

## CALIFORNIA BUILDING STANDARDS COMMISSION

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



December 21, 2010

Tim Warr, Building and Safety Division  
Local Ordinances  
City of Bellflower  
16600 Civic Center Drive  
Bellflower, California 90706

Tim Warr,

This is to acknowledge receipt of the City of Bellflower submittal pertaining to Ordinance Nos. 1199, 1200, 1201, 1202, 1203, 1204, 1205 & 1206 with findings on December 02, 2010. As the law states, no local modification or change to the California Building Standards Code (Code) shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District ordinances for ratification; it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention: State Housing Law Program Manager, (rather than the Commission.)

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing. If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

  
Jane G. Taylor  
Senior Architect

cc: Chron  
Local Filings

The City of Bellflower

*Families. Businesses. Futures.*

16600 Civic Center Drive, Bellflower, CA 90706

Tel 562.804.1424 Fax 562.925.8660 www.bellflower.org



November 30, 2010

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA. 95833-2936

**Subject: Filing Local Amendments**

To Whom It May Concern:

The City of Bellflower has recently approved local amendments and is respectfully submitting copies to the California Building Standards Commission for filing. Attached are copies of Ordinance No. 1199, No. 1200, No. 1201, No. 1202, No. 1203, No. 1204, No.1205, and No. 1206.

If you have any questions or concerns, I can be reached at (562) 804-1424 ext. 2274

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Warr", is written over a horizontal line.

Tim Warr  
Building & Safety Division

NOV 30 2010  
CITY OF BELLFLOWER  
BUILDING & SAFETY DIVISION  
16600 CIVIC CENTER DRIVE  
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**CITY OF BELLFLOWER**

**ORDINANCE NO. 1199**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER REPEALING CHAPTER 15.04 OF THE BELLFLOWER MUNICIPAL CODE AND ADDING THERETO A NEW CHAPTER 15.04 (ADOPTING BY REFERENCE CHAPTERS 1 THROUGH 35, AND APPENDIX CHAPTERS C, F, H, I, AND J OF CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2 - THE 2010 CALIFORNIA BUILDING CODE) AND MAKING AMENDMENTS THERETO**

**WHEREAS**, the 2010 California Building Code was published by the State Building Standards Commission in 2010; and

**WHEREAS**, the City is required to adopt the 2010 California Building Code as of January 1, 2011.

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

**SECTION 1.** The State of California has adopted the 2010 California Building Standards Codes that must in turn be adopted or utilized by each city or county. California Health and Safety Code Sections 17958, 17985.7 and 17958.5, however, provide that local entities may amend the building standards contained in the California Building Standards Codes, if findings regarding the necessity for amendments are made. The City Council hereby finds and determines that certain building standards established by these Codes are inappropriate for use and enforcement in the City of Bellflower because of unique geological conditions prevailing within the City. Such geological conditions affect the potential consequences of soil strength loss due to known liquefaction zones within the City and the nearby location of earthquake faults, resulting in the possibility of tremendous loss of life and structures within the City unless appropriate building standards are adopted. The lessons learned from previous earthquakes, such as the Northridge and Whittier earthquakes, have been refined with studies and tests that have continued since the last code adoption cycle. The results of these studies and tests necessitate adoption of further amendments to the structural requirements of the California Building Standards Code. The proposed structural amendments are detailed in the sections of the Bellflower Municipal Code adopted by this ordinance which amend the California Building Standards Code.

**SECTION 2.** Chapter 15.04 of the Bellflower Municipal Code is hereby repealed; however, such repeal shall not affect or excuse any violation of said chapter that occurred prior to the effective date of this ordinance; nor shall such repeal impede, impact, or negate any administrative, civil, or criminal enforcement of said chapter that occurred prior to the effective date of this ordinance.

**SECTION 3.** A new Chapter 15.04 is hereby added to the Bellflower Municipal Code to read as follows:

**CHAPTER 15.04**

**BUILDING CODE**

**Sections:**

**15.04.010 Building Code - Adopted by Reference; Where Filed**  
**15.04.020 Amendments**

**15.04.010 Building Code - Adopted by Reference; Where Filed**

Chapters 1 through 35, and Appendix Chapters C, F, H, I, and J of California Code of Regulations, Title 24, Part 2 (the 2010 California Building Code) are hereby adopted by reference as the Building Code of the City of Bellflower.

In accordance with California Government Code Section 50022.6, one (1) copy of said chapters and appendices shall remain on file with the building official within the Community Development Department and shall be at all times maintained by the building official for use and examination by the public.

**15.04.020 Amendments**

a. Chapter 1 Division II Scope and Administration is hereby amended as follows:

1. Section 101 is amended to read as follows:

**SECTION 101 - TITLE, PURPOSE, INTENT AND SCOPE**

**101.1 Title.** Chapters 1 through 35, and Appendix Chapters C, F, H, I, and J of California Code of Regulations, Title 24, Part 2 (the 2010 California Building Code), as adopted and amended by the City, shall be known as the Building Code of the City of Bellflower, and may be cited as such. References to "this Code" contained in any provision enacted by Chapter 15.04 of the Bellflower Municipal Code shall refer to the Building Code of the City of Bellflower.

**101.2. Purpose and Intent.** The purpose of this Code is to provide minimum standards to safeguard public health, safety and general welfare by regulating the design, construction, installation, quality of materials, use and occupancy, location, operation and maintenance of buildings, structures, equipment and appliances and grading as specifically set forth herein and to provide safety to firefighters and emergency responders during emergency operations. Consistent with this purpose, the provisions of this Code are intended and always have been intended to confer a benefit on the community as a whole and are not intended to establish a duty of care toward any particular person.

This Code shall not be construed to hold the City or any officer, employee or agent thereof responsible for any damage to persons or property by reason of any inspection authorized herein or by reason of the issuance or non-issuance of any permit authorized herein, and/or for any action or omission in connection with the application and/or enforcement of this Code. By adopting the provisions of this Code, the City does not intend to impose on itself, or its officers, employees or agents any mandatory duties of care toward persons and property within its jurisdiction so as to provide a basis of civil liability for damages.

This section is declaratory of existing law and is not to be construed as suggesting that such was not the purpose and intent of previous Code adoptions.

**101.3. Scope.** The provisions of this Code shall apply to the erection, construction, enlargement, alteration, installation, reconstruction, repair, movement, improvement, connection, conversion, demolition, and use of any building, structure or premises, or portion thereof, and grading within the City.

The provisions of this Code shall not apply to work located primarily in a public way other than pedestrian protection structures required by Chapter 33; public utility towers and poles; equipment not specifically regulated in this Code; hydraulic flood control structures; work exempted by Section 105.2; or minor work of negligible hazard to life specifically exempted by the building official.

Additions, alterations, repairs and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise provided in Section 110 and Chapter 34 of this Code.

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**101.4 Referenced Codes.** The other codes listed in Appendix Chapter 1, sections 101.4.1 through 101.4.7 and referenced elsewhere in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference.

**101.4.1 Electrical.** The provisions of the Electrical Code of the City of Bellflower shall apply to the installation of electrical systems including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

**101.4.2 Gas.** The provisions of the Mechanical Code of the City of Bellflower shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories covered in this Code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

**101.4.3 Mechanical.** The provisions of the Mechanical Code of the City of Bellflower shall apply to the installation, alteration, repair and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy related systems.

**101.4.4 Plumbing.** The provisions of the Plumbing Code of the City of Bellflower shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system, and shall apply to private sewage disposal systems.

**101.4.5 Fire Prevention.** The provisions of the Fire Code of the City of Bellflower shall apply to matters affecting or relating to structures, processes and premises from (i) the hazard of fire and explosion arising from storage, handling or use of structures, materials or devices, (ii) conditions hazardous to life, property or public welfare in the occupancy of structures or premises, and (iii) the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

**101.4.6 Energy.** The provisions of the Energy Code of the City of Bellflower shall apply to all matters governing the design, alteration and construction of buildings for energy efficiency.

**101.4.6 Exception:** (OSHPD 1, 2 and 4). Not required by OSHPD.

**101.4.7 Green.** The provisions of the Green Building Standards Code of the City of Bellflower shall apply to all matters governing the design and construction of buildings in regards to sustainable construction practices.

2. Section 103 is amended to read as follows:

## SECTION 103 - BUILDING AND SAFETY DIVISION

**103.1 Building and Safety Division.** There is hereby established a division in the City Community Development Department to be known and designated as the Building and Safety Division.

**103.2 Deputies.** The building official shall have the authority to delegate his/her duties to other officers, agents and/or employees of the City. The building official may deputize such City officers, agents or employees as may be necessary to carry out the functions, procedures and policy of the Building and Safety Division. Any reference in this Code to performance by the building official shall be deemed to include performance by such officer, agency and/or employee as has been delegated such duties by the building official.

3. Section 104 is amended to read as follows:

## SECTION 104 - DUTIES AND POWERS OF THE BUILDING OFFICIAL

**104.1 General.** The building official is hereby authorized and directed to enforce all the provisions of this Code, or other relevant laws, ordinances, rules and regulations; and to make all inspections pursuant to the provisions of this Code, or other relevant laws, ordinances, rules and regulations. For such purposes, the building official shall have the powers of a police officer.

The building official shall have the power to render interpretations of this Code, and other relevant laws, ordinances, rules and regulations, and to adopt and enforce rules and supplemental regulations in order to clarify the application of the provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code.

**104.2 Application.** The building official is authorized to make, interpret and enforce such guidelines and policies for the safeguarding of life, limb, health or property as may be necessary from time to time to carry out the purpose and provisions of this Code.

**104.3 Right of Entry.** Where it is necessary to make an inspection and enforce the provisions of this Code, or where the building official has reasonable cause to believe that there exists in a structure or upon premises a condition which is contrary to or in violation of this Code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to impose the duties imposed by this Code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall make reasonable effort

to locate the owner or other person having charge of the structure or premises and request entry. If entry is refused, the building official shall have recourse to any remedy provided by law to secure entry. The provisions of this section shall not be deemed to prohibit the building official from entering a structure or premises other than under the authority of this section when necessary for the immediate preservation of public health, safety, or welfare.

**104.4 Department Records.** The building official shall keep official records of applications received, permits and certificates issued, fees collected, technical reports, inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records by law.

**104.5 Liability.** City officers, agents and employees charged with the enforcement of this Code, while acting in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance shall not thereby be rendered liable personally.

**104.6 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this Code, the building official may grant modifications for individual cases, provided the building official shall first find that a special individual reason makes the strict letter of this Code, or other relevant laws, ordinances, rules and regulations impractical and that the modification is in conformity with the spirit and purpose of this Code, or other relevant laws, ordinances, rules and regulations and that such modification does not lessen any fire protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the City.

A written application for the granting of such modifications shall be submitted together with a filing fee established by resolution of the City Council. The decision of the building official shall be final.

**104.7 Alternate Materials and Methods of Construction and Equipment.** The provisions of this Code, or other relevant laws, ordinances, rules or regulations, are not intended to prevent the use of any material or method of construction not specifically prescribed by this Code, provided any such alternate has been approved.

The building official may approve any such alternate, provided that he/she finds that the proposed design is satisfactory and complies with the provisions of Chapter 16 of this Code and finds that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code, and in all other relevant laws, ordinances, rules and regulations, in quality, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official may require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding use of such alternate.

A written application for use of an alternate material or method of construction shall be submitted together with a filing fee established by resolution of the City Council. The decision of the building official shall be final.

**104.8 Used Materials and Equipment.** The use of used materials and equipment which meet the requirements of this Code for new materials is permitted when approved by the building official.

**104.9 Identification.** City officers, agents and employees shall carry proper identification when inspecting structures or premises in the performance of duties under this Code.

**104.10 Cooperation of Other Officials.** The building official may request, and shall receive, so far as may be necessary in the discharge of his/her duties, the assistance and cooperation of other officials of the City.

**104.11 Definitions.** In additions to the definitions specified in Chapter 2 of this Code, the following certain terms, phrases, words and their derivatives shall be construed as specified in this section. Terms, phrases and words used in any gender include the other genders.

In the event of conflicts between these definitions and definitions that appear elsewhere in this Code, these definitions shall govern and be applicable.

**APARTMENT HOUSE** shall mean any building or portion thereof that contains three or more dwelling units, and for the purpose of this Code, includes residential condominiums.

**BUILDING AND SAFETY DIVISION or BUILDING DEPARTMENT** shall mean the Building and Safety Division of the City Community Development Department.

**BUILDING OFFICIAL** shall mean the Director of Community Development or other designated authority, charged with the administration and enforcement of this Code, or the director's duly authorized representative.

**BUILDING REHABILITATION APPEALS BOARD** shall mean the City of Bellflower City Council.

**DEMOLITION.** Whenever the term demolition or demolish is used in this Code, it shall include the removal of the resulting debris from such demolition and the protection or filling of excavations exposed by such

demolition as may be required by this Code, or other relevant laws, ordinances, rules and/or regulations.

**FACTORY-BUILT STRUCTURE** shall mean buildings or structures which meet all of the following criteria:

(1) Fabrication on an off-site location under the inspection of the State, for which the State inspection agency has attested to compliance with the applicable State laws and regulations by the issuance of an insignia;

(2) Bear the State insignia and have not been modified since fabrication in a manner that would void the State approval; and for which the City has been relieved by statute of the responsibility for the enforcement of laws and regulations of the State of California or the City.

**ELECTRICAL CODE** shall mean the Electrical Code of the City of Bellflower.

**FIRE CODE** shall mean the Fire Code of the City of Bellflower.

**HEALTH CODE** or **LOS ANGELES COUNTY HEALTH CODE** shall mean the Health Code of the City of Bellflower.

**LOS ANGELES COUNTY FLOOD CONTROL DISTRICT** shall mean either the City of Bellflower Public Works Department, unless in the opinion of the Director of Public Works, the term as used in a particular context refers to the Los Angeles County Flood Control District.

**MECHANICAL CODE** shall mean the Mechanical Code of the City of Bellflower.

**NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT** shall mean a permit issued as required by the Federal Clean Water Act in order to protect receiving waters. The NPDES permit requires controls to reduce the discharge of pollutants into storm drains, channels or natural watercourses.

**NEW CONSTRUCTION** shall mean any work to erect an entirely new building, structure, or apparatus system.

**NONINSPECTED WORK** shall mean any erection, construction, enlargement, alteration, repair, movement, improvement, removal, connection, conversion, demolition, or equipping, for which a permit was first obtained, pursuant to Section 105, but which has progressed beyond the point indicated in an inspection which approved such work, including but not limited to inspections set forth in Section 110, without first obtaining inspection by and approval of the building official.

**PLUMBING CODE** shall mean the Plumbing Code of the City of Bellflower.

**ROAD COMMISSIONER** shall mean the City Engineer.

**STOP WORK ORDER** shall mean a written order issued by the building official requiring the immediate cessation of all work as a result of a violation of applicable law or as a result of a dangerous, hazardous, or unsafe condition.

**UN-PERMITTED STRUCTURE** shall be defined as any structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, moved, improved, removed, connected, converted, demolished or equipped, at any point in time, without the required approval(s) and permit(s) having first been obtained from the building official, or pursuant to a permit which subsequently expired and became null and void before receiving final approval from the building official.

4. Section 105 is amended to read as follows:

#### **SECTION 105 - BUILDING PERMIT REQUIREMENTS**

**105.1 Building Permit Required.** No person shall erect, construct, enlarge, alter, repair, move, improve, remove, connect, convert, demolish, or equip any building, structure, or portion thereof, or cause the same to be done, without first obtaining a separate permit for each such building or structure from the building official.

The issuance of a permit without first requiring a plan review shall not prevent the building official from requesting plans deemed necessary to verify that the work performed under said permit complies with this Code and all relevant laws, ordinances, rules and regulations.

No person shall install, alter, repair, move, improve, remove, connect any automatic fire-extinguishing system regulated by this Code, or cause the same to be done, without first obtaining a separate permit for each such building or structure from the building official.

All structures and devices installed in connection with any construction project for the protection of pedestrians, regardless of location, are subject to the permit requirements of this section.

**105.1.2 Work without Permit.** Whenever any work has been commenced without a permit as required by the provisions of this Code, a special investigation shall be made prior to the issuance of the permit. An investigation fee shall be collected for each permit so investigated to determine the extent of the work performed. An additional penalty permit fee equal to the cost of the building permit shall also be assessed at the time of permit issuance. At the discretion of the building official, the penalty permit fee may be reduced or waived when just cause for

commencement of work without a permit is shown. The investigation and penalty permit fees shall be as specified by resolution of the City Council.

The payment of the investigation fee and penalty permit fee shall not exempt any person from compliance with all other provisions of this Code or from any other penalty prescribed by law.

**105.1.3 Noncompliance Fee.** If the building official, in the course of enforcing the provisions of this Code or any other law, ordinance, rule or regulation issues an order to a person and that person fails to comply with the order within ten (10) days following the due date for compliance stated in the order, including any extensions thereof, then the building official shall have the authority to collect a noncompliance fee in the amount established by resolution of the City Council.

The noncompliance fee shall not be imposed unless the order states that a failure to comply within ten (10) days after the compliance date specified in the order will result in the fee being imposed. No more than one such fee shall be collected for failure to comply with an order. The payment of the noncompliance fee shall not exempt any person from compliance with this Code and other laws, ordinances, rules and regulations or from any penalty prescribed by law.

**105.2 Work Exempted From Building Permit.** A building permit shall not be required for the following:

1. Work not regulated by the California Building Standards Code, except where deemed necessary by the building official to enforce other federal and/or State Laws, State disabled access requirements, or to enforce City ordinances or policies.

2. Minor work of negligible hazard to life, as determined by the building official in writing, provided the valuation does not exceed \$2,000.

3. Painting; wallpapering; installation of carpet, vinyl, tile and similar floor and wall coverings; and repairing broken window glass not required by this Code to be safety or security glazing.

4. One-story detached accessory buildings used as tool and storage sheds, nonhabitable playhouses, and similar uses, provided the floor area does not exceed 120 square feet.

5. One-story detached, private lath houses, glasshouses (greenhouses) and pergolas, provided the floor area does not exceed 300 square feet and the structure complies with all setback from property lines required by this Code.

6. Chain-link, wrought-iron, and similar fences not over 12 feet in height.

7. Block wall fences not over 4 feet in height; wood and similar fences not over 8 feet in height if 60 percent or more of the fence is open and incapable of being loaded by wind, or not over 6 feet in height if less than 60 percent of the fence is open.

8. Retaining walls not more than four feet in height measured from the bottom of the footing to the top of wall, unless supporting a surcharge or impounding flammable liquids.

9. Radio and television antennae towers which do not exceed 45 feet in height and ground supported dish antennas not exceeding 15 feet in height above finished grade in any position.

10. Light standards which do not exceed 30 feet in height.

11. Flagpoles not erected upon a building and not more than 15 feet high.

12. A tree house provided that:

12.1 The tree house does not exceed 64 square feet in area or 8 feet in height from floor to roof.

12.2 The ceiling height as established by door height or plate line does not exceed 6 feet.

13. Canopies or awnings attached to a Group R or U Occupancy and extending not more than 54 inches from the exterior wall of the building.

14. Sheds, office or storage buildings, and other structures incidental to and work authorized by a valid grading or building permit. Such structures must be removed upon expiration of the permit or completion of the work covered by the permit.

15. Platforms, decks, walks, and driveways not more than 30 inches above grade and not over any basement or story below.

16. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and the capacity does not exceed 5,000 gallons.

17. Playground equipment.

18. Membrane structures not regulated by California Code of Regulations Title 19, not exceeding 250 square feet in area, used exclusively for residential recreational purposes or as a cover for vehicles, and located in accordance with other City ordinances.

19. Steel tanks supported on a foundation not more than two feet (610 mm) above grade when the height does not exceed 1.5 times the diameter.

20. Gantry cranes and similar equipment.

21. Bridges not involving buildings.

22. Motion picture, television and theater stage sets and scenery, except when used as a building.

Unless otherwise exempted by the City of Bellflower Plumbing, Electrical or Mechanical Codes, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other law, ordinance, rule or regulation.

**105.3 Application for Permit.** To obtain a permit, the applicant shall first file an application form furnished by the City for that purpose. Each such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by lot, block, tract, street address, or similar description that will readily identify and definitely locate the proposed building or work.
3. For building plans, show the use or occupancy of all parts of the building.
4. Be accompanied by plans and calculations as required in Section 106.
5. State the valuation of the proposed work or, for grading, the volume of earth to be handled.
6. Give such other information as reasonably may be required by the building official.

**105.4 Issuance.** The building official shall issue a permit to the applicant for the work described in the application and plans filed therewith when the building official is satisfied that all of the following items comply:

1. The work described conforms to the requirements of this Code, and other relevant laws, ordinances, rules and regulations.
2. The fees specified by resolution or ordinance have been paid.

3. The applicant has obtained a permit pursuant to Public Resources Code Section 30600 et seq., if such a permit is required.

When the building official issues the permit, the building official shall endorse in writing or stamp on both sets of plans "REVIEWED FOR CODE COMPLIANCE ONLY". Such stamped plans shall not be changed, modified or altered without authorization from the building official, and, except as otherwise required by law, all work shall be done in accordance with the currently adopted Codes in effect at the time of permit issuance regardless of the information presented on the plans. The approval of the plans shall not be held to permit or to be an approval of any violation of any Federal, State, County or City laws or ordinances. The issuance of a permit shall not be deemed to certify that the site of the described work is safe.

One set of approved plans and reports shall be returned to the applicant to be kept on such building or work site at all times while the authorized work is in progress.

The building official may issue a permit for the construction of part of a building or structure before the entire plans and calculations for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire building or structure will be granted.

**105.5 Permit Validity.** The issuance or granting of a permit or approval of plans and calculations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code, or other relevant laws, ordinances, rules or regulations. No permit presuming to give authority to violate or cancel the provisions of this Code, or other relevant laws, ordinances, rules or regulations shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit based on plans and calculations shall not prevent the building official from thereafter requiring the correction of errors in said plans and calculations or from preventing building operations being carried on thereunder when in violation of this Code, or other relevant laws, ordinances, rules or regulations.

**105.6 Expiration of Permit - General.** Except as set forth in Section 105.6.1, every permit issued for property within the City of Bellflower shall expire by limitation and become null and void as follows:

- (i) Every permit issued by the building official under the provisions of this Code shall expire and become null and void unless such work is commenced within 180 days from the date of permit issuance; or if a successful inspection has not been obtained from the building official within one year from the date of

issuance. The building official may extend the time for action by the applicant in writing for a period not exceeding 180 days beyond the initial one year limit upon written request by the applicant, filed with the building official prior to expiration of the original permit;

- (ii) In the event of permit expiration and before work for which such permit was required can be commenced or recommenced, a new permit shall first be obtained (hereafter, a "renewal permit"). The applicant must pay all applicable renewal fees, in the amount then established by resolution of the City Council. If a renewal permit is applied for, the building official shall have the discretion to request a site inspection prior to its issuance and a miscellaneous inspection fee shall be paid by the applicant prior to inspection. The inspection fee shall be as specified by resolution of the City Council. In addition, the applicant may be required to resubmit plans and specifications, when deemed necessary by the building official to verify compliance with the building codes, ordinances, regulations, standards, and laws in effect at the time the renewal permit is applied for.
- (iii) Upon issuance of a renewal permit, the building official may allow the applicant to commence or recommence such work from the last successful inspection of record under the original permit. When an expired building permit includes expired sub-permits, activation of the renewal permit shall activate all subsequent expired sub-permits. All work to be performed under a renewal permit must be completed in accordance with the building codes, ordinances, regulations, standards, and laws in effect on the date of issuance of the renewal permit.

**105.6.1 Expiration of Permit for Unlawful Structure.** Notwithstanding any provision of Section 105.6, if a building permit was issued in order to bring an un-permitted structure or other unlawful, substandard, or hazardous condition into compliance with any applicable law, ordinance, rule or regulation, such permit shall expire by limitation and become null and void 90 days after the date on which the permit was issued. The building official may extend the validity of the permit for a period not exceeding 90 days beyond the initial 90 day limit upon written request by the applicant filed with the building official prior to the expiration date of the original permit.

**105.7 Permit Suspension or Revocation.** The building official may, in writing, suspend or revoke a permit issued under the provisions of this Code, or other relevant laws, ordinances, rules or regulations whenever

the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this Code.

The building official may also, in writing, withhold inspections, suspend or revoke a permit where work is being done in violation of this Code, where work is being done in violation of the approved plans, where work is being concealed without approval from the Building and Safety Division or where work is not in accordance with the direction of the Building and Safety Division.

**105.8 Cancellation of Permit by Applicant.** If no portion of the work or construction covered by a permit issued by the building official under the provisions of this Code, or other relevant laws, ordinances, rules and regulations has been commenced, the person to whom such permit has been issued may deliver such permit to the building official with a request that such permit be cancelled. Only the person to whom such permit was issued can request cancellation of a permit. The building official shall thereupon stamp or write on the face of such permit the words, "Cancelled at the request of the applicant." Thereupon such permit shall be null and void and of no effect.

**105.9 Transfer of Permit by Applicant.** When requested in writing by the person to whom the permit was issued, a permit may be transferred from the person to whom the permit was issued to a new individual. Fee credit shall be given where deemed appropriate by the building official and new fees shall be paid as required by resolution of the City Council.

5. Section 106 is amended to read as follows:

#### **SECTION 106 BUILDING PLAN REQUIREMENTS**

**106.1 General.** When required by the building official to verify compliance with this Code, or other relevant laws, ordinances, rules and regulations; plans and, when deemed necessary by the building official, calculations, geological or engineering reports and other required data shall be submitted for plan review. Only after the plans have been approved may the applicant apply for a building permit for such work. The building official may also require such plans be reviewed by other departments and/or divisions of the City to verify compliance with the laws and ordinances under their jurisdiction.

When authorized by the building official, complete plans and calculations need not be submitted for the following work when information sufficient to clearly define the nature and scope of the work are submitted for review:

1. One-story buildings of Type V conventional wood-frame construction with an area not exceeding 600 square feet;
2. Group U Occupancies of Type V conventional wood-frame construction; or

3. Work deemed by the building official as minor, small and/or unimportant work.

Where deemed necessary by the building official, submittals shall include special inspection requirements as defined in Section 110.5 and structural observation requirements as defined in Section 110.6.

Plans, calculations, reports or documents for work regulated by this Code, or by other relevant laws, ordinances, rules or regulations shall bear the seal, signature and number of a civil engineer, structural engineer, mechanical engineer, electrical engineer, soils engineer or architect registered or certified to practice in the State of California when required by the California Business and Professions Code or the building official. A seal and number shall not be required for work authorized by State law to be performed by a person not registered or certified as an engineer or architect as provided within the California Business and Professions Code or otherwise approved by the building official.

For buildings exceeding 160 feet (48.77 m) in height, the structural calculations and each sheet of structural plans shall be prepared under the supervision of and shall bear the signature or approved stamp of a person authorized by the State of California to use the title structural engineer. In addition, all architectural sheets shall bear the signature or approved stamp of an architect licensed by the State of California.

All structures and devices installed in connection with any construction project for the protection of pedestrians, regardless of location, are subject to the plan review requirements of this section.

**106.2 Architect or Engineer of Record.** When it is required that documents be prepared by an architect or engineer, the building official may require the owner to designate on the permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

**106.3 Information Required on Building Plans.** Plans shall be drawn to scale upon substantial paper or other material suitable to the building official shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner(s) and all persons who were involved in the design and preparation of the plans.

Plans shall include a plot plan showing the location of the proposed building and of every existing building on the premises. In lieu of specific details, the building official may approve references on the plans to a specific section or part of this Code, or other relevant laws, ordinances, rules and/or regulations.

Plans for buildings of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

When deemed necessary by the building official, the first sheet of each set of plans shall indicate the following information:

1. The building Type of Construction;
2. Whether fire sprinklers are installed in all or any portion of the building;
3. Existing building areas and areas of all additions;
4. The number of stories of the building;
5. The use of all new and existing rooms and/or areas;
6. The Occupancy Classifications for each occupancy;
7. The Codes in effect on the date of plan check submittal.

**106.4 Drainage Review Requirement.** Where proposed construction will affect site drainage, existing and proposed drainage patterns shall be shown on the plot plan.

A site inspection may be required prior to plan check of building plans for lots or parcels in areas having slopes of five horizontal to one vertical (5:1) or steeper when the building official finds that a visual inspection of the site is necessary to establish drainage requirements for the protection of property, existing buildings or the proposed construction. The fee for such inspection shall be as set forth by resolution of the City Council. Such a pre-inspection shall not be required for a building pad graded under the provisions of Appendix J.

**106.5 Deferred Submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred

submittals on the plans and shall submit the deferred submittal documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

**106.6 Standard Plans.** The building official may approve a set of plans for a building or structure as a "standard plan," provided that the applicant has made proper application and submitted complete sets of plans as required by this section.

Plans shall reflect laws and ordinances in effect at the time a permit is issued except as provided in this section. Nothing in this section shall prohibit modifying the permit set of plans to reflect changes in laws and ordinances which have become effective since the approval of the standard plan. The standard plans shall become null and void where the work required by such changes exceeds five percent of the value of the building or structure.

Standard plans shall be valid for a period of one year from the date of approval. This period may be extended by the building official when there is evidence that the plans may be used again and the plans show compliance with this Code, and other relevant laws, ordinances, rules and regulations.

**106.7 Expiration of Plan Check Applications.** Plan check applications for which no permit is issued within one year following the date of application shall expire by limitation and become null and void. Plans and calculations previously submitted may thereafter be returned to the applicant or destroyed by the building official, unless as otherwise required by State law.

When requested in writing by the applicant prior to or not more than 90 days after the expiration of the plan check application, the building official may extend the time for action by the applicant. Additional fees for plan review in an amount established by resolution of the City Council shall be paid to process such request.

