

**BUILDING STANDARDS COMMISSION**

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



May 6, 2016

Ali Fattah  
Senior Research Engineer  
City of San Diego  
1222 First Ave. #301  
San Diego, CA 92101

RE: Ordinance #O-20624-N.S. and #O-20624-N.S.

Dear Mr. Fattah:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on April 13, 2016.

Our review finds the submittal to contain two 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 Sections 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 California Building Standards Commission (CBSC). CBSC 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 CBSC 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 Section 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 CBSC. 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 Section 25402.1(h)(2).

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: CBSC Chron  
Local Filings

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2016 APR 13 P 2:50  
CALIFORNIA BUILDING  
STANDARDS COMMISSION

April 6, 2016

Ms. Mia Marvelli  
Executive Director  
California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833

Reference/Subject: ADOPTION OF LOCAL AMENDMENTS TO THE 2013 CALIFORNIA BUILDING STANDARDS CODE.

Dear Ms. Marvelli:

Pursuant to Health and Safety Code Sections 17958.7 and 18941.5, we are enclosing for the California Building Standards Commission (CBSC) a certified copy of recently adopted ordinances that revise the Building, Residential, Electrical, Mechanical, Plumbing, Fire and Green Building Regulations published in the San Diego Municipal Code.

The adopted regulations have been amended in response to recent adoption by the State of the 2013 California Building Standards Code and are necessary due to San Diego's local climatic, geological, or topographical conditions.

1. Ordinance number O-20624 N.S. adopts local amendments to the following codes: 2013 California Building Code, 2013 California Electrical Code, 2013 California Plumbing Code, 2013 California Mechanical Code, 2013 California Residential code and the 2013 California Green Building Standards Code. The ordinance was approved by the City Council on March 22, 2016 and will be effective on May 6, 2016.
2. Ordinance number O-20625 N.S. adopts local amendments to the 2013 California Fire Code. The ordinance was approved by the City Council on March 22, 2016 and will be effective on May 6, 2016.

I have also included for your files a copy of the following associated explanatory documents to assist with a review of the ordinances:

1. Strikeout-underline copy associated with each ordinance.



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Ms. Mia Marvelli  
April 6, 2016

2. An updated explanatory matrix that identifies local findings where necessary and a description of some of the significant changes.

Please feel free to contact me at (619) 446-5406 should you have any questions or should you find a need to discuss this matter further.

Sincerely Yours,



ALI M. FATTAH, P.E  
Senior Research Engineer

- 619-446-5092

Enclosures:

1. Ordinance number O-20624
2. Ordinance number O-20625
3. Strike-out underline both ordinances
4. Explanatory Matrix

cc: 2013 Code Adoption File  
Afsaneh Ahmadi, Building Official, Development Services Department  
Douglas Perry, Deputy Chief, Fire Marshal, Fire Rescue Department  
Inga Lintvedt, Deputy City Attorney, Office of the City Attorney  
Noah Brazier, Deputy City Attorney, Office of the City Attorney

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MIA MARVELLI  
PLANNING COMMISSION



07524

(O-2016-28)

112

ORDINANCE NUMBER O- 20625 (NEW SERIES)

DATE OF FINAL PASSAGE APR 06 2016

AN ORDINANCE AMENDING CHAPTER 3, ARTICLE 3, DIVISION 5 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 33.0501; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 1 BY RENAMING THE DIVISION, RENAMING AND AMENDING SECTIONS 55.0101, 55.0102, AND 55.0103, AND AMENDING SECTION 55.0104; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 2 BY RENAMING AND AMENDING SECTION 55.0201 AND ADDING SECTION 55.0202; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 3 BY AMENDING SECTION 55.0307 AND ADDING SECTION 55.0308; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 4 BY AMENDING SECTION 55.0403; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 5 BY AMENDING SECTIONS 55.0501 AND 55.0507; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 6 BY AMENDING SECTION 55.0601; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 7 BY AMENDING SECTION 55.0701; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 8 BY AMENDING SECTION 55.0801; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 9 BY AMENDING SECTIONS 55.0901 AND 55.0903; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 10 BY AMENDING SECTION 55.1001; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 11 BY RENAMING THE DIVISION, RENAMING AND AMENDING SECTION 55.1101, AND ADDING SECTION 55.1105; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 12 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.1201; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 13 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.1301; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 14 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.1401; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 15 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.1501; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 16 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.1601; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 17 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.1701; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 18 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.1801;

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AMENDING CHAPTER 5, ARTICLE 5, DIVISION 19 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.1901; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 20 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.2001; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 21 BY AMENDING THE DIVISION TITLE AND RENAMING AND AMENDING SECTION 55.2101; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 22 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.2201; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 23 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.2301; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 24 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.2401; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 25 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.2501; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 26 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.2601; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 27 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.2701; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 28 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.2801; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 29 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.2901; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 30 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.3001; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 31 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.3101; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 32 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.3201; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 33 BY RENAMING THE DIVISION, RENAMING AND AMENDING SECTION 55.3301, AND DELETING SECTION 55.3310; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 34 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.3401; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 35 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.3501; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 36 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.3601; AMENDING CHAPTER 5,

ARTICLE 5, DIVISION 37 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.3701; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 38 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.3801; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 39 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.3901; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 40 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.4001; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 41 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.4101; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 42 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.4201; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 43 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.4301; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 44 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.4401; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 45 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.4501; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 46 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.4601; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 47 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.4701; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 48 BY RENAMING SECTION 55.4801; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 50 BY RENAMING THE DIVISION AND RENAMING AND AMENDING SECTION 55.5001; AMENDING CHAPTER 5, ARTICLE 5, DIVISION 51 BY RENAMING THE DIVISION, RENAMING AND AMENDING SECTION 55.5101, AND DELETING SECTIONS 55.5102, 55.5103, 55.5104, 55.5105, 55.5106, 55.5107, 55.5108, 55.5109, 55.5110, 55.5111, 55.5112, 55.5113, 55.5114, 55.5115, 55.5116, 55.5117, 55.5118, 55.5119, 55.5120, 55.5121, 55.5122, AND 55.5123; ADDING CHAPTER 5, ARTICLE 5, DIVISION 52; ADDING CHAPTER 5, ARTICLE 5, DIVISION 53; ADDING CHAPTER 5, ARTICLE 5, DIVISION 54; ADDING CHAPTER 5, ARTICLE 5, DIVISION 55; ADDING CHAPTER 5, ARTICLE 5, DIVISION 56; ADDING CHAPTER 5, ARTICLE 5, DIVISION 57; ADDING CHAPTER 5, ARTICLE 5, DIVISION 58; ADDING CHAPTER 5, ARTICLE 5, DIVISION 59; ADDING CHAPTER 5, ARTICLE 5, DIVISION 60; ADDING CHAPTER 5, ARTICLE 5, DIVISION 61; ADDING CHAPTER

5, ARTICLE 5, DIVISION 62; ADDING CHAPTER 5, ARTICLE 5, DIVISION 63; ADDING CHAPTER 5, ARTICLE 5, DIVISION 64; ADDING CHAPTER 5, ARTICLE 5, DIVISION 65; ADDING CHAPTER 5, ARTICLE 5, DIVISION 66; ADDING CHAPTER 5, ARTICLE 5, DIVISION 67; ADDING CHAPTER 5, ARTICLE 5, DIVISION 68; ADDING CHAPTER 5, ARTICLE 5, DIVISION 69; ADDING CHAPTER 5, ARTICLE 5, DIVISION 70; ADDING CHAPTER 5, ARTICLE 5, DIVISION 71; ADDING CHAPTER 5, ARTICLE 5, DIVISION 72; ADDING CHAPTER 5, ARTICLE 5, DIVISION 73; ADDING CHAPTER 5, ARTICLE 5, DIVISION 74; ADDING CHAPTER 5, ARTICLE 5, DIVISION 75; ADDING CHAPTER 5, ARTICLE 5, DIVISION 76; ADDING CHAPTER 5, ARTICLE 5, DIVISION 77; ADDING CHAPTER 5, ARTICLE 5, DIVISION 78; ADDING CHAPTER 5, ARTICLE 5, DIVISION 79; ADDING CHAPTER 5, ARTICLE 5, DIVISION 80; ADDING CHAPTER 5, ARTICLE 5, DIVISION 81; ADDING CHAPTER 5, ARTICLE 5, DIVISION 82; ADDING CHAPTER 5, ARTICLE 5, DIVISION 83; ADDING CHAPTER 5, ARTICLE 5, DIVISION 84; ADDING CHAPTER 5, ARTICLE 5, DIVISION 85; ADDING CHAPTER 5, ARTICLE 5, DIVISION 86; ADDING CHAPTER 5, ARTICLE 5, DIVISION 87; ADDING CHAPTER 5, ARTICLE 5, DIVISION 88; ADDING CHAPTER 5, ARTICLE 5, DIVISION 89; ADDING CHAPTER 5, ARTICLE 5, DIVISION 90; ADDING CHAPTER 5, ARTICLE 5, DIVISION 91; ADDING CHAPTER 5, ARTICLE 5, DIVISION 92; ADDING CHAPTER 5, ARTICLE 5, DIVISION 93; ADDING CHAPTER 5, ARTICLE 5, DIVISION 94; AND ADDING CHAPTER 5, ARTICLE 5, DIVISION 99, ALL RELATING TO THE ADOPTION OF THE 2013 CALIFORNIA FIRE CODE.

WHEREAS, the State of California adopted the 2013 California Fire Code, which took effect throughout the state effective January 1, 2014; and

WHEREAS, the San Diego Municipal Code must be amended to reflect the updated 2013 California Fire Code; and

WHEREAS, in order to keep the San Diego Municipal Code section numbering as close to the 2013 California Fire Code as possible, several San Diego Municipal Code sections must be amended or added; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 3, Article 3, Division 5 of the San Diego Municipal Code (Municipal Code) is amended by amending section 33.0501, to read as follows:

**Article 3: Police Regulated Occupations and Businesses**

**Division 5: Appeal Rights and Procedures**

**§33.0501 Right of Appeal to Hearing Officer; Time Limits**

(a) through (g) [No change in text.]

(h) Per Chapter 5, Article 5, all appeals of alarm user permits of fire-harmful gas alarm system revocations or penalties are conducted using the same procedures outlined in this Division. The term *Fire-Rescue Chief*, as defined in Chapter 5, Article 5, should be substituted for *Chief of Police* in this Division for appeals related to fire-harmful gas alarm systems. The terms *permit* and *police permit* refer to fire-harmful gas alarm system permits, as described in Chapter 5, Article 5, for appeals related to fire-harmful gas alarm systems.

Section 2. That Chapter 5, Article 5, Division 1 of the Municipal Code is amended by renaming the Division, renaming and amending sections 55.0101, 55.0102, and 55.0103, and amending section 55.0104, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 1: Adoption of the 2013 California Fire Code**

**§55.0101 Adoption of the 2013 California Fire Code Purpose and Intent, and Administrative Provisions**

- (a) Portions of the California Fire Code (2013 Edition) adopted. Except as otherwise provided in this Article, the California Fire Code (2013 Edition), which incorporates and amends the International Fire Code (2012 Edition), including adopted appendices, is hereby adopted by reference. A copy of the California Fire Code (2013 Edition) is on file in the office of the City Clerk as Document No. OO- 20625. The California Fire Code (2013 Edition) is referred to in this Article as the 2013 California Fire Code or the California Fire Code.
- (b) San Diego Fire Code. The document known as the San Diego Fire Code consists of the following documents:
  - (1) Those portions of the 2013 California Fire Code adopted by the City in section 55.0101 with changes as specified in Chapter 5, Article 5, of the San Diego Municipal Code (Municipal Code);
  - (2) Sections 55.0101 through 55.5001 of Chapter 5, Article 5, of the Municipal Code; and
  - (3) Applicable sections of the California Code of Regulations.
- (c) Relationship of the Municipal Code section numbers to the 2013 California Fire Code section numbers. Sections within the 2013 California Fire Code retain those same section numbers when referred to within the

text of the Municipal Code. Thus, section 901 of the 2013 California Fire Code will be cited as the 2013 California Fire Code section 901 within the text of the Municipal Code.

Where a section of the 2013 California Fire Code is adopted with changes, it is promulgated within the Municipal Code by using a numbering system to reflect both the Municipal Code numbering system and the 2013 California Fire Code numbering system. For example, section 901 of the 2013 California Fire Code is adopted with changes in Municipal Code section 55.0901. The first two digits to the left of the first decimal point are the chapter and article number of the Municipal Code. The two digits to the right of the first decimal point represent the Municipal Code's division number. The last four digits reflect the numbering system of the 2013 California Fire Code. A zero (0) after the decimal point is a filler to accommodate the Municipal Code numbering system and is added when the section number in the 2013 California Fire Code is less than four digits.

The Municipal Code numbering system reflects the numbering system of the 2013 California Fire Code excluding the chapter and article numbers to the left of the decimal point and, when appropriate, the utilization of a filler zero (0). Consequently, with these modifications, the numbering in Municipal Code sections 55.0101 through 55.9401 corresponds with the numbering system change in the 2013 California Fire Code.

- (d) Definitions. Whenever the following terms appear within the text of the 2013 California Fire Code, they shall have the following definitions:
- Fire Code Official* means the Fire Chief of the City of San Diego.
- Municipality or jurisdiction* means the City of San Diego.
- (e) Prospective and Retrospective Application. Unless specifically stating that they may be applied prospectively only, provisions of the San Diego Fire Code may be retrospectively applied in accordance with the 2013 California Fire Code, Chapter 1, section 102.
- (f) Effective Date. Unless otherwise stated in a specific Municipal Code section or 2013 California Fire Code section adopted by the City, the effective date of the 2013 San Diego Fire Code shall be January 1, 2014.
- (g) Reference to California Building Code. Any reference within the San Diego Fire Code to the "C.B.C." or "California Building Code" shall refer to those provisions of the California Building Code as adopted by Chapter 14 of the Municipal Code.
- (h) Portions of the 2013 California Fire Code not Adopted. The following section and appendices of the 2013 California Fire Code are not adopted:
- (1) Section 308.1.4,
  - (2) Section 1104.24,
  - (3) APPENDIX A,
  - (4) APPENDIX D, Section D 104.1,
  - (5) APPENDIX E,

- (6) APPENDIX F,
- (7) APPENDIX G,
- (8) APPENDIX H,
- (9) APPENDIX I,
- (10) APPENDIX J, and
- (11) APPENDIX K.

**§55.0102 Modifications to the 2013 California Fire Code Adopted by the City of San Diego**

The following adopted sections or sub-sections of the 2013 California Fire Code have been modified by the City of San Diego (City):

- (a) Chapter 1, section 108, Board of Appeals. (*See* section 55.0104);
- (b) Chapter 3, section 304.1.2, Vegetation. (*See* section 55.0304);
- (c) Chapter 3, section 307.4.1, Bonfires. (*See* section 55.0307);
- (d) Chapter 5, section 505.1, Address identification. (*See* section 55.0505);
- (e) Chapter 9, section 901.7, Systems and Systems out of service. (*See* section 55.0901);
- (f) Chapter 9, section 903.6, Existing buildings (*See* section 55.0903);
- (g) Chapter 50, section 5001, Hazardous Materials-General Provisions (*See* section 55.5001);
- (h) Appendix D, section D 103.5, Fire apparatus access road gates. (*See* section 55.8703); and
- (i) Appendix D, section D 103.6, Signs. (*See* section 55.8703).

**§55.0103 Adoption of Appendices to the 2013 California Fire Code**

The following Appendix Chapter and appendices of the 2013 California Fire Code are adopted by the City:

- (a) Appendix Chapter 4, Special Detailed Requirements Based On Use and Occupancy;
- (b) Appendix B, Fire-Flow Requirements for Buildings;
- (c) Appendix BB, Fire-Flow Requirements for Buildings;
- (d) Appendix C, Fire Hydrant Locations and Distribution;
- (e) Appendix CC, Fire Hydrant Locations and Distribution; and
- (f) Appendix D, Fire Apparatus Access Roads.

**§55.0104 California Fire Code, Chapter 1 - Scope and Administration**

- (a) 1.1.1 Title through 107.5 Overcrowding. Sections 1.1.1 through 107.5 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).
- (b) through (c) [No change in text.]

Section 3. That Chapter 5, Article 5, Division 2 of the Municipal Code is amended by renaming the Division, renaming and amending section 55.0201, and adding section 55.0202, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 2: Definitions**

**§55.0201 General**

201.1 Scope through 201.4 Terms not defined. Sections 201.1 through 201.4 of the California Fire Code have been adopted without change pursuant to section

55.0101(a).

**§55.0202 General Definitions**

202 General Definitions. Section 202 of the California Fire Code has been adopted without change pursuant to section 55.0101(a).

Section 4. That Chapter 5, Article 5, Division 3 of the Municipal Code is amended by amending section 55.0307 and adding section 55.0308, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 3: General Precautions Against Fire**

**§55.0301 General Precautions Against Fire**

[No change in text.]

**§55.0304 Combustible Waste Material**

[No change in text.]

**§55.0307 Open Burning, Recreational Fires and Portable Outdoor Fireplaces**

(a) [No change in text.]

(b) 307.4.2 Recreational fires through 308.1.3 Torches for removing paint.

Sections 307.4.2 through 308.1.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

**§55.0308 Open Flames**

308.1.5 Location near combustibles through 318.1 Laundry carts with a capacity of 1 cubic yard or more. Sections 308.1.5 through 318.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 5. That Chapter 5, Article 5, Division 4 of the Municipal Code is amended by amending section 55.0403, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 4: Emergency Planning and Preparedness**

**§55.0401 Emergency Planning and Preparedness**

[No change in text.]

**§55.0403 Standby Fire Department Personnel**

- (a) 403.1.2 Standby Fire Department Personnel. When, in the opinion of the *Fire Code Official*, it is essential for public safety in a place of assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ one or more qualified persons, as required and approved, to be on duty at such place.

Such individuals shall be subject to the *Fire Code Official's* orders at all times when so employed and shall be in uniform and remain on duty during the times such places are open to the public, or when such activity is being conducted. Before each performance or the start of such activity, such individuals shall: (1) inspect the required fire appliances provided to see that they are in proper place and in good working order; (2) keep diligent watch for fires during the time such place is open to the public or such activity is being conducted; and (3) take prompt measures for extinguishment of fires that may occur.

Such individuals shall not, while on duty, perform any other duties than those herein specified unless otherwise directed by the *Fire Code Official*.

The City shall charge the permittee the cost of such services. The cost

shall be computed by the Fire-Rescue Department using accepted cost accounting methods, including, but not limited to, the cost of salary, fringe benefits, and general overhead.

Time cards of the assigned personnel shall be submitted by the *Fire Code Official* to the Auditor and Comptroller and shall be prima facie evidence of the expended work-hours.

- (b) 403.2 Public safety plan through 408.12.3 Fire drills. Sections 403.2 through 408.12.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 6. That Chapter 5, Article 5, Division 5 of the Municipal Code is amended by amending sections 55.0501, and 55.0507, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 5: Fire Service Features**

**§55.0501 Fire Service Features**

501.1 Scope through 504.4 Roof access. Sections 501.1 through 504.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

**§55.0505 Premises Identification**

[No change in text.]

**§55.0507 Fire Protection Water Supplies**

- (a) 507.5.7. Fire protection equipment and fire hydrants shall be clearly identified in a manner approved by the *Fire Code Official* to prevent obstruction by parking and other obstructions. When required by the *Fire*

*Code Official*, hydrant locations shall be identified by the installation of reflective blue colored markers. Such markers shall be affixed to the roadway surface, approximately centered between curbs, and at a right angle to the hydrant.

- (b) 508.1 General through 510.6.3 Field testing. Sections 508.1 through 510.6.3 of the California Fire Code have been adopted without change pursuant to sections 55.0101(a).

Section 7. That Chapter 5, Article 5, Division 6 of the Municipal Code is amended by amending section 55.0601, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 6: Building Services and Systems**

**§55.0601 Building Services and Systems**

601.1 Scope through 610.5 Electrical equipment. Sections 601.1 through 610.5 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 8. That Chapter 5, Article 5, Division 7 of the Municipal Code is amended by amending section 55.0701, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 7: Fire-Resistance-Rated Construction**

**§55.0701 Fire-Resistance-Rated Construction**

701.1 Scope through 705.1 Exterior walls. Sections 701.1 through 705.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 9. That Chapter 5, Article 5, Division 8 of the Municipal Code is amended by amending section 55.0801, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 8: Interior Finish, Decorative Materials and Furnishings**

**§55.0801 Interior Finish, Decorative Materials and Furnishings**

801.1 Scope through 808.4 Combustible lockers. Sections 801.1 through 808.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 10. That Chapter 5, Article 5, Division 9 of the Municipal Code is amended by amending sections 55.0901 and 55.0903, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 9: Fire Protection Systems**

**§55.0901 Fire Protection Systems**

901.1 Scope through 903.6 Where required in existing buildings and structures. 901.1 through 903.6 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

**§55.0903 Automatic Sprinkler Systems – Existing High-Rise Buildings**

(a) 903.6.1 Purpose and Intent. The Council hereby finds as a matter directly affecting public safety and the life safety of occupants of *high-rise buildings* and the public safety personnel involved in fire suppression activities in *high-rise buildings* that it is necessary to install fire sprinkler systems in all existing *high-rise buildings*, which were previously exempt from such installation. Those buildings in which such sprinkler systems

have been installed under the provisions of California Building Code section 3414 are exempt.

