times the least dimension of the chimney, that portion above the roof line shall be braced to the roof structure using an approved method.

**15.31.060 Repair criteria for historic buildings or structures.**

A. Buildings or structures which are included on a national, state, or local register for historic places or which are qualifying structures within a recognized historic district, which have been damaged as a result of a disaster, shall have an engineering evaluation performed.

B. The minimum criteria for repair shall be as included in Section 15.31.040, Repair criteria, with due consideration given to the historical rating and nature of the structures. Additional standards and criteria, as noted in Part 8, Title 24, California Code shall apply.

C. Where conflicts exists between the standards contained herein and the state of California Historic Building Code, the Historic Building Code shall govern. (Ord. 1068 § 1(part), 1997)

**15.31.070 Repair criteria for unreinforced masonry buildings and structures.**

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All damaged buildings determined to be bearing wall buildings constructed of unreinforced masonry shall be repaired and strengthened to fully comply with the requirements of the Uniform Code for Building Conservation as adopted by the city. (Ord. 1068 § 1(part), 1997)

**Section III. SEVERABILITY:**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

**Section IV. EFFECTIVE DATE:**

This Ordinance shall take effect and be in force on January 1, 2014 or 60 (sixty) days from the date of adoption, whichever is later.

**Section V: PUBLICATION:**

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

**DATED:** November 5, 2013

**ROLL CALL:**

**AYES:** Councilmembers DeBrum, Harris, Hernandez and Weatherford

**NOES:** None

**ABSENT:** Mayor Pro Tempore Moorhead

**ABSENT:** None



**WILLIE W. WEATHERFORD  
MAYOR**

**ATTEST:**



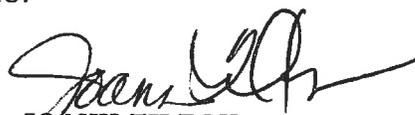
**JOANN TILTON, MMC  
CITY CLERK**

**ORDINANCE NO. 1532**

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**CERTIFICATE**

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1532 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 15<sup>TH</sup> day of October, 2013, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 5th day of November, 2013.

  
**JOANN TILTON, MMC**  
**CITY CLERK**