The time for action by the applicant shall not be extended beyond the effective date of a new building code. Once an application and any extension thereof have expired, the applicant shall resubmit plans and calculations and pay a new application fee.

**106.8 Retention of Plans.** One set of approved plans, calculations and technical reports shall be retained by the building official. Except as required by Section 19850 of the Health and Safety Code, the building

official shall retain such set of the approved plans, calculations and reports for a period required by law..

6. Section 107 is deleted in its entirety.
7. Section 109 is amended to read as follows:

#### **SECTION 109 FEES AND REFUNDS**

**109.1** All permit fees shall be in the amount then established by resolution of the City Council. All permit fees shall be paid at the time of the initial plan review submittal or when plan review is not required, at the time of permit issuance.

**109.2 Permit Refunds.** In the event that an applicant has submitted for plan review or obtained a permit and no portion of the review, work, or construction covered by such permit has been commenced, and such permit is cancelled as provided for in Section 105.8, the applicant may submit a written request to the building official requesting a refund of permit fees. At the discretion of the building official, permit fees or a portion of the permit fees not to exceed 80% may be refunded to the permit applicant. The building official shall satisfy himself or herself as to the right of such applicant to such refund, and each such refund shall be paid to the permit applicant, provided the request has been submitted within one year from the date of cancellation or expiration of the permit.

8. Section 110 is amended to read as follows:

#### **SECTION 110 INSPECTIONS**

**110.1 General.** All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official.

In addition to the inspections required to be made by the building official, certain types of construction shall have continuous inspection as specified in Section 1704. Special inspections made in accordance with Section 1704 shall not relieve the permit applicant of the responsibility to have the work inspected and approved by the building official.

Approval as a result of an inspection shall not be construed to be an approval of a violation of any provision of this Code, relevant laws, ordinances, rules or regulations. Inspections presuming to give authority to violate or cancel the provisions of this Code, or other relevant laws, ordinances, rules or regulations shall not be valid.

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

It shall be the duty of the permit applicant to provide access for the inspector to the area of work. Access may include, but shall not be limited to, ladders, scaffolding, catwalks and lifts. It shall be the duty of the permit applicant to maintain a safe access path for the inspector to the area of work. Safety precautions may include, but shall not be limited to handrails, guardrails and safety harnesses.

All components of the access path shall be securely anchored in place. The building inspector shall have the right to refuse to make any inspection in an area which does not have an access path deemed safe for use by said building inspector. It shall be the duty of the permit applicant to make any necessary improvements to the access path to allow inspection by the building inspector.

It shall be the duty of the permit applicant to protect all existing construction from damage caused during inspection. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material damaged during the course of inspection.

**110.2 Inspection Requests.** It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing, by telephone or by other methods approved by the building official.

It shall be the duty of the person requesting any inspection required by this Code, or other relevant law, ordinance, rule or regulation to provide access to and means for inspection of such work. If work fails to pass inspection for the same purpose more than twice, further inspections may be subject to re-inspection fees established by resolution of the City Council.

**110.3 Inspection Record Card.** When deemed necessary by the building official, work requiring a permit shall not be commenced until the applicant has posted or otherwise made available an inspection record card so as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall continue to be posted or otherwise made available by the permit holder until final approval of the permit has been granted by the building official.

**110.4 Work Ready For Inspection.**

**110.4.1 General.** Upon notification from the applicant that the work for which there is a valid permit is ready for inspection, the building official shall be allowed to make all applicable inspections specified in this Code, on the inspection record card and any additional inspections required by the building official.

No work shall be approved by the building official which was not completely verified. Partial or spot inspections shall not be performed by the building official, nor shall partial or spot inspection be used as a justification for approving any required inspection.

Inspection by a special inspector shall not be made in-lieu of any inspections required to be made by the building official.

**110.4.2 Minimum Inspection Requirements.** The following inspections shall not be requested until the associated requirements have been satisfied.

1. Foundation inspection: Shall not be requested until all trenches are excavated and forms erected, any required reinforcing steel is in place, and when all materials for the foundation are delivered to the job. All hardware (anchor bolts, hold downs, etc.) shall be securely installed in place prior to inspection. Where concrete from a central mixing plant (commonly termed "transit mixed") is to be used, materials need not be on the job. Where any fill more than 8 inches in depth is placed, and/or where required by the building official or the soils engineer, compaction tests shall be submitted to the building official prior to requesting inspection. Where required by the soils engineer, foundation trenching shall be reviewed and approved by the soils engineer prior to requesting inspection.
2. Concrete slab or under-floor inspection: Shall not be requested until all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is poured and/or floor sheathing installed, including the sub-floor.
3. Floor sheathing inspection: Floor sheathing inspection shall not be requested until the raised floor insulation inspection is approved and all sheathing is in place; all diaphragm nailing is complete; and all diaphragm ties, chords and/or drag struts have been installed. No walls shall be erected above the floor sheathing.
4. Roof sheathing inspection: Roof sheathing inspection shall not be requested until all sheathing is in place; all diaphragm nailing is complete to include interior shear or brace walls transfers to the roof diaphragm from the floor below; and all diaphragm ties, chords and/or drag struts have been installed and a complete load path is verified. All roof penetrations to include plumbing and mechanical vents shall be installed prior to any approval. No portion of the roof sheathing shall be covered by crickets or similar construction. Inspection of all roofing materials must be approved by the building official prior to roof covering.
5. Shear/brace wall inspection: All shear/brace walls, interior and exterior, are in to be in place and installed per approved plans and meet the requirements of Chapter 23. A complete load path for all

interior and exterior wall segments shall be verified through inspection. Rough plumbing, mechanical and electrical inspections must be approved prior to framing and shear/brace wall inspections. For projects one story and less than 600 square ft in floor area, the shear/brace wall inspection may be performed in conjunction with the framing inspection.

6. Frame inspection: Shall not be requested until after the roof, all framing, fire blocking, draft stopping and shear/brace wall segments are installed and all pipes, wiring, chimneys, vents and ducts are complete and have successfully passed rough inspections. The structure shall be made substantially weather tight prior to installation of insulation and wall board.
7. Lath inspection and/or wallboard: Shall not be requested until after all lathing and/or wallboard, interior and exterior, is in place, but before any plastering is applied or before wallboard joints and fasteners are taped and finished and all materials are on site. This inspection shall also include any required fire resistance rated construction between buildings or due to location of buildings on property. Protection of joints and penetrations in fire resistance rated assemblies shall not be concealed until the inspection is approved.
8. Final inspection: Shall not be requested until after finish grading and the building is completed and is ready for occupancy.
9. Other Inspections: In addition to the inspections specified above, the building official shall be allowed to make all applicable inspections specified on the Inspection record card. The building official may also make or require any other inspections of any construction work to ascertain compliance with the provisions of this Code, relevant laws, ordinances, rules and regulations which are enforced by the Building and Safety Division.

For the purpose of determining compliance with Chapter 34 the building official may cause any structure to be reinspected.

#### **110.5 Provisions for Special Inspection.**

**110.5.1 When Required.** In addition to the inspections required elsewhere in this section, the owner shall employ one or more special inspectors who shall provide inspections during construction on the types of work listed under Section 1704. The special inspector may be employed either directly or through the architect or engineering firm in charge of the design of the structure, or through an independent inspection test firm approved by the building official.

**EXCEPTION:** The building official may waive the requirement for the employment of a special inspector if the construction is of a minor nature.

**110.5.2 Identification of Work.** When special inspection is required by Section 110.5.1, the architect or engineer of record shall identify on the plans all work which is required to have special inspection.

Where the special inspection method(s) to be employed are not specified elsewhere in this Code, or other relevant laws, ordinances, rules and/or regulations, the architect or engineer of record shall prepare an inspection program which shall be submitted to and approved by the building official prior to building permit issuance.

The special inspector(s) may be employed by the owner, the engineer or architect of record, or an agent of the owner, but shall not be employed by the contractor, the contractor's employees, representatives or agents of the contractor, or any other person performing the work.

The architect or engineer of record shall identify, on forms provided by the City, the individual(s) and/or firm(s) who are to perform any required special inspection, and where an inspection program is required by this section, shall specify the special inspection duties of the special inspector(s).

**110.5.3 Qualifications, Requirements and Duties of the Special Inspector.** The special inspector shall be approved by the building official prior to performing any inspection duties. The special inspector shall complete an application form provided by the City and shall submit documentation satisfactory to the building official that the special inspector is qualified to make the special inspection(s) for which application is made. The building official shall have the right to administer a written or verbal examination as deemed appropriate by the building official to verify that the special inspector is qualified to perform the inspection duties for which application is made. A special inspector who fails to pass the examination administered by the building official shall be required to wait a minimum of seven (7) days before submitting a new application to provide special inspection within the City.

The building official shall not be required to accept any documentation provided by a special inspector who was not approved by the building official prior to performing inspection duties. Neither the building official nor the City shall be liable for expense entailed in the removal or replacement of any material(s) or work installed, constructed or placed under the review of a special inspector who was not approved by the building official.

Failure to be approved by the building official prior to performing any special inspection duties may be considered by the building official as a failure to perform properly and shall allow the building official to refuse to allow the special inspector to perform inspection within the City.

The special inspector shall observe the work assigned for conformance with the approved design drawings.

The special inspector shall furnish inspection reports to the building official. All observed discrepancies shall be brought to the immediate attention of the contractor for correction, then if uncorrected, to the proper design authority and to the building official.

The special inspector shall submit a final signed report stating that the work requiring special inspection was, to the best of the inspector's knowledge, in conformance with the approved plans and the applicable workmanship provisions of this Code.

The building official shall have the right to reject any work performed under the review of a special inspector where the work performed fails to meet the minimum requirements of this Code, or other relevant laws, ordinances, rules and regulations. Regardless of the information communicated between the permit applicant and the special inspector, all work shall comply with the approved plans and this Code, or other relevant laws, ordinances, rules and regulations.

Upon evidence, satisfactory to the building official, of the failure of a special inspector to perform properly and effectively the duties of said office, the building official may revoke, suspend or refuse to allow the special inspector to perform inspection on sites within the City. Prior to such action, the holder shall be given an opportunity to appear before the building official and be heard.

**110.6 Provisions for Structural Observation.** When structural observation is required in accordance with the requirements of Section 1709, the engineer or architect of record shall indicate on the plans what work is required to be observed by the engineer or architect responsible for the structural design, or the engineer or architect responsible for the structural design shall prepare an inspection program and shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur. The inspection program shall include samples of inspection reports and provide time limits for the submission of observation reports. The program shall be submitted to and approved by the building official prior to building permit issuance.

When required by the engineer or architect responsible for the structural design or the building official, the owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer or architect responsible for the structural design to perform structural observation.

When deemed appropriate by the engineer or architect responsible for the structural design, the owner or owner's representative shall coordinate and call a preconstruction meeting between the engineer or architect responsible for the structural design, the structural observer, the contractor, the affected subcontractors and the special inspector(s). The structural observer shall preside over the meeting. The purpose of the meeting shall be to identify the major structural elements and connections

that affect the vertical and lateral load systems of the structure and to review scheduling of the required observations. A record of the meeting shall be submitted to the building official.

All observed discrepancies shall be brought to the immediate attention of the engineer or architect responsible for the structural design and the contractor for correction; then if unresolved, to the building official. The structural observer shall submit to the building official a written statement at each significant construction stage stating that the required site visits have been made and identifying any reported deficiencies which, to the best of the structural observer's knowledge, have not been resolved.

The structural observer shall submit a final signed report stating that the work requiring structural observation was, to the best of the observer's knowledge, in conformance with the approved plans and the applicable workmanship provisions of this Code.

**110.7 Required Approvals.** No work shall be done on any part of the building structure or premises beyond the point indicated in each successive inspection without first obtaining the written approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate in writing that the work appears to comply as completed, or shall notify the applicant in writing which portion of the work fails to comply with this Code, or other relevant laws, ordinances, rules and/or regulations. Any work which does not comply shall be corrected and such work shall not be covered or concealed until authorized by the building official.

There shall be a final inspection and approval of all work when completed and ready for occupancy.

**110.8 Site Requirements.** A survey of the lot may be required by the building official to verify compliance of the structure with the approved plans.

**110.9 Non-inspected Work.** No person shall use, occupy or maintain any structure on which non-inspected work has been performed.

**110.10 Utility Release.** When deemed appropriate by the building official, gas and electric utilities may be released. Release of either utility may be done prior to building final for testing and inspection purposes. The building official shall retain the right to revoke the release of either utility for just cause, and may have either utility disconnected at the earliest availability of the utility purveyor.

Attempting to occupy prior to issuance of a certificate of occupancy, whether temporary or final, may be considered as just cause by the building official, and may result in disconnection of the utilities.

**110.11 Authority to Disconnect Electric Utility.** The building official is hereby empowered to disconnect or to order in writing the discontinuance

of electric utility service to buildings, structures or premises, or portions thereof, or wiring, devices or materials installed without permit or found to be a hazard to life, health and/or property.

The building official shall have the power to disconnect or to order in writing the discontinuance of electric utility service as a means of preventing, restraining, correcting or abating any violation of this Code, or other relevant laws, ordinances, rules or regulations.

The electrical service shall remain disconnected or electrical utility service shall remain discontinued until the Code violation has been abated to the satisfaction of the building official, or until the installation of such wiring, devices or materials have been made safe as directed by the building official; or until a permit has been issued and the work has been inspected and approved by the building official.

**110.12 Authority to Disconnect Gas Utility.** The building official is hereby empowered to disconnect or to order in writing the discontinuance of gas utility service to buildings, structures, premises, appliances, devices or materials installed without permit or found to be a hazard to life, health and/or property.

The building official shall have the power to disconnect or to order in writing the discontinuance of gas utility service as a means of preventing, restraining, correcting or abating any violation of this Code, or other relevant laws, ordinances, rules or regulations.

The gas service shall remain disconnected or gas utility service shall remain discontinued until the Code violation has been abated to the satisfaction of the building official, or until the installation of such appliances, devices or materials have been made safe as directed by the building official; or until a permit has been issued and the work has been inspected and approved by the building official.

9. Section 111 is amended to read as follows:

#### **SECTION 111. USE AND OCCUPANCY**

**111.1 General.** No building, structure or premises, or portion thereof, shall be used or occupied, and no change in the existing occupancy classification of a building, structure or premises, or portion thereof, shall be made until the building official has approved the building, structure or premises or portion thereof for such use or occupancy and until all permits have been approved or a temporary certificate of occupancy has been issued.

Upon final of a building permit and at the request of the applicant, a certificate of occupancy shall be issued by the building official for any structure which is ready to occupy.

Approval of a building, structure or premises, or portion thereof, for use or occupancy (including, but not limited to, final inspection approval and/or issuance of a certificate of occupancy or issuance of a temporary certificate of occupancy) shall not be construed as approval of a violation of the provisions of this Code, or other relevant laws, ordinances, rules and/or regulations. Approvals presuming to give authority to violate or cancel the provisions of this Code, or other relevant laws, ordinances, rules and/or regulations are not valid.

The building official may, in writing, suspend or revoke any such approvals or certificates whenever the building official determines that the approval or certificate was issued in error, or on the basis of incorrect information supplied, or when it is determined that the building, structure or premises, or portion thereof, is in violation of any provision of this Code, or other relevant laws, ordinances, rules and/or regulations. Any certificate of occupancy or temporary certificate of occupancy so issued shall be surrendered upon request of the building official.

**111.2 Un-permitted Structures.** No person shall use, occupy or maintain any un-permitted structure

**111.3 Changes in Use.** Changes in the character or use of a building shall not be made except as specified in Chapter 34 of this Code.

**111.4 Issuance of a Certificate of Occupancy.** When the building, structure or premises, or portion thereof, has passed final inspection, and when the building, structure or premises complies with this Code, or other relevant laws, ordinances, rules and regulations, and the required fees have been paid, the building official, upon request of the applicant, shall issue a certificate of completed construction which shall contain the following:

1. The building permit number.
2. The address of the building or structure.
3. A description of that portion of the building for which the certificate is issued.
4. A statement that the described portion of the building was inspected and found to substantially comply with the requirements of this Code, or other relevant laws, ordinances, rules and regulations for the group and division of occupancy and the use for which the proposed occupancy is classified.
5. The date the permit was approved.
6. Any other information deemed necessary by the building official.

**111.5 Issuance of a Temporary Certificate of Occupancy.** If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, the building official may issue a temporary certificate of occupancy for the use of a *portion or portions of a building, structure or premises*, prior to the completion of the entire building, structure or premises, or portion thereof.

Such temporary certificate of occupancy shall be valid for a period of time to be specified by the building official. Upon request of the owner or permittee the building official may, in writing, extend the temporary certificate of occupancy when it is determined that the circumstances so warrant. After the expiration of a temporary certificate of occupancy and any extension(s) thereof, the building, structure or premises, or portion thereof, shall not be used or occupied until the building official has approved the building for such use or occupancy.

**111.6 Posting.** The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official. EXCEPTION: Group R, Division 3, and Group U Occupancies.

**111.7 Continued Use of Un-permitted and/or Non-complying Conditions.** When deemed appropriate by the building official, a certificate of continued use of un-permitted and/or non-complying condition(s) may be issued. The certificate shall not be issued until documentation, satisfactory to the building official, has been provided indicating that 1) the un-permitted and/or non-complying condition(s) were not created by the current owner, and 2) that the current owner had no knowledge that the conditions were un-permitted and/or non-complying at the time of purchase.

An application shall be completed which states 1) that the continued use of the existing un-permitted construction and or non-complying conditions is permitted by the City only with the owner's understanding that the City in no way assumes responsibility for the method of construction or the materials used; and 2) that it is further understood that this application for continued use is not to be construed as being equivalent in any way to a building permit.

An inspection shall then be made by the building official. Where necessary, permits shall be issued to correct any conditions deemed to pose a potential threat to life, limb or property. Once the inspection(s) have been made; all necessary permits have been obtained, inspected and approved; and all obvious potential threats to life, limb or property have been corrected, the building official may approve the application for un-permitted construction and or non-complying condition(s). When approved by the building official, conditions deemed not to pose a potential threat to life; limb or property may be permitted to remain.

If a structure for which a certificate of continued use of un-permitted and/or non-complying condition has been issued is thereafter altered, modified,

repaired, moved, improved, converted, equipped or demolished and the valuation of such work exceeds \$5,000, the structure must thereafter be brought into full compliance with all then applicable laws, including but not limited to current building standards and zoning regulations, and a new permit shall first be obtained from the building official.

10. Section 112 is deleted.
11. Section 113 is deleted.
12. Section 114 is deleted.
13. Section 115 is amended to read as follows:

#### **SECTION 115 STOP WORK ORDER**

**115.1 Authority.** Whenever the building official finds any work regulated by this Code being performed without City approval or permit or in a manner either contrary to the provision of this Code or dangerous or unsafe, the building official is authorized to issue a stop work order.

**115.2 Issuance.** A stop work order shall be issued to the owner of the property subject to the stop work order, to the person performing work subject to the stop work order, or to both. Upon service of a stop work order as described in Section 115.3 or 115.4, the site that is subject to the stop work order shall be vacated and secured, and no person shall re-enter the site without first obtaining approval of the building official.

**115.3 Service (non-imminent hazard).** A stop work order shall be served upon the owner of the property subject to the stop work order, upon the person performing work subject to the stop work order, or upon both. Service upon either the owner of the property or the person performing work subject to the stop work order shall be deemed effective and valid upon all responsible persons. Except as set forth in Section 115.4, service shall be made by posting the stop work order(s) on the main entrance to the building, structure, or property on which the work subject to the stop work order is being performed, and by one of the following:

a) Personal service upon the owner of the property subject to the stop work order, the person performing the work subject to the stop work order, or upon any agent of the property owner or person performing the work subject to the stop work order; or,

b) By deposit in the United States mail in a sealed envelope, postage prepaid, addressed to such person to be notified, at his last known business or residence address as the same appears in the public records of the City or other records pertaining to the matter to which such notice is directed.

Service shall be deemed complete upon the posting of the stop work order, personal delivery of the stop work order upon the property owner,

the person performing the work, or any agent of the property owner or person performing the work, or at the time the stop work order is deposited with the United States Postal Service, whichever occurs first. Failure of the property owner to receive actual notice of the issuance of the stop work order shall not invalidate the stop work order or any proceeding arising from the issuance of the stop work order.

**115.4 Service (imminent hazard).** If the building official determines that work being performed presents an immediate hazard to the life, limb, property, or safety of the occupants of the subject property or other persons, or could result in an illicit discharge as defined by Chapter 10-4 of this Code, a stop work order may be served orally upon the owner of the property, the person performing the work subject to the stop work order, or the agent of the property owner or person performing the work subject to the stop work order. In such instances, the building official shall issue and serve a written stop work order in accordance with sections 115.2 and 115.3 within 1 business day after the oral notice is given, but service shall be deemed effected upon the giving of the oral stop work order.

**115.5 Violation.** It shall be unlawful and a misdemeanor for any person to remove, alter, mutilate, obscure, cover, or otherwise damage a stop work order. It shall be unlawful and a misdemeanor for any person to continue or re-commence work subject to a stop work order, or to remain in, enter, or occupy the site subject to the stop work order, without first obtaining approval from the building official, or to otherwise violate any condition of a stop work order.

14. A new Section 116 is added to read as follows:

#### **SECTION 116 - UNSAFE STRUCTURES AND EQUIPMENT**

**116.1 Conditions.** Structures, both new and existing, and equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which are a fire hazard or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance shall be deemed in an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section and prescribed by law. A vacant structure or building that is not secured against entry shall be deemed unsafe to occupy.

**116.2 Record.** The building official shall cause a report to be filed in the City records on an unsafe condition. The report shall state the occupancy of the structure and the unsafe condition.

**116.3 Notice.** If an unsafe condition is found, the building official shall serve on the owner, or person in control of the structure or premises, or any agent of such owner or person in control, a written notice that describes the condition deemed unsafe and specifies the required repairs

or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

**116.4 Method of Service.** Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with a return receipt requested; or (c) delivered in any other manner as prescribed by law. If the certified or registered letter is returned showing the letter was undelivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

**116.5 Restoration.** If the structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition, to the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure or equipment, such repairs, alterations, additions or change of occupancy shall comply with the requirements of section 111 and Chapter 34.

15. A new Section 117 is added to read as follows:

**SECTION 117 – On Site Fencing During Construction.**

**117.1 General.** A fence shall be provided any time grading, demolition, or construction work requiring a grading or building permit is performed. The fence shall totally enclose the perimeter of all property. Locking gates may be provided at any location.

**EXCEPTIONS:** 1) When approved by the building official, a fence need not enclose residential property when at least one dwelling is continuously occupied. Approval not to fence the property may be revoked in writing by the building official if the property is found to be unoccupied for any length of time. For the purposes of this exception, continuously occupied is not intended to imply that the occupants must be continuously present. 2) When approved by the building official, the fence may enclose areas other than the perimeter of the property.

**117.2 Fence Construction.** The fence shall be a minimum 6 feet in height measured from adjacent grade on the exterior side of the fence, and constructed from chain link, lumber, masonry or other approved materials. The fence shall be self-supporting and shall not incorporate structures or fencing on adjacent property without written approval of the adjacent property owner.

**117.3 Duration of Fencing.** The fence shall be erected prior to start of any grading, demolition, or construction work and shall remain in place until the work for which a grading or building permit is required has been completed.

**EXCEPTIONS:** 1) All or portions of the fence may be removed daily during construction so long as the property is continuously occupied, and all portions of the removed fence are replaced prior to the property being unoccupied. 2) When approved by the building official, the fence may be removed prior to completion of the grading, demolition, or construction work, if the property is determined by the building official to no longer pose an unsafe or hazardous condition.

**117.4 Failure to Comply:** If the property is found unfenced and the building official determines that an unsafe or hazardous condition exists, the City may take action to correct the non-complying condition by providing the required fence. The building official may then issue a notice to stop work until all fees incurred by the City to properly fence the property have been recovered. If such fees have not been recovered by the City within 30 days, the City may take action to recover the costs in accordance with the requirements of this Code.

b. To address specific geological circumstances in the City, Chapter 16 of the 2010 California Building Code is hereby amended to read as follows:

1. A new Section 1613.9 is added to read as follows:

**1613.9 Suspended Ceilings.** Minimum design and installation standards for suspended ceilings shall be determined in accordance with the requirements of Section 2506.2.1 of this Code and the provisions of ASTM C 635 and C 636. Suspended acoustical ceilings in Seismic Design Category D, E, and F shall also be installed in accordance with Section 13.5.6 of ASCE 7 and the amendments set forth in 2010 LARUCP 16-8.

2. Section 1613.6.7 is hereby amended as follows:

In Seismic Design Category D, E, and F, the importance factor applied in Equation 16-44 regarding the minimum distance for building separation shall be prohibited.

c. To address specific geological circumstances in the City, Chapter 18 of the 2010 California Building Code is hereby amended to read as follows:

1. A new Table 1809.7 is amended to read as follows:

**TABLE 1809.7**  
**PRESCRIPTIVE FOOTINGS SUPPORTING WALLS OF LIGHT-FRAMED CONSTRUCTION a,b,c,d,e,f**

NUMBER OF FLOORS SUPPORTED BY FOOTING	WIDTH OF FOOTING (INCHES)	THICKNESS OF FOOTING (INCHES)
1	12	6
2	15	8
3	18	8

- a. Depth of footing shall be in accordance with Section 1809.4
- b. The ground under the floor is permitted to be excavated to the elevation of the top of the footing
- c. See Section 1908 for additional requirements for footings of structures assigned to Seismic Design Category C, D, E or F
- d. For thickness of foundation walls, see Section 1807 1.6
- e. Footings are permitted to support a roof in addition to the stipulated number of floors. Footings supporting a roof only shall be as required for one supporting one floor.
- f. For structures greater than one story in height located in Seismic Design Category D, E or F, footings shall extend a minimum 18 inches below the undisturbed ground surface.

2. A new Section 1809.7.1 is hereby added to the 2010 California Building Code which shall apply in Seismic Design Category D, E or F and shall read as follows:

**1809.7.1 Foundations with Stem Walls and Foundations with Slab-on-Ground with Turn-Down Footings in Seismic Design Category D, E or F.** Foundations with stem walls or with slab-on-ground with turn-down footings shall be provided with a minimum of one No. 4 bar at the top and one No. 4 bar at the bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

**EXCEPTION:** For slab-on-ground cast monolithically with a footing, one No. 5 bar may be located at the top or bottom of the footing.

- d. To address specific geological circumstances in the City, Chapter 23 of the 2010 California Building Code is hereby amended to read as follows:

1. A new Section 2305.4 is added to read as follows:

**2305.4 Hold-Down Connectors.** Hold-down connectors shall be designed to resist shear wall overturning moments using approved cyclic load values or 75 percent of the allowable earthquake load values that do not consider cyclic loading of the product. Connector bolts into wood framing require steel plate washers on the post on the opposite side of the anchorage device. Plate size shall be a minimum of .0229 (3/8") inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76 mm) in size. Hold-downs shall be re-tightened just prior to covering of the wall framing.

2. A new Section 2305.6 is added to read as follows:

**2305.6 Quality of Nails.** Mechanically driven nails used in wood structural panel shear walls shall meet the same dimensions as that required for hand-driven nails, including diameter, minimum length and minimum head diameter. No clipped head or box nails are permitted in new construction.

3. Section 2306.2.1 is hereby amended to read as follows:

**2306.2.1 Wood Structural Panel Diaphragms.** Wood structural panel diaphragms shall be designed and constructed in accordance with AF&PA SDPWS and are permitted to resist horizontal forces using the allowable shear capacities set forth in Table 2306.2.1(1) or 2306.2.1(2). For structures located in Seismic Design Category D, E, or F, the allowable shear capacities shall be as set forth in Table 2306.2.1(3) or 2306.2.1(4) of 2010 LARUCP 23-04.

Wood structural panel diaphragms used to resist seismic forces in SDC D, E or F shall be applied directly to the framing members.

4. Section 2306.3 is hereby amended to read as follows:

**2306.3 Wood Structural Panel Shear Walls.** The allowable shear capacities for wood structural panel shear walls shall be in accordance with Table 2306.3. These capacities are permitted to be increased 40 percent for wind design. Wood shear walls shall be constructed of wood structural panels manufactured with exterior glue and not less than 4 feet by 8 feet (1219 mm by 2438 mm), except at boundaries and changes in framing. Wood structural panel thickness for shear walls shall not be less than 3/8 inch thick and studs shall not be spaced at more than 16 inches on center.

The maximum allowable shear value for three-ply plywood resisting seismic forces is 200 pounds per foot (2.92 kN/m). Nails shall be placed not less than 1/2 inch (12.7 mm) in from panel edges and not less than 3/8 inch (9.5 mm) from the edge of connecting members for shear greater than 350 pounds per foot (5.11 kN/m). Nails shall be placed not less than 3/8 inch (9.5 mm) from panel edges and not less than 1/4 inch (6.4 mm) from the edge of the connecting members for shears of 350 pounds per foot (5.11 kN/m) or less.

Any wood structural panel sheathing used for diaphragms and shear walls that are a part of the seismic force resisting system shall be applied directly to framing members.