- (b) 903.6.1.1 Definitions. For purposes of section 55.0903, defined terms appear in italics. The following terms have the following definitions apply in this section:
- (1) through (3) [No change in text.]
- (c) 903.6.1.2 Applicability. Except as provided in this section, the provisions of section 55.0903 relating to installation of automatic fire sprinkler systems are hereby made applicable to all existing *high-rise buildings*, as defined in section 55.0903(d).
- (d) 903.6.1.3 Fire sprinkler system. Automatic fire sprinkler systems required under section 903.6.1 of the San Diego Fire Code shall be installed in accordance with NFPA 13 as adopted by State Fire Marshal, with the express provision that any later standard that imposes more stringent fire and life safety requirement shall apply at the time of installation.
- (e) 903.6.1.4 Schedule of implementation. Each *owner* of a *high-rise building*, as defined in section 55.0903(b), shall install an approved automatic fire sprinkler system in each *high-rise building* in accordance with the following schedule:
- (1) through (4) [No change in text.]
- (5) The *owner* of a *high-rise building* or structure that is subject to the provisions of this section, and that contains significant quantities of asbestos that will interfere with such installations shall have the

option of instead equipping the entire gross square footage of the building or structure with an automatic fire sprinkler system by January 1, 1996; provided, however, that under this option, the *owner* of the building or structure shall be deemed to have waived any further extension of time for compliance.

In order to be eligible for this option, the *owner* must establish the presence of asbestos in the affected building, that it is impossible or impractical to complete the work in increments, with supporting rationale, and that the work plan submitted clearly demonstrates that all tenants will be vacated and all work will be completed within the specified time frame.

For purposes of this section, the gross square footage of a building or structure includes the sum total of all the floor areas for all floor levels, basements and sub-basements, measured from the exterior walls, irrespective of the existence of interior fire resistive walls, floors and ceilings.

Notwithstanding the compliance schedule above, any owner of any high-rise building or structure subject to the provisions of this section, which contains significant quantities of asbestos, who agrees in writing prior to January 1, 1996, to demolish the subject building, shall be exempt from the compliance schedule set forth in this section.

The written agreement shall constitute a covenant running with the land. Such agreement shall be recorded in the office of the County Recorder, San Diego County. The recordable agreement from (demolition agreement) shall be provided by the City.

- (f) 903.6.1.5 Waiver of other provisions. The *Fire Code Official* or Building Official is authorized to waive or modify any or all of the following provisions of the California Fire Code or the California Building Code as adopted by the City in the Municipal Code when requiring the retrofitting of existing *high-rise buildings* with automatic fire sprinkler systems pursuant to this section. This waiver and modification authorization is limited to the following: (1) underground water storage tank will not be required; (2) fire pump size or installation can be reduced or eliminated, depending upon the adequacy of water pressure available to the building; (3) existing dead end corridors without intervening doors may be permitted; (4) existing ventilation shafts may be permitted; and (5) existing transoms may be allowed.
- (g) 903.6.1.6 Appeal and modification provisions. The *owner* of a *high-rise building* covered under this section may appeal a decision made by the *Fire Code Official* under this section. An appeal shall be made to the Mayor, or the Mayor's designee. The Board of Appeals and Advisors shall serve as the hearing body for appeals under this section. For these purposes, the Board of Appeals may: (1) recommend a variance from any provisions of this section; (2) recommend the suitability of alternate

materials and methods of sprinkler installation; and (3) provide reasonable interpretations of this section, so long as such interpretations do not conflict with the purpose, intent and general objective of this section nor extend the time for compliance established in this section.

The Board of Appeals may, in addition to any other considerations it deems appropriate, examine the architectural or historical significance of the building or structure. The Mayor, or the Mayor's designee, shall thereafter consider the recommendations of the Board of Appeals and issue a final decision. The Mayor's, or the Mayor's designee's, decision shall constitute the *owner's* exhaustion of administrative remedies.

(h) 903.6.1.7 Violations.

- (1) It is unlawful for any *owner* of a *high-rise building* to allow any person to occupy any portion of a *high-rise building* subject to the provisions of this section unless: (1) the *Fire Code Official* or Mayor, or the Mayor's designee, has, in writing, authorized the occupancy; or (2) the owner is complying with the implementation schedule set forth in this section; or (3) the occupant is performing construction or maintenance to the building related to the installation or maintenance of an automatic fire sprinkler system; or (4) the *owner* of the *high-rise building* agreed in writing prior to January 1, 2004 to demolish the *high-rise building* by January 1, 2004.

- (2) It is unlawful for any *owner* of a *high-rise building* to allow any person to occupy any portion of a *high-rise building* after January 31, 2011, except where: (1) the occupant is performing minimal maintenance to prevent the *high-rise building* from being in an unsafe condition; or (2) the occupant is performing construction or maintenance to the building related to the installation or maintenance of an automatic fire sprinkler system; or (3) an approved fire sprinkler system has been completely installed.

(i) [No change in text.]

Section 11. That Chapter 5, Article 5, Division 10 of the Municipal Code is amended by amending section 55.1001, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 10: Means of Egress**

**§55.1001 Means of Egress**

1001.1 General through 1030.9 Floor identification signs. Sections 1001.1 through 1030.9 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 12. That Chapter 5, Article 5, Division 11 of the Municipal Code is amended by renaming the Division, renaming and amending section 55.1101, and adding section 55.1105, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 11: Construction Requirements for Existing Buildings**

**§55.1101 Construction Requirements for Existing Buildings**

1101.1 Scope through 1104.23 Stairway floor number signs. Sections 1101.1 through 1104.23 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

**§55.1105 Requirements for Outdoor Operations**

1105.1 Tire Storage yards through 1106.1 Group A occupancy public address system. Sections 1105.1 through 1106.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 13. That Chapter 5, Article 5, Division 12 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.1201, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 12: RESERVED**

**§55.1201 Reserved**

Section 14. That Chapter 5, Article 5, Division 13 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.1301, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 13: RESERVED**

**§55.1301 Reserved**

Section 15. That Chapter 5, Article 5, Division 14 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.1401, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 14: RESERVED**

**§55.1401 Reserved**

Section 16. That Chapter 5, Article 5, Division 15 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.1501, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 15: RESERVED**

**§55.1501 Reserved**

Section 17. That Chapter 5, Article 5, Division 16 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.1601, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 16: RESERVED**

**§55.1601 Reserved**

Section 18. That Chapter 5, Article 5, Division 17 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.1701, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 17: RESERVED**

**§55.1701 Reserved**

Section 19. That Chapter 5, Article 5, Division 18 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.1801, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 18: RESERVED**

**§55.1801 Reserved**

Section 20. That Chapter 5, Article 5, Division 19 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.1901, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 19: RESERVED**

**§55.1901 Reserved**

Section 21. That Chapter 5, Article 5, Division 20 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.2001, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 20: Aviation Facilities**

**§55.2001 Aviation Facilities**

2001.1 Scope through 2007.8 Federal approval. Sections 2001.1 through 2007.8 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

**Article 5: Fire Protection and Prevention**

Section 22. That Chapter 5, Article 5, Division 21 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.2101, to read as follows:

**Division 21: Dry Cleaning**

**§55.2101 Dry Cleaning**

2101.1 Scope through 2108.4 Portable fire extinguishers. Sections 2101.1 through 2108.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 23. That Chapter 5, Article 5, Division 22 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.2201, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 22: Combustible Dust-Producing Operations**

**§55.2201 Combustible Dust-Producing Operations**

2201.1 Scope through 2204.1 Standards. Sections 2201.1 through 2204.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 24. That Chapter 5, Article 5, Division 23 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.2301, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 23: Motor Fuel-Dispensing Facilities and Repair Garages**

**§55.2301 Motor Fuel-Dispensing Facilities and Repair Garages**

2301.1 Scope through 2311.8.3 Defueling equipment required at vehicle maintenance and repair facilities. Sections 2301.1 through 2311.8.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 25. That Chapter 5, Article 5, Division 24 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.2401, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 24: Flammable Finishes**

**§55.2401 Flammable Finishes**

2401.1 Scope through 2410.5 Ventilation. Sections 2401.1 through 2410.5 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 26. That Chapter 5, Article 5, Division 25 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.2501, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 25: Fruit and Crop Ripening**

**§55.2501 Fruit and Crop Ripening**

2501.1 Scope through 2507.1 When Required. Sections 2501.1 through 2507.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 27. That Chapter 5, Article 5, Division 26 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.2601, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 26: Fumigation and Insecticidal Fogging**

**§55.2601 Fumigation and Insecticidal Fogging**

2601.1 Scope through 2603.7 Flammable fumigants. Sections 2601.1 through 2603.7 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 28. That Chapter 5, Article 5, Division 27 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.2701, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 27: Semiconductor Fabrication Facilities**

**§55.2701 Semiconductor Fabrication Facilities**

2701.1 Scope through 2705.3.4.1 Identification. Sections 2701.1 through 2705.3.4.1 of the California Fire Code have been adopted without changed pursuant to section 55.0101(a).

Section 29. That Chapter 5, Article 5, Division 28 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.2801, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 28: Lumber Yards and Woodworking Facilities**

**§55.2801 Lumber Yards and Woodworking Facilities**

2801.1 Scope through 2809.5 Fire Protection. Sections 2801.1 through 2809.5 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 30. That Chapter 5, Article 5, Division 29 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.2901, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 29: Manufacture of Organic Coatings**

**§55.2901 Manufacture of Organic Coatings**

2901.1 Scope through 2909.6 Finished Products. Sections 2901.1 through 2909.6 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 31. That Chapter 5, Article 5, Division 30 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.3001, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 30: Industrial Ovens**

**§55.3001 Industrial Ovens**

3001.1 Scope through 3007.4 Equipment maintenance. Sections 3001.1 through 3007.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 32. That Chapter 5, Article 5, Division 31 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.3101, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 31: Tents and Other Membrane Structures**

**§55.3101 Tents and Other Membrane Structures**

3101.1 Scope through 3104.23 Obstructions. Sections 3101.1 through 3104.23 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 33. That Chapter 5, Article 5, Division 32 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.3201, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 32: High-Piled Combustible Storage**

**§55.3201 High-Piled Combustible Storage**

3201.1 Scope through 3210.1 General. Sections 3201.1 through 3210.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 34. That Chapter 5, Article 5, Division 33 of the Municipal Code is amended by renaming the Division, renaming and amending section 55.3301, and deleting section 55.3310, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 33: Fire Safety During Construction and Demolition**

**§55.3301 Fire Safety During Construction and Demolition**

3301.1 Scope through 3317.3 Fire Extinguishers for roofing operations. Sections 3301.1 through 3317.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 35. That Chapter 5, Article 5, Division 34 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.3401, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 34: Tire Rebuilding and Tire Storage**

**§55.3401 Tire Rebuilding and Tire Storage**

3401.1 Scope and application through 3409.1 Pile dimensions. Sections 3401.1 through 3409.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 36. That Chapter 5, Article 5, Division 35 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.3501, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 35: Welding and Other Hot Work**

**§55.3501 Welding and Other Hot Work**

3501.1 Scope through 3509.7 Inspection. Sections 3501.1 through 3509.7 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 37. That Chapter 5, Article 5, Division 36 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.3601, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 36: Marinas**

**§55.3601 Marinas**

3601.1 Scope through 3605.1 Fuel dispensing. Sections 3601.1 through 3605.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 38. That Chapter 5, Article 5, Division 37 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.3701, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 37: RESERVED**

**§55.3701 Reserved**

Section 39. That Chapter 5, Article 5, Division 38 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.3801, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 38: RESERVED**

**§55.3801 Reserved**

Section 40. That Chapter 5, Article 5, Division 39 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.3901, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 39: RESERVED**

**§55.3901 Reserved**

Section 41. That Chapter 5, Article 5, Division 40 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.4001, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 40: RESERVED**

**§55.4001 Reserved**

Section 42. That Chapter 5, Article 5, Division 41 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.4101, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 41: RESERVED**

**§55.4101 Reserved**

Section 43. That Chapter 5, Article 5, Division 42 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.4201, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 42: RESERVED**

**§55.4201 Reserved**

Section 44. That Chapter 5, Article 5, Division 43 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.4301, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 43: RESERVED**

**§55.4301 Reserved**

Section 45. That Chapter 5, Article 5, Division 44 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.4401, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 44: RESERVED**

**§55.4401 Reserved**

Section 46. That Chapter 5, Article 5, Division 45 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.4501, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 45: Reserved**

**§55.4501 Reserved**

Section 47. That Chapter 5, Article 5, Division 46 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.4601, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 46: RESERVED**

**§55.4601      Reserved**

Section 48. That Chapter 5, Article 5, Division 47 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.4701, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 47: RESERVED**

**§55.4701      Reserved**

Section 49. That Chapter 5, Article 5, Division 48 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.4801, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 48: Motion Picture and Television Production Studio Sound Stages,  
Approved Production Facilities and Production Locations**

**§55.4801      Motion Picture and Television Production Studio Sound Stages, Approved  
Production Facilities, and Production Locations**

[No change in text.]

**Article 5: Fire Protection and Prevention**

**Division 49: Requirements for Wildland-Urban Interface Fire Areas**

**§55.4901      Requirements for Wildland-Urban Interface Fire Areas**

[No change in text.]

Section 50. That Chapter 5, Article 5, Division 50 of the Municipal Code is amended by renaming the Division and renaming and amending section 55.5001, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 50: Hazardous Materials – General Provisions**

**§55.5001 Hazardous Materials – General Provisions**

- (a) 5001.1 Scope through 5001.1.1 Waiver. Sections 5001.1 through 5001.1.1 of the California Fire Code have been adopted without changed pursuant to section 55.0101(a).
- (b) 5001.1.2 Combustible Explosive and Dangerous Materials-CEDMAT Program Legislative Declaration and Findings.
  - (1) The Council of the City of San Diego (Council) finds that the advances in technology and the increasing presence and utilization of industry useful, but otherwise combustible, explosive, or dangerous material within the commercial sector represent an increased hazard to the community and emergency response personnel during emergency situations, particularly during fire suppression activities. The increasing threat to human and environmental safety requires careful planning to maximize effective emergency response. The Council further finds that an expanded fire inspection program is appropriate in order to develop plans for the effective management of fire and related emergency incidents involving materials that pose an otherwise unusual or extra hazard to public safety.
  - (2) To accomplish these objectives, the Council hereby establishes the Combustible, Explosive and Dangerous Material (CEDMAT)

Inspection Program. The program shall be administered by the *Fire Code Official* and such assistance as he or she may designate, under the authority and provisions of the California Fire Code, as hereinbefore adopted.

- (3) “Combustible, Explosive and Dangerous Material,” or its acronym “CEDMAT,” shall refer to all those substances as defined by the California Department of Health Services in Title 22, California Code of Regulations section 66680, or any such successor list as may be adopted in the future by the California Department of Health Services and hazardous materials otherwise generically or specifically described in the California Fire Code as herein adopted and amended.

(c) Purpose of CEDMAT Program.

- (1) Inspect occupancies, as defined in the California Fire Code, within the City, to determine the type and location of combustible, explosive and dangerous materials which may be present and the scope of risk presented by the presence of such materials;
- (2) Create CEDMAT action programs for the optimum containment, suppression, and management of incendiary and related emergency response incidents involving such occupancies and materials; and
- (3) Compile and analyze information relative to such materials and occupancies in fulfillment of the purposes set forth in subparagraphs (a) and (b) herein.

(d) CEDMAT Inspections.

The *Fire Code Official* shall cause periodic CEDMAT inspections to be made of occupancies, such as buildings, structures and installations, within the City and determine whether combustible, explosive or otherwise dangerous material exists.

Whenever necessary to make an inspection to enforce any of the provisions of this section, the *Fire Code Official* or the *Fire Code Official's* authorized representative may enter an occupancy at all reasonable times and after reasonable notice to inspect the same, provided that if such building or premises be occupied, he or she shall first present proper credentials to the occupants and request entry. If such building or premises be unoccupied, a reasonable effort shall be made to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused, an inspection warrant pursuant to California Code of Civil Procedure section 1822.50 et seq., may be sought to authorize entry without the consent of owner or other persons having charge or control of the building or premises.

During any inspection, the *Fire Code Official* or his authorized representative may request the following information from the owner, or other persons having charge or control of any building, structure or installation: (1) a listing of any combustible, explosive or dangerous material, as defined in section 5001.2 of the California Fire Code by either its chemical or common name or by description of the relevant chemical

properties which render it combustible, explosive or dangerous; and (2) a description of where such combustible, explosive or dangerous materials are normally located in the building, structure or installation.

The *owner*, or other persons having charge or control of the premises shall be allowed 15 days in which to provide information requested under this section.

It shall be unlawful for the *owner*, or other persons having charge or control of the premises to refuse to provide information requested pursuant to this section, to provide false information, or to refuse entry to the *Fire Code Official* or the *Fire Code Official's* authorized representative when presented with a legally issued inspection warrant after notice is provided as required by law.

(e) CEDMAT Fees.

It is the policy of the City to impose reasonable fees for full cost recovery for overhead and salaries of Fire Department personnel performing inspection services of occupancies storing, handling or processing combustible, explosive or dangerous material. The fees shall be determined by the *Fire Code Official* after consultation with an advisory group appointed by the Mayor. The advisory group shall include representatives from the affected industrial sector. The fees shall be promulgated in the City Clerk's Composite Rate Book. Such fees shall be exclusive of any fees for permits required under any section of the Municipal Code.

- (f) Exempt Public Records and Disclosure Requirements Concerning CEDMAT Inspections.
- (1) Records of inspection, inventories, information and action plans developed in connection with the CEDMAT Inspection Program are for the exclusive use of the *Fire Code Official* and his or her designees. Such records shall be further subject to all statutory protection and exemption against public disclosure otherwise allowed by law. The Council finds and hereby declares that this information, were it accessible to the general public, may potentially be used to sabotage, destroy or otherwise damage industrial facilities. The Council further declares, pursuant to California Government Code section 6255, that the public interest served by not making such information public clearly outweighs the public interest served by disclosure.
- (2) If a request or other action is made seeking the release of information collected under the CEDMAT Inspection Program, the *Fire Code Official* or the *Fire Code Official's* designee shall, to the extent practicable, notify the owner, operator or manager of any occupancy which supplied such information.
- (g) 5001.2 Material classification through 5005.4.4 Dispensing, use and handling. Sections 5001.2 through 5005.4.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 51. That Chapter 5, Article 5, Division 51 of the Municipal Code is amended by renaming the Division, renaming and amending section 55.5101, and deleting sections 55.5102, 55.5103, 55.5104, 55.5105, 55.5106, 55.5107, 55.5108, 55.5109, 55.5110, 55.5111, 55.5112, 55.5113, 55.5114, 55.5115, 55.5116, 55.5117, 55.5118, 55.5119, 55.5120, 55.5121, 55.5122, and 55.5123, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 51: Aerosols**

**§55.5101      Aerosols**

5101.1 Scope through 5107.1 General. Sections 5101.1 through 5107.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 52. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 52, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 52: Combustible Fibers**

**§55.5201      Combustible Fibers**

5201.1 Scope through 5205.2 Special baling conditions. Sections 5201.1 through 5205.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 53. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 53, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 53: Compressed Gas**

**§55.5301 Compressed Gas**

5301.1 Scope through 5307.2 Ventilation. Sections 5301.1 through 5307.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 54. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 54, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 54: Corrosive Materials**

**§55.5401 Corrosive Materials**

5401.1 Scope through 5405.2.1 Distance from use to exposures. Sections 5401.1 through 5405.2.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 55. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 55, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 55: Cryogenic Fluids**

**§55.5501 Cryogenic Fluids**

5501.1 Scope through 5505.5.2 Closed containers. Sections 5501.1 through 5505.5.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 56. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 56, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 56: Explosives and Fireworks**

**§55.5601 Explosives and Fireworks**

5601.1 Scope through 5608.1.1 Scope. Sections 5601.1 through 5608.1.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

**§55.5609 Financial Responsibility**

5609. Before a permit is issued pursuant to this section, the applicant shall file with the City of San Diego (City) a \$1 million combined single limit comprehensive general liability insurance policy, naming the City as an additional insured, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit. The *Fire Code Official* may specify a greater or lesser amount when, in the *Fire Code Official's* opinion, application of recognized risk management standards and conditions at the location requires it. Public agencies shall be exempt from the requirement of the issuing of an insurance policy naming the City as an additional insured.