5. Table 2306.3 is hereby amended to read as follows:

**TABLE 2306.3**  
**ALLOWABLE SHEAR (POUNDS PER FOOT) FOR WOOD STRUCTURAL PANEL SHEAR WALLS WITH**  
**FRAMING OF DOUGLAS FIR-LARCH OR SOUTHERN PINE\* FOR WIND OR SEISMIC LOADING<sup>b, k, l, m</sup>**

PANEL GRADE	MINIMUM NOMINAL PANEL THICKNESS (inches)	MINIMUM FASTENER PENETRATION IN FRAMING (inches)	ALLOWABLE SHEAR VALUE FOR SEISMIC FORCES PANELS APPLIED DIRECTLY TO FRAMING				ALLOWABLE SHEAR VALUE FOR SEISMIC FORCES PANELS APPLIED DIRECTLY TO FRAMING						
			NAIL (common) or staple size <sup>a</sup>	Fastener spacing at panel edges (inches)				NAIL (common) or staple size <sup>a</sup>	Fastener spacing at panel edges (inches)				
				6	4	3	2 <sup>c</sup>		6	4	3	2 <sup>c</sup>	
Structural 1 Sheathing	3/8	1-3/8	8d (2 1/2" x 0.131" common)	200	200	200	200	8d (2 1/2" x 0.131" common)	230 <sup>d</sup>	360 <sup>d</sup>	460 <sup>d</sup>	610 <sup>d</sup>	
		1	1-1/2 16 Gage	116	176	200	200	1-1/2 16 Gage	155	235	310	400	
	7/16	1-3/8	8d (2 1/2" x 0.131" common)	255	395	505	670	8d (2 1/2" x 0.131" common)	255 <sup>d</sup>	395 <sup>d</sup>	505 <sup>d</sup>	670 <sup>d</sup>	
		1	1-1/2 16 Gage	128	195	259	330	1-1/2 16 Gage	170	260	345	440	
	15/32	1-3/8	8d (2 1/2" x 0.131" common)	280	430	550	730	8d (2 1/2" x 0.131" common)	280	430	550	730	
		1	1-1/2 16 Gage	139	210	281	356	1-1/2 16 Gage	185	280	375	475	
	1-1/2	10d (3" x 0.148" common)	340	510	665 <sup>f</sup>	870	10d (3" x 0.148" common)	340	510	665 <sup>f</sup>	870		
Sheathing, plywood siding <sup>g</sup> except Group 5 Species	3/8	1-1/4	6d (2" x 0.113" common)	200	200	200	200	6d (2" x 0.113" common)	200	300	390	510	
		1-3/8	8d (2 1/2" x 0.131" common)	200	200	200	200	8d (2 1/2" x 0.131" common)	220 <sup>d</sup>	320 <sup>d</sup>	410 <sup>d</sup>	530 <sup>d</sup>	
		1	1-1/2 16 Gage	105	158	200	200	1-1/2 16 Gage	140	210	280	360	
	7/16	1-3/8	8d (2 1/2" x 0.131" common)	240	350	450	585	8d (2 1/2" x 0.131" common)	240 <sup>d</sup>	350 <sup>d</sup>	450 <sup>d</sup>	585 <sup>d</sup>	
		1	1-1/2 16 Gage	116	173	233	296	1-1/2 16 Gage	155	230	310	395	
	15/32	1-3/8	8d (2 1/2" x 0.131" common)	260	380	490	640	8d (2 1/2" x 0.131" common)	260	380	490	640	
		1-1/2	10d (3" x 0.148" common)	310	460	600	770	10d (3" x 0.148" common)	310	460	600 <sup>f</sup>	770	
		1	1-1/2 16 Gage	128	191	251	323	1-1/2 16 Gage	128	255	335	430	
	19/32	1-1/2	10d (3" x 0.148" common)	340	510	665	870	10d (3" x 0.148" common)	340	510	665 <sup>f</sup>	870	
		1	1-3/4 16 Gage	139	210	281	356	1-3/4 16 Gage	139	280	375	475	
				Nail Size, (galvanized casing)					Nail Size (galvanized casing)				
	3/8	1 3/8	8d (2 1/2" x 0.131" common)	160	200	200	200	8d (2 1/2" x 0.131" common)	160	240	310	410	

- a. For framing of other species. (1) Find specific gravity for species of lumber in AF&PA NDS. (2) For staples find shear value from table above for Structural 1 panels (regardless of actual grade) and multiply value by 0.82 for species with specific gravity of 0.42 or greater, or 0.65 for all other species. (3) For nails find shear value from table above for nail size for actual grade and multiply values by the following adjustment factor: Specific Gravity Adjustment Factor =  $[1 - (0.55G)]$  where SG = Specific Gravity of framing lumber. This adjustment factor shall not be greater than 1.
- b. Panel edges backed with 2-inch nominal or thicker framing. Install panels either horizontally or vertically. Space fasteners maximum 6 inches on center along intermediate framing members for 3/8 inch and 7/16-inch panels installed on studs spaced 24 inches on center. For other conditions and panel thickness, space fasteners maximum 12 inches on center on intermediate supports.
- c. 3/8 panel thickness or siding with a rating of 16 inches on center is the minimum recommended where applied direct to framing as exterior siding.
- d. Allowable shear values are permitted to be increased to values shown for 15/32-inch sheathing with the same nailing provided (a) studs are spaced a maximum of 16 inches on center or (b) panels are applied with long dimension across studs.
- e. Framing at adjoining edges shall be 3 inches nominal or thicker, and shall be staggered where nails are spaced 2 inches on center.
- f. Framing at adjoining edges shall be 3 inches nominal or thicker, and shall be staggered where both of the following conditions are met: (1) 10d (3" x 0.148") nails having a penetration into framing of more than 1-1/2 inches and (2) nails are spaced 3 inches on center.
- g. Values apply to all-veneer plywood. Thickness at point of fastening on panel edges governs shear values.
- h. Where panels applied to both faces of a wall and nail spacing is less than 6 inches o.c. on either side, panel joints shall be offset to fall on different framing members, or framing shall be 3-inch nominal or thicker at adjoining panel edges and nails on each side shall be staggered.
- i. In Seismic Design Category D, E, or F, where shear design values exceed 350 pounds per linear foot, all framing member receiving edge nailing from abutting panels shall not be less than a single 3-inch nominal member, or two 2-inch nominal members fastened together in accordance with Section 2306.1 to transfer the design shear value between framing members. Wood structural panel joint and sill plate nailing shall be staggered in all cases. See Section 2305.3.11 for sill plate size and anchorage requirements.
- j. Galvanized nails shall be hot dipped or tumbled.
- k. Staples shall a minimum crown width of 7/16 inch and shall be installed with their crowns parallel to the long dimension of the framing members.
- l. For shear loads of normal or permanent load duration as defined by the AF&PA NDS, the values in the table above shall be multiplied by 0.63 or 0.56, respectively.
- m. (DSA-SS & OSHPD 1.2 and 4) Refer to Section 2305.2.4.2, which requires any wood structural panel sheathing used for diaphragms and shear walls that are part of the seismic-force-resisting system to be applied directly to framing members.
- n. The maximum allowable shear value for three-ply plywood resisting seismic forces is 200 pounds per foot (2.92 kn/m).

6. Section 2306.7 is hereby amended to read as follows:

**2306.7 Shear walls sheathed with other materials.** Shear wall capacities for walls sheathed with lath, plaster or gypsum board shall be in accordance with Table 2306.4.5. Shear walls sheathed with lath, plaster or gypsum board shall be constructed in accordance with Chapter 25 and Section 2306.7. Walls resisting seismic loads shall be subject to the limitations in Section 12.2.1 of ASCE 7. The allowable shear values shown in Table 2306.4.5 for material in Category 1 are limited to 90 pound per foot (1.31 kN/m); materials in category 2 are limited to 30 pounds per foot (438 N/m). Shear walls sheathed with lath, plaster or gypsum board shall not be used below the top level of a multi-level building.

7. Table 2306.7 is hereby amended to read as follows:

**TABLE 2306.7  
 ALLOWABLE SHEAR FOR WIND OR SEISMIC FORCES FOR SHEAR WALLS OF LATH  
 AND PLASTER OR GYPSUM BOARD WOOD FRAMED WALL ASSEMBLIES**

TYPE OF MATERIAL	THICKNESS OF MATERIAL	WALL CONSTRUCTION	FASTENER SPACING <sup>b</sup> MAXIMUM (inches)	SHEAR VALUE <sup>a,c</sup> (plf)		MINIMUM FASTENED SIZE <sup>c,d,j,k,l</sup>
				Seismic	Wind	
1 Expanded metal, or woven wire lath and portland cement plaster	7/8"	Unblocked	6	90	180	No. 11 gage, 1-1/2" long, 7/16" head 16 Ga. Galv. Staple, 7/8" legs
2. Gypsum lath, plain or perforated	3/8" lath and 1/2" plaster	Unblocked	5	30	100	No. 13 gage, 1-1/8" long, 19/64" head, plasterboard nail 16 Ga. Galv. Staple, 1-1/8" long 0.120" Nail, min. 3/8" head, 1-1/4" long
3. Gypsum sheathing	1/2" x 2" x 8'	Unblocked	4	30	75	No. 11 gage, 1-3/4" long, 7/16" head, diamond point galvanized
	1/2" x 4'	Blocked <sup>d</sup> Unblocked	4 7	30 30	175 100	16 Ga. Galv. Staple, 1-3/4" long
	5/8" x 4'	Blocked	4" edge/ 7" field	30	200	6d galvanized 0.120" Nail, min. 3/8" head, 1-3/4" long
4. Gypsum board, gypsum veneer base or water-resistant gypsum backing board	1/2"	Unblocked <sup>d</sup>	7	30	75	5d cooler (1-5/8" x 0.086") or wallboard 0.120" Nail, min. 3/8" head, 1-1/2" long 16 Gage Staple, 1-1/2" long
		Unblocked <sup>d</sup>	4	30	110	
		Unblocked <sup>d</sup>	7	30	100	
		Unblocked <sup>d</sup>	4	30	125	
		Blocked <sup>e</sup>	7	30	125	
		Blocked <sup>e</sup>	4	30	150	
		Unblocked <sup>d</sup>	8/12 <sup>h</sup>	30	60	
		Blocked <sup>e</sup>	4/16 <sup>h</sup>	30	160	
		Blocked <sup>e</sup>	4/12 <sup>h</sup>	30	155	
		Blocked <sup>d,g</sup>	8/12 <sup>h</sup>	30	70	
	Blocked <sup>e</sup>	6/12 <sup>h</sup>	30	90		
	5/8"	Unblocked <sup>d</sup>	7	30	115	6d cooler (1-7/8" x 0.092") or wallboard 0.120" Nail, min. 3/8" head, 1-3/4" long 16 Gage Staple, 1-1/2" legs, 1-5/8" long
		Unblocked <sup>d</sup>	4	30	145	
		Blocked <sup>f</sup>	7	30	145	
		Blocked <sup>f</sup>	4	30	175	
Blocked <sup>e</sup>		Base Ply 9 Face Ply 7	30	250		
Blocked <sup>e</sup>	8/12 <sup>h</sup>	30	70	Base ply-6d cooler (1-7/8" x 0.092") or wallboard 1-3/4" x 0.0.120" Nail, min. 3/8" head 1-5/8" 16 Ga. Galv. Staple Face ply-8d cooler (2-3/8" x 0.113") or wallboard 0.120" Nail, min. 3/8" head, 2-3/8" long 15 Ga. Galv. Staple, 2-1/4" long		
	8/12 <sup>h</sup>	30	90			
Blocked <sup>e</sup>	8/12 <sup>h</sup>	30	90	No. 6 - 1-1/4" screws <sup>i</sup>		

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- a. These shear walls shall not be used to resist loads imposed by masonry or concrete construction (see Section 2305.1.5) Values shown are for short-term loading due to wind or seismic loading. Walls resisting seismic loads shall be subject to the limitations in Section 12.2.1 of ASCE 7 Values shown shall be reduced 25 percent for normal loading.
- b. Applies to fastening at studs, top and bottom plates and blocking.
- c. Alternate fasteners are permitted to be used if their dimensions are not less than the specified dimensions. Drywall screw are permitted to substitute for the 5d (1-5/8" x 0.86") and 6d (1-7/8" x 0.092") (cooler) nails listed above, and No. 6 1-1/4 inch Type S or W screws for 6d (1-7/8" x 0.092") (cooler) nails.
- d. For properties of cooler nails, see ASTM C 514.
- e. Except as noted, shear values are based on maximum framing spacing of 16 inch on center.
- f. Maximum framing spacing of 24 inch on center.
- g. All edges are blocked, and edge fastening is provided at all supports and all panel edges.
- h. First number denotes fastener spacing at the edges; second number denoted fastener spacing at intermediate framing members.
- i. Screws are Type W or S.
- j. Staples shall have a minimum crown width of 7/16 inch, measure outside the legs, and shall be installed with their crowns parallel to the long dimension of the framing members.
- k. Staples for the attachment of gypsum lath and woven-wire lath shall have a minimum crown width of 3/4 inch, measured outside the legs.
- l. This construction shall not be used below the top level of wood construction in a multi-level building.

8. Section 2308.3.4 is hereby amended to read as follows:

**2308.3.4 Brace Wall Line Support.** All exterior and interior brace wall lines shall be supported by continuous footings.

9. Section 2308.12.4 is hereby amended to read as follows:

**2308.12.4 Brace Wall Line Sheathing.** Braced wall lines shall be braced by one of the types of sheathing prescribed by Table 2308.12.4 as shown in figure 2308.9.3. The sum of lengths of braced wall panels as each braced wall line shall conform to Table 2308.12.4. Braced wall panels shall be distributed along the length of the braced wall line and start at not more than 8 feet (2438 mm) from each end of a braced wall line. Panel sheathing joints shall occur over studs or blocking. Sheathing shall be fastened to studs, top and bottom plates and at panel edges occurring over blocking. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide or larger members spaced a maximum of 16 inches on center. Nailing shall be a minimum 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center, and 12 inches on center in the field.

Braced wall panel construction types shall not be mixed within a braced wall line.

10. Section 2308.12.5 is hereby amended to read as follows:

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

All brace wall panels shall extend from the anchored foundation to the roof sheathing and shall be attached to parallel roof rafters or solid blocking above with framing clips (18 gauge minimum) spaced at a maximum of 24 inches (6096 mm) on center with four 8d nails per leg (total of 8 per clip). Braced wall panels shall be laterally braced at each corner at maximum 24 inch (6096 mm) intervals along the top plate of discontinuous vertical framing. Interior brace wall segments constructed above raised floor framing shall be provided a continuous load path to the anchored

foundation. Solid blocking shall be provided below interior brace wall segments with framing clips (18 gauge minimum) spaced a maximum 24 inches (6096 mm) on center and attached to the anchored foundation plate as to provide a continuous load path.

11. Table 2308.12.4 is hereby amended to read as follows:

**TABLE 2308.12.4**  
**WALL BRACING IN SEISMIC DESIGN CATEGORIES D AND E**  
 (Minimum Length of Wall Bracing per each Linear Feet of Braced Wall Line<sup>a</sup>)

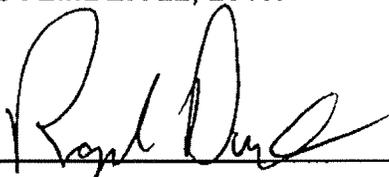
CONDITION	SHEATHING TYPE <sup>b</sup>	$S_{ps} < 0.50$	$0.50 \leq S_{ps} < 0.75$	$0.75 \leq S_{ps} \leq 1.00$	$SD_s > 1.00$
One story	G-P <sup>c</sup>	10 feet 8 inches	14 feet 8 inches	18 feet 8 inches	25 feet 0 inches
	S-W	5 feet 4 inches	8 feet 0 inches	9 feet 4 inches	12 feet 0 inches

For Si: 1 inch = 25.4 mm, 1 foot = 304.8 mm

- a. Minimum length of panel bracing of one face of the wall for S-W sheathing shall be 4 feet long or both faces of the wall for G-P sheathing shall be at least 8 feet long; h/w ratio shall not exceed 2:1. For S-W panel bracing of the same material on two faces of the wall, the minimum length is permitted to be one-half the tabulated value but the h/w ratio shall not exceed 2:1 and design for uplift is required. Also see Section 118.6.
- b. G-P = gypsum board, lath and portland cement plaster or gypsum sheathing boards S-W = wood structural panels.
- c. Nailing as specified below shall occur at all panel edges at studs, at top and bottom plates, and where occurring, at blocking:
  - For ½ inch gypsum board, 5d cooler nails at 7 inches on center;
  - For 5/8-inch gypsum board, no. 11 gauge cooler nails at 7 inches on center;
  - For gypsum sheathing board, 1-¼ inches long by 7/16 inch head, diamond point galvanized nails at 4 inches on center;
  - For gypsum lath, No. 13 gauge by 1 1/8 inches long, 19/64-inch head, plaster board at 5 inches on center;
  - For Portland cement plaster, No. 11 gage (0.12 inch) by 1 ½ inches long, 7/16 inch head at 6 inches on center;
- d. S-W sheathing shall be 15/32" thick minimum nailed with 8d common nails at 6:6:12.

**SECTION 4.** This Ordinance shall take effect thirty (30) days after its adoption. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance, and for which building permits are obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be exempt from the provisions of this Ordinance and shall remain subject to the provisions of the chapter of the Bellflower Municipal Code and the code adopted by reference therein. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance but for which building permits are not obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be subject to all provisions of this Ordinance and the code adopted by reference in this Ordinance. The City Clerk, or her duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be posted as required by law.

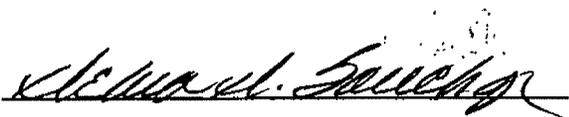
ORDINANCE NO. 1199 HAD ITS FIRST READING ON NOVEMBER 8, 2010, ITS SECOND READING ON NOVEMBER 22, 2010, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF NOVEMBER 22, 2010.



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Raymond Dunton, Mayor

ATTEST:



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Debra D. Bauchop, City Clerk

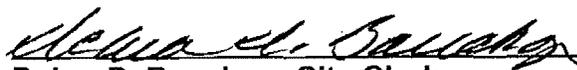
STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF BELLFLOWER )

I, **Debra D. Bauchop**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 1199 had its first reading on November 8, 2010, its second reading on November 22, 2010, and was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of November 22, 2010, by the following vote to wit:

**AYES:** Council Members – Koops, Smith, Larsen, Bomgaars, and Mayor Dunton

Ordinance No. 1199 was posted at City Hall, the Clifton M. Brakensiek Library, John S. Simms Park, the Bellflower Sheriff's Substation, and T. Mayne Thompson Park; and the Ordinance, effective date, and vote will be published on Monday, November 29, 2010, in the Public Notices Section of the *Long Beach Press-Telegram*, pursuant to Government Code Section 36933 and City Council action of October 9, 2006.

**Dated: November 23, 2010**



**Debra D. Bauchop, City Clerk**  
**City of Bellflower, California**

(SEAL)

**CITY OF BELLFLOWER**

**ORDINANCE NO. 1200**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER ADDING THERETO A NEW CHAPTER 15.60 TO THE BELLFLOWER MUNICIPAL CODE (ADOPTING BY REFERENCE CHAPTERS 1 THROUGH 10 AND 44 AND APPENDIX CHAPTERS E, H, K, O, AND Q OF CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2.5 - THE 2010 CALIFORNIA RESIDENTIAL CODE) AND MAKING AMENDMENTS THERETO**

**WHEREAS**, the 2010 California Residential Code was published by the State Building Standards Commission in 2010; and

**WHEREAS**, the City is required to adopt the 2010 California Residential Code as of January 1, 2011.

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

**SECTION 1.** The State of California has adopted the 2010 California Building Standards Codes that must in turn be adopted or utilized by each city or county. California Health and Safety Code Sections 17958, 17985.7 and 17958.5, however, provide that local entities may amend the building standards contained in the California Building Standards Codes, if findings regarding the necessity therefore are made. The City Council hereby finds and determines that certain building standards established by these Codes are inappropriate for use and enforcement in the City of Bellflower because of unique geological conditions prevailing within the City. Such geological conditions affect the potential consequences of soil strength loss due to known liquefaction zones within the City and the nearby location of earthquake faults, resulting in the possibility of tremendous loss of life and structures within the City unless appropriate building standards are adopted. The lessons learned from previous earthquakes, such as the Northridge and Whittier earthquakes, have been refined with studies and tests that continued since the last code adoption cycle. The results of these studies and tests necessitate adoption of further amendments to the structural and life safety requirements of the California Building Standards Codes. The proposed structural and life safety amendments are detailed in the sections of the Bellflower Municipal Code adopted by this ordinance which amend the California Building Standards Codes.

**SECTION 2.** A new Chapter 15.60 is hereby added to the Bellflower Municipal Code to read as follows:

**CHAPTER 15.60**

**RESIDENTIAL CODE**

**Sections:**

- 15.60.010 Residential Code - Adopted by Reference; Where Filed**
- 15.60.020 Amendments**

**15.60.010 Residential Code - Adopted by Reference; Where Filed**

Chapters 1 through 10, 44, and Appendix Chapters E, H, K, Q, and O of California Code of Regulations, Title 24, Part 2.5 (the 2010 California Residential Code) are hereby adopted by reference as the Residential Code of the City of Bellflower.

In accordance with California Government Code Section 50022.6, one (1) copy of said chapters and appendices shall remain on file with the building official within the Community Development Department and shall be at all times maintained by the building official for use and examination by the public.

**15.60.020 Amendments**

- a. Division II Chapter 1, Administration is hereby amended as follows:
  - 1. Section R101 is amended to read as follows:

**SECTION R101 - TITLE, PURPOSE, INTENT AND SCOPE**

**R101.1 Title.** Chapters 1 through 10, 44, and Appendix Chapters E, H, K, Q, and O of California Code of Regulations, Title 24, Part 2.5 (the 2010 California Residential Code), as adopted and amended by the City, shall be known as the Residential Code of the City of Bellflower, and may be cited as such. References to "this Code" contained in any provision enacted by Chapter 15.60 of the Bellflower Municipal Code shall refer to the Residential Code of the City of Bellflower.

**R101.2. Purpose and Intent.** The purpose of this Code is to provide minimum standards to safeguard public health, safety and general welfare by regulating the design, construction, installation, quality of materials, use and occupancy, location, operation and maintenance of buildings, structures, equipment and appliances and grading as specifically set forth herein and to provide safety to firefighters and emergency responders during emergency operations. Consistent with this purpose, the provisions of this Code are intended and always have been intended to confer a benefit on the community as a whole and are not intended to establish a duty of care toward any particular person.

This Code shall not be construed to hold the City or any officer, employee or agent thereof responsible for any damage to persons or property by reason of any inspection authorized herein or by reason of the issuance or non-issuance of any permit authorized herein, and/or for any action or omission in connection with the application and/or enforcement of this Code. By adopting the provisions of this Code, the City does not intend to impose on itself, or its officers, employees or agents any mandatory duties of care toward persons and property within its jurisdiction so as to provide a basis of civil liability for damages.

This section is declaratory of existing law and is not to be construed as suggesting that such was not the purpose and intent of previous Code adoptions.

**R101.3. Scope.** The provisions of this Code shall apply to the erection, construction, enlargement, alteration, installation, reconstruction, repair, movement, improvement, connection, conversion, demolition, and use of any one and two family dwelling or townhouse not more than three stories above grade plane in height with a separate means of egress and their accessory structures or premises, or portion thereof, including grading.

The provisions of this Code shall not apply to work located primarily in a public way other than pedestrian protection structures required by Chapter 33 of the California Building Code; any work exempted by Section R105.2; or minor work of negligible hazard to life specifically exempted by the building official.

Additions, alterations, repairs, and changes of use or occupancy in any one and two family dwelling or townhouse not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the provisions for new buildings and structures in accordance with Chapter 34 of the California Building Code.

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**R101.4 Referenced Codes.** The other codes listed in Sections R101.4.1 through R101.4.7 and referenced elsewhere in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference.

**R101.4.1 Electrical.** The provisions of the Electrical Code of the City of Bellflower shall apply to the installation of electrical systems including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

**R101.4.2 Gas.** The provisions of the Mechanical Code of the City of Bellflower shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories covered in this Code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

**R101.4.3 Mechanical.** The provisions of the Mechanical Code of the City of Bellflower shall apply to the installation, alteration, repair and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy related systems.

**R101.4.4 Plumbing.** The provisions of the Plumbing Code of the City of Bellflower shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system, and shall apply to private sewage disposal systems.

**R101.4.5 Fire Prevention.** The provisions of the Fire Code of the City of Bellflower shall apply to matters affecting or relating to structures, processes and premises from (i) the hazard of fire and explosion arising from storage, handling or use of structures, materials or devices, (ii) conditions hazardous to life, property or public welfare in the occupancy of structures or premises, and (iii) the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

**R101.4.6 Energy.** The provisions of the Energy Code of the City of Bellflower shall apply to all matters governing the design, alteration, and construction of buildings for energy efficiency.

**R101.4.6 Exception:** (OSHPD 1, 2 and 4). Not required by OSHPD.

**R101.4.7 Green.** The provisions of the Green Building Standards Code of the City of Bellflower shall apply to all matters governing the design and construction of buildings in regards to sustainable construction practices.

2. Section R102 is deleted.
3. Section R103 is amended to read as follows:

## SECTION R103 - BUILDING AND SAFETY DIVISION

**R103.1 Building and Safety Division.** There is hereby established a division in the City Community Development Department to be known and designated as the Building and Safety Division.

**R103.2 Deputies.** The building official shall have the authority to delegate his/her duties to other officers, agents and/or employees of the City. The building official may deputize such City officers, agents or employees as may be necessary to carry out the functions, procedures and policy of the Building and Safety Division. Any reference in this Code to performance by the building official shall be deemed to include performance by such officer, agency and/or employee as has been delegated such duties by the building official.

4. Section R104 is amended to read as follows:

## SECTION R104 - DUTIES AND POWERS OF THE BUILDING OFFICIAL

**R104.1 General.** The building official is hereby authorized and directed to enforce all the provisions of this Code, or other relevant laws, ordinances, rules and regulations; and to make all inspections pursuant to the provisions of this Code, or other relevant laws, ordinances, rules and regulations. For such purposes, the building official shall have the powers of a police officer.

The building official shall have the power to render interpretations of this Code, and other relevant laws, ordinances, rules and regulations, and to adopt and enforce rules and supplemental regulations in order to clarify the application of the provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code.

**R104.2 Application:** The building official is authorized to make, interpret and enforce such guidelines and policies for the safeguarding of life, limb, health or property as may be necessary from time to time to carry out the purpose and provisions of this Code.

**R104.3 Right of Entry.** Where it is necessary to make an inspection and enforce the provisions of this Code, or where the building official has reasonable cause to believe that there exists in a structure or upon premises a condition which is contrary to or in violation of this Code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to impose the duties imposed by this Code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall make reasonable effort

to locate the owner or other person having charge of the structure or premises and request entry. If entry is refused, the building official shall have recourse to any remedy provided by law to secure entry. The provisions of this section shall not be deemed to prohibit the building official from entering a structure or premises other than under the authority of this section when necessary for the immediate preservation of public health, safety, or welfare.

**R104.4 Department Records.** The building official shall keep official records of applications received, permits and certificates issued, fees collected, technical reports, inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records by law.

**R104.5 Liability.** City officers, agents and employees charged with the enforcement of this Code, while acting in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance shall not thereby be rendered liable personally.

**R104.6 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this Code, the building official may grant modifications for individual cases, provided the building official shall first find that a *special individual reason* makes the strict letter of this Code, or other relevant laws, ordinances, rules and regulations impractical and that the modification is in conformity with the spirit and purpose of this Code, or other relevant laws, ordinances, rules and regulations and that such modification does not lessen any fire protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the City.

A written application for the granting of such modifications shall be submitted together with a filing fee established by resolution of the City Council. The decision of the building official shall be final.

**R104.7 Alternate Materials and Methods of Construction and Equipment.** The provisions of this Code, or other relevant laws, ordinances, rules or regulations, are not intended to prevent the use of any material or method of construction not specifically prescribed by this Code, provided any such alternate has been approved.

The building official may approve any such alternate, provided that he/she finds that the proposed design is satisfactory and complies with the provisions of Chapter 15 of this Code and finds that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code, and in all other relevant laws, ordinances, rules and regulations, in quality, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official may require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding use of such alternate.

A written application for use of an alternate material or method of construction shall be submitted together with a filing fee established by resolution of the City Council. The decision of the building official shall be final.

**R104.8 Used Materials and Equipment.** The use of used materials and equipment which meet the requirements of this Code for new materials is permitted when approved by the building official.

**R104.9 Identification.** City officers, agents and employees shall carry proper identification when inspecting structures or premises in the performance of duties under this Code.

**R104.10 Cooperation of other Officials.** The building official may request, and shall receive, so far as may be necessary in the discharge of his/her duties, the assistance and cooperation of other officials of the City.

**R104.11 Definitions.** In additions to the definitions specified in Chapter 2 of this Code, the following certain terms, phrases, words and their derivatives shall be construed as specified in this section. Terms, phrases and words used in any gender include the other genders.

In the event of conflicts between these definitions and definitions that appear elsewhere in this Code, these definitions shall govern and be applicable.

**BUILDING AND SAFETY DIVISION or BUILDING DEPARTMENT** shall mean the Building and Safety Division of the City Community Development Department.

**BUILDING OFFICIAL** shall mean the Director of Community Development or other designated authority charged with the administration and enforcement of this Code, or the director's duly authorized representative.

**BUILDING REHABILITATION APPEALS BOARD** shall mean the City of Bellflower City Council.

**DEMOLITION.** Whenever the term demolition or demolish is used in this Code, it shall include the removal of the resulting debris from such demolition and the protection or filling of excavations exposed by such demolition as may be required by this Code, or other relevant laws, ordinances, rules and/or regulations.

**FACTORY-BUILT STRUCTURE** shall mean buildings or structures which meet all of the following criteria:

(1) Fabrication on an off-site location under the inspection of the State, for which the State inspection agency has attested to compliance with the applicable State laws and regulations by the issuance of an insignia;

(2) Bear the State insignia and have not been modified since fabrication in a manner that would void the State approval; and for which the City has been relieved by statute of the responsibility for the enforcement of laws and regulations of the State of California or the City.