**§55.5610 Where Prohibited**

Except as hereinafter provided, it shall be unlawful for any person to possess, store, manufacture, offer for sale, sell at retail, use, or explode any fireworks within the incorporated City limits.

Exception: Fireworks. 1.4G and fireworks 1.3G may be part of a public display when permitted by the City and conducted by a State of California licensed pyrotechnic operator.

Section 57. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 57, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 57: Flammable and Combustible Liquids**

**§55.5701 Flammable and Combustible Liquids**

5701.1 Scope and application through 5706.8.5 Overfill protection. Sections 5701.1 through 5706.8.5 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 58. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 58, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 58: Cryogenic Fluids**

**§55.5801 Cryogenic Fluids**

5801.1 Scope through 5808.7 Standby power. Sections 5801.1 through 5808.7 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 59. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 59, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 59: Flammable Solids**

**§55.5901 Flammable Solids**

5901.1 Scope through 5906.5.8 Collection of chips, turnings, and fines. Sections 5901.1 through 5906.5.8 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 60. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 06, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 60: Highly Toxic Materials**

**§55.6001 Flammable Solids**

6001.1 Scope through 6005.6 Manual shutdown. Sections 6001.1 through 6005.6 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 61. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 61, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 61: Liquefied Petroleum Gases**

**§55.6101 Liquefied Petroleum Gases**

6101.1 Scope through 6111.3 Garaging. Sections 6101.1 through 6111.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 62. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 62, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 62: Organic Peroxides**

**§55.6201 Organic Peroxides**

6201.1 Scope through 6205.1 General. Sections 6201.1 through 6205.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 63. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 63, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 63: Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids**

**§55.6301 Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids**

6301.1 Scope through 6306.7 Fire department notification. Sections 6301.1 through 6306.7 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 64. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 64, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 64: Pyrophoric Materials**

**§55.6401 Pyrophoric Materials**

6401.1 Scope through 6405.3 Silane gas. Sections 6401.1 through 6405.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 65. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 65, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 65: Pyroxylin (Cellulose Nitrate) Plastics**

**§55.6501 Pyroxylin (Cellulose Nitrate) Plastics**

6501.1 Scope through 6504.4 Heating. Sections 6501.1 through 6504.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 66. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 66, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 66: Unstable (Reactive) Materials**

**§55.6601 Unstable (Reactive) Materials**

6601.1 Scope through 6605.1 General. Sections 6601.1 through 6605.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 67. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 67, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 67: Water-Reactive Solids and Liquids**

**§55.6701 Water-Reactive Solids and Liquids**

6701.1 Scope through 6705.1 General. Sections 6701.1 through 6705.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 68. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 68, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 68: RESERVED**

**§55.6801 Reserved**

Section 69 That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 69, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 69: RESERVED**

**§55.6901 Reserved**

Section 70. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 70, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 70: RESERVED**

**§55.7001 Reserved**

Section 71. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 71, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 71: RESERVED**

**§55.7101 Reserved**

Section 72. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 72, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 72: RESERVED**

**§55.7201 Reserved**

Section 73. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 73, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 73: RESERVED**

**§55.7301 Reserved**

Section 74. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 74, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 74: RESERVED**

**§55.7401 Reserved**

Section 75. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 75, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 75: RESERVED**

**§55.7501 Reserved**

Section 76. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 76, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 76: RESERVED**

**§55.7601 Reserved**

Section 77. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 77, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 77: RESERVED**

**§55.7701 Reserved**

Section 78. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 78, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 78: RESERVED**

**§55.7801 Reserved**

Section 79. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 79, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 79: RESERVED**

**§55.7901 Reserved**

Section 80. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 80, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 80: Referenced Standards**

**§55.8001 Referenced Standards**

Chapter 80 Referenced Standards. Chapter 80 of the California Fire Code has been adopted without change pursuant to section 51.0101(a).

Section 81. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 81, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 81: Special Detailed Requirements Based on Use and Occupancy**

**§55.8101 Special Provisions for Licensed 24-Hour Care Facilities in a Group R-2.1, R-3.1, R-4**

425.1 Scope through 426.1 Operator's statement. Sections 425.1 through 426.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 82. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 82, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 82: RESERVED**

**§55.8201 Reserved**

Section 83. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 83, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 83: Appendix B – Fire-Flow Requirements for Buildings**

**§55.8301 Fire-Flow Requirements for Buildings**

B101.1 Scope through B105.2 Buildings with other than one- and two-family dwellings. Sections B101.1 through B105.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 84. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 84, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 84: Appendix BB – Fire-Flow Requirements for Buildings**

**§55.8401 Fire-Flow Requirements for Buildings**

BB101.1 Scope through BB105.1. Sections BB101.1 through BB105.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 85. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 85, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 85: Appendix C – Fire Hydrant Locations and Distribution**

**§55.8501 Fire Hydrant Locations and Distribution**

C101.1 Scope through C105.1 Hydrant spacing. Sections C101.1 through C105.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 86. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 86, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 86: Appendix CC – Fire Hydrant Locations and Distribution**

**§55.8601 Fire Hydrant Locations and Distribution**

CC101.1 Scope through CC105.1. Sections CC101.1 through CC105.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 87. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 87, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 87: Appendix D – Fire Apparatus Access Roads**

**§55.8701 Fire Apparatus Access Roads**

D101.1 Scope through D103.4 Dead ends. Sections D101.1 through D103.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

**§55.8703 Minimum Specifications**

- (a) D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:
- (1) The minimum gate width shall be 13 feet (3964 mm).
  - (2) Gates shall be of the swinging or sliding type.
  - (3) Construction of gates shall be of materials that allow manual operation by one person.
  - (4) Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
  - (5) Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the *Fire Code Official*.
  - (6) Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of

- forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.
- (7) Locking device specifications shall be submitted for approval by the *Fire Code Official*.
  - (8) Electric gate operators where provided shall be listed in accordance with UL 325.
  - (9) Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.
- (b) D103.6 Signs. Where required by the *Fire Code Official*, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs complying with California Vehicle Code section 22500.1. Signs shall be posted on one or both sides of the fire apparatus road as required by section D103.6.1 or D103.6.2.
- (c) D103.6.1 Roads 20 to 26 feet in width through D103.6.2 Roads more than 26 feet in width. Sections D103.6.1 through D103.6.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

**§55.8704 Commercial and Industrial Developments**

D104 Buildings exceeding 62,000 square feet in area through D108 Referenced Standards. Section D104.4 through D108 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 88. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 88, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 88: RESERVED**

**§55.8801 Reserved**

Section 89. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 89, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 89: RESERVED**

**§55.8901 Reserved**

Section 90. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 90, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 90: RESERVED**

**§55.9001 Reserved**

Section 91. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 91, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 91: RESERVED**

**§55.9101 Reserved**

Section 92. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 92, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 92: RESERVED**

**§55.9201 Reserved**

Section 93. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 93, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 93: RESERVED**

**§55.9301 Reserved**

Section 94. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 94, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 94: Very High Fire Hazard Severity Zone Established**

**§55.9401 Very High Fire Hazard Severity Zone**

The Council adopts the Very High Fire Hazard Severity Zones as recommended by the Director of the California Department of Forestry and Fire Protection, and adopts the Brush Management Zones, as defined in Municipal Code section 142.0412, as Very High Fire Hazard Severity Zones, as designated on a map titled, "Very High Fire Hazard Severity Zone Map – Local Responsibility Areas," dated July 21, 2009, on file with the City Clerk as Document number OO-19884.

Section 99. That Chapter 5, Article 5 of the Municipal Code is amended by adding Division 99, to read as follows:

**Article 5: Fire Protection and Prevention**

**Division 99: Fire and Harmful Gas Emergency Alarms**

**§55.9901 Purpose and Intent**

This Division creates a permitting system for fire and harmful gas alarm systems. It includes a schedule of penalties for *false alarms* as defined in this Division. The permitting and penalty regulations under this Division are in addition to the San Diego Police Department false alarm regulations enacted in Chapter 3, Article 3, Division 37 of this Code.

**§55.9902 Definitions**

Defined terms appear in italics. The following definitions apply in this Division:

*Alarm agent* means any *person* who is directly or indirectly employed by a *fire-harmful gas alarm business*, and whose duties include selling any *fire-harmful gas alarm system*.

*Alarm system administrator* means an employee of the City of San Diego designated by the *alarm system official* to administer the *fire-harmful gas alarm system* permitting, track false alarms for purposes of penalties under this Division, report on program metrics, and act as a liaison with the public.

*Alarm system official* means the *Chief of Police*, the *Fire-Rescue Chief*, or any other official appointed by the City Manager to preside over the *fire-harmful gas alarm system* program in this Division.

*Alarm user* means any *person* who operates, activates, possesses or controls a *fire-harmful gas alarm system*, or who occupies, controls, or possesses the building or structure protected by a *fire-harmful gas alarm system*.

*Business tax certificate* has the same meaning as *certificate* in Municipal Code section 31.0110(a).

*Chief of Police* has the same meaning as Municipal Code section 33.0201.

*Conversion* means the assumption by one *fire-harmful gas alarm business* of the duty to service, maintain or monitor a *fire-harmful gas alarm system* previously monitored by another *fire-harmful gas alarm business*.

*Emergency situation* means any circumstance in which there is reason to believe that: (1) there is an uncontrolled fire actively burning in or near a building or other structure; (2) there is a concentration of *harmful gas* in or near a building or other structure; or (3) there is an identifiable risk of harm to a person or property within or near a building or other structure.

*Exempt user* has the same meaning as in Municipal Code section 33.3701.

*False alarm* means any triggering of a *fire-harmful gas alarm system* that results in a response by San Diego Fire-Rescue Department personnel when an *emergency situation* does not exist. *False alarm* includes activations caused by mechanical failure, malfunction, accidental tripping, malicious tripping, misuse, or negligent maintenance by a *fire-harmful gas alarm business*, *fire-harmful gas alarm agent*, or *alarm user*. *False alarm* does not include activations caused by weather conditions, telephone line problems, water surges, water hammers, or any other factor over which the *fire-harmful gas alarm business*, *fire-harmful gas alarm agent*, or *alarm user* do not have direct control.

*Fire alarm system* means a *fire-harmful gas alarm system* that is designed to monitor buildings or other structures for *emergency situations* connected to

uncontrolled fires, and evokes a San Diego Fire-Rescue Department response when the alarm system is triggered.

*Fire-harmful gas alarm business* means any *person* engaged in the enterprise of selling, installing, maintaining, servicing, inspecting, or monitoring any *fire-harmful gas alarm system*. *Fire-harmful gas alarm business* does not include the owner or property manager of an apartment complex that provides *fire-harmful gas alarm systems* in each residential unit as an amenity.

*Fire-harmful gas alarm system* means any mechanical or electrical monitoring device capable of giving, signaling, or transmitting a fire or *harmful gas* emergency alarm that, when triggered by an *emergency situation*, emits a sound or transmits a signal or message that is intended to evoke a response by the San Diego Fire-Rescue Department. *Fire-harmful gas alarm system* includes *fire alarm systems* and *harmful gas alarm systems*. *Fire-harmful gas alarm system* excludes manually activated residential alarm systems.

*Fire-Rescue Chief* means the Chief of the Fire-Rescue Department of the City of San Diego.

*Fire watch* means a *person* who is a site-specific guard for the purpose of detecting an *emergency situation*. *Fire watch* includes only those *persons* who are trained in the use of fire extinguishers, the notification to the San Diego Fire-Rescue Department of an *emergency situation*, and in the operation of the *fire alarm system* where the *fire watch* is stationed.

*Harmful gas* means any form of gas other than smoke, ash, or dust from a fire, which is capable of causing harm to *persons* or property. For example, carbon monoxide is a *harmful gas*.

*Harmful gas alarm system* means a *fire-harmful gas alarm system* that is designed to monitor buildings or other structures for *emergency situations* connected to *harmful gas*, and evokes a San Diego Fire-Rescue Department response when the alarm system is triggered.

*Person* has the same meaning as in Municipal Code section 11.0210.

*Sell* has the same meaning as in Municipal Code section 33.3701.

*Takeover* means the assumption by one *alarm user* of the control of a *fire-harmful gas alarm system* previously controlled by another *alarm user*.

**§55.9903 Fire-Harmful Gas Alarm Business Requirements and Responsibilities**

- (a) It is unlawful for any *person* to operate a *fire-harmful gas alarm business* without a *business tax certificate*.
- (b) It is unlawful for any *person* to operate a *fire-harmful gas alarm business* not licensed as required by the State of California.
- (c) Any *fire-harmful gas alarm business* that sells any *fire-harmful gas alarm system* shall do the following:
  - (1) Obtain an *alarm user* permit, using the *alarm user* permit application provided by the *alarm system official*, on behalf of the *alarm user* before putting the *fire-harmful gas alarm system* into service;

- (2) Collect the *alarm user* permit application and permit fee from each *alarm user*; and
  - (3) Mail or hand deliver the completed *alarm user* permit application and permit fee to the *alarm system official* before putting the *fire-harmful gas alarm system* into service.
- (d) Any *person* or business that sells any *fire-harmful gas alarm system* and does not personally or through an agent install, maintain, service, inspect or monitor the *fire-harmful gas alarm system* for any location, shall provide to the purchaser at the time of the sale an *alarm user* permit application and certification form, as provided in Municipal Code section 55.9908. Subsection (c) does not apply to transactions covered under this subsection.

**§55.9904 Alarm Agent Responsibilities**

An *alarm agent* shall comply with all applicable licensing or registration requirements pursuant to California law.

**§55.9905 Fire-Harmful Gas Alarm System Conversion**

- (a) Prior to the *conversion* of any *fire-harmful gas alarm system*, the *fire-harmful gas alarm business* transferring the duty to monitor shall ensure that the *alarm user* has a valid *alarm user* permit for the *fire-harmful gas alarm system* being converted.
- (b) If the *alarm user* does not have a valid *alarm user* permit for the *fire-harmful gas alarm system* being converted, the *fire-harmful gas alarm*

*business* transferring the duty to maintain, service, inspect or monitor shall obtain the *alarm user* permit on behalf of the *alarm user*.

**§55.9906 Fire-Harmful Gas Alarm System Takeover**

- (a) Upon any *takeover* of a *fire-harmful gas alarm system* maintained, serviced, inspected or monitored by a *fire-harmful gas alarm business*, the *fire-harmful gas alarm business* shall determine whether an *alarm user* permit has been issued to the *alarm user*. assuming control of the *fire-harmful gas alarm system*.
- (b) Upon a determination that an *alarm user* permit has not been issued to the *alarm user* assuming control of the *fire-harmful gas alarm system*, the *fire-harmful gas alarm business* shall obtain an *alarm user* permit on behalf of the *alarm user*.
- (c) Nothing in this Division prohibits the *fire-harmful gas alarm business* from recovering from an *alarm user* the amount of the *alarm user* permit fee.

**§55.9907 Alarm User Permit Required; Violation**

- (a) It is unlawful for any *alarm user* to operate, activate, possess or control any *fire-harmful gas alarm system* unless the *alarm user* has a current valid *alarm user* permit issued by the *alarm system official* for that *fire-harmful gas alarm system*.
- (b) Except as provided in section 55.9903(c), the *alarm system official* shall collect *alarm user* permit applications and permit application fees from the *alarm user*.

§55.9908 Application for Alarm User Permit

- (a) Any *person* applying for an *alarm user* permit shall submit to the *alarm system official*, on a form provided by the *alarm system official*, a legibly written application containing the following information:
- (1) Name, address, and telephone number of the *alarm user* (including separate mailing address if applicable);
  - (2) Classification of the alarm location as residential or commercial;
  - (3) *Fire-harmful gas alarm system* type (such as fire or carbon monoxide);
  - (4) Area covered by *fire-harmful gas alarm system*;
  - (5) Name, address, and telephone number of the *person* authorized to respond to alarm signals and to allow access to the protected building or other structure; and
  - (6) Name, address, telephone number, *City business tax certificate* number, and State license number of the *fire-harmful gas alarm business* that will monitor the *fire-harmful gas alarm system*, if any.
- (b) All fees must be paid at the time the *alarm user* permit application is filed.
- (c) Each *alarm user* permit application must be accompanied by a signed certification by the *alarm user* and *fire-harmful gas alarm business* stating the following:
- (1) The date of the installation, *conversion*, or *takeover*, whichever is applicable;

- (2) The name, address, telephone number, City *business tax certificate* number, and State license number of the *fire-harmful gas alarm business* installing the *fire-harmful gas alarm system*, or performing the *conversion* or *takeover* of the *fire-harmful gas alarm system*;
  - (3) The name, address, and telephone number of the *fire-harmful gas alarm business* or *alarm agent* responsible for monitoring the *fire-harmful gas alarm system*, if any;
  - (4) That written operating instructions for the *fire-harmful gas alarm system*, including written guidelines regarding how to avoid *false alarms*, have been provided to the *alarm user* applying for the permit; and
  - (5) That the *fire-harmful gas alarm business* has provided to the *alarm user* applying for the permit all necessary information regarding the proper use of the *fire-harmful gas alarm system*, including instruction on how to avoid *false alarms*.
- (d) The *alarm system official* may deny the application for an *alarm user* permit if any of the information required pursuant to section 55.9908(a) and (c) is not provided.
- (e) An application will not be considered complete if, at the time the application is being considered, any penalty fees under section 55.9911 or any fines assessed to the *person* applying for an *alarm user* permit under section 55.9916 have not been paid.

**§55.9909 Expiration of Alarm User Permits**

- (a) An *alarm user* permit shall expire on the last day of the twenty-fourth month following the issuance of the permit.
- (b) The *alarm user* is responsible to renew an *alarm user* permit prior to the permit's expiration.
- (c) The *alarm system administrator* shall notify the *alarm user* when a permit is due to expire at least thirty days before it expires.

**§55.9910 Alarm User Permits Not Transferable**

*Alarm user* permits shall not be transferable from one *person* to another or from one building or other structure to another.

**§55.9911 Fees and Penalties for Alarm User Permit**

- (a) Except as otherwise specifically provided in this Division, any *person* who files an application for an *alarm user* permit shall, at the time of filing the application, pay a fee in accordance with the City Clerk's fee rate book and any outstanding penalty fee.
- (b) Any *alarm user* who does not have an *alarm user* permit and whose *fire-harmful gas alarm system* generates a San Diego Fire-Rescue Department call for service will be notified in writing that he or she must obtain an *alarm user* permit. If the *alarm user* has not obtained an *alarm user* permit within 15 days after written notification by the San Diego Fire-Rescue Department, then the *alarm user* will be assessed a penalty for each San Diego Fire-Rescue Department call for service generated by his or her *fire-harmful gas alarm system* until the permit is obtained. The penalty

shall include cost recovery for the San Diego Fire-Rescue Department's response to the *false alarm*. The penalty schedule shall be kept in the City Clerk's fee rate book on file in the City Clerk's Office.

**§55.9912 Responsibility for Fire-Harmful Gas Alarm Systems in Apartments**

- (a) If an *alarm user* has multiple *fire-harmful gas alarm systems* in one building or structure, an *alarm user* permit is required for each separate system.
- (b) The tenant of a multiunit residential building or rental property whose unit contains a *fire-harmful gas alarm system* is deemed to be the *alarm user* if the *fire-harmful gas alarm system* was not provided by the owner of the multiunit residential or other rental property.
- (c) The owner of a multiunit residential or other rental property that provides a *fire-harmful gas alarm system* to tenants shall be deemed the *alarm user*.
- (d) Each *fire-harmful gas alarm system* control panel constitutes a separate alarm system and requires a separate *alarm user* permit.

**§55.9913 Fire-Harmful Gas Alarm System Direct Dial Prohibition**

It is unlawful for any *person* to program, install or use any *fire-harmful gas alarm system* to direct dial any emergency or "call for service" number serving the San Diego Fire-Rescue Department's Regional Communications Center.

**§55.9914 Procedures for Alarm Verification**

A *fire-harmful gas alarm business* shall, after contacting the San Diego Fire-Rescue Department, attempt to contact an *alarm user* in person, by telephone, or by other electronic means, in order to verify that the alarm signal is not false.

§55.9915      **Revocation of an Alarm User Permit**

- (a) A violation of any of the provisions of this Division shall constitute grounds for revocation of an *alarm user* permit.
- (b) The *alarm system official* may revoke any *alarm user* permit for any *fire-harmful gas alarm system* that has had *false alarms* in excess of the number permitted in section 55.9915(f).
- (c) The *alarm system official* will indicate on an *alarm user's* records that an alarm is false if the responding San Diego Fire-Rescue Department personnel do not find evidence that an *emergency situation* was the cause of the alarm being triggered. The *alarm system official* may amend the *alarm user's* records to indicate that the alarm was not a *false alarm* if, within ten business days of the alarm being triggered, the *alarm system official* receives satisfactory evidence to that effect. The *alarm system official* shall issue written findings of such decision within five business days of receipt of the evidence offered.
- (d) Upon revocation of any *alarm user* permit, the *alarm system official* will notify the holder of the permit in writing of the revocation.
- (e) The *alarm system official* shall notify the *alarm user* of the *alarm user's* first *false alarm* by letter.
- (f) The first two *false alarms* for an *alarm user* holding an *alarm user* permit, of each calendar year shall not be penalized either by a penalty or *alarm user* permit revocation. Additional *false alarms* each calendar year will be

penalized according to the penalties for false fire-harmful gas alarms contained in the City Clerk's fee rate book.

- (g) An *alarm user* permit that has been revoked pursuant to this Division is not a current valid *alarm user* permit.

**§55.9916 Penalties for Alarm User Permit Revocations**

- (a) An *alarm user* shall pay a penalty, according to the established rates kept in the City Clerk's fee rate book on file in the Clerk's Office, for each revocation of an *alarm user* permit and each subsequent *false alarm* San Diego Fire-Rescue Department response that *fire-harmful gas alarm system*.
- (b) A *fire-harmful gas alarm business* shall not be liable for any penalty imposed upon an *alarm user* for exceeding the permitted number of *false alarms* if the *fire-harmful gas alarm business* obtained the *alarm user* permit on behalf of the *alarm user*.

**§55.9917 Reinstatement of Revoked Permit; Alarm User Permit Appeal**

- (a) An *alarm user* whose permit has been revoked pursuant to section 55.9915 may apply for reinstatement of the permit by submitting to the *alarm system official* all penalties due pursuant to section 55.9916, and written evidence satisfactory to the *alarm system official* that the cause of the *false alarms* has been identified and corrected.
- (b) The *alarm system official* may reinstate an *alarm user* permit revoked pursuant to section 55.9915 upon the receipt of all penalties due pursuant to section 55.9916 and evidence satisfactory to the *alarm system official*

that the cause of the *false alarms* has been corrected. The *alarm system official* may also require such other conditions as may be appropriate to reinstate a revoked *alarm user* permit.

- (c) An *alarm user* may appeal a decision by the *alarm system official* to revoke the *alarm user* permit in accordance with the appeals process for Police Regulated Businesses found in Chapter 3, Article 3, Division 5 of this Code.

**§55.9918 Use of Fire-Harmful Gas Alarm System after Permit Revocation as Public Nuisance**

- (a) The *alarm system official* may declare a *fire-harmful gas alarm system* a public nuisance when all of the following conditions are present:
- (1) The *alarm user* permit has been revoked due to *false alarms*;
  - (2) The revoked *alarm user* permit has not been reinstated;
  - (3) The cause of the *false alarms* has not been corrected;
  - (4) The *alarm user's fire-harmful gas alarm system* continues to trigger *false alarms*; and
  - (5) If revoked, the decision of the *alarm system official* to revoke the permit is not currently on appeal pursuant to Chapter 3, Article 3, Division 5 of the Municipal Code.
- (b) The *alarm system official* may remove a public nuisance designation from the *alarm user's* records when the *alarm user* permit has been reinstated and the cause of the *false alarms* has been corrected.

**§55.9919 Posting a Fire Watch**

The *alarm system official* may require an *alarm user* to post a *fire watch*, at the *alarm user's* expense, if a *fire alarm system* is unable to be repaired within 24 hours or if the lack of protection due to the alarm malfunctioning creates a life or property safety hazard. The *fire watch* shall be stationed at the building or other structure where the *false alarms* were generated.

**§55.9920 Exceptions**

The regulations in this Division do not apply to:

- (a) *Persons* engaged solely in the manufacture or repair of *fire-harmful gas alarm systems* or *fire-harmful gas alarm system* components from a fixed location who do not personally or through an agent install, or monitor the *fire-harmful gas alarm system* for any location, except as provided in section 55.9903(d).
- (b) *Exempt users* as defined in section 55.9902 of this Division.

**§55.9921 Confidentiality of Records**

- (a) The information furnished and secured pursuant to this Division shall not be subject to public inspection except when required by local, state or federal law.
- (b) An *alarm user* shall have access to information regarding the administration of that user's permit.

**§55.9922 Enforcement Authority**

The *alarm system official* is authorized to administer and enforce the provisions of this Division. The *alarm system official* may exercise any enforcement powers as provided in Chapter 1, Article 2, Division 1 of this Code.

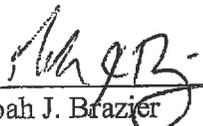
**§55.9923 Enforcement Remedies**

Except as otherwise specifically provided, violations of this Division may be prosecuted as misdemeanors subject to the fines and custody provided in Municipal Code section 12.0201. The *alarm system official* may also seek injunctive relief and civil penalties in the Superior Court pursuant to Municipal Code section 12.0202 or pursue any administrative remedy provided in Chapter 1, Article 2, Division 1 of this Code.

Section 100. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 101. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By  \_\_\_\_\_  
Noah J. Brazier  
Deputy City Attorney

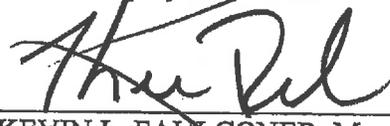
NJB:hm  
10/02/2015  
Or.Dept:PSE  
Doc. No.: 1107494\_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAR 22 2016.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 4/5/16  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

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2016 APR 13 P 2:50  
SAN DIEGO COMMISSION

Passed by the Council of The City of San Diego on MAR 22 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 06 2016

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 08 2016

, and on

APR 06 2016

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20625

11-327

(O-2016-32) 3/20

ORDINANCE NUMBER O- 20624 (NEW SERIES)

DATE OF FINAL PASSAGE APR 06 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 5, ARTICLE 9.5 OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING DIVISION 7 AND SECTION 59.5.0701; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 1 BY AMENDING SECTIONS 129.0111 AND 129.0113; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 2 BY AMENDING SECTIONS 129.0203 AND 129.0205; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 3 BY AMENDING SECTIONS 129.0303 AND 129.0310, REPEALING SECTIONS 129.0311, 129.0312, AND 129.0313; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 4 BY AMENDING SECTIONS 129.0403, 129.0404, 129.0407, 129.0411, AND 129.0416, AND REPEALING SECTIONS 129.0412, 129.0413, AND 129.0414; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 5 BY AMENDING SECTION 129.0503; AMENDING CHAPTER 12, ARTICLE 9 BY ADDING NEW DIVISION 9, - SECTIONS 129.0901, 129.0902, 129.0903, 129.0904, 129.0905, 129.0906, 129.0907, 129.0908, AND 129.0909; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 12 BY AMENDING SECTION 142.1210; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 1 BY AMENDING SECTIONS 145.0101, 145.0103, 145.0104, 145.0105, 145.0106, 145.0107, AND 145.0108; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 2 AND SECTIONS 145.0201 AND 145.0202; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 3 AND SECTION 145.0301; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 4 AND SECTION 145.0401 AND REPEALING SECTION 145.0419; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 5 AND SECTION 145.0501; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 6 AND SECTION 145.0601; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 7 AND SECTIONS 145.0701, 145.0702, 145.0703, 145.0705 AND 145.0706, AND ADDING NEW SECTION 145.0717; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 8 AND SECTION 145.0801; AMENDING

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 PLANNING  
 & ZONING COMMISSION

CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 9 AND SECTION 145.0901; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 10 AND SECTION 145.1001, AND REPEALING SECTION 145.1017; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 11 AND SECTION 145.1101; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 12 AND SECTIONS 145.1201 AND 145.1203, AND ADDING NEW SECTION 145.1207; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 13 AND SECTION 145.1301; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 14 AND SECTION 145.1401; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 15 AND SECTIONS 145.1501, 145.1505, 145.1507, AND 145.1510; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 16 AND SECTION 145.1601, ADDING NEW SECTIONS 145.1607 AND 145.1612, AND REPEALING SECTION 145.1613; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 17 AND SECTIONS 145.1701 AND 145.1705; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 18 AND SECTIONS 145.1801 AND 145.1803; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 19 AND SECTION 145.1901, AND REPEALING SECTION 145.1908; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 20 AND SECTION 145.2001; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 21 AND SECTION 145.2101; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 22 AND SECTION 145.2201; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 23 AND SECTION 145.2301; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 24 AND SECTION 145.2401; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 25 AND SECTION 145.2501; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 26 AND SECTION 145.2601; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 27 AND SECTION 145.2701; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 28 AND SECTION 145.2801; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 29 AND SECTION

145.2901; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 30 AND SECTION 145.3001; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 31 AND SECTIONS 145.3101 AND 145.3109; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 32 AND SECTIONS 145.3201 AND 145.3203; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 33 AND SECTIONS 145.3301 AND 145.3303; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 34 AND SECTION 145.3401; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 35 AND SECTION 145.3501; AMENDING CHAPTER 14, ARTICLE 5 BY AMENDING THE TITLE OF DIVISION 36 AND SECTION 145.3601; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 37 BY AMENDING SECTIONS 145.3704, 145.3705, 145.3706, 145.3707, 145.3708, 145.3709, 145.3710, 145.3711, 145.3712, 145.3715, 145.3724 AND 145.3725; AMENDING CHAPTER 14, ARTICLE 6, DIVISION 1 BY AMENDING SECTIONS 146.0103, 146.0104, AND 146.0105; AMENDING CHAPTER 14, ARTICLE 6, DIVISION 2 BY AMENDING SECTION 146.0202; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 1 BY AMENDING SECTIONS 147.0103, 147.0104, 147.0105, 147.0106, AND 147.0107, AND ADDING NEW SECTION 147.0108; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 2 BY AMENDING SECTIONS 147.0206 AND 147.0212, AND ADDING NEW SECTION 147.0213; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 3 BY AMENDING SECTIONS 147.0303 AND 147.0305; AMENDING CHAPTER 14, ARTICLE 8, DIVISION 1 BY AMENDING SECTIONS 148.0103, 148.0104, AND 148.0106, ADDING NEW SECTION 148.0108, AND REPEALING SECTION 148.0105; AMENDING CHAPTER 14, ARTICLE 8, DIVISION 2 BY AMENDING SECTION 148.0201 AND ADDING NEW SECTION 148.0204; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 1 BY AMENDING SECTIONS 149.0101, 149.0103, 149.0104, 149.0105, 149.0106, 149.0107, AND 149.0108; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 2 BY AMENDING SECTIONS 149.0201 AND 149.0202 AND REPEALING SECTION 149.0203; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 3 BY AMENDING SECTIONS 149.0301 AND 149.0327, ADDING NEW SECTIONS 149.0302 AND 149.0322, REPEALING SECTION 149.0317, AND RENUMBERING SECTIONS 149.0330 TO 149.0335; 149.0331 TO 149.0332; 149.0332 TO 149.0333; AND 149.0333 TO 149.0334;

AMENDING CHAPTER 14, ARTICLE 9, DIVISION 6 BY AMENDING SECTION 149.0601 AND REPEALING SECTION 149.0602; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 8 BY AMENDING SECTION 149.0801 AND REPEALING SECTION 149.0806; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 9 BY AMENDING SECTIONS 149.0901 AND 149.0902; AMENDING CHAPTER 14, ARTICLE 10, DIVISION 1 BY AMENDING SECTIONS 1410.0103, 1410.0104, 1410.0105, 1410.0106, 1410.0107, AND 1410.0108; AMENDING CHAPTER 14, ARTICLE 10 BY AMENDING THE TITLE OF DIVISION 4 AND ADDING NEW SECTION 1410.0403; AND AMENDING CHAPTER 14, ARTICLE 10 BY AMENDING THE TITLE OF DIVISION 5 AND SECTIONS 1410.0501, 1410.0505, AND 1410.0510, ALL RELATING TO THE ADOPTION AND LOCAL AMENDMENT OF THE 2013 CALIFORNIA STATE BUILDING, RESIDENTIAL BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, AND GREEN BUILDING CODES.

WHEREAS, the California Building Standards Code, 2013 Edition, was published by the California Building Standards Commission, and amended by the State Department of Housing and Community Development, the Division of the State Architect/Access Compliance, the State Office of Statewide Health Planning and Development, and the State Fire Marshal; and

WHEREAS, California Health and Safety Code section 17958 provides that the governing body of every city or county shall adopt ordinances or regulations imposing the same requirements as those contained in the California Building Standards Code; and

WHEREAS, California Health and Safety Code sections 17958.5 and 17958.7 provide that a city or county may make such changes or modifications to the requirements contained in the California Building Standards Code as it determines are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of San Diego Board of Building Appeals and Advisors has recommended changes or modifications in the requirements of the California Building Standards

Code which are reasonably necessary because of local climatic, geological or topographical conditions; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That it finds and declares, in accordance with California Health and Safety Code section 17958.5, that the recommended amendments, additions, and deletions incorporate changes and modifications that are reasonably necessary because of the following local climatic, geological or topographical conditions:

A. Climatic Conditions

Each year, the City of San Diego experiences periods of high temperatures, accompanied by low humidity and high winds. Years of drought in the City's semi-arid natural environment have increased the combustibility of vegetation. These conditions create an environment in which the Fire Department commits large numbers of firefighting resources to control and extinguish wildland fires. The City experienced major wildfires in 2003 and 2007. Limited firefighting resources may have great difficulty controlling fires in structures.

Additionally, the City has several micro-climate zones, including coastal areas where ambient humidity results in corroded piping and other building components.

B. Geological Conditions

The City of San Diego is situated near three major earthquake faults, each capable of generating quakes with magnitude of 7.0 or greater on the Richter scale: the Elsinore Fault, northeast of the City; the Rose Canyon Fault, which extends from La Jolla Cove through Rose Canyon and into downtown San Diego; and the Coronado Banks Fault, which extends in a northwest/southeast direction just off the coast under the Pacific

Ocean. The most severe threat from earthquakes is damage to and collapse of buildings and other structures due to ground movement. Earthquakes can also cause fires by damaging gas and power lines, and can make firefighting difficult or impossible by breaking water mains and damaging sprinkler systems.

The City of San Diego includes the Acquist Priolo Special Fault Study Zone and the Rose Canyon fault area, both with high mapped seismic accelerations that impact construction of high rise buildings.

C. Topographical Conditions

The City of San Diego has over 900 linear miles of wildland urban interface, where backyards of homes meet the natural vegetation, including coastal sage scrub and chaparral. Access to this natural vegetation for purposes of firefighting is made difficult by topographical features of the City that include hills, mountains and canyons. These topographical features create significant difficulties for emergency personnel attempting to extinguish fires in these areas.

Because of the prevalence of canyons, preserved open space, the Pacific Ocean, and an international border, the City of San Diego has constrained buildable space that requires vertical construction.

Section 2. That Chapter 5, Article 9.5 of the San Diego Municipal Code is amended by repealing Division 7 and section 59.5.0701.

Section 3. That Chapter 12, Article 9, Division 1 of the San Diego Municipal Code is amended by amending sections 129.0111 and 129.0113, to read as follows:

**§129.0111 General Rules for Construction Permit Inspections**

All work for which Building Permits, Electrical Permits, Plumbing Permits,

Demolition/Removal Permits, Fire Permits and Mechanical Permits are issued shall be subject to inspection by the Building Official. The Building Official is authorized to inspect, or cause to be inspected, the work prior to and subsequent to the issuance of the applicable permit or permits. Inspections shall be performed in accordance with the inspection procedures established by the Building Official, except as may be exempted by the Land Development Code.

(a) through (g) [No change in text.]

**§129.0113 When a Certificate of Occupancy Is Required**

(a) [No change in text.]

(b) Changes in the use or occupancy of a *structure* or portion of a *structure* shall not be made except as specified in California Building Code Section 3408.

Section 4. That Chapter 12, Article 9, Division 2 of the San Diego Municipal Code is amended by amending sections 129.0203 and 129.0205, to read as follows:

**§129.0203 Exemptions from a Building Permit**

(a) A Building Permit is not required for the following *structures* and activities.

(1) [No change in text.]

(2) *Fences* that are 6 feet in height or less, and not supporting any other super-imposed loads.

(3) [No change in text.]

(4) Non-fixed and movable fixtures; cases, racks, counters and partitions not over 5 feet 9 inches in height.

(5) through (25) [No change in text.]

(b) through (e) [No change in text.]

**§129.0205 Deferred Submittals of Required Building Permit Application Materials**

Before issuing a Building Permit, the Building Official may allow deferral of submittal documents relating to a specific portion of the design.

- (a) The Building Official shall specify a maximum time period for submittal of the deferred documents. The Building Permit for the non-deferred portions may be issued and construction may start on the non-deferred portions of the work, before the deferred submittals are submitted.
- (b) The registered and responsible design professional shall list the deferred submittals on the construction documents for review by the Building Official.
- (c) The registered and responsible design professional shall review the deferred submittal documents and submit them to the Building Official, with annotation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building.
- (d) The deferred submittal items shall not be installed until their design and submittal documents have been approved by the Building Official.

Section 5. That Chapter 12, Article 9, Division 3 of the San Diego Municipal Code is amended by amending sections 129.0303 and 129.0310, and repealing sections 129.0311, 129.0312, and 129.0313, to read as follows:

**§129.0303 Exemptions from an Electrical Permit**

- (a) through (f) [No change in text.]
- (g) Exemption from the permit requirements of the Electrical Regulations does not authorize any work to be done in any manner in violation of the provisions of the Electrical Regulations or any other applicable local or state regulations.

**§129.0310 Electrical Permit Expiration**

- (a) An Electrical Permit shall expire if substantial work authorized by the permit has not been completed and validated by an inspection within 180 calendar days of the date of permit issuance.
- (b) An Electrical Permit shall expire if, after initial utilization of a permit pursuant to Section 129.0310(a), work authorized by the permit is suspended or the *structure* is abandoned for a continuous period of 180 calendar days.
- (c) An Electrical Permit shall expire 2 years after the date of permit issuance if the work authorized by the Electrical Permit has not received final inspection approval by the permit expiration date.
- (d) If the work authorized by the Electrical Permit has not received final inspection approval by the permit expiration date, all work shall stop until a new permit is issued.
- (e) Any Electrical Permit associated with a Building Permit shall expire concurrently with the Building Permit.

- (f) An expired Electrical Permit may be extended by the Building Official concurrently with the extension of a Building Permit.
- (g) A new Electrical Permit is required to finish any work that was not finished because of the expiration of the permit; however, unfinished work may be removed without a permit.

Section 6. That Chapter 12, Article 9, Division 4 of the San Diego Municipal Code is amended by amending sections 129.0403, 129.0404, 129.0407, 129.0411, and 149.0416, and repealing sections 129.0412, 129.0413, and 129.0414, to read as follows:

**§129.0403 Exemptions from a Plumbing Permit for Plumbing Work**

- (a) A Plumbing Permit is not required for the following plumbing work:
  - (1) stopping of leaks in drains, soil, waste, or vent pipe; however, this exemption does not apply for the replacement of any drain pipe, soil, waste, or vent pipe with new material in any part as part of the repair;
  - (2) clearing of stoppages, or the repair of leaks in soil, waste, or vent pipes, valves, fixtures, or replacement of exposed traps in existing plumbing systems serving lavatories, sinks, laundry trays, or similar fixtures;
  - (3) replacement in kind of plumbing fixtures, unless the installation requires an alteration or replacement of drainage, waste, vent, or water supply piping.
- (b) Exemption from the permit requirements of the Plumbing Regulations does not authorize any work to be done in any manner

in violation of the provisions of the Plumbing Regulations or any other applicable local or state regulations.

**§129.0404 Exemptions from a Mechanical Permit for Heating, Ventilation, Air Conditioning, and Refrigeration Work**

- (a) A Mechanical Permit is not required for the following heating, ventilation, air conditioning, or refrigeration repair work:
- (1) repairing heating, ventilation, air conditioning, or refrigeration equipment, provided the work does not require removal of the equipment from its installed position or the replacement of faulty controls, valves, driers, or filters in the system;
  - (2) installing temperature controls, repairing leaks, or recharging refrigeration compressors or systems;
  - (3) servicing, or repairing ice machines;
  - (4) installing self-contained refrigerators or freezers;
  - (5) installing a portable heating appliance, portable ventilating equipment, a portable cooling unit, or a portable evaporative cooler;
  - (6) replacement of piping in a closed system of steam, hot, or chilled water piping within heating or cooling equipment;
  - (7) replacement of any component part of assembly of an appliance that does not alter its original approval; or
  - (8) installing or servicing refrigerating equipment that is a part of equipment for which a permit has previously been approved.

- (b) Exemption from the permit requirements of the Mechanical Regulations does not authorize any work to be done in any manner in violation of the provisions of the Mechanical Regulations or any other applicable local or state regulations.