**ELECTRICAL CODE** shall mean the Electrical Code of the City of Bellflower.

**FIRE CODE** shall mean the Fire Code of the City of Bellflower.

**HEALTH CODE** or **LOS ANGELES COUNTY HEALTH CODE** shall mean the Health Code of the City of Bellflower.

**LOS ANGELES COUNTY FLOOD CONTROL DISTRICT** shall mean either the City of Bellflower Public Works Department, unless in the opinion of the Director of Public Works, the term as used in a particular context refers to the Los Angeles County Flood Control District.

**MECHANICAL CODE** shall mean the Mechanical Code of the City of Bellflower.

**NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT** shall mean a permit issued as required by the Federal Clean Water Act in order to protect receiving waters. The NPDES permit requires controls to reduce the discharge of pollutants into storm drains, channels or natural watercourses.

**NEW CONSTRUCTION** shall mean any work to erect an entirely new building, structure, or apparatus system.

**NONINSPECTED WORK** shall mean any erection, construction, enlargement, alteration, repair, movement, improvement, removal, connection, conversion, demolition, or equipping, for which a permit was first obtained, pursuant to Section R105, but which has progressed beyond the point indicated in an inspection which approved such work, including but not limited to inspections set forth in Section R109, without first obtaining inspection by and approval of the building official.

**PLUMBING CODE** shall mean the Plumbing Code of the City of Bellflower.

**ROAD COMMISSIONER** shall mean the City Engineer.

**STOP WORK ORDER** shall mean a written order issued by the building official requiring the immediate cessation of all work as a result of a violation of applicable law or as a result of a dangerous, hazardous, or unsafe condition.

**UN-PERMITTED STRUCTURE** shall be defined as any structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, moved, improved, removed, connected, converted, demolished or equipped, at any point in time, without the required approval(s) and permit(s) having first been obtained from the building official, or pursuant to a permit which subsequently expired and became null and void before receiving final approval from the building official.

5. Section R105 is amended to read as follows:

#### **SECTION R105 - BUILDING PERMIT REQUIREMENTS**

**R105.1 Building Permit Required.** No person shall erect, construct, enlarge, alter, repair, move, improve, remove, connect, convert, demolish, or equip any one and two family dwelling or townhouse not more than three stories above grade plane in height with a separate means of egress and their accessory structures, or portion thereof, or cause the same to be done, without first obtaining a separate permit for each such building or structure from the building official.

The issuance of a permit without first requiring a plan review shall not prevent the building official from requesting plans deemed necessary to verify that the work performed under said permit complies with this Code and all relevant laws, ordinances, rules and regulations.

No person shall install, alter, repair, move, improve, remove, connect any automatic fire-extinguishing system regulated by this Code, or cause the same to be done, without first obtaining a separate permit for each such building or structure from the building official.

All structures and devices installed in connection with any construction project for the protection of pedestrians, regardless of location, are subject to the permit requirements of this section.

**R105.1.2 Work without Permit.** Whenever any work has been commenced without a permit as required by the provisions of this Code, a special investigation shall be made prior to the issuance of the permit. An investigation fee shall be collected for each permit so investigated to determine the extent of the work performed. An additional penalty permit fee equal to the cost of the building permit shall also be assessed at the time of permit issuance. At the discretion of the building official, the penalty permit fee may be reduced or waived when just cause for commencement of work without a permit is shown. The investigation and penalty permit fees shall be as specified by resolution of the City Council.

The payment of the investigation fee and penalty permit fee shall not exempt any person from compliance with all other provisions of this Code or from any penalty prescribed by law.

**R105.1.3 Noncompliance Fee.** If the building official, in the course of enforcing the provisions of this Code or any other law, ordinance, rule or regulation issues an order to a person and that person fails to comply with the order within ten (10) days following the due date for compliance stated in the order, including any extensions thereof, then the building official shall have the authority to collect a noncompliance fee in the amount established by resolution of the City Council.

The noncompliance fee shall not be imposed unless the order states that a failure to comply within ten (10) days after the compliance date specified in the order will result in the fee being imposed. No more than one such fee shall be collected for failure to comply with an order. The payment of the noncompliance fee shall not exempt any person from compliance with this Code and other laws, ordinances, rules and regulations or from any penalty prescribed by law.

**R105.2 Work Exempted From Building Permit.** A building permit shall not be required for the following:

1. Work not regulated by the California Building Standards Codes, except where deemed necessary by the building official to enforce other Federal and/or State Laws, or to enforce City ordinances or policies.
2. Minor work of negligible hazard to life, as determined by the building official in writing, provided the valuation does not exceed \$2,000.
3. Painting; wallpapering; installation of carpet, vinyl, tile and similar floor and wall coverings; cabinets, countertops, and repairing broken window glass not required by this Code to be safety or security glazing.
4. One-story detached accessory buildings used as tool and storage sheds, nonhabitable playhouses, and similar uses, provided the floor area does not exceed 120 square feet.
5. One-story detached, private lath houses, glasshouses (greenhouses) and pergolas, provided the floor area does not exceed 300 square feet and the structure complies with all setback from property lines required by this Code.
6. Chain-link, wrought-iron, and similar fences not over 12 feet in height.
7. Block wall fences not over 4 feet in height; wood and similar fences not over 8 feet in height if 60 percent or more of the fence is open

and incapable of being loaded by wind, or not over 6 feet in height if less than 60 percent of the fence is open.

8. Retaining walls not more than four feet in height measured from the bottom of the footing to the top of wall, unless supporting a surcharge or impounding flammable liquids.

9. Private driveways, walks, or flatwork not in the public right of way.

10. Flagpoles not erected upon a building and not more than 15 feet high.

11. A tree house provided that:

11.1 The tree house does not exceed 64 square feet in area or 8 feet in height from floor to roof.

11.2 The ceiling height as established by door height or plate line does not exceed 6 feet.

12. Canopies or awnings attached to a Group R or U Occupancy and extending not more than 54 inches from the exterior wall of the building.

13. Sheds, office or storage buildings, and other structures incidental to and work authorized by a valid grading or building permit. Such structures must be removed upon expiration of the permit or completion of the work covered by the permit.

14. Platforms, decks, and walks not more than 200 sq ft or 30 inches above grade and not over any basement or story below.

15. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and the capacity does not exceed 5,000 gallons.

16. Playground equipment.

17. Membrane structures not regulated by California Code of Regulations Title 19, not exceeding 250 square feet in area, used exclusively for residential recreational purposes or as a cover for vehicles, and located in accordance with other City ordinances.

Unless otherwise exempted by the City of Bellflower Plumbing, Electrical or Mechanical Codes, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other law, ordinance, rule or regulation.

**R105.3 Application for Permit.** To obtain a permit, the applicant shall first file an application form furnished by the City for that purpose. Each such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by lot, block, tract, street address, or similar description that will readily identify and definitely locate the proposed building or work.
3. For building plans, show the use or occupancy of all parts of the building.
4. Be accompanied by plans and calculations as required in Section 106.
5. State the valuation of the proposed work or, for grading, the volume of earth to be handled.
6. Give such other information as reasonably may be required by the building official.

**R105.4 Issuance.** The building official shall issue a permit to the applicant for the work described in the application and plans filed therewith when the building official is satisfied that all of the following items comply:

1. The work described conforms to the requirements of this Code, and other relevant laws, ordinances, rules and regulations.
2. The fees specified by resolution or ordinance have been paid.
3. The applicant has obtained a permit pursuant to Public Resources Code Section 30600 et seq., if such a permit is required.

When the building official issues the permit, the *building official* shall endorse in writing or stamp on both sets of plans "REVIEWED FOR CODE COMPLIANCE ONLY". Such stamped plans shall not be changed, modified or altered without authorization from the building official, and, except as otherwise required by law, all work shall be done in accordance with the currently adopted Codes in effect at the time of permit issuance regardless of the information presented on the plans. The approval of the plans shall not be held to permit or to be an approval of any violation of any Federal, State, County or City laws or ordinances. The issuance of a permit shall not be deemed to certify that the site of the described work is safe.

One set of approved plans and reports shall be returned to the applicant to be kept on such building or work site at all times while the authorized work is in progress.

The building official may issue a permit for the construction of part of a building or structure before the entire plans and calculations for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire building or structure will be granted.

**R105.5 Permit Validity.** The issuance or granting of a permit or approval of plans and calculations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code, or other relevant laws, ordinances, rules or regulations. No permit presuming to give authority to violate or cancel the provisions of this Code, or other relevant laws, ordinances, rules or regulations shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit based on plans and calculations shall not prevent the building official from thereafter requiring the correction of errors in said plans and calculations or from preventing building operations being carried on thereunder when in violation of this Code, or other relevant laws, ordinances, rules or regulations.

**R105.6 Expiration of Permit.** Except as set forth in Section R105.6.1, every permit issued for property within the City of Bellflower shall expire by limitation and become null and void as follows:

- (i) Every permit issued by the building official under the provisions of this Code shall expire and become null and void unless such work is commenced within 180 days from the date of permit issuance; or if a successful inspection has not been obtained from the building official within one year from the date of issuance. The building official may extend the time for action by the applicant in writing for a period not exceeding 180 days beyond the initial one year limit upon written request by the applicant, filed with the building official prior to expiration of the original permit;
- (ii) In the event of permit expiration and before work for which such permit was required can be commenced or recommenced, a new permit shall first be obtained (hereafter, a "renewal permit"). The applicant must pay all applicable renewal fees, in the amount then established by resolution of the City Council. If a renewal permit is applied for, the building official shall have the discretion to request a site inspection prior to its issuance and a miscellaneous inspection fee shall be paid by the applicant prior to inspection. The inspection fee shall be as specified by resolution of

the City Council. In addition, the applicant may be required to resubmit plans and specifications, when deemed necessary by the building official to verify compliance with the building codes, ordinances, regulations, standards, and laws in effect at the time the renewal permit is applied for.

- (iii) Upon issuance of a renewal permit, the building official may allow the applicant to commence or recommence such work from the last successful inspection of record under the original permit. When an expired building permit includes expired sub-permits, activation of the renewal permit shall activate all subsequent expired sub-permits. All work to be performed under a renewal permit must be completed in accordance with the building codes, ordinances, regulations, standards, and laws in effect on the date of issuance of the renewal permit.

**R105.6.1 Expiration of Permit for Unlawful Structure.** Notwithstanding any provision of Section R105.6, if a building permit was issued in order to bring an un-permitted structure or other unlawful, substandard, or hazardous condition into compliance with any applicable law, ordinance, rule or regulation, such permit shall expire by limitation and become null and void 90 days after the date on which the permit was issued. The building official may extend the validity of the permit for a period not exceeding 90 days beyond the initial 90 day limit upon written request by the applicant filed with the building official prior to the expiration date of the original permit.

**R105.7 Permit Suspension or Revocation.** The building official may, in writing, suspend or revoke a permit issued under the provisions of this Code, or other relevant laws, ordinances, rules or regulations whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this Code.

The building official may also, in writing, withhold inspections, suspend or revoke a permit where work is being done in violation of this Code, where work is being done in violation of the approved plans, where work is being concealed without approval from the Building and Safety Division or where work is not in accordance with the direction of the Building and Safety Division.

**R105.8 Cancellation of Permit by Applicant.** If no portion of the work or construction covered by a permit issued by the building official under the provisions of this Code, or other relevant laws, ordinances, rules and regulations has been commenced, the person to whom such permit has been issued may deliver such permit to the building official with a request that such permit be cancelled. Only the person to whom such permit was issued can request cancellation of a permit. The building official shall

thereupon stamp or write on the face of such permit the words, "Cancelled at the request of the applicant." Thereupon such permit shall be null and void and of no effect.

**R105.9 Transfer of Permit by Applicant.** When requested in writing by the person to whom the permit was issued, a permit may be transferred from the person to whom the permit was issued to a new individual. Fee credit shall be given where deemed appropriate by the building official and new fees shall be paid as required by resolution of the City Council.

6. Section R106 is amended to read as follows:

### **SECTION R106 BUILDING PLAN REQUIREMENTS**

**R106.1 General.** When required by the building official to verify compliance with this Code, or other relevant laws, ordinances, rules and regulations; plans, calculations, soil reports, geological or engineering reports, and other required data shall be submitted for plan review. Only after the plans have been approved may the applicant apply for a building permit for such work. The building official may also require such plans be reviewed by other departments and/or divisions of the City to verify compliance with the laws and ordinances under their jurisdiction.

When authorized by the building official, complete plans and calculations need not be submitted for the following work when information sufficient to clearly define the nature and scope of the work are submitted for review:

1. One-story single family dwellings including additions, alterations, and renovations thereto of Type V conventional wood-frame construction with an area not exceeding 600 square feet;
2. Accessory Group U Occupancies of Type V conventional wood-frame construction 1,000 sq ft or less; or
3. Work deemed by the building official as minor, small and/or unimportant work.

Where deemed necessary by the building official, submittals shall include special inspection requirements as defined in Section R109.5 and structural observation requirements as defined in Section R109.6.

Plans, calculations, reports or documents for work regulated by this Code, or by other relevant laws, ordinances, rules or regulations shall bear the seal, signature and number of a civil engineer, structural engineer, mechanical engineer, electrical engineer, soils engineer or architect registered or certified to practice in the State of California when required by the California Business and Professions Code or the building official. A seal and number shall not be required for work authorized by State law to be performed by a person not registered or certified as an engineer or architect as provided within the California Business and Professions Code or otherwise approved by the building official.

All structures and devices installed in connection with any construction project for the protection of pedestrians, regardless of location, are subject to the plan review requirements of this section.

**R106.2 Architect or Engineer of Record.** When it is required that documents be prepared by an architect or engineer, the building official may require the owner to designate on the permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

**R106.3 Information Required on Building Plans.** Plans shall be drawn to scale upon substantial paper or other material suitable to the building official shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner(s) and all persons who were involved in the design and preparation of the plans.

Plans shall include a plot plan showing the location of the proposed building and of every existing building on the premises. In lieu of specific details, the building official may approve references on the plans to a specific section or part of this Code, or other relevant laws, ordinances, rules and/or regulations.

When deemed necessary by the building official, the first sheet of each set of plans shall indicate the following information:

1. The building Type of Construction;
2. Whether fire sprinklers are installed in all or any portion of the building;
3. Existing building areas and areas of all additions and alterations;
4. The number of stories of the building;
5. The use of all new and existing rooms and/or areas;
6. The Occupancy Classifications for each occupancy;
7. The Codes in effect on the date of plan check submittal.

**R106.4 Drainage Review Requirement.** Where proposed construction will affect site drainage, existing and proposed drainage patterns shall be shown on the plot plan.

A site inspection may be required prior to plan check of building plans for lots or parcels in areas having slopes of five horizontal to one vertical (5:1) or steeper when the building official finds that a visual inspection of the site is necessary to establish drainage requirements for the protection of property, existing buildings or the proposed construction. The fee for such inspection shall be as set forth by resolution of the City Council. Such a pre-inspection shall not be required for a building pad graded under the provisions of Appendix J of the California Building Code.

**R106.5 Deferred Submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

**R106.6 Standard Plans.** The building official may approve a set of plans for a building or structure as a "standard plan," provided that the applicant has made proper application and submitted complete sets of plans as required by this section.

Plans shall reflect laws and ordinances in effect at the time a permit is issued except as provided in this section. Nothing in this section shall prohibit modifying the permit set of plans to reflect changes in laws and ordinances which have become effective since the approval of the standard plan. The standard plans shall become null and void where the work required by such changes exceeds five percent of the value of the building or structure.

Standard plans shall be valid for a period of one year from the date of approval. This period may be extended by the building official when there is evidence that the plans may be used again and the plans show compliance with this Code, and other relevant laws, ordinances, rules and regulations.

**R106.7 Expiration of Plan Check Applications.** Plan check applications for which no permit is issued within one year following the date of application shall expire by limitation and become null and void. Plans and calculations previously submitted may thereafter be returned to the applicant or destroyed by the building official, unless as otherwise required by State law.

When requested in writing by the applicant prior to or not more than 90 days after the expiration of the plan check application, the building official may extend the time for action by the applicant. Additional fees for plan review in an amount established by resolution of the City Council shall be paid to process such request.

The time for action by the applicant shall not be extended beyond the effective date of a new building code. Once an application and any extension thereof have expired, the applicant shall resubmit plans and calculations and pay a new application fee.

**R106.8 Retention of Plans.** One set of approved plans, calculations and technical reports shall be retained by the building official. Except as required by Section 19850 of the Health and Safety Code, the building official shall retain such set of the approved plans, calculations and reports for a period required by law..

7. Section R107 is deleted in its entirety.
8. Section R108 is amended to read as follows:

#### **SECTION R108 FEES AND REFUNDS**

**R108.1** All permit fees shall be in the amount then established by resolution of the City Council. All permit fees shall be paid at the time of the initial plan review submittal or when plan review is not required, at the time of permit issuance.

**R108.2 Permit Refunds.** In the event that an applicant has submitted for plan review or obtained a permit and no portion of the review, work, or construction covered by such permit has been commenced, and such permit is cancelled as provided for in Section R105.8, the applicant may submit a written request to the building official requesting a refund of permit fees. At the discretion of the building official, permit fees or a portion of the permit fees not to exceed 80% may be refunded to the permit applicant. The building official shall satisfy himself or herself as to the right of such applicant to such refund, and each such refund shall be paid to the permit applicant, provided the request has been submitted within one year from the date of cancellation or expiration of the permit.

9. Section R109 is amended to read as follows:

## SECTION R109 INSPECTIONS

**R109.1 General.** All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official.

In addition to the inspections required to be made by the building official, certain types of construction shall have special inspection as specified in Section 1704 of the California Building Code. Special inspections made in accordance with Section 1704 shall not relieve the permit applicant of the responsibility to have the work inspected and approved by the building official.

Approval as a result of an inspection shall not be construed to be an approval of a violation of any provision of this Code, relevant laws, ordinances, rules or regulations. Inspections presuming to give authority to violate or cancel the provisions of this Code, or other relevant laws, ordinances, rules or regulations shall not be valid.

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

It shall be the duty of the permit applicant to provide access for the inspector to the area of work. Access may include, but shall not be limited to, ladders, scaffolding, catwalks and lifts. It shall be the duty of the permit applicant to maintain a safe access path for the inspector to the area of work. Safety precautions may include, but shall not be limited to handrails, guardrails and safety harnesses.

All components of the access path shall be securely anchored in place. The building inspector shall have the right to refuse to make any inspection in an area which does not have an access path deemed safe for use by said building inspector. It shall be the duty of the permit applicant to make any necessary improvements to the access path to allow inspection by the building inspector.

It shall be the duty of the permit applicant to protect all existing construction from damage caused during inspection. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material damaged during the course of inspection.

**R109.2 Inspection Requests.** It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is

desired. Such request may be in writing, by telephone or by other methods approved by the building official.

It shall be the duty of the person requesting any inspection required by this Code, or other relevant law, ordinance, rule or regulation to provide access to and means for inspection of such work. If work fails to pass inspection for the same purpose more than twice, further inspections may be subject to re-inspection fees established by resolution of the City Council.

**R109.3 Inspection Record Card.** When deemed necessary by the building official, work requiring a permit shall not be commenced until the applicant has posted or otherwise made available an inspection record card so as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall continue to be posted or otherwise made available by the permit holder until final approval of the permit has been granted by the building official.

**R109.4 Work Ready For Inspection.**

**R109.4.1 General.** Upon notification from the applicant that the work for which there is a valid permit is ready for inspection, the building official shall be allowed to make all applicable inspections specified in this Code, on the inspection record card and any additional inspections required by the building official.

No work shall be approved by the building official which was not completely verified. Partial or spot inspections shall not be performed by the building official, nor shall partial or spot inspection be used as a justification for approving any required inspection.

Inspection by a special inspector shall not be made in-lieu of any inspections required to be made by the building official.

**R109.4.2 Minimum Inspection Requirements.** The following inspections shall not be requested until the associated requirements have been satisfied.

1. Foundation inspection: Shall not be requested until all trenches are excavated and forms erected, any required reinforcing steel is in place, and when all materials for the foundation are delivered to the job. All hardware (anchor bolts, hold downs etc.) shall be securely installed in place prior to inspection. Where concrete from a central mixing plant (commonly termed "transit mixed") is to be used, materials need not be on the job. Where any fill more than 8 inches in depth is placed, and/or where required by the building official or the soils engineer, compaction tests shall be submitted to the building official prior to requesting inspection. Where required by the soils engineer, foundation trenching shall be reviewed and approved by the soils engineer prior to requesting inspection.

2. Concrete slab or under-floor inspection: Shall not be requested until all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is poured and/or floor sheathing installed, including the sub-floor.
3. Floor sheathing inspection: Floor sheathing inspection shall not be requested until the raised floor insulation inspection is approved and all sheathing is in place; all diaphragm nailing is complete; and all diaphragm ties, chords and/or drag struts have been installed. No walls shall be erected above the floor sheathing.
4. Roof sheathing inspection: Roof sheathing inspection shall not be requested until all sheathing is in place; all diaphragm nailing is complete to include interior shear or brace walls transfers to the roof diaphragm from the floor below; and all diaphragm ties, chords and/or drag struts have been installed and a complete load path is verified. All roof penetrations to include plumbing and mechanical vents shall be installed prior to any approval. No portion of the roof sheathing shall be covered by crickets or similar construction. Inspection of all roofing materials must be approved by the building official prior to roof covering.
5. Shear/brace wall inspection: All shear/brace walls, interior and exterior, are in to be in place and installed per approved plans and meet the requirements of Chapter 6. A complete load path for all interior and exterior wall segments shall be verified through inspection. Rough plumbing, mechanical and electrical inspections must be approved prior to framing and shear/brace wall inspections. This inspection may be in conjunction with the roof sheathing inspection.
6. Frame inspection: Shall not be requested until after the roof, all framing, fire blocking, draft stopping and shear/brace wall segments are installed and all pipes, wiring, chimneys, vents and ducts are complete and have successfully passed rough inspections. The structure shall be made substantially weather tight prior to installation of insulation and wall board.
7. Lath inspection and/or wallboard: Shall not be requested until after all lathing and/or wallboard, interior and exterior, is in place, but before any plastering is applied or before wallboard joints and fasteners are taped and finished and all materials are on site. This inspection shall also include any required fire resistance rated construction between dwelling units or due to location of buildings on property. Protection of joints and penetrations in fire resistance rated assemblies shall not be concealed until the inspection is approved.
8. Final inspection: Shall not be requested until after all grading and the building is completed and is ready for occupancy.

9. Other Inspections: In addition to the inspections specified above, the building official shall be allowed to make all applicable inspections specified on the Inspection record card. The building official may also make or require any other inspections of any construction work to ascertain compliance with the provisions of this Code, relevant laws, ordinances, rules and regulations which are enforced by the Building and Safety Division.

For the purpose of determining compliance with Chapter 34 of the California Building Code, the building official may cause any structure to be reinspected.

#### **R109.5 Provisions for Special Inspection.**

**R109.5.1 When Required.** In addition to the inspections required elsewhere in this section, the owner shall employ one or more special inspectors who shall provide inspections during construction on the types of work listed under Section 1704 of the California Building Code. The special inspector may be employed either directly or through the architect or engineering firm in charge of the design of the structure, or through an independent inspection test firm approved by the building official.

**EXCEPTION:** The building official may waive the requirement for the employment of a special inspector if the construction is of a minor nature.

**R109.5.2 Identification of Work.** When special inspection is required by Section R109.5.1, the architect or engineer of record shall identify on the plans all work which is required to have special inspection.

Where the special inspection method(s) to be employed are not specified elsewhere in this Code, or other relevant laws, ordinances, rules and/or regulations, the architect or engineer of record shall prepare an inspection program which shall be submitted to and approved by the building official prior to building permit issuance.

The special inspector(s) may be employed by the owner, the engineer or architect of record, or an agent of the owner, but shall not be employed by the contractor, the contractor's employees, representatives or agents of the contractor, or any other person performing the work.

The architect or engineer of record shall identify, on forms provided by the City, the individual(s) and/or firm(s) who are to perform any required special inspection, and where an inspection program is required by this section, shall specify the special inspection duties of the special inspector(s).

**R109.5.3 Qualifications, Requirements and Duties of the Special Inspector.** The special inspector shall be approved by the building official prior to performing any inspection duties. The special inspector shall complete an application form provided by the City and shall submit

documentation satisfactory to the building official that the special inspector is qualified to make the special inspection(s) for which application is made. The building official shall have the right to administer a written or verbal examination as deemed appropriate by the building official to verify that the special inspector is qualified to perform the inspection duties for which application is made. A special inspector who fails to pass the examination administered by the building official shall be required to wait a minimum of seven (7) days before submitting a new application to provide special inspection within the City.

The building official shall not be required to accept any documentation provided by a special inspector who was not approved by the building official prior to performing inspection duties. Neither the building official nor the City shall be liable for expense entailed in the removal or replacement of any material(s) or work installed, constructed or placed under the review of a special inspector who was not approved by the building official.

Failure to be approved by the building official prior to performing any special inspection duties may be considered by the building official as a failure to perform properly and shall allow the building official to refuse to allow the special inspector to perform inspection within the City.

The special inspector shall observe the work assigned for conformance with the approved design drawings.

The special inspector shall furnish inspection reports to the building official. All observed discrepancies shall be brought to the immediate attention of the contractor for correction, then if uncorrected, to the proper design authority and to the building official.

The special inspector shall submit a final signed report stating that the work requiring special inspection was, to the best of the inspector's knowledge, in conformance with the approved plans and the applicable workmanship provisions of this Code.

The building official shall have the right to reject any work performed under the review of a special inspector where the work performed fails to meet the minimum requirements of this Code, or other relevant laws, ordinances, rules and regulations. Regardless of the information communicated between the permit applicant and the special inspector, all work shall comply with the approved plans and this Code, or other relevant laws, ordinances, rules and regulations.

Upon evidence, satisfactory to the building official, of the failure of a special inspector to perform properly and effectively the duties of said office, the building official may revoke, suspend or refuse to allow the special inspector to perform inspection on sites within the City. Prior to such action, the holder shall be given an opportunity to appear before the building official and be heard.

**R109.6 Provisions for Structural Observation.** When structural observation is required in accordance with the requirements of Section 1709 of the California Building Code, the engineer or architect of record shall indicate on the plans what work is required to be observed by the engineer or architect responsible for the structural design, or the engineer or architect responsible for the structural design shall prepare an inspection program and shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur. The inspection program shall include samples of inspection reports and provide time limits for the submission of observation reports. The program shall be submitted to and approved by the building official prior to building permit issuance.

When required by the engineer or architect responsible for the structural design or the building official, the owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer or architect responsible for the structural design to perform structural observation.

When deemed appropriate by the engineer or architect responsible for the structural design, the owner or owner's representative shall coordinate and call a preconstruction meeting between the engineer or architect responsible for the structural design, the structural observer, the contractor, the affected subcontractors and the special inspector(s). The structural observer shall preside over the meeting. The purpose of the meeting shall be to identify the major structural elements and connections that affect the vertical and lateral load systems of the structure and to review scheduling of the required observations. A record of the meeting shall be submitted to the building official.

All observed discrepancies shall be brought to the immediate attention of the engineer or architect responsible for the structural design and the contractor for correction; then if unresolved, to the building official. The structural observer shall submit to the building official a written statement at each significant construction stage stating that the required site visits have been made and identifying any reported deficiencies which, to the best of the structural observer's knowledge, have not been resolved.

The structural observer shall submit a final signed report stating that the work requiring structural observation was, to the best of the observer's knowledge, in conformance with the approved plans and the applicable workmanship provisions of this Code.

**R109.7 Required Approvals.** No work shall be done on any part of the building structure or premises beyond the point indicated in each successive inspection without first obtaining the written approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate in writing that the work appears to comply as completed, or shall notify the applicant in writing which portion of the work fails to comply with this Code, or other relevant laws, ordinances, rules and/or regulations. Any work which does not

comply shall be corrected and such work shall not be covered or concealed until authorized by the building official.

There shall be a final inspection and approval of all work when completed and ready for occupancy.

**R109.8 Site Requirements.** A survey of the lot may be required by the building official to verify compliance of the structure with the approved plans.

**R109.9 Non-inspected Work.** No person shall use, occupy or maintain any structure on which non-inspected work has been performed.

**R109.10 Utility Release.** When deemed appropriate by the building official, gas and electric utilities may be released. Release of either utility may be done prior to building final for testing and inspection purposes. The building official shall retain the right to revoke the release of either utility for just cause, and may have either utility disconnected at the earliest availability of the utility purveyor.

Attempting to occupy prior to issuance of a certificate of occupancy, whether temporary or final, may be considered as just cause by the building official, and may result in disconnection of the utilities.

**R109.11 Authority to Disconnect Electric Utility.** The building official is hereby empowered to disconnect or to order in writing the discontinuance of electric utility service to buildings, structures or premises, or portions thereof, or wiring, devices or materials installed without permit or found to be a hazard to life, health and/or property.

The building official shall have the power to disconnect or to order in writing the discontinuance of electric utility service as a means of preventing, restraining, correcting or abating any violation of this Code, or other relevant laws, ordinances, rules or regulations.

The electrical service shall remain disconnected or electrical utility service shall remain discontinued until the Code violation has been abated to the satisfaction of the building official, or until the installation of such wiring, devices or materials have been made safe as directed by the building official; or until a permit has been issued and the work has been inspected and approved by the building official.

**R109.12 Authority to Disconnect Gas Utility.** The building official is hereby empowered to disconnect or to order in writing the discontinuance of gas utility service to buildings, structures, premises, appliances, devices or materials installed without permit or found to be a hazard to life, health and/or property.