**§129.0407 How to Apply for a Plumbing/Mechanical Permit**

- (a) An application for a Plumbing/Mechanical Permit shall be submitted in accordance with Sections 112.0102 and 129.0105. All submitted plans shall be signed as required by Chapter 7 of the California Business and Professions Code.
- (b) [No change in text.]
- (c) Submittal documents including plans, specifications, and schedules may be necessary to determine whether the installation as described will be in compliance with the requirements of the Plumbing and Mechanical Regulations. Plumbing/Mechanical plans are not required when the Building Official determines that the scope of work and compliance with the applicable provisions of Title 24 of the California Code of Regulations can be verified through an inspection.
- (d) When plans are required, they shall be sufficiently complete to demonstrate compliance with the Plumbing and Mechanical Regulations or other applicable local or state regulations.
- (e) [No change in text.]

- (f) All pertinent changes in mechanical plans submitted for plan check that are made before a Building Permit is issued must be indicated by appropriate revision marks and the date of revision.
- (g) [No change in text.]

**§129.0411 Plumbing/Mechanical Permit Expiration**

- (a) A Plumbing/Mechanical Permit shall expire if the work authorized by the Plumbing/Mechanical Permit has not begun within 180 calendar days of the date of permit issuance.
- (b) A Plumbing/Mechanical Permit shall expire if, after initial utilization of a permit pursuant to Section 129.0411(a), work authorized by the Plumbing/Mechanical Permit is suspended or the *structure* is abandoned for a continuous period of 180 calendar days.
- (c) A Plumbing/Mechanical Permit shall expire 2 years after the date of permit issuance if the work authorized by the Plumbing/Mechanical Permit has not received final inspection approval by the permit expiration date.
- (d) If the work authorized by the Plumbing/Mechanical Permit has not received final inspection approval by the permit expiration date, all work shall stop until a new permit is issued.
- (e) Any Plumbing/Mechanical Permit associated with a Building Permit shall expire concurrently with the Building Permit.

- (f) An expired Plumbing/Mechanical Permit may be extended by the Building Official concurrently with the extension of a Building Permit.

**§129.0416 Notification of Incomplete Installations**

- (a) If any person to whom a Plumbing/Mechanical Permit has been issued abandons an installation, the *permit holder*, owner, or owner's authorized representative shall notify the Building Official in writing. The notice shall be given within 2 calendar days of the date on which work was discontinued and shall include a request for inspection of the work installed. Upon receipt of this notification by the Building Official, the Plumbing/Mechanical Permit shall expire.
- (b) No person shall resume work on any incomplete installation until the installation has been released by the Building Official and a new Plumbing/Mechanical Permit has been obtained. A copy of the notice shall accompany the application for the new permit.

Section 7. That Chapter 12, Article 9, Division 5 of the San Diego Municipal Code is amended by amending section 129.0503, to read as follows:

**§129.0503 Exemptions from a Demolition/Removal Permit**

- (a) A Demolition/Removal Permit is not required to demolish or remove any *structure* that is exempt from a Building Permit in accordance with Section 129.0203.
- (b) A Demolition/Removal Permit is not required to demolish the following:
  - (1) A one-story frame *structure* that is 500 square feet or less in area, and not served by a sewer, electrical, or gas system, unless the *structure*

has been determined to be a contributing element to a designated  
*historical structure* or site;

(2) through (3) [No change in text.]

(c) [No change in text.]

Section 8. That Chapter 12, Article 9 of the San Diego Municipal Code is amended by adding Division 9, and adding sections 129.0901, 129.0902, 129.0903, 129.0904, 129.0905, 129.0906, 129.0907, 129.0908, and 129.0909, to read as follows:

**Division 9: Fire Permit Procedures**

**§129.0901 Purpose of Fire Permit Procedures**

The purpose of these procedures is to establish the process for the review and approval of Fire Permit applications for compliance with the minimum standards necessary to safeguard public health, safety, and welfare.

**§129.0902 When a Fire Permit Is Required**

- (a) No fire suppression systems, fire alarm system, or component of such systems, shall be installed within any *structure* or *premises* nor shall any alteration, addition, or replacement be made in any such existing fire suppression or fire alarm system unless a Fire Permit has been obtained for the work.
- (b) A Fire Permit is not required for the maintenance of fire suppression and fire alarm systems pursuant to Chapter 9 in the California Fire Code.

**§129.0903 General Rules for Fire Permits**

- (a) Permits for fire suppression piping or other materials in and across a *public right-of-way* may be issued only after right-of-way approval has been granted for the installation by the City Engineer.
- (b) The Building Official may allow deferral of Fire Permit applications, as well as associated plans and documents necessary for approval of a fire suppression or fire alarm system, in accordance with Section 129.0205 of the Land Development Code.

**§129.0904 Qualifications for Obtaining a Fire Permit**

A Fire Permit may be issued only to a person, firm, or corporation that holds a valid California State Contractor's License that permits fire protection system installations such as fire alarm and fire suppression systems.

**§129.0905 How to Apply for a Fire Permit**

- (a) An application for a Fire Permit shall be submitted in accordance with Sections 112.0102 and 129.0105.
- (b) Every application shall include the following:
  - (1) The location of the work proposed to be installed; and
  - (2) The amount and kind of work proposed.
- (c) Submittal documents including plans, specifications, diagrams and computations, inspection requirements, and other data may be required, in accordance with the requirements of the Land Development Manual.
- (d) A Fire Permit may only be issued for the work proposed to be installed as described in the permit application and no deviation from the work

proposed to be installed shall be made without the written approval of the Building Official.

- (e) All submitted plans shall be signed as required by Chapter 7 of the California Business and Professions Code.

**§129.0906 Decision Process for a Fire Permit**

A decision on an application for a Fire Permit shall be made by the Building Official in accordance with Process One. The Fire Permit shall be approved if the Building Official determines that the work described in the permit application and the accompanying plans complies with the requirements of the Building Regulations and the appropriate standards referenced in the California Building Code, other applicable laws and ordinances, and any applicable *development permit*.

**§129.0907 Issuance of a Fire Permit**

- (a) A Fire Permit may be issued after all approvals have been obtained and the required fees have been paid.
- (b) A Fire Permit shall not be issued until a Building Permit has been issued.

**§129.0908 Fire Permit Expiration**

- (a) A Fire Permit shall expire if substantial work authorized by the permit has not been completed and validated by an inspection within 180 calendar days of the date of permit issuance.
- (b) A Fire Permit shall expire if, after initial utilization of a permit pursuant to Section 129.0908(a), work authorized by the permit is suspended or the *structure* is abandoned for a continuous period of 180 calendar days.

- (c) A Fire Permit shall expire 2 years after the date of permit issuance if the work authorized by the permit has not received final inspection approval by the permit expiration date.
- (d) If the work authorized by the Fire Permit has not received final inspection approval by the permit expiration date, all work shall stop until a new permit is issued.
- (e) Any Fire Permit associated with a Building Permit shall expire concurrently with the Building Permit.
- (f) An expired Fire Permit may be extended by the Building Official concurrently with the extension of a Building Permit.

**§129.0909 Required Inspections for a Fire Permit**

All construction work and equipment authorized by a Fire Permit shall be inspected by the Building Official in accordance with Section 129.0111.

Section 9. That Chapter 14, Article 2, Division 12 of the San Diego Municipal Code is amended by amending section 142.1210, to read as follows:

**§142.1210 General Sign Regulations**

This section is divided into subsections for copy regulations, locational regulations, structural regulations, and *sign* maintenance regulations.

(a) through (b) [No change in text.]

(c) Structural Regulations

- (1) *Signs* and *sign*-supporting *structures* shall be listed by a recognized testing laboratory and constructed in compliance with the requirements of the Building Regulations and the Electrical

Regulations as adopted by the City of San Diego. Exposed-tube neon *signs* shall be constructed and installed in compliance with the Electrical Regulations as adopted by the City of San Diego.

(2) through (3) [No change in text.]

(4) When installed on the exterior walls of high-rise buildings as defined in Chapter 4 of the California Building Code, exterior wall signs greater than 100 square feet in area or greater than 10 feet in either dimension shall comply with Section 705.12 of the 2013 California Building Code and Section 705.1 of the California Fire Code.

(d) [No change in text.]

Section 10. That Chapter 14, Article 5, Division 1 of the San Diego Municipal Code is amended by amending sections 145.0101, 145.0103, 145.0104, 145.0105, 145.0106, 145.0107, and 145.0108, to read as follows:

**§145.0101 Purpose of the Building Regulations**

(a) The purpose of the Building Regulations is to establish minimum standards to safeguard health and safety, property and public welfare and to satisfy the purpose of the 2013 California Building Code as provided in Section 1.1.2 of the 2013 California Building Code.

(b) [No change in text.]

**§145.0103 Adoption of the California Building Code**

(a) The 2013 California Building Code, published and amended by the California Building Standards Commission (BSC), as amended by the

State Department of Housing and Community Development (HCD 1, HCD 1/AC); the Division of the State Architect/Access and Compliance (DSA/AC); the State Office of Statewide Health Planning and Development (OSHPD3); and the State Fire Marshal (SFM) is adopted by reference, except as otherwise provided in Chapter 14, Article 5 of the Land Development Code, Divisions 2 through 36. A copy of the 2013 California Building Code is on file in the office of the City Clerk as Document No. OO- 20624.

- (b) When reference is made to the California Building Code, it shall be the 2013 California Building Code, California Code of Regulations Title 24, Part 2, as published by the California Building Standards Commission.
- (c) Each of the regulations, provisions, conditions, and terms of the 2013 California Building Code is made a part of Chapter 14, Article 5 as if fully set forth in the article except as otherwise provided in Divisions 2 through 36.
- (d) Numbering of Sections in Divisions 2 through 36 of this Article is cross-referenced to Sections in the 2013 California Building Code.
- (e) The adoption of the 2013 California Building Code shall in no way limit, prohibit, impede, or prevent the City Council from adopting ordinances limiting or preventing the issuance of any type, number, or geographical distribution of permits for construction or demolition of any facility for which a permit is required.
- (f) [No change in text.]

**§145.0104 Portions of the California Building Code Not Adopted by the City of San Diego**

The following portions of the 2013 California Building Code are not adopted by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 15, Roof Assemblies and Roof Structures, Section 1510.4.
- (c) [No change in text.]

**§145.0105 Modifications to the California Building Code Adopted by the City of San Diego**

The following Sections or Subsections of the 2013 California Building Code are modified by the City of San Diego:

- (a) Chapter 7, Ducts and Air Transfer Openings, Section 717.5.3 Exception 5.
- (b) Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure, Section 705A.4, Roof Gutters.
- (c) Chapter 15, Roofing and Roof Structures, Section 1505.1 General, Section 1505 Fire Classification, Section 1507.8 Wood Shingles, Section 1507.9 Wood Shakes, and Section 1510.1 General.
- (d) Chapter 12, Interior Environment, Section 1203.2, Sound Transmission, Section 1207.
- (e) Chapter 16, Structural Design, Section 1607.7.2, Fire Truck and Emergency Vehicles; Establishment of Flood Hazard Areas, Section 1612.3.
- (f) Chapter 18, Soils and Foundations, Section 1803.2, 1803.5 and 1803.6.
- (g) Chapter 19, Concrete, Section 1908.1.9.

(h) Appendix J, Grading, Section J104.4.

**§145.0106 Additions to the California Building Code Adopted by the City of San Diego**

The following Sections and Subsections are added to the 2013 California Building Code by the City of San Diego:

- (a) Chapter 2, Definitions, Section 202 Live/Work Dwelling.
- (b) Chapter 7, Ducts and Air Transfer Openings, Section 717.5.3 Exception 5.
- (c) Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure, Sections 710A.3, 701A.6, 702A, 705A.4, 705A.4.1, 703A.6.1, 703A.6.2, 706A.4, 708A.2.2.1, 711A.1 and 711A.2.
- (d) Chapter 12, Interior Environment, Section 1203.2.2; Sound Transmission, Section 1207.5.
- (e) Chapter 15, Roofing and Roof Structures, Subsections 1505.1.5 and 1505.1.6, Sections 1507.16 and Subsections 1510.1.1 through 1510.1.5.
- (f) Chapter 16, Structural Design, Section 1607.2, Fire Trucks and Emergency Vehicle Live Load and 1612.3, Flood Loads.
- (g) Chapter 17, Structural Tests and Special Inspections, Section 1705.5.
- (h) Chapter 18, Soils and Foundations, Section 1803 Geotechnical Investigations, Subsections 1803.2.1, 1803.2.2, 1803.2.3, 1803.2 exceptions 2 through 4; 1803.5.11.1, 1803.5.11.2, 1803.5.13, 1803.5.13.1, 1803.5.13.2 and Table 145.1803.
- (i) Chapter 31, Special Construction, Section 3109 Swimming Pool Enclosures and Safety Devices, Subsections 3109.1.1, 3109.1.2, and 3109.4.1.10.

- (j) Chapter 32, Encroachments into the Public Right-of-Way, Section 3203 Entrance Canopies, Subsections 3203.1 through 3203.6.
- (k) Chapter 33, Safeguards During Construction, Section 3303.7, Demolition and Removal Regulations.
- (l) Chapter 37, Archaic Materials and Methods of Construction.

**§145.0107 Adoption of Appendices to the California Building Code**

The following Appendix Chapters of the 2013 California Building Code are adopted by the City of San Diego:

- (a) Appendix chapters specifically amended by a State agency listed in Section 145.0103 and identified in the adoption matrices of the 2013 California Building Code.
- (b) Appendix Chapter C, Group “U” Agricultural Buildings.
- (c) Appendix Chapter I, Patio Covers.
- (d) Appendix Chapter J, Grading.
- (e) Appendix L, Earthquake Recording Instrumentation excluding amendments by OSHPD.

**§145.0108 Adoption of California Building Code Chapter 1, “Scope and Administration”**

Chapter 1, Division I of the 2013 California Building Code “Scope and Administration,” is adopted pursuant to Section 145.0103 of the Land Development Code without change.

Section 11. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 2 and sections 145.0201 and 145.0202, to read as follows:

**Division 2: Additions and Modifications to Chapter 2 of the  
California Building Code**

**§145.0201 Local Modifications and Additions to Chapter 2 Definitions of the  
California Building Code**

Chapter 2 of the 2013 California Building Code is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code.

**§145.0202 Other Definitions**

- (a) Definitions in Chapter 11, Article 3, Division 1 of the Land Development Code do not apply to Chapter 14, Article 5, Divisions 3 through 36 of the Land Development Code where they conflict with the definitions contained in the California Building Code.
- (b) Italicized text shall have the definitions set forth in Section 113.0103 of the Land Development Code, and all other text shall have the definitions set forth in the California Building Code.
- (c) Section 202 of the California Building Code is adopted with the addition of the definition of Live/work unit. A Live/work unit means a dwelling unit in which a portion is used for other than living purposes subject to the limitations set forth in Section 419 “live/work units” in the California Building Code. Live/work unit shall not mean live/work quarters as defined and regulated in Section 141.0311 of the Land Development Code.

Section 12. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 3 and section 145.0301, to read as follows:

**Division 3: Additions and Modifications to Chapter 3 of the  
California Building Code**

**§145.0301 Local Modifications and Additions to Chapter 3 “Use and Occupancy  
Classification” of the California Building Code**

Chapter 3 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 13. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 4 and section 145.0401, and repealing section 145.0419, to read as follows:

**Division 4: Additions and Modifications to Chapter 4 of the  
California Building Code**

**§145.0401 Local Modifications and Additions to Chapter 4 “Special Detailed  
Requirements Based on Use and Occupancy” of the California Building  
Code**

Chapter 4 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 14. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 5 and section 145.0501, to read as follows:

**Division 5: Additions and Modifications to Chapter 5 of the  
California Building Code**

**§145.0501 Local Modifications and Additions to Chapter 5 “General Building Heights  
and Areas” of the California Building Code**

Chapter 5 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 15. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 6 and section 145.0601, to read as follows:

**Division 6: Additions and Modifications to Chapter 6 of the  
California Building Code**

**§145.0601 Local Modifications and Additions to Chapter 6 “Types of Construction” of  
the California Building Code**

Chapter 6 of the 2013 California Building Code is adopted by reference without  
change pursuant to Section 145.0103 of the Land Development Code.

Section 16. That Chapter 14, Article 5 of the San Diego Municipal Code is amended  
by amending the title of Division 7 and sections 145.0701, 145.0702, 145.0703, 145.0705 and  
145.0706, and adding new section 145.0717, to read as follows:

**Division 7: Additions and Modifications to Chapter 7 of the  
California Building Code**

**§145.0701 Local Modifications and Additions to Chapter 7 “Fire-Resistance Rated  
Construction” of the California Building Code**

- (a) Chapter 7 of the 2013 California Building Code is adopted by reference  
with modifications pursuant to Section 145.0105 and additions pursuant to  
Section 145.0106 of the Land Development Code.
- (b) Chapter 7A of the 2013 California Building Code is adopted by reference  
with modifications pursuant to Section 145.0105 and additions pursuant to  
Section 145.0106 of the Land Development Code.

**§145.0702 Local Additions and Modifications to Section 701A “Scope, Purpose, and  
Application” of the California Building Code**

[No change in text.]

**§145.0703 Local Additions and Modifications to Section 702A “Definitions” and Section  
703A “Standards of Quality” of the California Building Code**

- (a) Section 702A “Definitions” is adopted by reference with modifications  
pursuant to Section 145.0105 of the Land Development Code as follows:
  - (1) [No change in text.]

(2) Local Agency Very High Fire Hazard Severity Zone shall mean the Very High Fire Hazard Severity Zones as designated on the “Very High Fire Hazard Severity Zone Map – Local Responsibility Areas” adopted pursuant to Section 55.9401 of the San Diego Municipal Code.

(b) [No change in text.]

**§145.0705 Local Additions and Modifications to Section 705A “Roofing” of the California Building Code**

[No change in text.]

**§145.0706 Local Additions and Modifications to Section 706A “Vents” of the California Building Code**

[No change in text.]

**§145.0717 Local Additions and Modifications to Section 717 “Ducts and Air Transfer Openings” of the California Building Code**

Section 717.5.3 Shaft Enclosures, exception 5, is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code, as follows: Exception 5. Fire dampers and combination fire/smoke dampers are not required in kitchen and clothes dryer exhaust systems when installed in accordance with the Mechanical Regulations of the Land Development Code.

Section 17. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 8 and section 145.0801, to read as follows:

**Division 8: Additions and Modifications to Chapter 8 of the  
California Building Code**

**§145.0801 Local Modifications and Additions to Chapter 8 “Interior Finishes” of the  
California Building Code**

Chapter 8 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 18. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 9 and section 145.0901, to read as follows:

**Division 9: Additions and Modifications to Chapter 9 of the  
California Building Code**

**§145.0901 Local Modifications and Additions to Chapter 9 “Fire Protection  
Systems” of the California Building Code**

Chapter 9 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 19. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 10 and section 145.1001, and repealing section 145.1017, to read as follows:

**Division 10: Additions and Modifications to Chapter 10 of the  
California Building Code**

**§145.1001 Local Modifications and Additions to Chapter 10 “Means of Egress” of  
the California Building Code**

Chapter 10 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 20. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 11 and section 145.1101, to read as follows:

**Division 11: Additions and Modifications to Chapter 11 of the  
California Building Code**

**§145.1101 Local Modifications and Additions to Chapter 11 “Accessibility” of the  
California Building Code**

Chapters 11A and 11B of the 2013 California Building Code are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 21. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 12 and sections 145.1201 and 145.1203, and adding new section 145.1207, to read as follows:

**Division 12: Additions and Modifications to Chapter 12 of the  
California Building Code**

**§145.1201 Local Modifications and Additions to Chapter 12 “Interior Environment” of  
the California Building Code**

Chapter 12 of the 2013 California Building Code is adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

**§145.1203 Local Modifications and Additions to Section 1203 “Ventilation” of the  
California Building Code**

- (a) Section 1203.2 of the California Building Code is adopted with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code. Section 1203.2 is modified by adding Section 1203.2.2.
- (b) 1203.2.2. Unvented Attics and Unvented Enclosed Rafter Assemblies. Unvented attic assemblies (spaces between the ceiling joists of the top story and the roof rafters) and unvented enclosed rafter assemblies (spaces

between ceilings that are applied directly to the underside of roof framing members/rafters and the structural roof sheathing at the top of the roof framing members/rafters) shall be permitted if all the following conditions are met:

- (1) The unvented attic space is completely contained within the building thermal envelope.
- (2) No interior Class I vapor retarders are installed on the ceiling side (attic floor) of the unvented attic assembly or on the ceiling side of the unvented enclosed rafter assembly.
- (3) Either Items A, B, or C of this Section 145.1203(b)(3) shall be met, depending on the air permeability of the insulation directly under the structural roof sheathing. No insulation shall be required when roof tiles, wood shingles, wood shakes, or any other roofing system using batten and no continuous underlayment is installed. A continuous layer shall be considered to exist if sheathing, roofing paper or any continuous layer is used which has a perm rate of no more than one perm under the dry cup method.
  - (A) Air-impermeable insulation only. Insulation shall be applied in direct contact with the underside of the structural roof sheathing.
  - (B) Air-permeable insulation only. In addition to the air-permeable insulation installed directly below the structural sheathing, rigid board or sheet insulation with an R-value

of R-4 shall be installed directly above the structural roof sheathing for condensation control.

- (C) Air-impermeable and air-permeable insulation. The air-impermeable insulation shall be applied in direct contact with the underside of the structural roof sheathing for condensation control. The air-permeable insulation shall be installed directly under the air-impermeable insulation.
- (D) Where performed insulation board is used as the air-impermeable insulation layer, it shall be sealed at the perimeter of each individual sheet interior surface to form a continuous layer.

**§145.1207 Local Additions and Modifications to Section 1207 “Sound Transmission” of the California Building Code**

- (a) Section 1207 of the California Building Code is adopted with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code. Section 1207 is modified by adding Section 1207.5.
- (b) Section 1207.5. Additional Noise Regulations. For additional noise regulations limiting the intrusion of exterior noise into buildings based on land use standards, see Chapter 13, Article 2, Division 15 of the Land Development Code. For additional noise regulations limiting the intrusion of exterior noise into non-residential buildings, see Section 5.507 of the California Green Building Standards Code.

Section 22. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 13 and section 145.1301, to read as follows:

**Division 13: Additions and Modifications to Chapter 13 of the California Building Code**

**§145.1301 Local Modifications and Additions to Chapter 13 “Energy Efficiency” of the California Building Code**

Chapter 13 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 23. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 14 and section 145.1401, to read as follows:

**Division 14: Additions and Modifications to Chapter 14 of the California Building Code**

**§145.1401 Local Modifications and Additions to Chapter 14 “Exterior Walls” of the California Building Code**

Chapter 14 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 24. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 15 and sections 145.1501, 145.1505, 145.1507 and 145.1510, to read as follows:

**Division 15: Additions and Modifications to Chapter 15 of the California Building Code**

**§145.1501 Local Modifications and Additions to Chapter 15 “Roof Assemblies and Roof Top Structures” of the California Building Code**

- (a) Chapter 15 of the 2013 California Building Code is adopted by reference with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

- (b) Sections 1501 through 1504 and Sections 1505, 1506, 1508 and 1509 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.
- (c) [No change in text.]

**§145.1505 Local Additions and Modifications to Section 1505 “Fire Classification” of the California Building Code**

- (a) Section 1505.1 is adopted by reference and modified as follows pursuant to Section 145.0105 of the Land Development Code.
  - (1) [No change in text.]
  - (2) Skylights and sloped glazing that comply with Chapter 24 or Section 2610 of the California Building Code are exempt from compliance with Section 145.1505(a)(1).
- (b) [No change in text.]

**§145.1507 Local Additions and Modifications to Section 1507 “Requirements for Roof Coverings” of the California Building Code**

[No change in text.]

**§145.1510 Local Additions and Modifications to Section 1510 “Reroofing” of the California Building Code**

- (a) Section 1510.1 is modified pursuant to Section 145.0105 of the Land Development Code as follows: 1510.1 General. Materials and methods of application used for covering or replacing an existing roof covering shall comply with the requirements of Chapter 15 of the 2013 California Building Code as adopted and amended by the City of San Diego.
- (b) [No change in text.]

- (c) Sections 1510.1.3 through 1510.1.5 are added pursuant to Section 145.0106 of the Land Development Code:
- (1) [No change in text.]
  - (2) 1510.1.4. Wood shakes and shingles are not permitted, except as provided in California Historical Building Code Section 8-408 and Land Development Code Section 145.1510(c)(1).
  - (3) [No change in text.]

Section 25. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 16 and section 145.1601, adding new sections 145.1607 and 145.1612, and repealing section 145.1613, to read as follows:

**Division 16: Additions and Modifications to Chapter 16 of the  
California Building Code**

**§145.1601 Local Modifications and Additions to Chapter 16 “Structural Design” of the  
California Building Code**

Chapter 16 of the 2013 California Building Code is adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

**§145.1607 Local Modifications and Additions to Section 1607 “Live Loads” of the  
California Building Code**

- (a) Section 1607.7.2 is adopted by reference with modifications and additions pursuant to Section 145.0105 and Section 145.0106 of the Land Development Code.
- (b) 1607.7.2. Fire Truck and Emergency Vehicles. Where a *structure* or portions of a *structure* are accessed and loaded by fire department access

vehicles and other similar emergency vehicles, the *structure* shall be designed for the greater of the following loads:

- (1) The actual operational loads, including outrigger reactions and contact areas of the vehicles as stipulated and approved by the Building Official for driving surfaces in Section D102.1 in Appendix Chapter D of the California Fire Code; or
- (2) The live loading specified in Section 1607.7.1.

**§145.1612 Local Modifications and Additions to Section 1612 “Flood Loads” of the California Building Code**

Section 1612.3 is adopted by reference with modifications pursuant to Section 145.0105 of the Land Development Code:

- (a) 1612.3. Establishment of Special Flood Hazard Areas. Special Flood Hazard Areas within the City of San Diego are established in Section 143.0145 of the Land Development Code.
- (b) For additional regulations for construction in Special Flood Hazard Areas see Sections 143.0145 and 143.0146 of the Land Development Code.

Section 26. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 17 and sections 145.1701 and 145.1705, to read as follows:

**Division 17: Additions and Modifications to Chapter 17 of the California Building Code**

**§145.1701 Local Modifications and Additions to Chapter 17 “Structural Tests and Special Inspections” of the California Building Code**

- (a) Chapter 17 of the 2013 California Building Code is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code.

(b) [No change in text.]

**§145.1705 Local Additions and Modifications to Section 1705 “Statement of Special Inspections” of the California Building Code**

- (a) Section 1705.5 is added pursuant to Section 145.0106 of the Land Development Code.
- (b) 1705.5. Where structural observation is required by Section 1710 of the California Building Code, the structural observation shall be included as a part of the statement of special inspections, shall name the individual or firms who are to perform the structural observation and shall describe the stages of construction at which structural observation is to occur.

Section 27. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 18 and sections 145.1801 and 145.1803, to read as follows:

**Division 18: Additions and Modifications to Chapter 18 of the California Building Code**

**§145.1801 Local Modifications and Additions to Chapter 18 “Soils and Foundations” of the California Building Code**

- (a) Chapter 18 of the 2013 California Building Code is adopted by reference with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

(b) through (c) [No change in text.]

**§145.1803 Local Additions and Modifications to Section 1803 “Geotechnical Investigations” of the California Building Code**

- (a) through (d) [No change in text.]
- (e) Section 1803.5.13 is adopted by reference with modifications pursuant to Section 145.0105 of the Land Development Code: 1803.5.13. Local

Geologic Hazards. A geotechnical investigation report shall be submitted when required by Section 145.1803 and Table 145.1803. Notwithstanding Table 145.1803, the Building Official may require a geotechnical investigation report for any site if the Building Official has reason to believe that a geologic hazard may exist at the site based on data not mapped on the City of San Diego Seismic Safety Study maps.

- (f) The Geologic Hazard Category and the Building, Structure and Facility Class must be determined as follows when using Table 145.1803 to determine whether a geotechnical investigation report is required due to local geological hazards within the City of San Diego:
  - (1) [No change in text.]
  - (2) City staff shall assign one of four Building, Structure and Facility classes to each building, structure, or facility based on their use, type of occupancy, number of occupants, and whether hazardous materials are being used or stored in the building, structure, or facility to determine whether a Geotechnical Investigation Report is required.
    - (A) Class A includes the following:
      - (i) Buildings or structures classified as Essential Facilities in Risk Category IV as defined in Table 1604.5 of the California Building Code.

(ii) Any building, structure, or facility where significant generation or storage of toxic, hazardous, or flammable materials will occur.

(B) Class B includes the following *developments*, occupancy groups, and structures provided they are not included in Class A:

(i) All *developments* consisting of four or more buildings on the same lot.

(ii) All new structures requiring deep foundations, such as piers or pilings.

(iii) All structures over three stories in height.

(iv) All structures containing the following occupancies pursuant to the California Building Code, Chapter 3:

a. Group A, Divisions 1, 2, 3 and 4;

b. Group E, buildings and other structures containing elementary school, secondary school or day care facilities with an occupant load greater than 250;

c. Group H, Divisions 1, 2, and 3; and

d. Group I, Divisions 2 and 3.

(v) All structures with an occupant load of more than 300 occupants as determined by Table 1004.1.2 of

the California Building Code and structures used for public assembly assigned to Risk Category III in

Table 1604.5 of the California Building Code.

(vi) through (ix) [No change in text.]

(C) Class C includes the following occupancy groups and structures provided they are not included in Classes A or B:

(i) All structures containing the following occupancies pursuant to the California Building Code, Chapter

3:

a through b [No change in text.]

c. Group E, buildings and other structures containing elementary school, secondary school or day care facilities with an occupant load less than 250;

d through i [No change in text.]

(ii) through (v) [No change in text.]

(D) Class D includes the following occupancy groups and structures provided they are not included in Classes A, B, or C: All structures containing the following occupancies pursuant to the California Building Code, Chapter 3: Group R, Divisions 3 and 4 and buildings regulated by the California Residential Code.

- (g) Section 1803.6 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code:
- 1803.6.1. Geotechnical investigations reports prepared pursuant to Section 1803.6 of the California Building Code and Section 145.1803(e) of the Land Development Code shall be required for sites where geologic hazards may exist as determined by the Building Official prior to obtaining a Building Permit. The report shall include all requirements as established by the Building Official. All reports shall be prepared in accordance with the most recent edition of the City of San Diego "Guidelines for Geotechnical Reports," which is available through the City of San Diego Official Website. These minimum requirements shall be augmented by geologic evaluations pertinent to the type of proposed project and anticipated method of construction, which should be described in the report. For buildings located in both a fault zone and a hazard category zone, the most restrictive requirement shall govern.

Section 28. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 19 and section 145.1901, and repealing section 145.1908, to read as follows:

**Division 19: Additions and Modifications to Chapter 19 of the  
California Building Code**

**§145.1901 Local Modifications and Additions to Chapter 19 “Concrete” of the  
California Building Code**

Chapter 19 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 29. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 20 and section 145.2001, to read as follows:

**Division 20: Additions and Modifications to Chapter 20 of the  
California Building Code**

**§145.2001 Local Modifications and Additions to Chapter 20 “Aluminum” of the  
California Building Code**

Chapter 20 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 30. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 21 and section 145.2101, to read as follows:

**Division 21: Additions and Modifications to Chapter 21 “Masonry” of the  
California Building Code**

**§145.2101 Local Modifications and Additions to Chapter 21 “Masonry” of the  
California Building Code**

Chapter 21 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 31. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 22 and section 145.2201, to read as follows:

**Division 22: Additions and Modifications to Chapter 22 of the California Building Code**

**§145.2201 Local Modifications and Additions to Chapter 22 “Steel” of the California Building Code**

Chapter 22 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 32. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 23 and section 145.2301, to read as follows:

**Division 23: Additions and Modifications to Chapter 23 of the California Building Code**

**§145.2301 Local Modifications and Additions to Chapter 22 “Wood” of the California Building Code**

Chapter 23 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 33. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 24 and section 145.2401, to read as follows:

**Division 24: Additions and Modifications to Chapter 24 of the California Building Code**

**§145.2401 Local Modifications and Additions to Chapter 24 “Glass and Glazing” of the California Building Code**

Chapter 24 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 34. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 25 and section 145.2501, to read as follows:

**Division 25: Additions and Modifications to Chapter 25 of the  
California Building Code**

**§145.2501 Local Modifications and Additions to Chapter 25 “Gypsum Board and  
Plaster” of the California Building Code**

Chapter 25 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 35. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 26 and section 145.2601, to read as follows:

**Division 26: Additions and Modifications to Chapter 26 of the  
California Building Code**

**§145.2601 Local Modifications and Additions to Chapter 26 “Plastic” of the California  
Building Code**

Chapter 26 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 36. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 27 and section 145.2701, to read as follows:

**Division 27: Additions and Modifications to Chapter 27 of the  
California Building Code**

**§145.2701 Local Modifications and Additions to Chapter 27 “Electrical” of the  
California Building Code**

Chapter 27 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 37. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 28 and section 145.2801, to read as follows:

**Division 28: Additions and Modifications to Chapter 28 of the  
California Building Code**

**§145.2801 Local Modifications and Additions to Chapter 28 “Mechanical Systems” of  
the California Building Code**

Chapter 28 of the 2013 California Building Code is adopted by reference without  
change pursuant to Section 145.0103 of the Land Development Code.

Section 38. That Chapter 14, Article 5 of the San Diego Municipal Code is amended  
by amending the title of Division 29 and section 145.2901, to read as follows:

**Division 29: Additions and Modifications to Chapter 29 of the  
California Building Code**

**§145.2901 Local Modifications and Additions to Chapter 29 “Plumbing Systems” of the  
California Building Code**

- (a) Chapter 29 of the 2013 California Building Code is not adopted by the  
City of San Diego pursuant to Section 145.0104 of the Land Development  
Code.
- (b) Chapter 4 of the 2013 California Plumbing Code is adopted by reference  
pursuant to Section 147.0103 of the Land Development Code and shall be  
used as the basis for determining the number and location of plumbing  
fixtures.

Section 39. That Chapter 14, Article 5 of the San Diego Municipal Code is amended  
by amending the title of Division 30 and section 145.3001, to read as follows:

**Division 30: Additions and Modifications to Chapter 30 of the  
California Building Code**

**§145.3001 Local Modifications and Additions to Chapter 30 “Elevators and Conveying  
Systems” of the California Building Code**

Chapter 30 of the 2013 California Building Code is adopted by reference without  
change pursuant to Section 145.0103 of the Land Development Code.

Section 40. That Chapter 14, Article 5 of the San Diego Municipal Code is amended  
by amending the title of Division 31 and sections 145.3101 and 145.3109, to read as follows:

**Division 31: Additions and Modifications to Chapter 31 of the  
California Building Code**

**§145.3101 Local Modifications and Additions to Chapter 31 “Special Construction” of  
the California Building Code**

(a) Chapter 31 of the 2013 California Building Code is adopted by reference  
without change pursuant to Section 145.0103 of the Land Development  
Code.

(b) [No change in text.]

**§145.3109 Local Additions and Modifications to Section 3109 “Swimming Pool  
Enclosure and Safety Devices” of the California Building Code**

Sections 3109.1.1, 3109.1.2 and 3109.4.1.10 of the California Building Code are  
added as follows pursuant to Section 145.0106 of the Land Development Code.

(a) through (b) [No change in text.]

(c) 3109.4.1.10 Barrier Heights. When provided as a part of a pool enclosure  
pursuant to Section 3109.4.4.3 of the California Building Code, the  
enclosure barrier shall be designed so that it cannot be readily climbed by  
small children. The barrier shall comply with the height requirements  
contained in Section 3109.4.4.3 of the California Building Code. When

located adjacent to a slope, planter or other fixed appendage, the barrier shall comply with Figure 31B-5 of the California Building Code.

Section 41. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 32 and sections 145.3201 and 145.3203, to read as follows:

**Division 32: Additions and Modifications to Chapter 32 of the California Building Code**

**§145.3201 Local Modifications and Additions to Chapter 32 “Encroachments into the Public Right-of-Way” of the California Building Code**

- (a) Chapter 32 of the 2013 California Building Code is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code.
- (b) [No change in text.]

**§145.3203 Local Additions to Chapter 32 “Encroachments Into The Public Right-of-Way”**

Section 3203 “Entrance Canopies” is added pursuant to Section 145.0106 of the Land Development Code:

- (a) through (b) [No change in text.]
- (c) 3203.3. Construction. Entrance canopy frames and supporting structural members shall be constructed of corrosion-resistant metal designed and constructed to withstand wind or other lateral loads and live loads as required by Chapter 16 of the California Building Code. Entrance canopies shall also meet all of the following requirements:
  - (1) Canopies shall be covered with an approved covering that complies with Section 3105.4 of the California Building Code.
  - (2) through (4) [No change in text.]

(d) through (f) [No change in text.]

Section 42. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 33 and sections 145.3301 and 145.3303, to read as follows:

**Division 33: Additions and Modifications to Chapter 33 of the  
California Building Code**

**§145.3301 Local Modifications and Additions to Chapter 33 “Safeguards During Construction” of the California Building Code**

- (a) Chapter 33 of the 2013 California Building Code is adopted by reference with additions and modifications pursuant to Section 145.0106 of the Land Development Code.
- (b) [No change in text.]

**§145.3303 Local Modifications and Additions to Section 3303 “Demolition” of the California Building Code**

Section 3303.7 is added pursuant to Section 145.0106 of the Land Development Code: 3303.7 Additional Demolition Regulations. The following regulations apply to the demolition of a *structure* or building, in whole or in part, or the removal of a *structure* from a site:

- (a) through (h) [No change in text.]
- (i) Electric or gas welding or gas cutting shall require a permit issued by the City Fire Marshall and shall comply with Chapter 35 of the California Fire Code.
- (j) [No change in text.]

Section 43. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 34 and section 145.3401, to read as follows:

**Division 34: Additions and Modifications to Chapter 34 of the California Building Code**

**§145.3401 Local Modifications and Additions to Chapter 34 “Existing Structures” of the California Building Code**

Chapter 34 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 44. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 35 and section 145.3501, to read as follows:

**Division 35: Additions and Modifications to Chapter 35 of the California Building Code**

**§145.3501 Local Modifications and Additions to Chapter 35 “Referenced Standards” of the California Building Code**

Chapter 35 of the 2013 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 45. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by amending the title of Division 36 and section 145.3601, to read as follows:

**Division 36: Additions and Modifications to Appendix Chapters of the California Building Code**

**§145.3601 Local Modifications and Additions to Appendix Chapter J “Grading” of the California Building Code**

[No change in text.]

Section 46. That Chapter 14, Article 5, Division 37 of the San Diego Municipal Code is amended by amending sections 145.3704, 145.3705, 145.3706, 145.3707, 145.3708, 145.3709, 145.3710, 145.3711, 145.3712, 145.3715, 145.3724, and 145.3725, to read as follows:

**§145.3704 Definitions for this Division Only**

The following definitions apply to this division:

Building through Building Maintenance [No change in text.]

California Building Code (CBC) shall mean the California Building Code, California Code of Regulations Title 24, Part 2 as published by the California Building Standards Commission.

California Existing Building Code (CEBC) shall mean the 2013 California Existing Building Code, California Code of Regulations Title 24, Part 10 as published by the California Building Standards Commission.

Cumulative Value of Remodel or Renovation through Date of Service [No change in text.]

Essential Facility means any building or *structure* classified in Risk Category IV in accordance with Table 1604.5 of the California Building Code.

Existing Use or Occupancy through Hazard Category [No change in text.]

Hazardous Facility means any building or *structure* containing hazardous materials and classified in Risk Category III when assigned to Seismic Design Category C, D, or E in accordance with Table 1604.5 of the California Building Code.

Historical Building through Value of the Building [No change in text.]

**§145.3705 General Regulations for Archaic Materials and Methods of Construction**

- (a) When structural seismic upgrading is required or is being voluntarily provided, the building elements regulated by this division shall be those listed in Table No. A1-A of the California Existing Building Code.

- (b) In addition to the requirements set forth in this division, the provisions of the California Building Code, Chapter 34, shall also apply to alterations or additions made to buildings within the scope of this division.
- (c) [No change in text.]
- (d) Except as specifically provided for by California Building Code, Chapter 34, alterations performed solely to achieve compliance with the requirements of this division, or the value of such alterations, or both, shall not subject the owner to compliance with other provisions of the San Diego Municipal Code.
- (e) For archaic material design values, refer to Sections A103 through A114 of the California Existing Building Code, including all tables and figures.
- (f) The technical provisions established by Land Development Code Section 145.3705(e) shall not apply to the strengthening of buildings or *structures* classified as Hazardous Facilities in Risk Category III when assigned to Seismic Design Category C, D, or E or buildings or *structures* classified as Essential Facilities in Risk Category IV in accordance with Table 1604.5 of the California Building Code.
- (g) Methods of analysis and design, the design values themselves, and the materials and methods of construction must be in accordance with the California Building Code and the California Existing Building Code, except as modified by this division.
- (h) [No change in text.]

**§145.3706 Regulations for Essential or Hazardous Facilities**

(a) The following buildings or *structures* shall be strengthened to meet the requirements of the California Building Code for new buildings or *structures* in the same risk category or other such criteria that have been established by this jurisdiction.

- (1) Buildings containing hazardous materials in Risk Category III when assigned to Seismic Design Category C, D, or E in accordance with Table 1604.5 of the California Building Code; or
- (2) Essential facilities in Risk Category IV in accordance with Table 1604.5 of the California Building Code.

(b) through (c) [No change in text.]

(d) If the Structural Survey and Engineering Report shows that the building meets the requirements of the California Historical Building Code, if applicable, or the California Building Code as adopted by the City for new buildings of the same risk category, no further action is required. If the report shows otherwise, the owner shall prepare and submit a Retrofit Guideline Document to the Building Official.