The building official shall have the power to disconnect or to order in writing the discontinuance of gas utility service as a means of preventing,

restraining, correcting or abating any violation of this Code, or other relevant laws, ordinances, rules or regulations.

The gas service shall remain disconnected or gas utility service shall remain discontinued until the Code violation has been abated to the satisfaction of the building official, or until the installation of such appliances, devices or materials have been made safe as directed by the building official; or until a permit has been issued and the work has been inspected and approved by the building official.

10. Section R110 is amended to read as follows:

### **SECTION R110 USE AND OCCUPANCY**

**R110.1 General.** No one and two family dwelling or townhouse not more than three stories above grade plane in height with a separate means of egress and their accessory structures, or portion thereof, shall be used or occupied, and no change in the existing occupancy classification of a said building, structure or premises, or portion thereof, shall be made until the building official has approved said building, structure or premises or portion thereof for such use or occupancy and until all permits have been approved or a temporary certificate of occupancy has been issued.

Upon final of a building permit and at the request of the applicant, a certificate of occupancy shall be issued by the building official for any structure which is ready to occupy.

Approval of a building, structure or premises, or portion thereof, for use or occupancy (including, but not limited to, final inspection approval and/or issuance of a certificate of occupancy or issuance of a temporary certificate of occupancy) shall not be construed as approval of a violation of the provisions of this Code, or other relevant laws, ordinances, rules and/or regulations. Approvals presuming to give authority to violate or cancel the provisions of this Code, or other relevant laws, ordinances, rules and/or regulations are not valid.

The building official may, in writing, suspend or revoke any such approvals or certificates whenever the building official determines that the approval or certificate was issued in error, or on the basis of incorrect information supplied, or when it is determined that the building, structure or premises, or portion thereof, is in violation of any provision of this Code, or other relevant laws, ordinances, rules and/or regulations. Any certificate of occupancy or temporary certificate of occupancy so issued shall be surrendered upon request of the building official.

**R110.2 Un-permitted Structures.** No person shall use, occupy or maintain any un-permitted structure

**R110.3 Changes in Use.** Changes in the character or use of a building shall not be made except as specified in Chapter 34 of the California Building Code.

**R110.4 Issuance of a Certificate of Occupancy.** When the building, structure or premises, or portion thereof, has passed final inspection, and when the building, structure or premises complies with this Code, or other relevant laws, ordinances, rules and regulations, and the required fees have been paid, the building official, upon request of the applicant, shall issue a certificate of completed construction which shall contain the following:

1. The building permit number.
2. The address of the building or structure.
3. A description of that portion of the building for which the certificate is issued.
4. A statement that the described portion of the building was inspected and found to substantially comply with the requirements of this Code, or other relevant laws, ordinances, rules and regulations for the group and division of occupancy and the use for which the proposed occupancy is classified.
5. The date the permit was approved.
6. Any other information deemed necessary by the building official.

**R110.5 Issuance of a Temporary Certificate of Occupancy.** If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, the building official may issue a temporary certificate of occupancy for the use of a portion or portions of a building, structure or premises, prior to the completion of the entire building, structure or premises, or portion thereof.

Such temporary certificate of occupancy shall be valid for a period of time to be specified by the building official. Upon request of the owner or permittee the building official may, in writing, extend the temporary certificate of occupancy when it is determined that the circumstances so warrant. After the expiration of a temporary certificate of occupancy and any extension(s) thereof, the building, structure or premises, or portion thereof, shall not be used or occupied until the building official has approved the building for such use or occupancy.

**R110.7 Continued Use of Un-permitted and/or Non-complying Conditions.** When deemed appropriate by the building official, a certificate of continued use of un-permitted and/or non-complying condition(s) may be issued. The certificate shall not be issued until documentation, satisfactory to the building official, has been provided indicating that 1) the un-permitted and/or non-complying condition(s) were not created by the current owner, and 2) that the current owner had no knowledge that the conditions were un-permitted and/or non-complying at the time of purchase.

An application shall be completed which states 1) that the continued use of the existing un-permitted construction and or non-complying conditions is permitted by the City only with the owner's understanding that the City in no way assumes responsibility for the method of construction or the materials used; and 2) that it is further understood that this application for continued use is not to be construed as being equivalent in any way to a building permit.

An inspection shall then be made by the building official. Where necessary, permits shall be issued to correct any conditions deemed to pose a potential threat to life, limb or property. Once the inspection(s) have been made; all necessary permits have been obtained, inspected and approved; and all obvious potential threats to life, limb or property have been corrected, the building official may approve the application for un-permitted construction and or non-complying condition(s). When approved by the building official, conditions deemed not to pose a potential threat to life; limb or property may be permitted to remain.

If a structure for which a certificate of continued use of un-permitted and/or non-complying condition has been issued is thereafter altered, modified, repaired, moved, improved, converted, equipped or demolished and the valuation of such work exceeds \$5,000, the structure must thereafter be brought into full compliance with all then applicable laws, including but not limited to current building standards and zoning regulations, and a new permit shall first be obtained from the building official.

11. Section R111 is deleted.
12. Section R112 is deleted.
13. Section R113 is deleted.
14. Section R114 is amended to read as follows:

#### **SECTION R114 STOP WORK ORDER**

**R114.1 Authority.** Whenever the building official finds any work regulated by this Code being performed without City approval or permit or in a manner either contrary to the provision of this Code or dangerous or unsafe, the building official is authorized to issue a stop work order.

**R114.2 Issuance.** A stop work order shall be issued to the owner of the property subject to the stop work order, to the person performing work subject to the stop work order, or to both. Upon service of a stop work order as described in Section R114.3 or R114.4, the site that is subject to the stop work order shall be vacated and secured, and no person shall re-enter the site without first obtaining approval of the building official.

**R114.3 Service (Non-Imminent Hazard).** A stop work order shall be served upon the owner of the property subject to the stop work order,

upon the person performing work subject to the stop work order, or upon both. Service upon either the owner of the property or the person performing work subject to the stop work order shall be deemed effective and valid upon all responsible persons. Except as set forth in Section R114.4, service shall be made by posting the stop work order(s) on the main entrance to the building, structure, or property on which the work subject to the stop work order is being performed, and by one of the following:

a) Personal service upon the owner of the property subject to the stop work order, the person performing the work subject to the stop work order, or upon any agent of the property owner or person performing the work subject to the stop work order; or,

b) By deposit in the United States mail in a sealed envelope, postage prepaid, addressed to such person to be notified, at his last known business or residence address as the same appears in the public records of the City or other records pertaining to the matter to which such notice is directed.

Service shall be deemed complete upon the posting of the stop work order, personal delivery of the stop work order upon the property owner, the person performing the work, or any agent of the property owner or person performing the work, or at the time the stop work order is deposited with the United States Postal Service, whichever occurs first. Failure of the property owner to receive actual notice of the issuance of the stop work order shall not invalidate the stop work order or any proceeding arising from the issuance of the stop work order.

**R114.4 Service (Imminent Hazard).** If the building official determines that work being performed presents an immediate hazard to the life, limb, property, or safety of the occupants of the subject property or other persons, or could result in an illicit discharge as defined by Chapter 10-4 of this Code, a stop work order may be served orally upon the owner of the property, the person performing the work subject to the stop work order, or the agent of the property owner or person performing the work subject to the stop work order. In such instances, the building official shall issue and serve a written stop work order in accordance with sections R114.2 and R114.3 within 1 business day after the oral notice is given, but service shall be deemed effected upon the giving of the oral stop work order.

**R114.5 Violation.** It shall be unlawful and a misdemeanor for any person to remove, alter, mutilate, obscure, cover, or otherwise damage a stop work order. It shall be unlawful and a misdemeanor for any person to continue or re-commence work subject to a stop work order, or to remain in, enter, or occupy the site subject to the stop work order, without first obtaining approval from the building official, or to otherwise violate any condition of a stop work order.

15. A new Section R115 is added to read as follows:

## SECTION R115 UNSAFE STRUCTURES AND EQUIPMENT

**R115.1 Conditions.** Structures, both new and existing, and equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which are a fire hazard or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance shall be deemed in an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section and prescribed by law. A vacant structure or building that is not secured against entry shall be deemed unsafe to occupy.

**R115.2 Record.** The building official shall cause a report to be filed in the City records on an unsafe condition. The report shall state the occupancy of the structure and the unsafe condition.

**R115.3 Notice.** If an unsafe condition is found, the building official shall serve on the owner, or person in control of the structure or premises, or any agent of such owner or person in control, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

**R115.4 Method of service.** Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with a return receipt requested; or (c) delivered in any other manner as prescribed by law. If the certified or registered letter is returned showing the letter was undelivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

**R115.5 Restoration.** If the structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition, to the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure or equipment, such repairs, alterations, additions or change of occupancy shall comply with the requirements of section 110 and Chapter 34 of the California Building Code.

16. A new Section R116 is added to read as follows:

## SECTION R116 – On Site Fencing During Construction

**R116.1 General.** A fence shall be provided any time grading, demolition, or construction work requiring a grading or building permit is performed. The fence shall totally enclose the perimeter of all property. Locking gates may be provided at any location.

**EXCEPTIONS:** 1) When approved by the building official, a fence need not enclose residential property when at least one dwelling is continuously occupied. Approval not to fence the property may be revoked in writing by the building official if the property is found to be unoccupied for any length of time. For the purposes of this exception, continuously occupied is not intended to imply that the occupants must be continuously present. 2) When approved by the building official, the fence may enclose areas other than the perimeter of the property.

**R116.2 Fence Construction.** The fence shall be a minimum 6 feet in height measured from adjacent grade on the exterior side of the fence, and constructed from chain link, lumber, masonry or other approved materials. The fence shall be self-supporting and shall not incorporate structures or fencing on adjacent property without written approval of the adjacent property owner.

**R116.3 Duration of Fencing.** The fence shall be erected prior to start of any grading, demolition, or construction work and shall remain in place until the work for which a grading or building permit is required has been completed.

**EXCEPTIONS:** 1) All or portions of the fence may be removed daily during construction so long as the property is continuously occupied, and all portions of the removed fence are replaced prior to the property being unoccupied. 2) When approved by the building official, the fence may be removed prior to completion of the grading, demolition, or construction work, if the property is determined by the building official to no longer pose an unsafe or hazardous condition.

**R116.4 Failure to Comply.** If the property is found unfenced and the building official determines that an unsafe or hazardous condition exists, the City may take action to correct the non-complying condition by providing the required fence. The building official may then issue a notice to stop work until all fees incurred by the City to properly fence the property have been recovered. If such fees have not been recovered by the City within 30 days, the City may take action to recover the costs in accordance with the requirements of this Code.

17. A new Section R117 is added to read as follows:

**R117.1 General.** All private swimming pools, spas, enclosures, and associated safety devices regarding one and two family dwellings shall comply with California Building Code, Section 3109.

**R117.2 Pool Barriers.** The minimum height of any required pool barrier shall not be less than 60 inches above finished grade.

b. To address specific geological circumstances in the City, Chapter 3 of the California Residential Code is hereby amended to read as follows:

1. Section R301.1.3.2 is hereby amended to read as follows:

**R301.1.3.2 Wood Frame Structures.** The building official shall require construction drawings and supporting documentation to be approved, stamped, and signed by a California licensed architect or engineer for all dwellings of wood framed construction more than two stories and basement in height located in Seismic Design Category A, B, or C. Notwithstanding other sections of law, the law establishing these provisions is found in Business and Professions Code Section 5537 and 6737.1.

The building official shall require construction drawings and supporting documentation to be approved, stamped, and signed by a California licensed architect or engineer for all dwellings of wood framed construction more than one story in height or with a basement located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>.

2. Section R301.2.2.2.5 is here hereby amended to read as follows:

**R301.2.2.2.5 Irregular Buildings.** Prescriptive construction as regulated by this code shall not be used without exception for irregular structures when located in Seismic Design Categories D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>. Irregular portions of structures shall be designed by a California licensed architect or engineer with accepted engineering practices and in accordance with the California Building Code to the extent the irregular features affect the performance of the remaining structural system. When the forces associated with the irregularity are resisted by a structural system designed in accordance with the California Building Code and with accepted engineering practice, design of the remaining building shall be permitted using the provisions of this code. Irregular buildings shall be as identified in the California Residential Code and Section R301.

c. To address specific geological circumstances in the City, Chapter 4 of the California Residential Code is hereby amended to read as follows:

1. Section R401.1 is hereby amended to read as follows:

**R401.1 Application.** The provisions of this chapter shall control the design and construction of foundations for all buildings. In addition to the provisions of this chapter, the design and construction of foundations in areas prone to flooding as established by R301.2 (1) shall meet the provisions of R322. Wood foundations shall be designed in accordance with AF&PA PWF.

Wood foundations in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>, are prohibited.

**Exception:** In non-occupied or habitable, single story, detached storage buildings and similar utility structures other than a carport or garage, provided the area does not exceed 200 square feet and the roof is less than 12 feet in height above grade plane with no more than 24 inch projections.

2. Section R403.1.2 is hereby amended to read as follows:

**R403.1.2 Continuous Footings in Seismic Design Categories D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>.** The braced wall panels and shear wall panels located at exterior walls of buildings located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub> shall be supported by continuous footings. All required interior brace wall panels and shear wall panels in buildings shall also be supported by continuous footings.

3. Section R403.1.5 is hereby amended to read as follows:

**R403.1.5 Slope.** The top surface of footings shall be level. The bottom surface of footings shall be permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings shall be stepped when necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than one unit vertical in 10 units horizontal (10-percent slope).

For structures and buildings located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>, stepped footings shall be reinforced with (4) ½ inch diameter (12.7mm) deformed reinforcing bars. Two bars shall be placed at the top and bottom of the footings.

c. To address specific geological circumstances in the City, Chapter 6 of the California Residential Code is hereby amended to read as follows:

4. Note j. is added to Table R602.3 (1) to read as follows:

j. The use of staples shall be prohibited in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>.

5. Note g. is added to in Table R602.3 (2) to read as follows:

g. The use of staples shall be prohibited in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>.

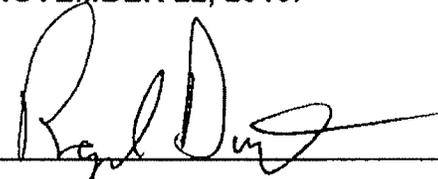
6. Note d. is added to Table R602.10.1.2 (2) to read as follows:

d. Methods GB and PCP brace wall panel h/w ratio shall not exceed 1:1 in SDC D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>. Methods DWB, SFB, PBS, and HPS are not permitted in SDC D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>.

7. Note a. is added to Table R602.10.2 to read as follows:
  - a. Methods GB and PCP brace wall panel h/w ratio shall not exceed 1:1 in SDC D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>. Methods DWB, SFB, PBS, and HPS are not permitted in SDC D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>. Wood structural panels shall be minimum 15/32" with 8d (2 1/2" x 0.131) common nails at 6" spacing (panel edge) and 12" spacing (field) with a minimum 3/8" edge distance to panel edges.
8. Note a. is added to Figure R602.10.3.2 to read as follows:
  - a. Wood panel sheathing shall be a minimum 15/32" thick and the use of box nails shall be prohibited in SDC D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>. Footing reinforcement shall be lapped a minimum of 24".
9. Note a. is added to Figure R602.10.3.3 to read as follows:
  - a. Wood panel sheathing shall be a minimum 15/32" thick, 24" in width and the use of box nails shall be prohibited in SDC D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>.
10. Note a. is added to Table R602.10.4.1 to read as follows:
  - a. Panel thickness regarding Methods C-WSP and CS-G shall be a minimum 15/32" and nails shall be 8d common (2" x 0.113") at 6" spacing at all panel edges and 12" on center in the field in Seismic Design Category D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>.
11. Note a. is added to Figure R602.10.4.1.1 to read as follows:
  - a. Wood panel sheathing shall be a minimum 15/32" thick, 24" in width, the use of box nails shall be prohibited, and steel plate washers shall be a minimum 3" x 3" x .229" in SDC D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>.
12. Section R602.10.7.1 is deleted in its entirety.
13. The Exception under Section R602.3.2 is deleted in its entirety.

**SECTION 4.** This Ordinance shall take effect thirty (30) days after its adoption. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance, and for which building permits are obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be exempt from the provisions of this Ordinance and shall remain subject to the provisions of the chapter of the Bellflower Municipal Code and the code adopted by reference therein. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance but for which building permits are not obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be subject to all provisions of this Ordinance and the code adopted by reference in this Ordinance. The City Clerk, or her duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be posted as required by law.

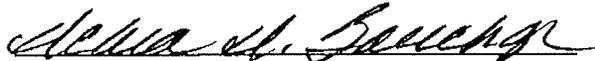
ORDINANCE NO. 1200 HAD ITS FIRST READING ON NOVEMBER 8, 2010, ITS SECOND READING ON NOVEMBER 22, 2010, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF NOVEMBER 22, 2010.

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Raymond Dunton, Mayor

ATTEST:

Debra D. Bauchop, City Clerk

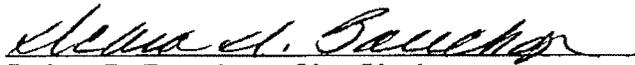
STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF BELLFLOWER )

I, **Debra D. Bauchop**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 1200 had its first reading on November 8, 2010, its second reading on November 22, 2010, and was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of November 22, 2010, by the following vote to wit:

**AYES:** Council Members – Koops, Smith, Larsen, Bomgaars, and Mayor Dunton

Ordinance No. 1200 was posted at City Hall, the Clifton M. Brakensiek Library, John S. Simms Park, the Bellflower Sheriff's Substation, and T. Mayne Thompson Park; and the Ordinance, effective date, and vote will be published on Monday, November 29, 2010, in the Public Notices Section of the *Long Beach Press-Telegram*, pursuant to Government Code Section 36933 and City Council action of October 9, 2006.

**Dated: November 23, 2010**



**Debra D. Bauchop, City Clerk  
City of Bellflower, California**

(SEAL)

**CITY OF BELLFLOWER**

**ORDINANCE NO. 1201**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER REPEALING CHAPTER 15.08 OF THE BELLFLOWER MUNICIPAL CODE AND ADDING THERETO A NEW CHAPTER 15.08 (ADOPTING BY REFERENCE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3 - THE 2010 CALIFORNIA ELECTRICAL CODE) AND MAKING AMENDMENTS THERETO**

**WHEREAS**, the 2010 California Electrical Code referencing the 2008 National Electrical Code was published by the State Building Standards Commission in 2010; and

**WHEREAS**, the City is required to adopt the 2010 California Electrical Code but permitted to make certain amendments thereto.

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

**SECTION 1.** Chapter 15.08 of the Bellflower Municipal Code is hereby repealed; however, such repeal shall not affect or excuse any violation of said chapter that occurred prior to the effective date of this ordinance, nor shall such repeal impede, impact, or negate any administrative, civil, or criminal enforcement of said chapter that occurred prior to the enforcement date of this ordinance

**SECTION 2.** A new Chapter 15.08 is hereby added to the Bellflower Municipal Code to read as follows:

**CHAPTER 15.08**

**ELECTRICAL CODE**

**Sections:**

**15.08.010 Electrical Code - Adopted by Reference; Where Filed  
15.08.020 Amendments**

**15.08.010 Electrical Code - Adopted by Reference; Where Filed**

California Code of Regulations, Title 24, Part 3 (the 2010 California Electrical Code) is hereby adopted by reference as the Electrical Code of the City of Bellflower.

In accordance with California Government Code Section 50022.6, one (1) copy of said 2010 California Electrical Code shall remain on file with the building official within the Community Development Department and shall be at all times maintained by the building official for use and examination by the public.

**15.08.020 Amendments**

The 2010 California Electrical Code is hereby amended by adding thereto the following provisions:

- a. Article 80 is added to read as follows:

**ARTICLE 80. ADMINISTRATION**

**SEC. 80-1 Title.** California Code of Regulations, Title 24, Part 3 (the 2010 California Electrical Code) as adopted and amended by the City shall be known as the Electrical Code of the City of Bellflower and may be cited as such. References to "this Code" contained in any provision enacted by Chapter 15.08 of the Bellflower Municipal Code shall refer to the Electrical Code of the City of Bellflower.

**SEC. 80-2 Purpose and Intent.** The purpose of this Code is to provide minimum standards to safeguard the public health, safety and general welfare by regulating the design, construction, installation, quality of materials, location, operation and maintenance of equipment and appliances as specifically set forth herein. Consistent with this purpose, the provisions of this Code are intended and always have been intended to confer a benefit on the community as a whole and are not intended to establish a duty of care toward any particular person.

This Code shall not be construed to hold the City or any officer, employee or agent thereof responsible for any damage to persons or property by reason of any inspection authorized herein or by reason of the issuance or non-issuance of any permit authorized herein, and/or for any action or omission in connection with the application and/or enforcement of this Code. By adopting the provisions of this Code, the City does not intend to impose on itself, or its officers, employees or agents any mandatory duties of care toward persons and property within its jurisdiction so as to provide a basis of civil liability for damages.

This section is declaratory of existing law and is not to be construed as suggesting that such was not the purpose and intent of previous Code adoptions.

**SEC. 80-3 Scope.** The provisions of this Code shall apply to the erection, alteration, installation, repair, movement, improvement, removal connection or conversion of any electrical equipment and/or appliances or any other electrical work regulated by this Code within the City.

**Exception:** The provisions of this Code shall not apply to public utilities; or to electrical wiring for street lighting or traffic signals located primarily in a public way; or to mechanical equipment not specifically regulated in this Code. The provisions of this Code shall not apply to any electrical work performed by or for any electrical corporation, telephone corporation, telegraph corporation, railroad corporation or street railroad corporation on or with any electrical equipment owned or controlled and operated, or used by and for the exclusive benefit of, such corporation in the conduit of its business as a public utility, or to any other work which any such corporation may be entitled by law to perform without payment of any local tax; but all provisions of this Code shall apply insofar as they may consistently with the above be applicable to all other electrical work performed by or for any such corporation.

The terms "electrical corporation", "telephone corporation", "railroad corporation", and "street railroad corporation" are herein used as said terms are respectively defined in the Public Utility Code of the State of California; and such terms shall also be deemed to include similar utilities which are municipally or governmentally owned and operated.

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

In the event any differences in requirements exist between the accessibility requirements of this Code and the accessibility requirements of the California Building Standards Code, then the California Building Standards Code shall govern.

**80-4 Definitions.** In addition to definitions specified elsewhere in this Code, the following certain terms, phrases, words and their derivatives shall be construed as specified in this section. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine.

In the event of conflicts between these definitions and definitions that appear elsewhere in this Code, these definitions shall govern and be applicable for purposes of the Electrical Code of the City of Bellflower.

1. **BUILDING AND SAFETY DIVISION or BUILDING DEPARTMENT** shall mean the Building and Safety Division of the City Community Development Department.
2. **BUILDING OFFICIAL** shall mean the Director of Community Development or other designated authority charged with the

administration and enforcement of this Code, or the director's duly authorized representative.

3. **CHIEF ELECTRICAL INSPECTOR** shall mean the building official.
4. **HOMEOWNER** is the owner of a single-family residence, including common accessory and minor poultry, animal or agricultural buildings where there is not more than one dwelling unit on the property.
5. **NONINSPECTED WORK** shall mean any erection, alteration, installation, repair, movement, improvement, removal, connection or conversion of any electrical equipment and/or appliances or any other electrical work regulated by this Code within the City without first obtaining inspection by and approval of the building official.

#### **SEC. 80-5 VIOLATIONS AND PENALTIES**

- a. **Compliance with Codes.** It shall be unlawful for a person to erect, alter, install, repair, move, improve, remove, connect or convert, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.
- b. **Violation.** It shall be unlawful for any person to own, use, occupy or maintain any equipment or appliance, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.
- c. **Penalty.** Any person, firm or corporation violating any of the provisions of this Code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted. Upon conviction of any such violation such person shall be punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months, or by both such fine and imprisonment. The provisions of this section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this Code.
- d. **Work without Permit.** Whenever any work has been commenced without a permit issued pursuant to the provisions of Section 81-2, a special investigation shall be made prior to the issuance of the permit. An investigation fee shall be collected for each permit to determine the extent of the work performed. An additional penalty permit fee equal to the cost of the electrical permit shall also be assessed at

the time of permit issuance. At the discretion of the building official, the penalty permit fee may be reduced or waived when just cause is provided. The investigation and penalty permit fees shall be as specified by resolution of the City Council.

The payment of the investigation fee and penalty permit fee shall not exempt any person from compliance with all other provisions of this Code or from any penalty prescribed by law.

- e. **Noncompliance Fee.** If the building official, in the course of enforcing the provisions of this Code or any State law, issues an order to a person and that person fails to comply with the order within 10 days following the due date for compliance stated in the order, including any extensions thereof, then the building official shall have the authority to collect a noncompliance fee.

The noncompliance fee shall not be imposed unless the order states that a failure to comply within 10 days after the compliance date specified in the order will result in the fee being imposed. No more than one such fee shall be collected for failure to comply with an order. The payment of the investigation fee shall not exempt any person from compliance with all other provisions of this Code or from any penalty prescribed by law.

#### **SEC. 80-6 ORGANIZATION AND ENFORCEMENT**

- a. **Building and Safety Division.** The provisions of Sections 103 and 104 of the Building Code of the City of Bellflower shall govern the powers and duties of the building official in administration of this Code.
- b. **Stop Work Orders.** Whenever any electrical work is being done contrary to the provisions of this Code, or other pertinent laws or ordinances implemented through the enforcement of this Code, the building official may order the work stopped. Stop work orders shall be governed by the provisions of Section 115 of the Building Code of the City of Bellflower.
- c. **Use Violations.** Whenever any equipment or appliance or portion thereof is being used contrary to the provisions of this Code, the building official may order such use discontinued. Such person shall immediately discontinue the use. The use shall remain discontinued until the non-complying condition has been corrected, and inspection and

approval has been obtained from the building official. Permits shall be issued where required by this Code.

- d. **Existing Equipment and Appliances.** Existing equipment and/or appliances lawfully installed prior to the effective date of this Code may have their existing use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and is not a hazard to life, health, or property.
- e. **Dangerous Construction, Equipment and Appliances.** Whenever it is brought to the attention of the building official that any construction or equipment regulated by this Code is dangerous, unsafe, or a menace to life, health or property or is in violation of this Code, the building official shall have the authority to make an investigation. The building official shall have the authority to order any person, firm or corporation using or maintaining, any such condition or responsible for the use or maintenance thereof to discontinue the use of or maintenance thereof or to repair, alter change remove or demolish same, as he/she, in his/her discretion may consider necessary for the protection of life, health or property.
- f. **Service.** Whenever this Code requires a notice to be served by personal service or by registered or certified mail, it shall be deemed a reasonable effort has been made to serve such notice when registered or certified letters have been mailed to the address of the interested party(s) as shown on the official record and on the record of the County Assessor. When an address is not so listed or contact cannot be made at the listed address, the service shall be by posting a copy of the notice on the building or structure or at the premises.

**SEC. 80-7 Amendments to Ordinances.** Whenever any reference is made to any other ordinance, such reference shall be deemed to include all future amendments thereto.

- b. Article 81 is added to read as follows:

## **ARTICLE 81 ELECTRICAL PLAN REQUIREMENTS**

### **SEC. 81-1 Plan Check Requirements.**

- a. **General.** When required by the building official to verify compliance with this Code, and relevant laws, ordinances, rules and regulations, plans and, when deemed necessary by the building official, calculations, and other required data shall be submitted for plan review. The building official may require plans and calculations to be prepared by an engineer registered by the State to practice as such.

Only after the plans have been approved may the applicant apply for an electrical permit for such work.

- b. **Engineer of Record.** When it is required that documents be prepared by an engineer, the building official may require the owner to designate on the permit application an engineer who shall act as the engineer of record. If the circumstances require, the owner may designate a substitute engineer of record who shall perform all of the duties required of the original engineer of record. The building official shall be notified in writing by the owner if the engineer of record is changed or is unable to continue to perform the duties.

The engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

- c. **Plan Review Required.** Separate plan review under this Code is required for any of the following:

- (1) To verify compliance with State energy requirements when such information is not shown completely on the building plans;
- (2) Any installation of any equipment rated at 400 amperes or larger;
- (3) Any installation of a sub panel, switchboard or motor control center having a rating of 400 amperes or larger;
- (4) Any installation of a motor rated more than 10 HP;
- (5) Any installation of a transformer, generator, uninterruptible power supply (UPS), phase converter, capacitor, rectifier or other separately derived system;
- (6) Any installation of storage batteries;
- (7) Any installation of equipment rated above 600V;
- (8) All motion picture theaters;
- (9) Assembly rooms having an occupant load exceeding 300 occupants;
- (10) All gas stations, repair garages and similar locations classified as Hazardous in Chapter 5 of this Code;

- (11) Spray booths;
- (12) Installation of lighting fixtures weighing more than 300 pounds;
- (13) Installation of any illuminated sign;
- (14) Any installation in a building of Type I, Type II-A, Type III-A, Type IV, or Type V-A fire-resistive construction where penetrations are required of fire-resistive walls, floors or ceilings.

Plans, calculations, reports or documents for work regulated by this Code, or by relevant laws, ordinances, rules and regulations shall bear the seal, signature and number of an electrical engineer when required by the California Business and Professions Code or the building official. A seal and number shall not be required for work authorized by State law to be performed by a person not registered or certified as an engineer or architect as provided within the California Business and Professions Code or otherwise approved by the building official.

- d. **Information Required on Electrical Plans.** Plans shall be drawn to scale upon substantial paper or other material suitable to the building official shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner and all persons who were involved in the design and preparation of the plans. Where the scope of the proposed work involves the following, unless otherwise approved by the building official, the electrical plans shall indicate the following:

- (1) A complete floor plan showing the location of the proposed service and all proposed sub panels, switchboards, panel boards and/or motor control centers. All required working space dimensions shall also be indicated where required by the building official;
- (2) A complete plan showing the layout, conductor size and insulation type for all proposed electric wiring in all parts of the building or structure;

- (3) A legend of all symbols used and a list of all abbreviations used;
- (4) A complete single line diagram with complete system grounding, water pipe bonding and other metal pipe bonding as required by the building official;
- (5) The location of all proposed outlet boxes for switches, lights, receptacles and similar devices in all parts of the building or structure;
- (6) The location, voltage and wattage or ampere rating for each non inductive piece of equipment;
- (7) The location, voltage and wattage or ampere rating for each transformers, capacitor, ballast, converter, frequency changer and/or similar equipment;
- (8) The location, voltage and horsepower rating for all motors, generators and similar equipment;
- (9) The horsepower rating for all disconnects protecting more than one motor or protecting any piece of HVAC equipment containing more than one motor;
- (10) Panel schedules for all proposed sub panels and similar equipment;
- (11) Any other information requested by the building official.

Plans for all occupancies shall indicate how required fire-resistive integrity will be maintained where a penetration will be made for electrical and communication conduits, pipes and similar systems.

When deemed necessary by the building official, the first sheet of each set of plans shall indicate the building Type of Construction as defined in the Building and Electrical Codes of the City of Bellflower in effect on the date of plan check submittal.

- e. **Deferred submittals.** For the purposes of this section deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The engineer of record shall list the

deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the intended design. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

- f. **Expiration of Plan Check Applications.** Plan check applications for which no permit is issued within one year following the date of application shall expire by limitation and become null and void. Plans and calculations previously submitted may thereafter be returned to the applicant or destroyed by the building official, except as otherwise required by State law.

When requested in writing by the applicant prior to or not more than 90 days after the expiration of the plan check application, the building official may extend the time for action by the applicant. The time for action by the applicant shall not be extended beyond the effective date of a new Electrical Code. Additional fees for plan review in an amount established by resolution of the City Council shall be paid to process such request.

Once an application and any extension thereof has expired, the applicant shall resubmit plans and calculations and pay a new application fee.

- g. **Retention of Plans.** One set of approved plans, calculations and reports shall be retained by the building official. Except as required by Section 19850 of the Health and Safety Code, the building official shall retain such set of the approved plans, calculations and reports for a period required by law.

#### **SEC. 81-2 Electrical Permit Requirements.**

- a. **Electrical Permit Required.** No person shall erect, alter, install, repair, move, improve, remove, connect or convert, or cause the same to be done, any electrical equipment without first obtaining an electrical permit from the building official.

The issuance of a permit without first requiring a plan review shall not prevent the building official from requesting plans

deemed necessary to verify that the work performed under said permit complies with this Code and all relevant laws, ordinances, rules and regulations.

b. **Work Exempted From Electrical Permit.** An Electrical Permit shall not be required for the following:

- (1) Minor repair work such as the replacement of lamps, switches, receptacles and sockets which were previously permitted and inspected under a valid electrical permit;
- (2) Connection of portable generators, motors, appliances, tools, power outlets and other portable equipment connected by means of a cord or cable having an attachment plug to a permanently installed receptacle which, was previously permitted and inspected under a valid electrical permit;
- (3) Repair or replacement of over-current devices;
- (4) The wiring for temporary theater, motion picture or television stage sets;
- (5) The repair or replacement of ground, slab, floor or roof mounted fixed motors or appliances of the same type and rating in the same location and which were previously permitted and inspected under a valid electrical permit. **Note:** Suspended or wall mounted equipment may be exempted from electrical permit requirements only after documentation has been submitted to and reviewed by the building official for adequate seismic anchorage. Separate building permit(s) may be required;
- (6) That portion of electrical wiring, devices, appliances, apparatus, or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy;
- (7) That portion of telephone, intercom, sound, alarm, control, communication and/or signal wiring that is not an integral part of an appliance, and which operates at 30 volts or less. **Note:** Separate permit may be required from the Fire Department;
- (8) Temporary decorative lighting which is not installed for more than 90 days;

- (9) The installation of temporary wiring for testing or experimental purposes within suitable facilities specifically approved by the building official for such use.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of other laws or ordinances.

- (c) **Permit Applicant Requirements.** An applicant for electrical permit where the work, including labor and materials, exceeds five hundred dollars (\$500) in value shall be a licensed contractor or homeowner. A permit shall only be issued to such homeowner where the work authorized under any such permit is performed by the person to whom the permit is issued, or by a member of his or her immediate family, and the structure is occupied by the owner or the tenant applying for the permit.
- (d) **Application for Permit.** To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the City for that purpose. Each such application shall:
  - (1) Identify and describe the work to be covered by the permit for which application is made.
  - (2) Describe the land on which the proposed work is to be done by lot, block, tract, street address, or similar description that will readily identify and definitely locate the proposed building or work.
  - (3) Be accompanied by plans and calculations as required in Section 81-1.
  - (4) Give such other information as reasonably may be required by the building official.
- (e) **Issuance.** The building official shall issue a permit to the applicant for the work described in the application and plans filed therewith when the building official is satisfied that all of the following items comply:
  - (1) The work described conforms to the requirements of this Code, relevant laws, ordinances, rules and regulations.
  - (2) The fees specified by resolution or ordinance have been paid.

- (3) The applicant has obtained a permit pursuant to Public Resource Code Section 30600 et seq., if such a permit is required.

When the building official issues the permit, the building official shall endorse in writing or stamp on both sets of plans "REVIEWED FOR CODE COMPLIANCE ONLY". Such stamped plans shall not be changed, modified or altered without authorization from the building official, and all work shall be done in accordance with the Code in effect at the time of permit issuance regardless of the information presented on the plans. The approval of the plans shall not be held to permit or to be an approval of any violation of any Federal, State, County, or City laws or ordinances. The issuance of a permit shall not be deemed to certify that the site of the described work is safe.

One set of approved plans and reports shall be returned to the applicant to be kept on such building or work site at all times while the authorized work is in progress.

- (f) **Permit Validity.** The issuance or granting of a permit or approval of plans and calculations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code, relevant laws, ordinances, rules and regulations. No permit presuming to give authority to violate or cancel the provisions of this Code, relevant laws, ordinances, rules and regulations shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit based on plans and calculations shall not prevent the building official from thereafter requiring the correction of errors in said plans and calculations or from preventing building operations being carried on there under when in violation of this Code, relevant laws, ordinances, rules and regulations.

- (g) **Expiration of Permit – General.** Every electrical permit issued for property within the City of Bellflower shall expire by limitation and become null and void as follows:
- (i) Every permit issued by the building official under the provisions of this Code shall expire and become null and void unless such work is commenced within 180 days from the date of permit issuance; or if a successful inspection has not been obtained from the building official within one year from the date of issuance. The building official may extend the time for action by the applicant in writing for a period not

exceeding 180 days beyond the initial one year limit upon written request by the applicant, filed with the building official prior to expiration of the original permit;

- (ii) In the event of permit expiration and before work for which such permit was required can be commenced or recommenced, a new permit shall first be obtained (hereafter, a "renewal permit"). The applicant must pay all applicable renewal fees, in the amount then established by **resolution of the City Council**. If a renewal permit is applied for, the building official shall have the discretion to request a site inspection prior to its issuance and a miscellaneous inspection fee shall be paid by the applicant prior to inspection. The inspection fee shall be as specified by resolution of the City Council. In addition, the applicant may be required to resubmit plans and specifications, when deemed necessary by the building official to verify compliance with the building codes, ordinances, regulations, standards, and laws in effect at the time the renewal permit is applied for.
- (iii) Upon issuance of a renewal permit, the building official may allow the applicant to commence or recommence such work from the last successful inspection of record under the original permit. When an expired building permit includes expired sub-permits, activation of the renewal permit shall activate all subsequent expired sub-permits. All work to be performed under a renewal permit must be completed in accordance with the building codes, ordinances, regulations, standards, and laws in effect on the date of issuance of the renewal permit.
- (h) **Permit Suspension or Revocation.** The building official may, in writing, suspend or revoke a permit issued under the provisions of this Code, relevant laws, ordinances, rules and regulations whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this Code.

The building official may also, in writing, withhold inspections, suspend or revoke a permit where work is being done in violation of this Code, where work is being done in violation of the approved plans, where work is being concealed without approval from the building official or where work is not in accordance with the direction of the building official.

- (i) **Cancellation of Permit by Applicant.** If no portion of the work or construction covered by a permit issued by the building official under the provisions of this Code or relevant laws, ordinances, rules and regulations has been commenced, the person to whom such permit has been issued may deliver such permit to the building official with a request that such permit be cancelled. Only the person to whom such permit was issued can request cancellation of a permit. The building official shall thereupon stamp or write on the face of such permit the words, "Cancelled at the request of the applicant." Thereupon such permit shall be null and void and of no effect.
- (j) **Transfer of Permit by Applicant.** When requested in writing by the person to whom the permit was issued, a permit may be transferred from the person to whom the permit was issued to a new individual. Fee credit shall be given where deemed appropriate by the building official and new fees shall be paid as required by ordinance or resolution.

**SEC. 81-3 Fees.** All permit fees shall be in the amount then established by resolution of the City Council. All permit fees shall be paid at the time of the initial plan review submittal or when plan review is not required, at the time of permit issuance.

**SEC. 81-4 Permit Refunds.** In the event that an applicant has submitted for plan review or obtained a permit and no portion of the review, work, or construction covered by such permit has been commenced, the applicant may submit a written request to the building official requesting a refund of permit fees. At the discretion of the building official, permit fees or a portion of the permit fees not to exceed 80% may be refunded to the permit applicant. The building official shall satisfy himself or herself as to the right of such applicant to such refund, and each such refund shall be paid to the permit applicant, provided the request has been submitted within one year from the date of cancellation or expiration of the permit.

- c. Article 82 is added to read as follows:

#### **ARTICLE 82 INSPECTIONS.**

**SEC. 82-1 General.** All new electrical work for which a permit is required shall be subject to inspection by the building official and all such work shall remain accessible and exposed for inspection purposes until approved by the building official. All new electrical work, and such portions of existing systems as may be affected by new work, or any changes, shall be inspected by the building official to insure compliance with all the requirements of this Code, relevant laws, ordinances, rules or regulations.

No work shall be approved by the building official which was not completely verified. Partial or spot inspections shall not be performed by the building official, nor shall partial or spot inspection be used as a justification for approving any required inspection.

Approval as a result of an inspection shall not be construed to be an approval of a violation of any provision of this Code, relevant laws, ordinances, rules or regulations. Inspections presuming to give authority to violate or cancel the provisions of this Code, relevant laws, ordinances, rules and regulations shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the City shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

It shall be the duty of the permit applicant to provide access for the inspector to the area of work. Access may include, but shall not be limited to, ladders, scaffolding, catwalks and lifts. It shall be the duty of the permit applicant to maintain a safe access path for the inspector to the area of work. Safety precautions may include, but shall not be limited to handrails, guardrails and safety harnesses. All components of the access path shall be securely anchored in place. The electrical inspector shall have the right to refuse to make any inspection in an area which does not have an access path deemed safe for use by said electrical inspector. It shall be the duty of the permit applicant to make any necessary improvements to the access path to allow inspection by the electrical inspector.

It shall be the duty of the permit applicant to protect all existing construction from damage caused during inspection. Neither the building official nor the City shall be liable for expense entailed in the removal or replacement of any material damaged during the course of inspection.

**SEC. 82-2 Inspection Requests.** It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing, by telephone or other approved methods acceptable to the building official.

It shall be the duty of the person requesting any inspection required by this Code, relevant laws, ordinances, rules and regulations to provide access to and means for inspection of such work.

**SEC. 82-3 Special Inspections.** Special inspections may be required by the building official on work involving special hazards or conditions and on work requiring extensive, unusual or constant inspection. Special inspections, when necessary, shall be accomplished by the means set forth in the City of Bellflower Building Code.

**SEC. 82-4 Required Approvals.** No work shall be done beyond the point indicated in each successive inspection without first obtaining the written approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate in writing that the work appears to comply as completed, or shall notify the applicant in writing which portion of the work fails to comply with this Code, relevant laws, ordinances, rules and/or regulations. Any work which does not comply shall be corrected and such work shall not be covered or concealed until authorized by the building official.

There shall be a final inspection and approval of all work when completed and ready for occupancy.

**SEC. 82-5 Electrical Utility Release.** When deemed appropriate by the building official, electric utilities may be released. Release of electric utility may be done prior to building final for testing and inspection purposes. The building official shall retain the right to revoke the release of electric utility for just cause, and may have the utility disconnected at the earliest availability of the utility purveyor.

Attempting to occupy prior to issuance of a certificate of completed construction, whether temporary or final, may be considered as just cause by the building official, and may result in disconnection of the utilities.

It shall be unlawful to energize or cause or permit to be energized any electrical wiring coming under the provisions of this Code, until such electrical wiring shall have been inspected and approved by the building official. Provided, however, that temporary permission may be given to furnish electric current to, or the use of electric current through any electrical wiring for a length of time not exceeding 30 days, or other reasonable period if it appears to the building official that such electrical wiring may be used safely for such purpose, and that there exists an urgent necessity for such use.

**SEC. 82-6 Authority to Disconnect Electric Utility.** The building official is hereby empowered to disconnect or to order in writing the discontinuance of electric utility service to buildings, structures or premises, or portions thereof, or wiring, devices or materials

installed without permit or found to be a hazard to life, health and/or property.

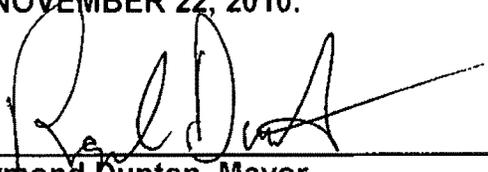
The building official shall have the power to disconnect or to order in writing the discontinuance of electric utility service as a means of preventing, restraining, correcting or abating any violation of this Code, relevant laws, ordinances, rules or regulations. The electrical service shall remain disconnected or electrical utility service shall remain discontinued until the Code violation has been abated to the satisfaction of the building official, or until the installation of such wiring devices or materials has been made safe as directed by the building official; or until a permit has been issued and the work has been inspected and approved by the building official.

**SEC 82-7 Electrical Inspector Qualifications.** All electrical inspectors in the City of Bellflower shall be certified by a nationally recognized inspector certification program. The certification program shall specifically qualify the inspector in electrical inspections. Electrical inspector applicants shall be able to demonstrate the following:

- a. Have a demonstrated knowledge of standard materials, means and methods used in the installation of electrical equipment and systems.
- b. Be well versed in approved methods of construction for safety to persons and property.
- c. Have at least one year of experience as a certified electrical inspector or 3 years experience as a journeymen level electrician or any combination of training, education and experience that is deemed equivalent and acceptable by the building official.

**SECTION 3.** This Ordinance shall take effect thirty (30) days after its adoption. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance, and for which building permits are obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be exempt from the provisions of this Ordinance and shall remain subject to the provisions of the chapter of the Bellflower Municipal Code and the code adopted by reference therein. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance but for which building permits are not obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be subject to all provisions of this Ordinance and the code adopted by reference in this Ordinance. The City Clerk, or her duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be posted as required by law.

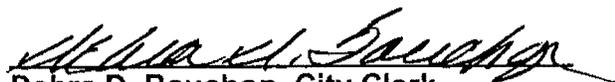
ORDINANCE NO. 1201 HAD ITS FIRST READING ON NOVEMBER 8, 2010, ITS SECOND READING ON NOVEMBER 22, 2010, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF NOVEMBER 22, 2010.



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Raymond Dunton, Mayor

ATTEST:



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Debra D. Bauchop, City Clerk

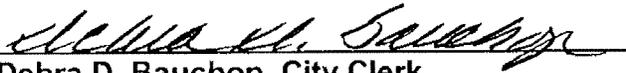
STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF BELLFLOWER         )

I, **Debra D. Bauchop**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 1201 had its first reading on November 8, 2010, its second reading on November 22, 2010, and was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of November 22, 2010, by the following vote to wit:

**AYES:** Council Members – Koops, Smith, Larsen, Bomgaars, and Mayor Dunton

Ordinance No. 1201 was posted at City Hall, the Clifton M. Brakensiek Library, John S. Simms Park, the Bellflower Sheriff's Substation, and T. Mayne Thompson Park; and the Ordinance, effective date, and vote will be published on Monday, November 29, 2010, in the Public Notices Section of the *Long Beach Press-Telegram*, pursuant to Government Code Section 36933 and City Council action of October 9, 2006.

**Dated: November 23, 2010**

  
**Debra D. Bauchop, City Clerk**  
**City of Bellflower, California**

(SEAL)

**CITY OF BELLFLOWER**

**ORDINANCE NO. 1202**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER REPEALING CHAPTER 15.12 OF THE BELLFLOWER MUNICIPAL CODE AND ADDING THERETO A NEW CHAPTER 15.12 (ADOPTING BY REFERENCE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5 – THE 2010 CALIFORNIA PLUMBING CODE) AND MAKING AMENDMENTS THERETO**

**WHEREAS**, the 2010 California Plumbing Code referencing the 2009 Uniform Plumbing Code was published by the State Building Standards Commission in 2010; and

**WHEREAS**, the City is required to adopt and amend the 2010 California Plumbing Code.

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

**SECTION 1.** Chapter 15.12 of the Bellflower Municipal Code is hereby repealed; however, such repeal shall not affect or excuse any violation of said chapter that occurred prior to the effective date of this ordinance, nor shall such repeal impede, impact, or negate any administrative, civil, or criminal enforcement of said chapter that occurred prior to the enforcement date of this ordinance.

**SECTION 2.** A new Chapter 15.12 is hereby added to the Bellflower Municipal Code to read as follows:

**CHAPTER 15.12**

**PLUMBING CODE**

**Sections:**

**15.12.010 Plumbing Code- Adopted by Reference; Where Filed  
15.12.020 Amendments**

**15.12.010 Plumbing Code - Adopted by Reference; Where Filed**

California Code of Regulations, Title 24, Part 5 (the 2010 California Plumbing Code) with amendments, is hereby adopted by reference as the Plumbing Code of the City of Bellflower.

In accordance with California Government Code Section 50022.6, one (1) copy of said 2010 California Plumbing Code shall remain on file with the building official within the Community Development Department and shall be at all times maintained by the building official for use and examination by the public.

### 15.12.020 Amendments

Division II Administration, Sections 101, 102, and 103 of the 2010 California Plumbing Code, adopted as part of the Plumbing Code of the City of Bellflower are hereby amended by modifying, adding to or deleting the following described sections to read as set forth herein.

The 2010 California Plumbing Code is hereby amended as follows:

- a. Section 101.1 is amended in its entirety to read as follows:

**SECTION 101.1 TITLE.** California Code of Regulations, Title 24, Part 5 (the 2010 California Plumbing Code) as adopted and amended by the City shall be known as the Plumbing Code of the City of Bellflower, and may be cited as such. References to "this Code" contained in any provision enacted by Section 15.12.020 of the Bellflower Municipal Code shall refer to the Plumbing Code of the City of Bellflower.

- b. Section 101.2 is amended in its entirety to read as follows:

**SECTION 101.2 PURPOSE AND INTENT.** The purpose of this Code is to provide minimum standards to safeguard public health, safety and general welfare by regulating the design, construction, installation, quality of materials, location, operation and maintenance of equipment and appliances as specifically set forth herein. Consistent with this purpose, the provisions of this Code are intended and always have been intended to confer a benefit on the community as a whole and are not intended to establish a duty of care toward any particular person.

The Codes adopted by the City shall not be construed to hold the City or any officer, employee or agent thereof responsible for any damage to persons or property by reason of any inspection authorized herein or by reason of the issuance or non-issuance of any permit authorized herein, and/or for any action or omission in connection with the application and/or enforcement of this Code. By adopting the provisions of this Code, the City does not intend to impose on itself, its employees or agents any mandatory duties of care toward persons and property within its jurisdiction so as to provide a basis of civil liability for damages.

This section is declaratory of existing law and is not to be construed as suggesting that such was not the purpose and intent of previous Code adoptions.

- c. Section 101.3 is amended in its entirety to read as follows:

### SECTION 101.3 PLUMBING PLAN REQUIREMENTS

1. **101.3.1 General.** When required by the building official to verify compliance with this Code, or relevant laws, ordinances, rules and regulations, plans and, when deemed necessary by the building official, calculations, and other required data shall be submitted for plan review. The building official may require plans and calculations to be prepared by an engineer registered by the State to practice as such. Only after the plans have been approved may the applicant apply for a plumbing permit for such work. The building official may also require such plans be reviewed by other departments and/or divisions of the City to verify compliance with the laws and ordinances under their jurisdiction.

Separate Plumbing Code plan review is required for any of the following:

- (a) Any restaurant which requires a grease trap or a grease interceptor;
- (b) Any facility which requires a sand/grease clarifier;
- (c) Plumbing Systems with more than 200 waste fixture units;
- (d) Potable water supply piping required to be 2" or larger;
- (e) Fuel gas piping required to be 2" or larger;
- (f) Fuel gas piping containing medium- or high-pressure gas;
- (g) Combination waste and vent systems;
- (h) Plumbing fixtures located below the next upstream manhole or below the sewer main;
- (i) Chemical waste systems;
- (j) Rainwater systems employing a sump pump;
- (k) Grey water systems;
- (l) Any type of sewer ejection system or lift station;

- (m) Any installation in a building of Type I-A, Type II-A, Type III-A, Type IV HT, or Type V-A fire-resistive construction where penetrations are required of fire-resistive walls, floors or ceilings.

Plans, calculations, reports, or documents for work regulated by this Code, relevant laws, ordinances, rules and regulations shall bear the seal, signature and number of a mechanical engineer when required by the California Business and Professions Code or the building official. A seal and number shall not be required for work authorized by said Code to be performed by a person not registered or certified as an engineer or architect as provided within the California Business and Professions Code or otherwise approved by the building official.

- 2. **101.3.2 Engineer of Record.** When it is required that documents be prepared by an engineer, the building official may require the owner to designate on the permit application an engineer who shall act as the engineer of record. If the circumstances require, the owner may designate a substitute engineer of record who shall perform all of the duties required of the original engineer of record. The building official shall be notified in writing by the owner if the engineer of record is changed or is unable to continue to perform the duties.

The engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

- 3. **101.3.3 Information Required on Plumbing Plans.**

Plans shall be drawn to scale upon substantial paper or other material suitable to the building official shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner and all persons who were involved in the design and preparation of the plans.

Where the scope of the proposed work involves the following, unless otherwise approved by the building official, the plumbing plans shall indicate the following:

- (a) A complete floor plan showing the location of all proposed plumbing fixtures;
- (b) A complete plan showing the layout, diameter and material of all proposed piping;
- (c) A legend of all symbols used and a list of all abbreviations used;
- (d) Any other information requested by the building official.

Plans for buildings of all occupancies shall indicate how required fire-resistive integrity will be maintained where a penetration will be made for plumbing piping and similar systems.

When deemed necessary by the building official, the first sheet of each set of plans shall indicate the building Type of Construction as defined in the City of Bellflower Building Code.

4. **101.3.4 Deferred Submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the intended design. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

5. **101.3.5 Expiration of Plan Check Applications.** Plan check applications for which no permit is issued within one year following the date of application shall expire by limitation and become null and void. Plans and calculations previously submitted may thereafter be returned to the applicant or destroyed by the building official.

When requested in writing by the applicant prior to or not more than 90 days after the expiration of the plan check application, the building official may extend the time for action by the applicant. The time for action by the applicant shall not be extended beyond the effective date of a more current Code. Additional hourly fees for plan review shall also be paid to the building official for enforcement of any requirements which were subsequently amended to the Code in effect at the time of application.

Once an application and any extension thereof have expired, the applicant shall resubmit plans and calculations and pay a new application fee.

6. **101.3.6 Retention of Plans.** One set of approved plans, calculations and reports shall be retained by the building official. Except as required by Section 19850 of the Health and Safety Code, the building official shall retain such set of the approved plans, calculations and reports for a period of not less than 90 days from date of completion of the work covered therein.

- d. Section 101.4.1 is amended in its entirety to read as follows:

**SECTION 101.4.1 SCOPE.** The provisions of this Code shall apply to the erection, alteration, installation, repair, movement, improvement, removal, connection or conversion of any plumbing equipment and/or appliances or any other plumbing work regulated by this Code within the City.

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. In the event any differences in requirements exist between the accessibility requirements of this Code and the accessibility requirements of the California Code of Regulations, Title 24 (also referred to as the California Building Standards Code), then the California Code of Regulations shall govern.

Appendix I contains a list of recommended equipment standards and is intended to serve only as a guide.

- e. Section 102.0 is amended in its entirety to read as follows:

**SECTION 102.0 ORGANIZATION AND ENFORCEMENT**

1. **102.1 Building and Safety Division.** There is hereby established a division in the City Community Development Department to be known and designated as the Building and Safety Division.

2. **102.2 Powers and Duties of the Building Official**

- (a) **102.2.1 General.** The building official is hereby authorized and directed to enforce all the provisions of this Code, relevant laws, ordinances, rules and regulations; and to make all inspections pursuant to the provisions of this Code, relevant laws, ordinances, rules and regulations. For such purposes, the building official shall have the powers of a police officer.

The building official shall have the power to render interpretations of this Code, relevant laws, ordinances, rules and regulations; and to adopt and enforce rules and supplemental regulations in order to clarify the application of the provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code.

- (b) **102.2.2** The building official is authorized to make and enforce such guidelines and policies for the safeguarding of life, limb, health or property as may be necessary from time to time to carry out the purpose of this Code.

- (c) **102.2.3 Deputies.** With the approval of the City Council, the building official may appoint such number of officers, inspectors, plans examiners and assistants, and other employees as shall be authorized from time to time. The building official may deputize such employees as may be necessary to carry out the functions of the Building and Safety Division.

(d) **102.2.4 Right of Entry**

- (1) **102.2.4.1** Whenever it is necessary to make an inspection to enforce any of the provisions of or perform any duty imposed by this Code, relevant laws, ordinances, rules and/or regulations, or whenever the building official or

an authorized representative has reasonable cause to believe that there exists in any building, structure or upon any premises any condition which makes such building, structure or premises hazardous, unsafe or dangerous for any reason specified in this Code, relevant laws, ordinances, rules and regulations, the building official or an authorized representative is hereby authorized to enter such premises at any reasonable time and to inspect the same and perform any duty imposed upon the building official by this Code, relevant laws, ordinances, rules and regulations, provided that (1) if such premises are occupied, the building official shall first present proper credentials to the occupant and request entry explaining the reasons therefore and (2) if such premises are unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the premises and request entry, explaining the reasons therefore. If such entry cannot be obtained because the owner or other person having charge or control of the premises cannot be found after due diligence or if entry is refused, the building official or an authorized representative shall have recourse to every remedy provided by law to secure lawful entry and inspect the premises.

- (2) **102.2.4.2** Notwithstanding the foregoing, if the building official or an authorized representative has reasonable cause to believe that the building, structure or premises is so hazardous, unsafe or dangerous as to require immediate inspection to safeguard the public health or safety, the building official shall have the right to immediately enter and inspect such premises and may use any reasonable means required to effect such entry and make such inspection, whether such premises is occupied or unoccupied and whether or not permission to inspect has been obtained. If the premises are occupied, the building official shall first present credentials to the occupant and demand entry.
- (3) **102.2.4.3** No person shall fail or refuse, after proper demand has been made upon such person as provided in this section, to promptly permit the building official or an authorized representative to make any inspection provided

for by Section 102.2.4.2. Any person violating this section shall be guilty of a misdemeanor and subject to the same penalties prescribed in Section 102.3.3.

3. **102.2.5 Stop Work Orders.** Whenever any plumbing work is being done contrary to the provisions of this Code, or other pertinent laws or ordinances implemented through the enforcement of this Code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.
4. **102.2.6 Use Violations.** Whenever any equipment or appliance or portion thereof is being used contrary to the provisions of this Code, the building official may order such use discontinued. Such person shall immediately discontinue the use. The use shall remain discontinued until the non-complying condition has been corrected, and inspection and approval has been obtained from the building official. Permits shall be issued where required by this Code.
5. **102.2.7 Existing Equipment, Appliances and Fixtures.** Existing equipment, appliances and/or fixtures lawfully installed prior to the effective date of this Code may have their existing use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and is not a hazard to life, health, or property.
6. **102.2.8 Dangerous Construction, Equipment, Appliances and Fixtures.** Whenever it is brought to the attention of the building official that any construction, equipment, appliances and/or fixtures regulated by this Code is dangerous, unsafe, or a menace to life, health or property or is in violation of this Code, the building official shall have the authority to make an investigation. The building official shall have the authority to order any person, firm or corporation using or maintaining any such condition or responsible for the use or maintenance thereof to discontinue the use of or maintenance thereof or to repair, alter, change, remove, or demolish same, as he/she, in his/her discretion, may consider necessary for the protection of life, health or property.
7. **102.2.9 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this Code, the building official may grant modifications for individual cases, provided the building official shall first find that a special individual reason makes the strict letter of this Code, relevant laws, ordinances, rules and regulations

impractical and that the modification is in conformity with the spirit and purpose of this Code, relevant laws, ordinances, rules and regulations and that such modification does not lessen any fire protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the City. The decision of the building official shall be final.

A written application for the granting of such modifications shall be submitted together with a filing fee established by resolution of the City Council.

8. **102.2.10: Alternate Materials and Methods of Construction.**

The provisions of this Code, and relevant laws, ordinances, rules and regulations are not intended to prevent the use of any material or method of construction not specifically prescribed by this Code, provided any such alternate has been approved. The building official may approve any such alternate, provided that he or she finds that the proposed design is satisfactory and finds that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code, relevant laws, ordinances, rules and regulations in quality, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding the use of an alternative material or method of construction. The decision of the building official shall be final.