(e) [No change in text.]

**§145.3707 Regulations for Remodels Exceeding 100 Percent of Valuation**

(a) through (c) [No change in text.]

(d) If the Structural Survey and Engineering Report shows that the building meets the requirements of the California Historical Building Code, if applicable, or the California Building Code for new buildings of the same

risk category, no further action is required. If the report shows otherwise, the owner shall prepare and submit a Retrofit Guideline Document to the Building Official.

(e) [No change in text.]

**§145.3708 Regulations for Change to a Higher Hazard Category**

(a) through (e) [No change in text.]

(f) If the Structural Survey and Engineering Report shows that the building meets the requirements of the California Historical Building Code, if applicable, or the California Building Code for new buildings of the same risk category, no further action is required. If the report shows otherwise, the owner shall prepare and submit a Retrofit Guideline Document to the Building Official.

(g) [No change in text.]

**§145.3709 Regulations for Unsafe Buildings Within the Scope of this Division**

(a) through (c) [No change in text.]

(d) If the Structural Survey and Engineering Report shows that the building meets the requirements of the California Historical Building Code, if applicable, or the California Building Code for new buildings of the same risk category, no further action is required. If the report shows otherwise, the owner shall prepare and submit a Retrofit Guideline Document to the Building Official.

**§145.3710 Regulations for Wall Anchorage and Parapet Bracing**

(a) through (c) [No change in text.]

(d) The removal, stabilization, and bracing process shall include the provision of roof-to-wall anchors around the perimeter of the entire building.

Existing roof-to-wall anchors must meet, or shall be upgraded to meet, the minimum requirements of Section A113.1 of the California Existing Building Code, or new anchors meeting the minimum requirements of Section A113.1 shall be installed.

(e) through (f) [No change in text.]

**§145.3711 Regulations for Remodels over 50 Percent of Building Value**

(a) [No change in text.]

(b) The owner of a building regulated by this Section shall, within 5 years after the Date of Service of an order to comply, provide floor-to-wall and roof-to-wall anchors around the perimeter of the entire building. Existing floor-to-wall and roof-to-wall anchors must meet, or shall be upgraded to meet, the minimum requirements of Section A113.1 of the California Existing Building Code, or new anchors meeting those requirements shall be installed.

(c) through (d) [No change in text.]

**§145.3712 Regulations for Historical Buildings Within the Scope of this Division**

(a) [No change in text.]

(b) Strength Values for existing materials are given in Table A1-D and for new materials in Table A1-E of the California Existing Building Code. Strength Values for new materials not specified in the California Building Code or Table No. A1-E of the California Existing Building Code may be

based on substantiating research data or engineering judgment, subject to the approval of the Building Official.

(c) through (d) [No change in text.]

**§145.3715 Contents of Order to Comply**

The order shall reference this division which references Sections A102 through A114 of the California Existing Building Code, which set forth the owner's alternatives and time limits for compliance. The order shall specify that the Building Official has determined that the building is within the scope of this division and one of the following conditions applies:

(a) through (d) [No change in text.]

**§145.3724 Regulations for Buildings of Archaic Unreinforced Masonry**

(a) through (b) [No change in text.]

(c) Existing or re-erected walls of unburned clay, adobe, or stone masonry construction shall conform to the following:

- (1) Walls of unreinforced unburned clay, adobe, or stone masonry shall not exceed the height or length-to-thickness ratio specified in Table No. A1-G of the California Existing Building Code. The walls shall be provided with a reinforced concrete bond beam at the top that interconnects all walls. The bond beam shall have a minimum depth of 6 inches. The bond beam may have a width equal to the width of the wall less 8 inches, provided the resulting width is not less than 8 inches. Bond beams of other materials or

seismic retrofit designs may be used with the approval of the Building Official.

Exterior bearing walls shall have a minimum wall thickness of 18 inches. Interior adobe partitions shall be a minimum of 10 inches in thickness. No adobe or stone structure may exceed one story in height unless the historic evidence, satisfactory to the Building Official, indicates a two-story height. Bond beams shall be provided at the roof and second floor levels.

- (2) [No change in text.]
- (3) New or existing unstabilized brick and adobe brick masonry shall test to 75 percent of the compressive strength required of new materials by the California Building Code. Unstabilized brick shall only be used where existing brick is unstabilized and where the building is not susceptible to flooding conditions or direct exposure. Adobe may be allowed a maximum value of 9 pounds per square inch for shear unless higher values are justified by test.
- (4) [No change in text.]
- (5) Strength values for existing and new materials as specified in the California Existing Building Code. Strength values for existing materials are provided in Table A1-D and for new materials in Table A1-E of the California Existing Building Code. Strength values for new materials not specified in the California Building Code or Table No. A1-E of the California Existing Building Code

shall be based on substantiating research data or engineering judgment, with the approval of the Building Official.

**§145.3725 Alternate Materials, Designs, and Methods of Construction**

- (a) Methods of analysis and design, the design values themselves, and the materials and methods of construction must be in accordance with the California Building Code, except as modified by this division.
- (b) through (d) [No change in text.]

Section 47. That Chapter 14, Article 6, Division 1 of the San Diego Municipal Code is amended by amending sections 146.0103, 146.0104, and 146.0105, to read as follows:

**§146.0103 Interpretation of the Electrical Regulations**

- (a) The language used in this article and in the 2013 California Electrical Code which is made a part of this article by reference, is intended to convey the common and accepted meaning familiar to the electrical industry.
- (b) The Building Official, in accordance with Section 129.0104, is authorized to determine the intent and meaning of any provision of this article. The Building Official may utilize other codes, guides, or standards in making such determinations. These may include the National Fire and Life Safety Codes, published by NFPA; Standards for Safety, published by Underwriters Laboratories, Inc. (UL); American National Standards, published by the American National Standards Institute (ANSI); Manufacturing Standards, published by the National Electrical Manufacturers Association (NEMA); National Electrical Safety Code,

published by the Institute of Electrical and Electronic Engineers (IEEE); General Order 95 and 128, published by the California Public Utilities Commission; the Electrical Service Standards & Guide, published by San Diego Gas and Electric Company; the San Diego Area Electrical Newsletters, published by the San Diego Chapter of the International Code Council; and other references that the Building Official may deem appropriate. Determinations shall be made in writing and a record shall be kept that is open to the public.

**§146.0104 Adoption of the California Electrical Code**

- (a) The 2013 California Electrical Code published and amended by the California Building Standards Commission (BSC) and as amended by the California Department of Housing and Community Development (HCD); the Division of the State Architect-Access Compliance (DSA/AC); the State Office of Statewide Planning and Development (OSHPD3); and the State Fire Marshal (SFM) is adopted by reference and made a part of this article as if fully set forth, except as otherwise provided in this article. The regulations so referenced are the standard for electrical installations regulated by this article. A copy of the 2013 California Electrical Code is on file in the office of the City Clerk as Document No. OO-20624.<sup>-2</sup>
- (b) When reference is made to the California Electrical Code, it shall be the 2013 California Electrical Code, California Code of Regulations Title 24, Part 3 as published by the California Building Standards Commission.
- (c) [No change in text.]

**§146.0105 Portions of the California Electrical Code Not Adopted**

The following Sections or Subsections of the 2013 California Electrical Code are not adopted by the City of San Diego:

(a) through (b) [No change in text.]

Section 48. That Chapter 14, Article 6, Division 2 of the San Diego Municipal Code is amended by amending section 146.0202 to read as follows:

**§146.0202 Alterations, Additions, Relocations, and Conversions of Existing Wiring**

(a) Additions, extensions, alterations, or removal of existing wiring installations shall be made in compliance with the provisions of this article.

(1) through (2) [No change in text.]

(3) Where the electrical system, including but not limited to interior branch circuit wiring, is upgraded at the record owner's initiative, the receptacle spacing requirements of the California Electrical Code, Article 210, Section 52, shall apply.

(b) Electrical systems in relocated buildings shall comply with the provisions of this article except for the following:

(1) Existing receptacle outlets located in rooms within relocated dwellings shall comply with applicable codes adopted at the time of original construction.

(2) The spacing of new receptacle outlets shall comply with Section 210.52(A)(1) of the California Electrical Code.

- (3) Existing receptacle outlets which are not grounded shall comply with Section 406.4(D)(2) of the California Electrical Code.

(c) [No change in text.]

Section 49. That Chapter 14, Article 7, Division 1 of the San Diego Municipal Code is amended by amending sections 147.0103, 147.0104, 147.0105, 147.0106, and 147.0107, and adding new section 147.0108, to read as follows:

**§147.0103 Adoption of the California Plumbing Code**

- (a) Except as provided in Sections 147.0104 through 147.0108, the 2013 California Plumbing Code, published and amended by the California Building Standards Commission (BSC) and as amended by the California Department of Housing and Community Development (HCD); the Division of the State Architect-Access Compliance (DSA/AC); the State Office of Statewide Health Planning and Development (OSHPD3); and the State Fire Marshal (SFM), a copy of which is on file in the office of the City Clerk as Document OO ~~20624~~<sup>-3</sup> is adopted by reference.
- (b) When reference is made to the California Plumbing Code, it shall be the 2013 California Plumbing Code, California Code of Regulations Title 24, Part 5 as published by the California Building Standards Commission.
- (c) [No change in text.]

**§147.0104 Modifications to the California Plumbing Code Adopted by the City of San Diego**

The following Sections or Subsections of the 2013 California Plumbing Code are modified by the City of San Diego: Chapter 11, Storm Drainage, Section 1101.1.

Where Required, Section 1101.3.1 Storm Drainage Material Uses, Section 1101.11.1 Primary Roof Drainage, Section 1101.5.1 Discharge.

**§147.0105 Additions to the California Plumbing Code Adopted by the City of San Diego**

The following Sections or Subsections of the 2013 California Plumbing Code are added by the City of San Diego:

- (a) Chapter 6, 609.3.1 Exception, Installation of Piping “Under Concrete Slab.”
- (b) Chapter 12, Section 1208.7.3.1, Gas Pressure Regulators.

**§147.0106 Adoption of Appendices to California Plumbing Code**

(a) The following Appendix Chapters of the 2013 California Plumbing Code adopted by a State agency, as identified in Land Development Code Section 147.0103 and the adoption matrices of the 2013 California Plumbing Code, are adopted by the City of San Diego:

- (1) Appendix A – Recommended Rules for Sizing of Water Supply System
- (2) Appendix D – Sizing Storm Water Drainage Systems
- (3) Appendix H – Private Sewage Disposal Systems
- (4) Appendix I – Installation Standards
- (5) Appendix J – Combination of Indoor and Outdoor Combustion and Ventilation Opening Design

(b) The following Appendix Chapters of the 2013 California Plumbing Code not adopted by a State agency as identified in Land Development Code

Section 147.0103 and in the adoption matrices of the 2013 California Plumbing Code are not adopted by the City of San Diego:

- (1) Appendix B - Explanatory Notes On Combination Waste And Vent Systems
- (2) Appendix C – Alternate Plumbing Systems
- (3) Appendix E – Manufactured/Mobilehome Parks and Recreational Vehicle Parks
- (4) Appendix F – Fire Fighter Breathing Air Replenishment Systems
- (5) Appendix G – Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category Q Appliances, and Appliances Listed for Use with Type B Vents
- (6) Appendix K – Potable Rainwater Catchment Systems
- (7) Appendix L – Sustainable Practices

**§147.0107 Portions of the California Plumbing Code Not Adopted**

The following portions of the 2013 California Plumbing Code are not adopted:

- (a) Chapter 1 - Division II, Administration.
- (b) Chapter 6 – Water Supply and Distribution, Section 609.3 subsection (1) and (2).
- (c) Chapter 13 - Health Care Facilities and Medical Gas and Vacuum Systems.

**§147.0108 Plumbing Regulations in Existing Buildings**

- (a) Plumbing systems that are a part of a building or *structure* undergoing a change in use or occupancy, as defined in the California Building Code,

shall comply with the requirements of the California Plumbing Code applicable to the new use or occupancy.

- (b) Plumbing systems that are a part of a building or *structure* that is to be relocated shall not be required to comply with the requirements of the California Plumbing Code applicable to new buildings if the existing plumbing systems are completely tested as is prescribed in the California Plumbing Code for new plumbing systems. Alterations to such plumbing systems shall comply with the requirements for new plumbing systems.

Section 50. That Chapter 14, Article 7, Division 2 of the San Diego Municipal Code is amended by amending sections 147.0206 and 147.0212, and adding new section 147.0213, to read as follows:

**§147.0206 Local Modifications to Section 609 “Installation, Testing, Unions and Location” of the California Plumbing Code**

- (a) [No change in text.]
- (b) Section 609.3.1 of the California Plumbing Code is added as follows:
  - (1) [No change in text.]
  - (2) Exception: Metallic piping serving island fixtures, such as kitchen island sinks and similar plumbing fixtures, and metallic piping serving trap seal primers protecting floor drain traps pursuant to Section 1007.0, shall be installed without joints and the installation shall satisfy the following requirements:
    - (A) The metallic piping shall be installed within a watertight continuous pipe sleeve that prevents direct contact between the metallic piping and under-slab soils.

(B) During construction, the protective pipe sleeve shall be capped at its ends until the metallic piping is installed.

(C) through (D) [No change in text.]

**§147.0212 Local additions to Section 1208.7 “Gas Pressure Regulators” of the California Plumbing Code**

Section 1208.7.3.1 of the California Plumbing Code is modified as follows:

1208.7.3.1. Approved gas pressure regulators shall be installed and used in locations approved by the Building Official.

**§147.0213 Local Modifications and Additions to Section 1101 “General” Storm Drainage Regulations of the California Plumbing Code**

(a) Section 1101.1 and 1101.5.1 of the California Plumbing Code are adopted with additions and modifications pursuant to Sections 147.0104 and 147.0105 of the Land Development Code.

(b) Section 1101.1 of the California Plumbing Code is modified as follows:  
1101.1 Where Required. Roofs, paved areas, yards, courts, courtyards, vent shafts, light wells, or similar areas having rainwater, shall be drained into a separate storm sewer system or to some other place of disposal satisfactory to the City of San Diego.

(c) Section 1105.1 of the California Plumbing Code is modified as follows:  
1105.1 Discharge. Subsoil drains shall be piped to a storm drain, to an approved water course, to the front street curb or gutter, to an alley, or the discharge from the subsoil drains shall be conveyed to an alley by a concrete gutter. Where discharge from a continuously flowing spring or groundwater is encountered, subsoil drains shall be piped to a Storm

Water Conveyance System, as required in Chapter 4, Article 3, Division 3 of the San Diego Municipal Code.

Section 51. That Chapter 14, Article 7, Division 3 of the San Diego Municipal Code is amended by amending sections 147.0303 and 147.0305 to read as follows:

**§147.0303 Definitions Used in this Division**

The following definitions are applicable to this division:

“Existing Plumbing Fixtures” [No change in text.]

“Low Water-Use Plumbing Fixtures” means any plumbing fixture and fitting that complies with the California Plumbing Code and California Green Building Standards Code.

“New Construction” [No change in text.]

**§147.0305 General Regulations for Low-Water Use Plumbing Fixtures**

(a) New water conserving plumbing fixtures and fittings shall comply with the Residential and Nonresidential Mandatory measures in Chapter 4 and 5 of the California Green Building Standards Code and Chapter 4 of the California Plumbing Code.

(b) Should an existing plumbing fixture be voluntarily replaced with an ultra low-flush water use plumbing fixture, the permit requirements mandated in Section 129.0402 will not apply.

Section 52. That Chapter 14, Article 8, Division 1 of the San Diego Municipal Code is amended by amending sections 148.0103, 148.0104, and 148.0106, adding new section 148.0108, and repealing section 148.0105, to read as follows:

**§148.0103 Adoption of the California Mechanical Code**

- (a) Except as provided in Land Development Code Section 148.0104, the 2013 California Mechanical Code, published and amended by the California Building Standards Commission (BSC) and as amended by the California Department of Housing and Community Development (HCD); the Division of the State Architect-Access Compliance (DSA/AC); the State Office of Statewide Health Planning and Development (OSHPD3); and the State Fire Marshal (SFM), a copy of which is on file in the office of the City Clerk as Document No. OO-<sup>20624-4</sup>\_\_\_\_\_, is adopted by reference.
- (b) When reference is made to the California Mechanical Code, it shall be the 2013 California Mechanical Code, California Code of Regulations Title 24, Part 4 as published by the California Building Standards Commission.
- (c) [No change in text.]

**§148.0104 Additions to the California Mechanical Code Adopted by the City of San Diego**

The following Section has been added to the 2013 California Mechanical Code regulations by the City of San Diego: Chapter 5, Exhaust Systems; Section 504.3.3, Common Exhaust System for Clothes Dryers Located in Multi-Story Structures.

**§148.0106 Adoption of Appendices to California Mechanical Code**

- (a) The following Appendix Chapters of the 2013 California Mechanical Code not adopted by a State agency as identified in Section 148.0103 and the adoption matrices of the 2013 California Mechanical Code are adopted by the City of San Diego:

- (1) Chapter 1, Part II Administration.
  - (2) Appendix A – Uniform Mechanical Code Standard No. 6-2.
- (b) The following Appendix Chapters of the 2013 California Mechanical Code adopted by a State agency as identified in Section 148.0103 and the adoption matrices of the 2013 California Mechanical Code are adopted by the City of San Diego:
- (1) Appendix B - Procedures to be Followed to Place Gas Equipment in Operation.
  - (2) Appendix C - Installation and Testing of Oil (Liquid) Fuel-Fired Equipment.
  - (3) Appendix D - Unit Conversion Tables.

**§148.0108 Mechanical Regulations In Existing Buildings**

- (a) Mechanical systems that are a part of a building or *structure* undergoing a change in use or occupancy, as defined in the California Building Code, shall comply with the requirements of the California Mechanical Code applicable to the new use or occupancy.
- (b) Mechanical systems that are a part of a building or *structure* that is to be relocated shall not be required to comply with the requirements of the California Mechanical Code applicable to new buildings if the existing mechanical systems comply with Section 121.0302. Alterations to such mechanical systems shall comply with the requirements for new mechanical systems.

Section 53. That Chapter 14, Article 8, Division 2 of the San Diego Municipal Code is amended by amending section 148.0201 and adding new section 148.0204, to read as follows:

**§148.0201 Local Modifications and Additions to Chapter 5 “Exhaust Systems” of the California Mechanical Code**

Chapter 5 of the 2013 California Mechanical Code is adopted by reference with additions pursuant to Section 148.0104 of the Land Development Code.

**§148.0204 Local Modifications and Additions to Section 504.3 “Clothes Dryers” of the California Mechanical Code**

- (a) Chapter 5 of the 2013 California Mechanical Code is adopted with additions pursuant to Section 148.0104 of the Land Development Code. Section 504.3.3 “Common exhaust systems for clothes dryers located in multistory structures” is added.
- (b) Section 504.3.3. Where a common multistory duct system is designed and installed to convey exhaust from multiple clothes dryers, the construction of the system shall be in accordance with all of the following:
  - (1) The shaft in which the duct is installed shall be constructed and fire-resistance rated as required by the California Building Code.
  - (2) Dampers shall be prohibited in the exhaust duct. Penetrations of the shaft and ductwork shall be protected in accordance with Section 717.5.3 of the California Building Code.
  - (3) Rigid metal ductwork shall be installed within the shaft to convey the exhaust. The ductwork shall be constructed of sheet steel having a minimum thickness of 0.0187 inch (0/4712 mm) (No.26

gauge) and in accordance with SMACNA Duct Construction Standards.

- (4) The ductwork within the shaft shall be designed and installed without offsets.
- (5) The exhaust fan motor design shall be in accordance with Section 503.2 of the California Mechanical Code.
- (6) The exhaust fan motor shall be located outside of the airstream.
- (7) The exhaust fan shall run continuously, and shall be connected to a standby power source.
- (8) Exhaust fan operation shall be monitored in an approved location and shall initiate an audible or visual signal when the fan is not in operation.
- (9) Makeup air shall be provided for the exhaust system.
- (10) A cleanout opening shall be located at the base of the shaft to provide access to the duct to allow for cleaning and inspection. The finished opening shall be not less than 12 inches by 12 inches (305 mm by 305 mm).
- (11) The common multistory duct system shall serve only clothes dryers and shall be independent of other exhaust systems.

Section 54. That Chapter 14, Article 9, Division 1 of the San Diego Municipal Code is amended by amending sections 149.0101, 149.0103, 149.0104, 149.0105, 149.0106, 149.0107, and 149.0108, to read as follows:

**§149.0101 Purpose of the Residential Building Regulations**

- (a) The purpose of the Residential Building Regulations is to establish minimum standards to safeguard life and limb, health, property and public welfare and to satisfy the purpose of the California Residential Code as provided in Section 1.8.1 of the California Residential Code.
- (b) [No change in text.]