A written application for use of an alternate material or method of construction shall be submitted together with a filing fee established by resolution of the City Council.

9. **102.2.11 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this Code, relevant laws, ordinances, rules and/or regulations or evidence that any equipment, appliance, material or any construction does not conform to the requirements of this Code, or in order to substantiate claims for alternate materials or methods of construction, the building official may require tests as proof of compliance to be made by an approved agency at the expense of the owner or the owner's agent.

Test methods shall be as specified by this Code, relevant laws, ordinances, rules and regulations for the material in question. If there are no appropriate test methods specified in this Code, the building official shall determine the test procedure.

10. **102.2.12 Cooperation of Other Officials.** The building official may request, and shall receive, so far as may be necessary in the discharge of his or her duties, the assistance and cooperation of other officials of the City.
11. **102.2.13 Service.** Whenever this Code requires a notice to be served by personal service or by registered or certified mail, it shall be deemed a reasonable effort has been made to serve such notice when registered or certified letters have been mailed to the address of the interested party(s) as shown on the official record of the County Recorder and on the record of the County Assessor. When an address is not so listed or contact cannot be made at the listed address, the service shall be by posting a copy of the notice on the building or structure or at the premises.

f. Section 102.3 is amended in its entirety to read as follows:

#### **SECTION 102.3 VIOLATIONS AND PENALTIES**

1. **102.3.1 Compliance with Codes.** It shall be unlawful for a person to erect, alter, install, repair, move, improve, remove, connect or convert or maintain any equipment or appliances, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.
2. **102.3.2 Violation.** It shall be unlawful for any person to own, use, occupy or maintain any equipment or appliance, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.
3. **102.3.3 Penalty.** Any person violating any of the provisions of this Code shall be subject to the provisions of the Bellflower Municipal Code.
4. **102.3.4 Work without Permit.** Whenever any work has been commenced without a permit as required by the provisions of Section 103.1, a special investigation shall be made prior to the issuance of the permit. An investigation fee shall be collected for each permit to determine the extent of the work performed. An additional penalty permit fee equal to the cost of the plumbing permit shall also be assessed at the time of permit issuance. At the discretion of the building official, the penalty permit fee may be reduced or waived when just cause is provided. The investigation and penalty permit fee shall be as specified by resolution of the City Council.

The payment of the investigation fee and penalty permit fee shall not exempt any person from compliance with all other provisions of this Code or from any penalty prescribed by law.

5. **102.3.5 Noncompliance Fee.** If the building official, in the course of enforcing the provisions of this Code or any State law, issues an order to a person and that person fails to comply with the order within 10 days following the due date for compliance stated in the order, including any extensions thereof, then the building official shall have the authority to collect a noncompliance fee.

The noncompliance fee shall not be imposed unless the order states that a failure to comply within 10 days after the compliance date specified in the order will result in the fee being imposed. No more than one such fee shall be collected for failure to comply with an order.

- g. Section 102.4 is added in its entirety to read as follows:

#### **SECTION 102.4 AMENDMENTS TO ORDINANCES**

Whenever any reference is made to any other ordinance, such reference shall be deemed to include all future amendments thereto.

- h. Section 102.5 is added in its entirety to read as follows:

#### **SECTION 102.5 VALIDITY**

If any section, sentence, clause or phrase of this Code, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of the Code. The City Council hereby declares that it would have adopted this Code and each section, clause or phrase thereof, irrespective of the fact that any one of more sections, sentences, clauses and phrases are declared invalid.

- i. Section 103 is amended in its entirety to read as follows:

#### **SECTION 103 PLUMBING PERMIT REQUIREMENTS**

1. **103.1 Plumbing Permit Required.** No person shall erect, alter, install, repair, move, improve, remove, connect or convert, or cause the same to be done, to any plumbing equipment or fixtures without first obtaining a plumbing permit from the building official. A Plumbing Permit is required for any installation, alteration, reconstruction or repair of any plumbing (including fixtures, traps, tailpieces and valves),

drainage piping, vent piping, waste piping, soil piping, water piping (potable or non-potable but which is connected to a potable water source) or gas piping located within or on any building, structure or premises.

**Exceptions:**

- (a) Clearing of stoppages and stopping of leaks which do not involve the replacement of any plumbing (including fixtures, traps, tailpieces and valves), drainage piping, vent piping, waste piping, soil piping, water piping or gas piping.
- (b) Change of plumbing fixtures which do not involve the replacement of either the trap or shutoff valves; to include, residential toilets, residential bathroom hand sinks, and residential kitchen sinks.
- (c) Connection of any appliance approved for and intended to be connected by flexible gas piping to a gas shutoff valve which was previously permitted and inspected under a valid plumbing permit.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of other laws or ordinances.

The issuance of a permit without first requiring a plan review shall not prevent the building official from requesting plans deemed necessary to verify that the work performed under said permit complies with this Code and all relevant laws, ordinances, rules and regulations.

2. **103.2 Permit Applicant Requirements.** An applicant for plumbing permit where the work, including labor and materials, exceeds five hundred dollars (\$500) in value shall be a licensed contractor or homeowner-builder. A permit shall only be issued to such homeowner-builder where the work authorized under any such permit is performed by the person to whom the permit is issued in accordance with governing law, and the structure is occupied by the homeowner-builder applying for the permit and as otherwise regulated by the California Building and Professions Code.

3. **103.3 Application for Permit.** To obtain a permit, the applicant shall first file an application therefore furnished by the City for that purpose. Each such application shall:
  - (a) Identify and describe the work to be covered by the permit for which application is made.
  - (b) Describe the land on which the proposed work is to be done by lot, block, tract, street address, or similar description that will readily identify and definitely locate the proposed building or work.
  - (c) Be accompanied by plans and calculations as required in Section 101.3.
  - (d) Give such other information as reasonably may be required by the building official.
  
4. **103.4 Issuance.** The building official shall issue a permit to the applicant for the work described in the application and plans filed therewith when the building official is satisfied that all of the following items comply:
  - (a) The work described conforms to the requirements of this Code, and all relevant laws, ordinances, rules and regulations.
  - (b) The fees specified by resolution of the City Council have been paid.
  - (c) The applicant has obtained a permit pursuant to Public Resources Code Section 30600 et seq., if such a permit is required.

When the building official issues the permit, the building official shall endorse in writing or stamp on both sets of plans "REVIEWED FOR CODE COMPLIANCE ONLY." Such stamped plans shall not be changed, modified or altered without authorization from the building official, and all work shall be done in accordance with the Code in effect at the time of permit issuance regardless of the information presented on the plans. The approval of the plans shall not be held to permit or to be an approval of any violation of any Federal, State, County, or City laws or ordinances. The issuance of a permit shall not be

deemed to certify that the site of the described work is safe.

One set of approved plans and reports shall be returned to the applicant to be kept on such building or work site at all times while the authorized work is in progress.

5. **103.5 Permit Validity.** The issuance or granting of a permit or approval of plans and calculations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code, relevant laws, ordinances, rules and regulations. No permit presuming to give authority to violate or cancel the provisions of this Code, relevant laws, ordinances, rules and regulations shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit based on plans and calculations shall not prevent the building official from thereafter requiring the correction of errors in said plans and calculations or from preventing building operations being carried on there under when in violation of this Code, relevant laws, ordinances, rules and regulations.

6. **103.6 Expiration of Permit - General.** Every plumbing permit issued for property within the City of Bellflower shall expire by limitation and become null and void as follows:
  - (i) Every permit issued by the building official under the provisions of this Code shall expire and become null and void unless such work is commenced within 180 days from the date of permit issuance; or if a successful inspection has not been obtained from the building official within one year from the date of issuance. The building official may extend the time for action by the applicant in writing for a period not exceeding 180 days beyond the initial one year limit upon written request by the applicant, filed with the building official prior to expiration of the original permit;
  - (ii) In the event of permit expiration and before work for which such permit was required can be commenced or recommenced, a new permit shall first be obtained (hereafter, a "renewal permit"). The applicant must pay all applicable renewal fees, in the amount then established by resolution of the City Council. If a renewal permit is applied for, the building official shall have the discretion to request a site inspection prior to

its issuance and a miscellaneous inspection fee shall be paid by the applicant prior to inspection. The inspection fee shall be as specified by resolution of the City Council. In addition, the applicant may be required to resubmit plans and specifications, when deemed necessary by the building official to verify compliance with the building codes, ordinances, regulations, standards, and laws in effect at the time the renewal permit is applied for.

- (iii) Upon issuance of a renewal permit, the building official may allow the applicant to commence or recommence such work from the last successful inspection of record under the original permit. When an expired building permit includes expired sub-permits, activation of the renewal permit shall activate all subsequent expired sub-permits. All work to be performed under a renewal permit must be completed in accordance with the building codes, ordinances, regulations, standards, and laws in effect on the date of issuance of the renewal permit.

- 7. **103.7 Permit Suspension or Revocation.** The building official may, in writing, suspend or revoke a permit issued under the provisions of this Code, relevant laws, ordinances, rules and regulations whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this Code.

The building official may also, in writing, withhold inspections, suspend or revoke a permit where work is being done in violation of this Code, where work is being done in violation of the approved plans, where work is being concealed without approval from the building official or where work is not in accordance with the direction of the building official.

- 8. **103.8 Cancellation of Permit by Applicant.** If no portion of the work or construction covered by a permit issued by the building official under the provisions of this Code, relevant laws, ordinances, rules and regulations has been commenced, the person to whom such permit has been issued may deliver such permit to the building official with a request that such permit be cancelled. Only the person to whom such permit was issued can request cancellation of a permit. The building official shall thereupon stamp or write on the face of such permit the words, "Cancelled at the request of the applicant."

9. **103.9 Transfer of Permit by Applicant.** When requested in writing by the person to whom the permit was issued, a permit may be transferred from the person to whom the permit was issued to a new individual. Fee credit shall be given where deemed appropriate by the building official and new fees shall be paid as required by ordinance or resolution.

- j. A new section 104 is added in its entirety to read as follows:

**SECTION 104 INSPECTIONS**

1. **104.1 General.** All new plumbing work for which a permit is required shall be subject to inspection by the building official and all such work shall remain accessible and exposed for inspection purposes until approved by the building official. All new plumbing work, and such portions of existing systems as may be affected by new work, or any changes, shall be inspected by the building official to insure compliance with all the requirements of this Code, relevant laws, ordinances, rules or regulations.

No work shall be approved by the building official which was not completely verified. Partial or spot inspections shall not be performed by the building official, nor shall partial or spot inspection be used as a justification for approving any required inspection.

Approval as a result of an inspection shall not be construed to be an approval of a violation of any provision of this Code, relevant laws, ordinances, rules or regulations. Inspections presuming to give authority to violate or cancel the provisions of this Code, relevant laws, ordinances, rules and regulations shall not be valid.

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

It shall be the duty of the permit applicant to provide access for the inspector to the area of work. Access may include, but shall not be limited to, ladders, scaffolding, catwalks and lifts. It shall be the duty of the permit applicant to maintain a safe access path for

the inspector to the area of work. Safety precautions may include, but shall not be limited to handrails, guardrails and safety harnesses. All components of the access path shall be securely anchored in place. The plumbing inspector shall have the right to refuse to make any inspection in an area which does not have an access path deemed safe for use by said plumbing inspector. It shall be the duty of the permit applicant to make any necessary improvements to the access path to allow inspection by the plumbing inspector.

It shall be the duty of the permit applicant to protect all existing construction from damage caused during inspection. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material damaged during the course of inspection.

2. **104.2 Inspection Requests.** It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

It shall be the duty of the person requesting any inspection required by this Code, relevant laws, ordinances, rules and regulations to provide access to and means for inspection of such work.

3. **104.3 Special Inspections.** Special inspections may be required by the building official on work involving special hazards or conditions and on work requiring extensive, unusual or constant inspection. Special inspections, when necessary, shall be accomplished by the means set forth in the City of Bellflower Building Code.
4. **104.4 Required Approvals.** No work shall be done beyond the point indicated in each successive inspection without first obtaining the written approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate in writing that the work appears to comply as completed, or shall notify the applicant in writing which portion of the work fails to comply with this Code, relevant laws, ordinances, rules, or regulations. Any work which does not comply shall be corrected and such work shall not be covered or concealed until authorized by the building official.

There shall be a final inspection and approval of all work when completed and ready for occupancy.

5. **104.5 Testing of Systems.** All testing shall be conducted in the presence of the building official. Joints and connections in the systems shall be gastight and watertight for pressures required by test.

Water piping shall be tested as follows: Upon completion of a section of the entire hot and cold water supply system, it shall be tested and proved tight under a water pressure not less than the working pressure under which it is to be used. The water used for tests shall be obtained from a potable source of supply. A fifty (50 pound per square inch air pressure test may be substituted for the water test. In either method of test, the piping shall withstand the test without leaking for a period of not less than fifteen (15) minutes.

In cases where it would be impractical to provide the aforementioned water or air tests, or for minor installations and repairs, the building official may make such inspection as deemed advisable in order to be assured that the work has been performed in accordance with the intent of this Code.

Protectively coated pipe shall be inspected and repaired in accordance with IAPMO Installation Standard IS-13.

6. **104.6 Gas Utility Release.** When deemed appropriate by the building official, gas utility may be released. Release of gas utility may be done prior to building final for testing and inspection purposes. The building official shall retain the right to revoke the release of gas utility for just cause, and may have the gas utility disconnected at the earliest availability of the utility purveyor.

Attempting to occupy prior to issuance of a certificate of completed construction, whether temporary or final, may be considered as just cause by the building official, and may result in disconnection of the utilities.

7. **104.7 Authority to Disconnect Gas Utility.** The building official is hereby empowered to disconnect or to order in writing the discontinuance of gas utility service to buildings, structures, premises, appliances, devices or materials installed without permit or found to be a hazard to life, health and/or property.

The building official shall have the power to disconnect or to order in writing the discontinuance of gas utility service as a means of preventing, restraining, correcting or abating any violation of this Code, relevant laws, ordinances, rules or regulations.

The gas service shall remain disconnected or gas utility service shall remain discontinued until the Code violation has been abated to the satisfaction of the building official, or until the installation of such appliances, devices or materials has been made safe as directed by the building official; or until a permit has been issued and the work has been inspected and approved by the building official.

- k. A new section 105 is added in its entirety to read as follows:

#### **SECTION 105 FEES AND REFUNDS**

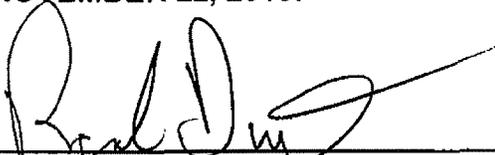
1. **105.1 Fees.** All permit fees shall be in the amount then established by resolution of the City Council. All permit fees shall be paid at the time of the initial plan review submittal or when plan review is not required, at the time of permit issuance.
2. **105.2 Permit Refunds.** In the event that an applicant has submitted for plan review or obtained a permit and no portion of the review, work, or construction covered by such permit has been commenced, the applicant may submit a written request to the building official requesting a refund of permit fees. At the discretion of the building official, permit fees or a portion of the permit fees not to exceed 80% may be refunded to the permit applicant. The building official shall satisfy himself or herself as to the right of such applicant to such refund, and each such refund shall be paid to the permit applicant, provided the request has been submitted within one year from the date of cancellation or expiration of the permit.

In addition to the definitions specified in sections 203 through 228, the following certain terms, phrases, words and their derivatives shall be construed as specified in this section. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine. In the event of conflicts between these definitions and definitions that appear elsewhere in this Code, these definitions shall govern and be applicable.

1. **BUILDING AND SAFETY DIVISION** or **BUILDING DEPARTMENT** shall mean the Building and Safety Division of the City Community Development Department.
2. **BUILDING OFFICIAL** shall mean the Director of Community Development or other designated authority charged with the administration and enforcement of this Code, or the director's duly authorized representative.
3. **CHIEF PLUMBING INSPECTOR** shall mean the building official.
4. **HOMEOWNER** is the owner of a single-family residence, including common accessory and minor poultry, animal or agricultural buildings where there is not more than one dwelling unit on the property.
5. **NONINSPECTED WORK** shall mean any erection, alteration, installation, repair, movement, improvement, removal, connection or conversion of any plumbing equipment, appliances and/or fixtures or any other plumbing work regulated by this Code within the City without first obtaining inspection by and approval of the building official

**SECTION 3.** . This Ordinance shall take effect thirty (30) days after its adoption. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance, and for which building permits are obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be exempt from the provisions of this Ordinance and shall remain subject to the provisions of the chapter of the Bellflower Municipal Code and the code adopted by reference therein. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance but for which building permits are not obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be subject to all provisions of this Ordinance and the code adopted by reference in this Ordinance. The City Clerk, or her duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be posted as required by law.

ORDINANCE NO. 1202 HAD ITS FIRST READING ON NOVEMBER 8, 2010, ITS SECOND READING ON NOVEMBER 22, 2010, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF NOVEMBER 22, 2010.

  
\_\_\_\_\_  
Raymond Dunton, Mayor

ATTEST:

  
\_\_\_\_\_  
Debra D. Bauchop, City Clerk

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF BELLFLOWER )

I, **Debra D. Bauchop**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 1202 had its first reading on November 8, 2010, its second reading on November 22, 2010, and was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of November 22, 2010, by the following vote to wit:

**AYES:** Council Members – Koops, Smith, Larsen, Bomgaars, and Mayor Dunton

Ordinance No. 1202 was posted at City Hall, the Clifton M. Brakensiek Library, John S. Simms Park, the Bellflower Sheriff's Substation, and T. Mayne Thompson Park; and the Ordinance, effective date, and vote will be published on Monday, November 29, 2010, in the Public Notices Section of the *Long Beach Press-Telegram*, pursuant to Government Code Section 36933 and City Council action of October 9, 2006.

**Dated: November 23, 2010**

  
Debra D. Bauchop, City Clerk  
City of Bellflower, California

(SEAL)



**CITY OF BELLFLOWER**

**ORDINANCE NO. 1203**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER REPEALING CHAPTER 15.16 OF THE BELLFLOWER MUNICIPAL CODE AND ADDING THERETO A NEW CHAPTER 15.16 (ADOPTING BY REFERENCE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4 – THE 2010 CALIFORNIA MECHANICAL CODE) AND MAKING AMENDMENTS THERETO**

**WHEREAS**, the 2010 California Mechanical Code referencing the 2009 Uniform Mechanical Code was published by the State Building Standards Commission in 2010; and

**WHEREAS**, the City is required to adopt and amend the 2010 California Mechanical Code.

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

**SECTION 1.** Chapter 15.12 of the Bellflower Municipal Code is hereby repealed; however, such repeal shall not affect or excuse any violation of said chapter that occurred prior to the effective date of this ordinance, nor shall such repeal impede, impact, or negate any administrative, civil, or criminal enforcement of said chapter that occurred prior to the enforcement date of this ordinance.

**SECTION 2.** A new Chapter 15.16 is hereby added to the Bellflower Municipal Code to read as follows:

**CHAPTER 15.16**

**MECHANICAL CODE**

**Sections:**

**15.16.010 Mechanical Code - Adopted by Reference; Where Filed**

**15.16.020 Amendments**

**15.16.010 Mechanical Code - Adopted by Reference; Where Filed**

California Code of Regulations, Title 24, Part 4 (the 2010 California Mechanical Code) with amendments, is hereby adopted by reference as the Mechanical Code of the City of Bellflower.

In accordance with California Government Code Section 50022.6, one (1) copy of said 2010 California Mechanical Code shall remain on file with the building official within the Community Development Department and shall be at all times maintained by the building official for use and examination by the public.

**15.16.020 Amendments**

The 2010 California Mechanical Code is hereby amended as follows:

Chapter 1 Division II, Administration, Sections 101 through 117 and Chapter 2 Sections 204, 205, 210 and 216 of California Code of Regulations, Title 24, Part 4 (the 2010 California Mechanical Code), adopted as part of the Mechanical Code of the City of Bellflower, are hereby amended, deleted or added to as follows:

- a. Section 101 is amended in its entirety to read as follows:

**SECTION 101- TITLE.** California Code of Regulations, Title 24, Part 4 (the 2010 California Mechanical Code) as adopted and amended by the City shall be known as the City of Bellflower Mechanical Code, may be cited as such, and will be referred to herein as this Code.

- b. Section 102 is amended in its entirety to read as follows:

**SECTION 102 - PURPOSE AND INTENT.** The purpose of this Code is to provide minimum standards to safeguard public health, safety and general welfare by regulating the design, construction, installation, quality of materials, location, operation and maintenance of equipment and appliances as specifically set forth herein. Consistent with this purpose, the provisions of this Code are intended and always have been intended to confer a benefit on the community as a whole and are not intended to establish a duty of care toward any particular person:

The Codes adopted by the City shall not be construed to hold the City or any officer, employee or agent thereof responsible for any damage to persons or property by reason of any inspection authorized herein or by reason of the issuance or non-issuance of any permit authorized herein, and/or for any action or omission in connection with the application and/or enforcement of this Code. By adopting the provisions of this Code, the City does not intend to impose on itself, its employees or agents any mandatory duties of care toward persons and property within its jurisdiction so as to provide a basis of civil liability for damages.

This section is declaratory of existing law and is not to be construed as suggesting that such was not the purpose and intent of previous Code adoptions.

- c. Section 103 is amended in its entirety to read as follows:

**SECTION 103 - SCOPE.** The provisions of this Code shall apply to the erection, alteration, installation, repair, movement, improvement, removal connection or conversion of any mechanical equipment and/or appliances or any other mechanical work regulated by this Code within the City. Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

In the event any differences in requirements exist between the accessibility requirements of this Code and the accessibility requirements of the California Code of Regulations, Title 24 (also referred to as the California Building Standards Code), then the California Code of Regulations shall govern.

Chapter 17 contains a list of recommended equipment standards and is intended to serve only as a guide.

- d. Section 104 is amended in its entirety to read as follows:

#### **SECTION 104 - VIOLATIONS AND PENALTIES**

**104.1 Compliance with Codes.** It shall be unlawful for a person to erect, alter, install, repair, move, improve, remove, connect or convert, any equipment or appliance, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.

**104.2 Violation.** It shall be unlawful for any person to own, use, occupy or maintain any equipment or appliance, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.

**104.3 Penalty.** Any person, firm or corporation violating any of the provisions of this Code shall be subject to the provisions of the Bellflower Municipal Code.

**104.4 Work without Permit.** Whenever any work has been commenced without a permit issued pursuant to the provisions of Section 109.1, a special investigation shall be made prior to the issuance of the permit. An investigation fee shall be collected for each permit to determine the extent of the work performed. An additional penalty permit fee equal to the cost of the mechanical permit shall also be assessed at the time of permit issuance. At the discretion of the building official, the penalty permit fee may be reduced or waived when just cause is provided. The investigation and penalty permit fees shall be as specified by resolution of the City Council.

The payment of the investigation fee and penalty permit fee shall not exempt any person from compliance with all other provisions of this Code or from any penalty prescribed by law.

**104.5 Noncompliance Fee.** If the building official, in the course of enforcing the provisions of this Code or any State law, issues an order to a person and that person fails to comply with the order within 10 days following the due date for compliance stated in the order, including any extensions thereof, then the building official shall have the authority to collect a noncompliance fee.

The noncompliance fee shall not be imposed unless the order states that a failure to comply within 10 days after the compliance date specified in the order will result in the fee being imposed. No more than one such fee shall be collected for failure to comply with an order.

- e. Section 105 is amended in its entirety to read as follows:

#### **SECTION 105 - ORGANIZATION AND ENFORCEMENT**

**105.1 Building and Safety Division.** There is hereby established a division in the City Community Development Department to be known and designated as the Building and Safety Division.

#### **105.2 Powers and Duties of the Building Official**

**105.2.1 General.** The building official is hereby authorized and directed to enforce all the provisions of this Code, relevant laws, ordinances, rules and regulations; and to make all inspections pursuant to the provisions of this Code, relevant laws, ordinances, rules and regulations. For such purposes, the building official shall have the powers of a police officer.

The building official shall have the power to render interpretations of this Code, relevant laws, ordinances, rules and regulations; and to adopt and enforce rules and supplemental regulations in order to clarify the application of the provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code.

**105.2.2 Building Official.** The building official is authorized to make, interpret and enforce such guidelines and policies for the safeguarding of life, limb, health or property as may be necessary from time to time to carry out the purpose of this Code.

**105.2.3 Deputies.** With the approval of the City Council, the building official may appoint such number of officers, inspectors, plans examiners and assistants, and other employees as shall be authorized from time to time. The building official may deputize such employees as may be necessary to carry out the functions of the Building and Safety Division.

#### **105.2.4 Right of Entry**

**105.2.4.1** Whenever it is necessary to make an inspection to enforce any of the provisions of or perform any duty imposed by this Code, relevant laws, ordinances, rules and/or regulations, or whenever the building official or an authorized representative has reasonable cause to believe that there exists in any building, structure or upon any premises any condition which makes such building, structure or premises hazardous, unsafe or dangerous for any reason specified in this Code, relevant laws, ordinances, rules and regulations, the building official or an authorized representative is hereby authorized to enter such premises at any reasonable time and to inspect the same and perform any duty imposed upon the building official by this Code, relevant laws, ordinances, rules and regulations, provided that (1) if such premises is occupied, the building official shall first present proper credentials to the occupant and request entry explaining the reasons therefore and (2) if such premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the premises and request entry, explaining the reasons therefore. If such entry cannot be obtained because the owner or other person having charge or control of the premises cannot be found after due diligence or if entry is refused, the building official or an authorized representative shall have recourse to every remedy provided by law to secure lawful entry and inspect the premises.

**105.2.4.2** Notwithstanding the foregoing, if the building official or an authorized representative has reasonable cause to believe that the building, structure or premises is so hazardous, unsafe or dangerous as to require immediate inspection to safeguard the public health or safety, the building official shall have the right to immediately enter and inspect such premises and may use any reasonable means required to effect such entry and make such inspection, whether such premises is occupied or

unoccupied and whether or not permission to inspect has been obtained. If the premise is occupied, the building official shall first present credentials to the occupant and demand entry, explaining the reasons therefore and the purpose of the inspection.

**105.2.4.3** No person shall fail or refuse, after proper demand has been made upon such person as provided in this section, to promptly permit the building official or an authorized representative to make any inspection provided for by Section 105.2.4.2. Any person violating this section shall be guilty of a misdemeanor and subject to the same penalties prescribed in Section 104.3.

**105.3 Stop Work Orders.** Whenever any mechanical work is being done contrary to the provisions of this Code, or other pertinent laws or ordinances implemented through the enforcement of this Code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.

**105.4 Use Violations.** Whenever any equipment or appliance or portion thereof is being used contrary to the provisions of this Code, the building official may order such use discontinued, such person shall immediately discontinue the use. The use shall remain discontinued until the non-complying condition has been corrected, and inspection and approval has been obtained from the building official. Permits shall be issued where required by this Code.

**105.6 Existing Equipment and Appliances.** Existing equipment and/or appliances lawfully installed prior to the effective date of this Code may have their existing use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and is not a hazard to life, health, or property.

**105.7 Dangerous Construction, Equipment and Appliances.** Whenever it is brought to the attention of the building official that any construction or equipment regulated by this Code is dangerous, unsafe, or a menace to life, health or property or is in violation of this Code, the building official shall have the authority to make an investigation. The building official shall have the authority to order any person, firm or corporation using or maintaining any such condition or responsible for the use or maintenance thereof to discontinue the use of or maintenance thereof or to repair, alter change remove or demolish same, as he, in his/her

discretion may consider necessary for the protection of life, health or property.

**105.8 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this Code, the building official may grant modifications for individual cases, provided the building official shall first find that a special individual reason makes the strict letter of this Code, relevant laws, ordinances, rules and regulations impractical and that the modification is in conformity with the spirit and purpose of this Code, relevant laws, ordinances, rules and regulations and that such modification does not lessen any fire protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the City. The decision of the Building Official shall be final.

A written application for the granting of such modifications shall be submitted together with a filing fee established by resolution of the City Council.

**105.9 Alternate Materials and Methods of Construction.** The provisions of this Code, relevant laws, ordinances, rules and regulations are not intended to prevent the use of any material or method of construction not specifically prescribed by this Code, provided any such alternate has been approved.

The building official may approve any such alternate, provided that he or she finds that the proposed design is satisfactory and finds that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code, and in relevant laws, ordinances, rules and regulations in quality, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official may require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The decision of the building official shall be final.

A written application for use of an alternate material or method of construction shall be submitted together with a filing fee established by resolution of the City Council.

**105.10. Tests.** Whenever there is insufficient evidence of compliance with the provisions of this Code, relevant laws, ordinances, rules and/or regulations or evidence that any equipment, appliance, material or any construction does not conform to the requirements of this Code, or in order to substantiate claims for alternate materials or methods of

construction, the building official may require tests as proof of compliance to be made by an approved agency at the expense of the owner or the owner's agent. Test methods shall be as specified by this Code, relevant laws, ordinances, rules and regulations for the material in question. If there are no appropriate test methods specified in this Code, the building official shall determine the test procedure.

**105.11 Cooperation of Other Officials.** The building official may request, and shall receive, so far as may be necessary in the discharge of his or her duties, the assistance and cooperation of other officials of the City.

**105.12 Service.** Whenever this Code requires a notice to be served by personal service or by registered or certified mail, it shall be deemed a reasonable effort has been made to serve such notice when registered or certified letters have been mailed to the address of the interested party(s) as shown on the official record and on the record of the County Assessor. When an address is not so listed or contact cannot be made at the listed address, the service shall be by posting a copy of the notice on the building or structure or at the premises.

- f. Section 106 is amended in its entirety to read as follows:

**SECTION 106 - AMENDMENTS TO ORDINANCES**

Whenever any reference is made to any other ordinance, such reference shall be deemed to include all future amendments thereto.