**§149.0103 Adoption of the California Residential Code**

- (a) The 2013 California Residential Code, published and amended by the California Building Standards Commission (BSC), as amended by the State Department of Housing and Community Development (HCD 1, HCD 1/AC); and the State Fire Marshal (SFM) is adopted by reference, except as otherwise provided in this Article of the Land Development Code, Divisions 2 through 47. A copy of the 2013 California Residential Code is on file in the office of the City Clerk as Document No. OO- 20624-5.
- (b) When reference is made to the California Residential Code, it shall be the 2013 California Residential Code, California Code of Regulations Title 24, Part 2.5, as published by the California Building Standards Commission.
- (c) Each of the regulations, provisions, conditions, and terms of the 2013 California Residential Code is made a part of this Article as if fully set forth in this Article except as otherwise provided in Divisions 2 through 47.

- (d) Numbering of Sections and Subsections in Divisions 2 through 47 of this Article is cross referenced to Sections in the 2013 California Residential Code.
- (e) The adoption of the 2013 California Residential Code shall in no way limit, prohibit, impede, or prevent the City Council from adopting ordinances limiting or preventing the issuance of any type, number, or geographical distribution of permits for construction or demolition of any facility for which a permit is required.
- (f) [No change in text.]

**§149.0104 Portions of the California Residential Code Not Adopted by the City of San Diego**

The following Sections or Subsections of the 2013 California Residential Code have not been adopted by the City of San Diego:

- (a) Chapter 2, Section R202, Definitions.
- (b) Table R301.2(1) "Climatic and Geographical Design Criteria."

**§149.0105 Modifications to the California Residential Code Adopted by the City of San Diego**

The following Sections or Subsections of the 2013 California Residential Code are modified by the City of San Diego:

- (a) Chapter 2, Section R202, Definitions.
- (b) Chapter 3, Section R301.2, Climatic and Geographic Design Criteria; Section R327.1.3 Application date and where required; Section R327.2, Definitions; Section R327.5.4, Roof Gutters and Downspouts; Section

R327.6.2, Vents, Requirements; Section R327.8, Exterior Windows and Doors.

- (c) Chapter 9, Section 902.1.5 Roof covering materials, Section R902.2.1 Wood shingles, Section R902.2.2, Wood shakes, R902.4 Photovoltaic Panels and Roof Modules; Section R905.1.1, Roof covering attachment; R907.1.1, Replacement roof covering, Class A; R907.1.2 Replacement Roof Covering, Class A, Additions; R907.1.3, Wood shake, shingles reroof; R907.1.4 Wood shake, Shingles, Historical Buildings; R907.1.5, Reroofing over wood roofs.

**§149.0106 Additions to the California Residential Code Adopted by the City of San Diego**

The following Sections and Subsections are added to the 2013 California Residential Code by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 3, Section R320.2 Voluntary Accessibility program; Section R327.1.3 Exception 5; Section R327.1.3.1 Exception 2.3; Section R327.2, Local Very High Fire Hazard Severity Zone; Section R327.3.6.1 Alternative Materials, designs or methods of construction; Section R327.3.6.2, Modifications; Section R327.5.4 Roof Gutters and Downspouts; Section R327.5.5 Drip Edge flashing; Section R327.6.2 items 4 through 7; Section R327.8.2.2.1, Vinyl windows; Section R327.11, Spark Arrester; Section R327.12, Glazing materials in skylights; Section R329, Structural Tests and Special Inspections; Section R332, Encroachments into the Public Right of Way; Section R333, Safeguards

During Construction; R334 Sound Transmission Control; Section R335,  
Building Regulations for Swimming Pools.

- (c) [No change in text.]
- (d) Chapter 45, Residential Grading Regulations.

**§149.0107 Adoption of Appendices to the California Residential Code**

The following Appendix Chapters of the 2013 California Residential Code are adopted by the City of San Diego: Appendix Chapter H, Patio Covers

**§149.0108 Applicability of the California Building Code to existing buildings and structures regulated by the California Residential Code**

- (a) The legal occupancy of any building or structure existing on the date of adoption of the 2013 California Residential Code shall be permitted to continue without change, except as is specifically regulated by Chapter 34 of the 2013 California Building Code, the California Fire Code, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.
- (b) Additions, alterations or repairs to any structure shall conform to the requirements for a new structure without requiring the existing structure to comply with all of the requirements of the California Residential Code or, where applicable, the California Building Code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the structure.
- (c) Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the 2013 California Building Code shall be maintained in conformance with

the code edition under which installed. The owner and the owner's designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this Subsection, the Building Official shall have the authority to require a building or structure to be re-inspected. The requirements of the Building Regulations shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.

Section 55. That Chapter 14, Article 9, Division 2 of the San Diego Municipal Code is amended by amending sections 149.0201 and 149.0202, and repealing section 149.0203, to read as follows:

**§149.0201 Local Additions to Chapter 2 "Definitions" of the California Residential Code**

- (a) Chapter 2 of the 2013 California Residential Code is adopted by reference with additions pursuant to Section 149.0103 and 149.0106 of the Land Development Code.
- (b) through (c) [No change in text.]

**§149.0202 Local Modifications and Additions to Chapter 2 "Definitions" of the California Residential Code**

- (a) Definitions in Chapter 11, Article 3, Division 1 of the Land Development Code do not apply to Chapter 14, Article 9, Divisions 3 through 45 of the Land Development Code where they conflict with the definitions contained in the California Residential Code.

- (b) Italicized text shall have the definitions set forth in Section 113.0103 of the Land Development Code, and all other text shall have the definitions set forth in the California Building Code.
- (c) The following definition has been added to the Section R202 California Residential Code pursuant to Section 149.0106 of the Land Development Code: LIVE WORK UNIT. A unit in which a portion of the unit is used for other than living purposes as defined and subject to the limitations set forth in Section 419 "LIVE/WORK UNITS" in the California Building Code, as adopted and amended by the City of San Diego. Live Work Unit shall not mean Live/Work Quarters as defined and regulated in Section 141.0311 of the Land Development Code.

Section 56. That Chapter 14, Article 9, Division 3 of the San Diego Municipal Code is amended by amending sections 149.0301 and 149.0327, adding new sections 149.0302 and 149.0322, repealing section 149.0317, and renumbering sections 149.0330, 149.0331, 149.0332 and 149.0333, and to read as follows:

**§149.0301 Local Additions to Chapter 3 "Building Planning" of the California Residential Code**

- (a) Chapter 3 of the 2013 California Residential Code is adopted by reference with additions pursuant to Sections 149.0103 and 149.0106 of the Land Development Code.
- (b) Sections R301 through R318, R322 through R326, and R328 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

**§149.0302 Local Modifications and Additions to Section R301.2 “Climatic and Geographic Design Criteria”**

- (a) Section R301.2 of the California Residential Code is adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code.
- (b) Section R301.2 is adopted with modifications as follows. Buildings shall be constructed in accordance with the provisions of the California Residential Code as limited by the provisions of Section R301. Additional criteria are outlined in Table 149.0302.
- (c) Table R301.2(1) “Climate and Geographic Design Criteria” of the California Residential Code is not adopted pursuant to Section 149.0104 of the Land Development Code.

Table 149.0302				
Wind Design		Seismic Design Category	Termite	Flood Hazards
Speed (Mph)	Topographic Effects			
85	B	D <sub>2</sub>	Severe per Fig R301.2(3)	Section §143.0145

**§149.0322 Local Modifications and Additions to Section R322 “Flood Resistant Construction” of the California Residential Code**

Section R322.1 is modified as follows pursuant to Section 149.0105 of the Land Development Code: R322.1 General. Structures constructed in whole or in part in flood hazard areas (including A or V Zones) as established in Table Section 149.0302 shall be designed and constructed in accordance with the provisions

contained in this section. Structures located in whole or in part in identified floodways shall be designed and constructed in accordance with ASCE24. For additional regulations for construction in special flood hazard areas see Sections 143.0145 and 143.0146 of the Land Development Code.

**§149.0327 Local Additions and Modifications to Section R327 “Materials and Methods for Exterior Wildfire Exposure” of the California Residential Code**

(a) through (b) [No change in text.]

(c) Section R327.2 has been adopted by reference with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code as follows: Local Agency Very High Fire Hazard Severity Zones shall mean the Very High Fire Hazard Severity Zones as designated on the Very High Fire Hazard Severity Zone Map – Local Responsibility Areas adopted pursuant to Section 55.9401 of the Land Development Code.

(d) through (e) [No change in text.]

(f) Section R327.6 has been adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code. Section R327.6.2 is modified by adding items 4 through 7 as follows:

(1) through (3) [No change in text.]

(4) 7. Ventilation openings protected with vent openings that resist the intrusion of flame and embers, and which are listed by the State Fire Marshal, are exempt from complying with Section 149.0327 (f)(1) and (2) of the Land Development Code.

(g) through (i) [No change in text.]

**§149.0332 Local Addition of Section R332 “Encroachments Into The Public Right-Of-Way” to the California Residential Code**

Section R332 is added to the California Residential Code pursuant to Section 149.0106 of the Land Development Code as follows: R332 Encroachments into the Public Right-Of-Way. Encroachments into the Public Right-of-Way shall comply with the standards in Chapter 32 of the California Building Code as adopted and amended Section 145.3203 of the Land Development Code. The City Engineer may require a Right-Of-Way Permit for the construction of an encroachment in accordance with the authority granted in Section 129.0702 of the Land Development Code.

**§149.0333 Local Addition of Section R333 “Safeguards During Construction” to the California Residential Code**

Section R333 is added to the California Residential Code pursuant to Section 149.0106 of the Land Development Code as follows: R333 Safeguards During Construction. Provisions for safety during construction and the protection of adjacent public and private properties shall be governed by the requirements of Chapter 33 of the California Building Code as adopted and amended by the City of San Diego in Land Development Code Section 145.3303.

**§149.0334 Local Addition of Section R334 “Sound Transmission Control” to the California Residential Code**

Section R334 is added to the California Residential Code pursuant to Section 149.0106 of the Land Development Code as follows: R334 Sound Transmission Control. Wall and floor-ceiling assemblies separating dwelling units from each other and from public or service areas such as interior corridors, garages and

mechanical spaces shall provide airborne sound insulation for walls, and both airborne and impact sound insulation for floor-ceiling assemblies, in compliance with Section 1207 of the California Building Code. For additional noise regulations limiting the intrusion of exterior noise into buildings based on land use standards, see Chapter 13, Article 2, Division 15 of the Land Development Code.

**§149.0335 Local Addition of Section R335 “Building Regulations for Swimming Pools” to the California Residential Code**

- (a) [No change in text.]
- (b) Section R335 is added to the California Residential Code pursuant to Section 149.0106 of the Land Development Code as follows:
  - (1) R335.1 The purpose of this Section is to establish building regulations for private swimming pools and hot tubs or spas that do not have locking safety covers that comply with the American Society for Testing Materials Emergency Performance Specifications (ASTM ES 1346-91), located on the premises of dwellings and dwellings units complying with the California Residential Code.
  - (2) R335.2 Private swimming pool shall mean any constructed pool, permanent or portable, which is intended for non-commercial use as a swimming pool by not more than three owner families and their guests.

- (3) R335.3 Barriers for private swimming pools shall comply with Section 3109 of the California Building Code as adopted and amended in Section 145.3109(c) of the Land Development Code.

Section 57. That Chapter 14, Article 9, Division 6 of the San Diego Municipal Code is amended by amending section 149.0601 and repealing section 149.0602, to read as follows:

**§149.0601 Local Deletions, Modifications and Additions to Chapter 6 “Wall Construction” of the California Residential Code**

Chapter 6 of the 2013 California Residential Code is adopted by reference without change pursuant to Section 149.0103 of the Land Development Code.

Section 58. That Chapter 14, Article 9, Division 8 of the San Diego Municipal Code is amended by amending section 149.0801 and repealing section 149.0806, to read as follows:

**§149.0801 Local Modifications and Additions to Chapter 8 “Roof-Ceiling Construction” of the California Residential Code**

Chapter 8 of the 2013 California Residential Code is adopted by reference with no modifications or additions pursuant to Sections 149.0103 of the Land Development Code.

Section 59. That Chapter 14, Article 9, Division 9 of the San Diego Municipal Code is amended by amending sections 149.0901 and 149.0902, to read as follows:

**§149.0901 Local Modifications and Additions to Chapter 9 “Roof Assemblies” of the California Residential Code**

- (a) Chapter 9 of the 2013 California Residential Code is adopted by reference with additions and modifications pursuant to Sections 149.0103, 149.0105 and 149.0106 of the Land Development Code.

- (b) Sections R901.1, R902.2 through R905.6, and R905.9 through R906 are adopted by reference without change pursuant to Section 149.0103 of the Land Development Code.
- (c) Sections R902, R905.7, R905.8, R907, and R908 are adopted by reference with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code.

**§149.0902 Local Additions and Modifications to Section R902.1 “Roof Classification” of the California Residential Code**

- (a) through (b) [No change in text.]
- (c) Section R902.3 is adopted by reference and modified as follows: R902.3 Building integrated solar photovoltaic systems, Integrated solar photovoltaic systems that serve as the roof covering shall be listed and labeled for fire classification in accordance with Section 149.0902(a) of the Land Development Code.
- (d) Section R902.4 is adopted by reference and modified as follows: R902.4 Roof mounted solar photovoltaic panels and modules. Effective January 1, 2015, rooftop mounted photovoltaic panels and modules shall be tested, listed and identified with a fire classification in accordance with UL 1703. The fire classification shall comply with Table 1505.1 of the California Building Code based on the type of construction of the building. When located in the Very High Fire Hazard Severity Zone Map –Local Responsibility Areas adopted pursuant to Section 55.9401 of the San Diego Municipal Code, rooftop mounted photovoltaic panels and modules shall have a minimum fire classification rating of Class A.

Section 60. That Chapter 14, Article 10, Division 1 of the San Diego Municipal Code is amended by amending sections 1410.0103, 1410.0104, 1410.0105, 1410.0106, 1410.0107, and 1410.0108, to read as follows:

**§1410.0103 Adoption of the California Green Building Standards Code**

- (a) The 2013 California Green Building Standards Code, published and amended by the California Building Standards Commission (BSC), and as amended by the State Department of Housing and Community Development (HCD), is adopted by reference except as otherwise provided in this Article. A copy of the 2013 California Green Building Standards Code is on file in the office of the City Clerk as Document No. OO- 20624 - 6
- (b) When reference is made to the California Green Building Standards Code, it shall be the 2013 California Green Building Standards Code, California Code of Regulations Title 24, Part 11, as published by the California Building Standards Commission.
- (c) Each of the regulations, provisions, conditions, and terms of the 2013 California Green Building Standards Code is made a part of this Article as if fully set forth in this Article.
- (d) Numbering of Sections and Subsections in this Article is cross referenced to Sections in the 2013 California Green Building Standards Code.
- (e) The adoption of the 2013 California Green Building Standards Code shall in no way limit, prohibit, impede, or prevent the City Council from adopting ordinances limiting or preventing the issuance of any type,

number, or geographical distribution of permits for construction or demolition of any facility for which a permit is required.

(f) [No change in text.]

**§1410.0104 Portions of the California Green Building Standards Code Not Adopted by the City of San Diego**

Section 5.106.5.2.1 Parking stall marking.

**§1410.0105 Modifications to the California Green Building Standards Code Adopted by the City of San Diego**

- (a) Section 5.106.8 Light pollution reduction non-residential buildings.
- (b) Section 5.106.4.1.1 Short-Term bicycle parking.
- (c) Section 5.106.4.2.2 Long-Term bicycle parking.
- (d) Section 5.106.5.2 Designated parking.

**§1410.0106 Additions to the California Green Building Standards Code Adopted by the City of San Diego**

Section 4.106.8 Light pollution reduction residential buildings.

**§1410.0107 Adoption of Appendices to the California Green Building Standards Code**

Appendix Chapters to the 2013 California Green Building Standards Code are adopted as follows: The Residential Voluntary measures of the California Green Building Standards Code, Appendix Chapter A4, Residential Voluntary Measures, Section A4.305.1 "Graywater".

**§1410.0108 Use of Alternate Materials, Design, or Construction Methods**

- (a) The provisions of the Green Building Regulations are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, method, design or method of construction not specifically prescribed by the 2013 California Green Building Standards Code,

provided that any such alternative has been approved by the Building Official.

- (b) An alternate material, design or construction method shall be approved on a case-by-case basis where the Building Official finds that the proposed alternate complies with the intent of the provisions of the 2013 California Green Building Standards Code and is at least the equivalent of standards prescribed in the Code for planning and design, energy, water, material conservation and resource efficiency, environmental air quality, performance, safety and the protection of life and health.
- (c) When considering the use of alternate materials, design, or construction methods, the Building Official shall evaluate equivalency based on the compliance provisions the 2013 California Green Building Standards Code for occupancies regulated by adopting state agencies as are found in the Sections listed below.
  - (1) [No change in text.]
  - (2) Section 1.8.7, Chapter 1, Administration, Division 1, of the 2013 California Building Code and Section 1.2.6, Chapter 1, Administration, Division 1, of the 2013 California Residential Code for the Department of Housing and Community Development.

Section 61. That Chapter 14, Article 10 of the San Diego Municipal Code is amended by amending the title of Division 4 and adding new section 1410.0403, to read as follows:

**Division 4: Local Additions and Modifications to the California Green Building Regulations – Residential**

**§1410.0403 Local Modifications Section A4.305 “Water Reuse Systems” of the California Green Building Standards Code**

- (a) A4.305.1 “Graywater” of the California Green Building Standards Code is adopted with modifications pursuant to Sections 1410.0105 and 1410.0107 of the Land Development Code.
- (b) Section A4.305.1 is adopted with the following modifications. All new residential buildings that are within the scope of the California Residential Code shall be constructed to include waste piping to discharge gray water from clothes washers to a place where it may be used for outdoor irrigation, in compliance with Section 1602 of the California Plumbing Code.

Section 62. That Chapter 14, Article 10 of the San Diego Municipal Code is amended by amending the title of Division 5 and sections 1410.0501, 1410.0505, and 1410.0510, to read as follows:

**Division 5: Local Additions and Modifications to the California Green Building Regulations – Non Residential**

**§1410.0501 Light Pollution Reduction for Non-Residential Buildings**

- (a) through (b) [No change in text.]

**§1410.0505 Bicycle Parking Spaces and Facilities for Non-Residential Uses**

- (a) Sections 5.106.4.1.1, 5.106.4.1.2, of the California Green Building Standards Code are adopted as modified pursuant to Section 1410.0105 of the Land Development Code in accordance with Sections 1410.0505(b) and 1410.0505(c).
- (b) Sections 5.106.4.1.1, Short-Term bicycle parking. Non-residential *development* shall comply with Section 142.0530(e), which will result in more short-term bicycle parking spaces than otherwise required by the California Green Building Standards Code.
- (c) Section 5.106.4.1.2, Long-Term bicycle parking. Non-residential *development* shall comply with Section 142.0530(e), which will result in more long-term bicycle parking spaces and facilities than otherwise required by the California Green Building Standards Code.

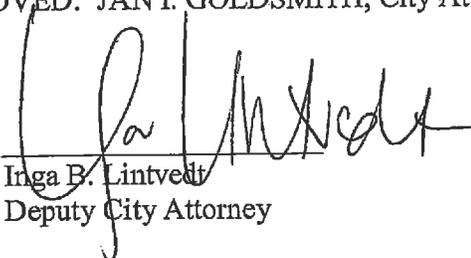
**§1410.0510 Designated Parking Spaces for Carpool Vehicles and Zero Emissions Vehicles for Non-Residential Uses**

- (a) Section 5.106.5.2 of the California Green Building Standards Code is adopted as modified pursuant to Section 1410.0105 of the Land Development Code in accordance with Section 1410.0510(b).
- (b) Section 5.106.5.2 Designated parking. Non-residential *development* shall comply with Section 142.0530(d), which will result in more designated parking spaces for low-emitting, fuel-efficient and carpool/vanpool vehicles than otherwise required by the California Green Building Standards Code.

Section 63. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 64. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

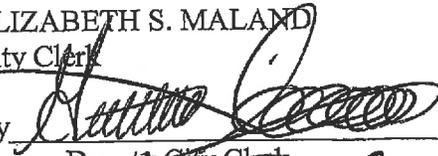
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Inga B. Lintvedt  
Deputy City Attorney

IBL:mcm  
February 19, 2016  
Or.Dept: DSD  
Doc. No.: 101934\_9

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of **MAR 22 2016**

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 4/5/16  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAR 22 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 06 2016

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 08 2016

APR 06 2016

, and on \_\_\_\_\_

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

2016 APR 13 12:51  
CITY CLERK'S BUILDING  
SAN DIEGO, CALIFORNIA

Office of the City Clerk, San Diego, California

Ordinance Number O- 20624