- g. Section 107 is amended in its entirety to read as follows:

**SECTION 107 - VALIDITY**

If any section, sentence, clause or phrase of this Code is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this Code. The City Council hereby declares that it would have adopted this Code, and each section, clause or phrase thereof, irrespective of the fact that any one of more sections, sentences, clauses and phrases are declared invalid.

- h. Section 108 is amended in its entirety to read as follows:

**SECTION 108 - MECHANICAL PLAN REQUIREMENTS**

**108.1 General.** When required by the building official to verify compliance with this Code, relevant laws, ordinances, rules and regulations; plans and, when deemed necessary by the building official, calculations, and other required data

shall be submitted for plan review. The building official may require plans and calculations to be prepared by an engineer registered by the State to practice as such. Only after the plans have been approved may the applicant apply for a mechanical permit for such work. The building official may also require such plans be reviewed by other departments and/or divisions of the City to verify compliance with the laws and ordinances under their jurisdiction.

Separate Mechanical Code plan review is required for any of the following:

- (a) To verify compliance with State energy requirements when such information is not shown completely on the building plans;
- (b) Installations where the aggregate BTU input capacity for either comfort heating or comfort cooling is more than 500,000 BTU;
- (c) Type I or Type II commercial hoods;
- (d) Parking garage exhaust ventilation systems;
- (e) Product conveying duct system;
- (f) Spray booths;
- (g) Stair pressurization systems;
- (h) Installation of fire dampers, smoke dampers and/or combination smoke/fire dampers;
- (i) Air moving systems supplying air in excess of 2000 cfm and where smoke detectors are required in the duct work;
- (j) Any installation in a building of Type I, Type II-A, Type III-A, IV, or Type V-A fire-resistive construction where penetrations are required of fire-resistive walls, floors or ceilings.

Plans, calculations, reports or documents for work regulated by this Code, or relevant laws, ordinances, rules and regulations shall bear the seal, signature and number of an mechanical engineer when required by the California Business and Professions Code or the building official. A seal and number shall not be required for work authorized by the said article to be performed by a person not registered or certified as an engineer or architect as provided within the California Business and Professions Code or otherwise approved by the building official.

**108.2 Engineer of Record.** When it is required that documents be prepared by an engineer, the building official may require the owner to designate on the permit application an engineer who shall act as the engineer of record. If the circumstances require, the owner may designate a substitute engineer of record who shall perform all of the duties required of the original engineer of record. The building official shall be notified in writing by the owner if the engineer of record is changed or is unable to continue to perform the duties.

The engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

**108.3 Information Required on Mechanical plans.** Plans shall be drawn to scale upon substantial paper or other material suitable to the building official shall be of sufficient clarity to indicate the nature and scope of the work proposed, and shall show in detail that the proposed construction will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the street address of the proposed work and the name, address and telephone number of the owner and all persons who were involved in the design and preparation of the plans.

Where the scope of the proposed work involves the following, unless otherwise approved by the building official, the mechanical plans shall indicate the following:

- (a) A complete floor plan showing the location of all proposed mechanical equipment, duct work, vents, etc;
- (b) A complete plan showing the layout, diameter and material of all proposed piping;
- (c) A legend of all symbols used and a list of all abbreviations used;
- (d) The location of all proposed inlets, outlets, diffusers, etc;
- (e) The btu/Hr and/or cfm rating of all equipment;
- (f) Any other information requested by the building official.

Plans for buildings of all occupancies shall indicate how required fire-resistive integrity will be maintained where a penetration will be made for mechanical piping and similar systems.

When deemed necessary by the building official, the first sheet of each set of plans shall indicate the building Type of Construction as defined in the City of Bellflower Building Code and the Mechanical Code in effect on the date of plan check submittal.

**108.4 Deferred submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the intended design. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

**108.5 Expiration of Plan Check Applications.** Plan check applications for which no permit is issued within one year following the date of application shall expire by limitation and become null and void. Plans and calculations previously submitted may thereafter be returned to the applicant or destroyed by the building official.

When requested in writing by the applicant prior to or not more than 90 days after the expiration of the plan check application, the building official may extend the time for action by the applicant. The time for action by the applicant shall not be extended beyond the effective date of a more current Code. Additional hourly fees for plan review shall also be paid to the building official for enforcement of any requirements which were subsequently amended to the Code in effect at the time of application.

Once an application and any extension thereof has expired, the applicant shall resubmit plans and calculations and pay a new application fee.

**108.6 Retention of Plans.** One set of approved plans, calculations and reports shall be retained by the building official. Except as required by Section 19850 of the Health and Safety Code, the building official shall retain such set of the approved plans, calculations and reports for a period of not less than 90 days from date of completion of the work covered therein.

- i. Section 109 is amended in its entirety to read as follows:

### **SECTION 109 - MECHANICAL PERMIT REQUIREMENTS**

**109.1 Mechanical permit Required.** No person shall erect, alter, install, repair, move, improve, remove, connect or convert, or cause the same to be done, any mechanical equipment without first obtaining a mechanical permit from the building official.

The issuance of a permit without first requiring a plan review shall not prevent the building official from requesting plans deemed necessary to verify that the work performed under said permit complies with this Code and all relevant laws, ordinances, rules and regulations.

**109.2 Work Exempted From Mechanical permit.** A mechanical permit shall not be required for the following:

- (a) Installation of portable appliances or equipment used for heating ventilating, or cooling (refrigeration or evaporative) which does not require either a Building Permit or an Electrical Permit to install;
- (b) Repair or replacement of steam, hot, or chilled water piping, and refrigeration piping which were previously permitted and inspected under a valid mechanical permit;
- (c) Repair or replacement of components to a refrigeration system which were previously permitted and inspected under a valid Mechanical permit.
- (d) Repair or replacement of any component, part or assembly of an appliance which does not alter its original approval and complies with the other applicable requirements of this Code;
- (e) Any unit refrigerating system.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of other laws or ordinances.

**109.3 Permit Applicant Requirements.** An applicant for mechanical permit where the work, including labor and materials, exceeds five hundred dollars (\$500) in value shall be a licensed contractor or homeowner. See Chapter 2 for definition of homeowner. A permit shall only be issued to such homeowner where the work authorized under any such permit is performed by the person to whom the permit is issued, or by a member of his or her immediate family and the structure is occupied by the owner or the tenant applying for the permit.

**109.4 Application for Permit.** To obtain a permit, the applicant shall first file an application therefore furnished by the City for that purpose. Each such application shall:

- (a) Identify and describe the work to be covered by the permit for which application is made.
- (b) Describe the land on which the proposed work is to be done by lot, block, tract, street address, or similar description that will readily identify and definitely locate the proposed building or work.
- (c) Be accompanied by plans and calculations as required in Section 108.

**109.5 Issuance.** The building official shall issue a permit to the applicant for the work described in the application and plans filed therewith when the building official is satisfied that all of the following items comply:

- (a) The work described conforms to the requirements of this Code, relevant laws, ordinances, rules and regulations.
- (b) The fees specified by resolution or ordinance have been paid.
- (c) The applicant has obtained a permit pursuant to Public Resources Code Section 30600 et seq., if such a permit is required.

When the building official issues the permit, the building official shall endorse in writing or stamp on both sets of plans "REVIEWED FOR CODE COMPLIANCE ONLY". Such stamped plans shall not be changed, modified or altered without authorization from the building official, and all work shall be done in accordance with the Code in effect at the time of permit issuance regardless of the information presented on the plans. The approval of the plans shall

not be held to permit or to be an approval of any violation of any Federal, State, County, or City laws or ordinances. The issuance of a permit shall not be deemed to certify that the site of the described work is safe.

One set of approved plans and reports shall be returned to the applicant to be kept on such building or work site at all times while the authorized work is in progress.

**109.6 Permit Validity.** The issuance or granting of a permit or approval of plans and calculations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code, relevant laws, ordinances, rules and regulations. No permit presuming to give authority to violate or cancel the provisions of this Code, relevant laws, ordinances, rules and regulations shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit based on plans and calculations shall not prevent the building official from thereafter requiring the correction of errors in said plans and calculations or from preventing building operations being carried on there under when in violation of this Code, relevant laws, ordinances, rules and regulations.

**109.7 Expiration of Permit - General.** Every mechanical permit issued for property within the City of Bellflower shall expire by limitation and become null and void as follows:

- (i) Every permit issued by the building official under the provisions of this Code shall expire and become null and void unless such work is commenced within 180 days from the date of permit issuance; or if a successful inspection has not been obtained from the building official within one year from the date of issuance. The building official may extend the time for action by the applicant in writing for a period not exceeding 180 days beyond the initial one year limit upon written request by the applicant, filed with the building official prior to expiration of the original permit;
- (ii) In the event of permit expiration and before work for which such permit was required can be commenced or recommenced, a new permit shall first be obtained (hereafter, a "renewal permit"). The applicant must pay all applicable renewal fees, in the amount then established by resolution of the City Council. If a renewal permit is applied for, the building official shall have the discretion to request a site inspection prior to its issuance and a miscellaneous inspection fee shall be paid by the applicant prior to inspection. The inspection fee shall be as specified by resolution of

the City Council. In addition, the applicant may be required to resubmit plans and specifications, when deemed necessary by the building official to verify compliance with the building codes, ordinances, regulations, standards, and laws in effect at the time the renewal permit is applied for.

- (iii) Upon issuance of a renewal permit, the building official may allow the applicant to commence or recommence such work from the last successful inspection of record under the original permit. When an expired building permit includes expired sub-permits, activation of the renewal permit shall activate all subsequent expired sub-permits. All work to be performed under a renewal permit must be completed in accordance with the building codes, ordinances, regulations, standards, and laws in effect on the date of issuance of the renewal permit.

**109.8 Cancellation of Permit by Applicant.** If no portion of the work or construction covered by a permit issued by the building official under the provisions of this Code, relevant laws, ordinances, rules and regulations has been commenced, the person to whom such permit has been issued may deliver such permit to the building official with a request that such permit be cancelled. Only the person to whom such permit was issued can request cancellation of a permit. The building official shall thereupon stamp or write on the face of such permit the words, "Cancelled at the request of the applicant." Thereupon such permit shall be null and void and of no effect.

**109.9 Transfer of Permit by Applicant.** When requested in writing by the person to whom the permit was issued, a permit may be transferred from the person to whom the permit was issued to a new individual. Fee credit shall be given where deemed appropriate by the building official and new fees shall be paid as required by resolution of the City Council.

- j. Section 110 is amended in its entirety to read as follows:

#### **SECTION 110 FEES**

**110.1 Fees.** All permit fees shall be in the amount then established by resolution of the City Council. All permit fees shall be paid at the time of the initial plan review submittal or when plan review is not required, at the time of permit issuance.

- k. Section 111 is amended in its entirety to read as follows:

## **SECTION 111. REFUNDS**

**111.2 Permit Refunds.** In the event that an applicant has submitted for plan review or obtained a permit and no portion of the review, work, or construction covered by such permit has been commenced, the applicant may submit a written request to the building official requesting a refund of permit fees. At the discretion of the building official, permit fees or a portion of the permit fees not to exceed 80% may be refunded to the permit applicant. The building official shall satisfy himself or herself as to the right of such applicant to such refund, and each such refund shall be paid to the permit applicant, provided the request has been submitted within one year from the date of cancellation or expiration of the permit.

- I. Section 112 is amended in its entirety to read as follows:

## **SECTION 112 INSPECTIONS**

**112.1 General.** All new mechanical work for which a permit is required shall be subject to inspection by the building official and all such work shall remain accessible and exposed for inspection purposes until approved by the building official. All new mechanical work, and such portions of existing systems as may be affected by new work, or any changes, shall be inspected by the building official to insure compliance with all the requirements of this Code, relevant laws, ordinances, rules or regulations.

No work shall be approved by the building official which was not completely verified. Partial or spot inspections shall not be performed by the building official, nor shall partial or spot inspection be used as a justification for approving any required inspection.

Approval as a result of an inspection shall not be construed to be an approval of a violation of any provision of this Code, relevant laws, ordinances, rules or regulations. Inspections presuming to give authority to violate or cancel the provisions of this Code, relevant laws, ordinances, rules and regulations shall not be valid.

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

It shall be the duty of the permit applicant to provide access for the inspector to the area of work. Access may include, but shall not be limited to, ladders, scaffolding, catwalks and lifts. It shall be the duty of the permit applicant to maintain a safe access path for the inspector to the area of work. Safety precautions may include, but

shall not be limited to handrails, guardrails and safety harnesses. All components of the access path shall be securely anchored in place. The mechanical inspector shall have the right to refuse to make any inspection in an area which does not have an access path deemed safe for use by said mechanical inspector. It shall be the duty of the permit applicant to make any necessary improvements to the access path to allow inspection by the mechanical inspector.

It shall be the duty of the permit applicant to protect all existing construction from damage caused during inspection. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material damaged during the course of inspection.

**112.2 Inspection Requests.** It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

It shall be the duty of the person requesting any inspection required by this Code, relevant laws, ordinances, rules and regulations to provide access to and means for inspection of such work.

**112.3 Special Inspections.** Special inspections may be required by the building official on work involving special hazards or conditions and on work requiring extensive, unusual or constant inspection. Special inspections, when necessary, shall be accomplished by the means set forth in the City of Bellflower Building Code.

**112.4 Required Approvals.** No work shall be done beyond the point indicated in each successive inspection without first obtaining the written approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate in writing that the work appears to comply as completed, or shall notify the applicant in writing which portion of the work fails to comply with this Code, relevant laws, ordinances, rules and/or regulations. Any work which does not comply shall be corrected and such work shall not be covered or concealed until authorized by the building official.

There shall be a final inspection and approval of all work when completed and ready for occupancy.

- m. Sections 113 through 117 are deleted.

- n. In addition to the definitions specified in sections 204, 205, 210 and 216, the following certain terms, phrases, words and their derivatives shall be construed as specified in this section. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine.

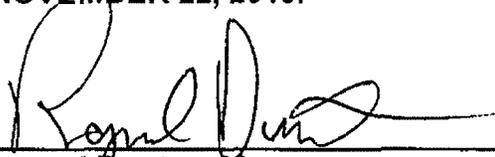
In the event of conflicts between these definitions and definitions that appear elsewhere in this Code, these definitions shall govern and be applicable.

1. **BOARD OF SUPERVISORS** shall mean the City of Bellflower City Council.
2. **BUILDING AND SAFETY DIVISION or BUILDING DEPARTMENT** shall mean the Building and Safety Division of the City Community Development Department.
3. **BUILDING OFFICIAL** shall mean the Director of Community Development or other designated authority charged with the administration and enforcement of this Code, or the director's duly authorized representative.
4. **CHIEF MECHANICAL INSPECTOR** shall mean the building official.
5. **HOMEOWNER** is the owner of a single-family residence, including common accessory and minor poultry, animal or agricultural buildings where there is not more than one dwelling unit on the property.
6. **NONINSPECTED WORK** shall mean any erection, alteration, installation, repair, movement, improvement, removal, connection or conversion of any mechanical equipment and/or appliances or any other mechanical work regulated by this Code within the City without first obtaining inspection by and approval of the building official.

**SECTION 3.** This Ordinance shall take effect thirty (30) days after its adoption. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance, and for which building permits are obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be exempt from the provisions of this Ordinance and shall remain subject to the provisions of the chapter of the Bellflower Municipal Code and the code adopted by reference therein. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance but for which building permits are not obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be subject to all provisions of this Ordinance and the code adopted by reference in this Ordinance. The City Clerk or her duly appointed

deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be posted as required by law.

ORDINANCE NO. 1203 HAD ITS FIRST READING ON NOVEMBER 8, 2010, ITS SECOND READING ON NOVEMBER 22, 2010, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF NOVEMBER 22, 2010.

  
\_\_\_\_\_  
Raymond Dunton, Mayor

ATTEST:

  
\_\_\_\_\_  
Debra D. Bauchop, City Clerk

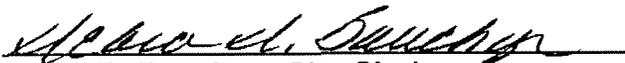
STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF BELLFLOWER )

I, **Debra D. Bauchop**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 1203 had its first reading on November 8, 2010, its second reading on November 22, 2010, and was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of November 22, 2010, by the following vote to wit:

**AYES:** Council Members – Koops, Smith, Larsen, Bomgaars, and Mayor Dunton

Ordinance No. 1203 was posted at City Hall, the Clifton M. Brakensiek Library, John S. Simms Park, the Bellflower Sheriff's Substation, and T. Mayne Thompson Park; and the Ordinance, effective date, and vote will be published on Monday, November 29, 2010, in the Public Notices Section of the *Long Beach Press-Telegram*, pursuant to Government Code Section 36933 and City Council action of October 9, 2006.

**Dated: November 23, 2010**

  
**Debra D. Bauchop, City Clerk**  
**City of Bellflower, California**

(SEAL)

**CITY OF BELLFLOWER**

**ORDINANCE NO. 1204**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER REPEALING CHAPTER 15.56 OF THE BELLFLOWER MUNICIPAL CODE AND ADDING THERETO A NEW CHAPTER 15.56 (ADOPTING BY REFERENCE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 6 – THE 2010 CALIFORNIA ENERGY CODE)**

**WHEREAS**, the 2010 California Energy Code was published by the State Building Standards Commission in 2010; and

**WHEREAS**, the City is required to adopt and amend the 2010 California Energy Code.

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

**SECTION 1.** Chapter 15.56 of the Bellflower Municipal Code is hereby repealed; however, such repeal shall not affect or excuse any violation of said chapter that occurred prior to the effective date of this ordinance, nor shall such repeal impede, impact, or negate any administrative, civil, or criminal enforcement of said chapter that occurred prior to the enforcement date of this ordinance.

**SECTION 2.** A new Chapter 15.56 is hereby added to the Bellflower Municipal Code to read as follows:

**CHAPTER 15.56**

**ENERGY CODE**

**Section:**

**15.56.010 Energy Code – Adopted by Reference; Where Filed**

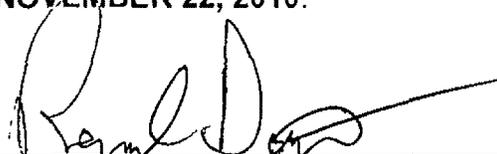
**15.56.010 Energy Code – Adopted by Reference; Where Filed**

California Code of Regulations, Title 24, Part 6 (the 2010 California Energy Code) is hereby amended and adopted by reference as the Green Building Standards Code of the City of Bellflower.

In accordance with California Government Code Section 50022.6, one (1) copy of said Los Angeles County Ordinance and said 2010 California Energy Code shall remain on file with the building official within the Community Development Department and shall be at all times maintained by the building official for use and examination by the public

**SECTION 3.** This Ordinance shall take effect thirty (30) days after its adoption. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance, and for which building permits are obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be exempt from the provisions of this Ordinance and shall remain subject to the provisions of the chapter of the Bellflower Municipal Code and the code adopted by reference therein. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance but for which building permits are not obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be subject to all provisions of this Ordinance and the code adopted by reference in this Ordinance. The City Clerk, or her duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be posted as required by law.

**ORDINANCE NO. 1204 HAD ITS FIRST READING ON NOVEMBER 8, 2010, ITS SECOND READING ON NOVEMBER 22, 2010, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF NOVEMBER 22, 2010.**

  
\_\_\_\_\_  
Raymond Dunton, Mayor

Attest:

  
\_\_\_\_\_  
Debra D. Bauchop, City Clerk

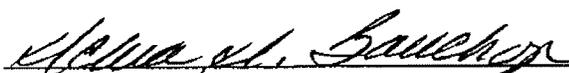
STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF BELLFLOWER )

I, **Debra D. Bauchop**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 1204 had its first reading on November 8, 2010, its second reading on November 22, 2010, and was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of November 22, 2010, by the following vote to wit:

**AYES:** Council Members ---Koops, Smith, Larsen, Bomgaars, and Mayor Dunton

Ordinance No. 1204 was posted at City Hall, the Clifton M. Brakensiek Library, John S. Simms Park, the Bellflower Sheriff's Substation, and T. Mayne Thompson Park; and the Ordinance, effective date, and vote will be published on Monday, November 29, 2010, in the Public Notices Section of the *Long Beach Press-Telegram*, pursuant to Government Code Section 36933 and City Council action of October 9, 2006.

**Dated: November 23, 2010**

  
Debra D. Bauchop, City Clerk  
City of Bellflower, California

(SEAL)



**CITY OF BELLFLOWER**

**ORDINANCE NO. 1205**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER REPEALING CHAPTER 15.40 OF THE BELLFLOWER MUNICIPAL CODE AND ADDING THERETO A NEW CHAPTER 15.40 ADOPTING BY REFERENCE TITLE 32 OF THE LOS ANGELES COUNTY CODE AS ADOPTED AND AMENDED BY ORDINANCE OF THE COUNTY OF LOS ANGELES (ADOPTING BY REFERENCE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9 – THE 2010 CALIFORNIA FIRE CODE) AND MAKING AMENDMENTS THERETO**

**WHEREAS**, the County of Los Angeles has adopted by reference the 2010 California Fire Code; and

**WHEREAS**, the City is required to adopt and amend the 2010 California Fire Code and may fulfill that requirement by adoption by reference of the relevant provisions of the Los Angeles County Code.

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

**SECTION 1.** Chapter 15.40 of the Bellflower Municipal Code is hereby repealed; however, such repeal shall not affect or excuse any violation of said chapter that occurred prior to the effective date of this ordinance, nor shall such repeal impede, impact, or negate any administrative, civil, or criminal enforcement of said chapter that occurred prior to the enforcement date of this ordinance.

**SECTION 2.** A new Chapter 15.40 is hereby added to the Bellflower Municipal Code to read as follows:

**CHAPTER 15.40**

**FIRE CODE**

**Sections:**

**15.40.010 Fire Code – Adopted by Reference; Where Filed**

**15.40.020 Amendments**

**15.40.010 Fire Code – Adopted by Reference; Where Filed**

- a. Title 32 of the Los Angeles County Code (the 2011 Los Angeles County Fire Code), as adopted and amended by the County of Los Angeles is hereby adopted by reference as the Fire Code of the City of Bellflower.
- b. In accordance with California Government Code Section 50022.6, one (1) copy of said Los Angeles County Ordinance and said 2011 Los Angeles County Fire Code shall remain on file with the building official within the Community Development Department and shall be at all times maintained by the building official for use and examination by the public.

**15.40.020 Amendments**

- a. Subsection 101.1 is amended in its entirety to read as follows:

**101.1 Title.** Title 32 of the Los Angeles County Code (the Los Angeles County Fire Code) as adopted and amended by the City of Bellflower, may be cited as such, and will be referred to herein as this Code.

- b. An exception to Subsection 503.2.1 is added to read as follows:

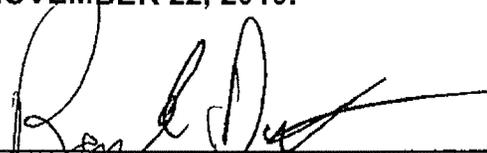
**EXCEPTION:** For Group R and U Occupancies on lots with a street frontage of 60 feet or less, fire apparatus access road width need not exceed 20 feet where all of the following conditions are met:

- 1) The lot contains less than 10 dwelling units;
- 2) No construction is located more than 300 feet from the public right-of way providing fire department access.
- 3) There is a single driveway;
- 4) No construction exceeds two stories in height;
- 5) The driveway shall be labeled "FIRE LANE" on the building plans and on the subdivision map where submitted;

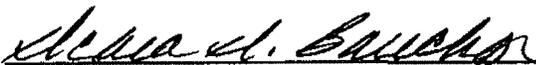
- 6) The entrance to the driveway and at intervals not to exceed 150 feet shall be posted as "NO PARKING – FIRE LANE" in letters not less than 3 inches in height;
- 7) The slope of the driveway shall not exceed 15 percent at any location.

**SECTION 3.** This Ordinance shall take effect thirty (30) days after its adoption. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance, and for which building permits are obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be exempt from the provisions of this Ordinance and shall remain subject to the provisions of the chapter of the Bellflower Municipal Code and the code adopted by reference therein. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance but for which building permits are not obtained within one hundred eighty (180) days after the effective date of this Ordinance shall be subject to all provisions of this Ordinance and the code adopted by reference in this Ordinance. The City Clerk, or her duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be posted as required by law.

**ORDINANCE NO. 1205 HAD ITS FIRST READING ON NOVEMBER 8, 2010, ITS SECOND READING ON NOVEMBER 22, 2010, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF NOVEMBER 22, 2010.**

  
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Raymond Dunton, Mayor

Attest:

  
\_\_\_\_\_  
Debra D. Bauchop, City Clerk

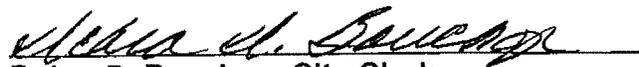
STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF BELLFLOWER )

I, **Debra D. Bauchop**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 1205 had its first reading on November 8, 2010, its second reading on November 22, 2010, and was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of November 22, 2010, by the following vote to wit:

**AYES:** Council Members – Koops, Smith, Larsen, Bomgaars, and Mayor Dunton

Ordinance No. 1205 was posted at City Hall, the Clifton M. Brakensiek Library, John S. Simms Park, the Bellflower Sheriff's Substation, and T. Mayne Thompson Park; and the Ordinance, effective date, and vote will be published on Monday, November 29, 2010, in the Public Notices Section of the *Long Beach Press-Telegram*, pursuant to Government Code Section 36933 and City Council action of October 9, 2006.

**Dated: November 23, 2010**



**Debra D. Bauchop, City Clerk**  
**City of Bellflower, California**

(SEAL)

**CITY OF BELLFLOWER**

**ORDINANCE NO. 1206**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER ADDING THERETO A NEW CHAPTER 15.64 TO THE BELLFLOWER MUNICIPAL CODE (ADOPTING BY REFERENCE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11 - THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE) AND MAKING AMENDMENTS THERETO**

**WHEREAS**, the 2010 California Green Building Standards Code was published by the State Building Standards Commission in 2010; and

**WHEREAS**, the City is required to adopt the 2010 California Green Building Standards Code.

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

**SECTION 1**, A new Chapter 15.64 is hereby added to the Bellflower Municipal Code to read as follows:

**CHAPTER 15.64**

**GREEN BUILDING STANDARDS CODE**

**Section:**

**15.64.010 Green Building Standards Code – Adopted by Reference;  
Where Filed  
15.64.020 Amendments**

**15.64.010 Green Building Standards Code – Adopted by Reference;  
Where Filed**

California Code of Regulations, Title 24, Part 11 (the 2010 California Green Building Standards Code) is hereby adopted by reference as the Green Building Standards Code of the City of Bellflower.

In accordance with California Government Code Section 50022.6, one (1) copy of California Code of Regulations, Title 24, Part 11 (2010 California Green Building Standards Code) shall remain on file with the building official within the Community Development Department and shall be at all times maintained by the building official for use and examination by the public.

**15.40.020 Amendments**

a. Section 101.12 is added in its entirety to read as follows:

**101.12 Fee for Mandatory Measures.** A fee as established through resolution of the City Council shall be assessed at the time of plan review submittal for all newly constructed residential and commercial buildings regulated by this Code in order to verify compliance with the mandatory measures and other requirements of the California Green Building Standards Code.

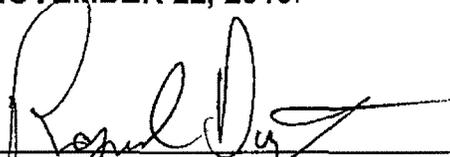
b. Section 202 is amended to read as follows:

**LOW-RISE RESIDENTIAL BUILDING.** A building that is classified as group R occupancy and is six stories or less, or that is a one or two family dwelling or town house.

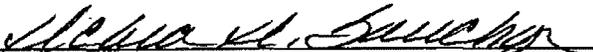
**NEW CONSTRUCTION** shall mean any work to erect an entirely new building, structure, or apparatus system.

**SECTION 2.** This Ordinance shall take effect thirty (30) days after its adoption. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance, and for which building permits are obtained within one hundred eighty (180) days from the effective date of this Ordinance shall be exempt from the provisions of this Ordinance. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance but for which building permits are not obtained within one hundred eighty (180) days from the effective date of this Ordinance shall be subject to all provisions of this Ordinance and the code adopted by reference in this Ordinance. The City Clerk, or her duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be posted as required by law.

ORDINANCE NO. 1206 HAD ITS FIRST READING ON NOVEMBER 8, 2010, ITS SECOND READING ON NOVEMBER 22, 2010, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF NOVEMBER 22, 2010.

  
\_\_\_\_\_  
Raymond Dunton, Mayor

Attest:

  
\_\_\_\_\_  
Debra D. Bauchop, City Clerk

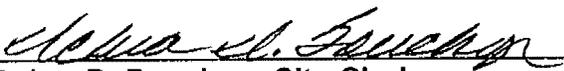
STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF BELLFLOWER         )

I, **Debra D. Bauchop**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 1206 had its first reading on November 8, 2010, its second reading on November 22, 2010, and was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of November 22, 2010, by the following vote to wit:

**AYES:** Council Members – Koops, Smith, Larsen, Bomgaars, and Mayor Dunton

Ordinance No. 1206 was posted at City Hall, the Clifton M. Brakensiek Library, John S. Simms Park, the Bellflower Sheriff's Substation, and T. Mayne Thompson Park; and the Ordinance, effective date, and vote will be published on Monday, November 29, 2010, in the Public Notices Section of the *Long Beach Press-Telegram*, pursuant to Government Code Section 36933 and City Council action of October 9, 2006.

**Dated: November 23, 2010**

  
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**Debra D. Bauchop, City Clerk**  
**City of Bellflower, California**

(SEAL)