STATE OF CALIFORNIA – STATE AND CONSUMER SERVICES AGENCY GOVERNOR EDMUND G. BROWN JR.

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

February 11, 2011

Mark Berg, Chief Building Official
Public Works Department
City of El Monte
11333 Valley Blvd.
El Monte, CA 91731-3293

Dear Mr. Berg:

This letter is to acknowledge receipt on November 4, 2010. of the City of El Monte submittal pertaining to Ordinance Numbers 2756 through 2760 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.8 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

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

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

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

CITY OF EL MONTE
PUBLIC WORKS DEPARTMENT
BUILDING DIVISION

James A. Enriquez, P.E.
Director of Public Works/City Engineer

Mark Berg
Chief Building Official

Oct 28, 2010

Mr. David Walls, Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Dear Mr. Walls:

CITY OF EL MONTE ADOPTION OF THE 2010 CALIFORNIA CODES AND FINDINGS OF LOCAL AMENDMENTS

Enclosed, please find copies of Ordinances adopting the California Building, Residential, Electrical, Plumbing, Mechanical, and Green Building Standards Codes. The package also includes the City's amendments to these Codes together with appropriate Findings for these amendments in accordance with the requirements of Section 17958.7 of the California Health and Safety Code. Each of the changes and modifications to the building standards was found to be reasonably necessary based upon local climatic, geological, and/or topographical conditions.

The El Monte City Council made these Findings and approved the Ordinances at its meeting on October 19, 2010. The Ordinances include Nos. 2756, 2757, 2758, 2759, and 2760 adopting and amending the California Building, Residential, Electrical, Plumbing, Mechanical, and Green Building Standards Codes, respectively.

If you should have any questions, please contact Mr. Mark Berg, Chief Building Official, at 626-580-2050.

Very truly yours,

Mark Berg
Chief Building Official

Attachments
Ord. 2756
Ord. 2757
Ord. 2758
Ord. 2759
Ord. 2760

RECEIVED
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BUILDING STANDARDS
COMMISSION

ORDINANCE NO. 2756

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL MONTE AMENDING CHAPTER 15.01 (BUILDING CODE) OF THE EL MONTE MUNICIPAL CODE TO ADOPT AND INCORPORATE BY REFERENCE THE PROVISIONS OF THE 2010 EDITION OF THE CALIFORNIA BUILDING CODE AND THE 2010 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, SUBJECT TO CERTAIN SPECIFIED AMENDMENTS AND MODIFICATIONS.

THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 15 (Building and Construction) of the El Monte Municipal Code is hereby amended by the amendment of Chapter 15.01 (Building Code) of the El Monte Municipal Code in its entirety so as to adopt and incorporate by reference the provisions of the 2010 Edition of the California Building Code (Title 24, Part 2 of the California Code of Regulations) and the 2010 Edition of the California Residential Code (Title 24, Part 2.5 of the California Code of Regulations). In so adopting and incorporating by reference the provisions of the 2010 Edition of the California Building Code and the 2010 Edition of the California Residential Code, it is the intent of the City to adopt and incorporate by reference the 2009 Edition of the International Building Code and the 2009 Edition of the International Residential Code, respectively, of the International Code Council to the same extent they were adopted and amended by the State of California by way of the California Building Code, 2010 Edition and the California Residential Code, 2010 Edition – all subject to additional City modifications detailed below.

SECTION 2. The amendment of Chapter 15.01 notwithstanding, shall not apply to or excuse any violation thereof occurring prior to the effective date of this Ordinance. Further, the code provisions adopted and incorporated herein by reference shall be in full force and shall be applicable to construction wherein plans have been submitted on or after the effective date of this Ordinance.

SECTION 3. The amendments of the current provisions of Chapter 15.01 of the El Monte Municipal Code shall not affect any violation, punishment or penalty imposed before the amendments take effect, nor any suit, prosecution or proceeding pending at the time of amendments, for any offense committed under the previous provisions.

SECTION 4. The City Council finds as follows:

A. The amendments to Section 15.01.040 and 15.01.540 are reasonably necessary because of the City's proximity to the San Andreas Fault and additional earthquake faults in the area. The height limits on accessory structures are reasonably necessary because such structures are not otherwise subject to a building permit and design review, and as a result they are not subjected review for compliance with the Code's seismic structural building standards. Accessory structures and other buildings that have not been reviewed for compliance with seismic standards are more likely to have been built to less stringent standards, and therefore such structures are more likely to be susceptible to collapse or other structural failure during a seismic event. The

height limit on such buildings is reasonably necessary to attempt to prevent or minimize structural compromise of such buildings should a seismic event occur.

B. The amendments adopting permit and height limits on masonry and concrete fencing is reasonably necessary due to the City's proximity to major earthquake faults. Concrete and masonry walls exceeding three feet in height are subject to a higher likelihood of cracking, collapse, and other structural failure during seismic events, which warrants the permit requirement for such fences. The permit requirement for concrete and masonry fences exceeding 3 feet in height is reasonably necessary in attempting to prevent or minimize structural compromise of such fences should a seismic event occur.

SECTION 5. Chapter 15.01 shall state and provide the following:

Chapter 15.01 - BUILDING CODE

Sections:

15.01.010 - Adoption of California Building Code, 2010 Edition.
15.01.020 - Definitions.
15.01.030 - Amendment of Section 114 of Chapter 1, Division II (Scope and Administration) of the California Building Code, 2010 Edition.
15.01.040 - Amendment of Subsection 105.2 of Chapter 1, Division II (Scope and Administration) of the California Building Code, 2010 Edition.
15.01.050 - Amendment of Subsection 107.2.5 of Chapter 1, Division II (Scope and Administration) of the California Building Code, 2010 Edition.
15.01.060- Amendment of Subsection 105.3 of Chapter 1 Division II (Scope and Administration) of the California Building Code, 2010 Edition.
15.01.070 - Amendment of Subsections 109.1, 109.2 and 109.3 of Chapter 1, Division II (Scope and Administration) of the California Building Code, 2010 Edition.
15.01.080 - Amendment of Section 202 of Chapter 2 (Definitions) of the California Building Code, 2010 Edition.
15.01.090 - Amendment of Section 3410 (Moved Structures) of Chapter 34 (Existing Structures) of the California Building Code, 2010 Edition.
15.01.100 - Amendment of Section 3109.4.1 of Chapter 31 (Special Construction) of the California Building Code, 2010 Edition.
15.01.110 - Adoption of Appendices.
15.01.120 - Amendment of Appendix "J" (Grading) of the California Building Code, 2010 Edition.
15.01.130 - Adoption of Additional Related Codes.
15.01.140 – Exclusion of Other Appendices.

15.01.510 - Adoption of California Residential Code, 2010 Edition.
15.01.520 - Definitions.
15.01.530 - Amendment of Section R113 of Chapter 1, Division II (Scope and Administration) of the California Residential Code, 2010 Edition.
15.01.540 - Amendment of Subsection R105.2 of Chapter 1, Division II (Scope and Administration) of the California Residential Code, 2010 Edition.
15.01.550- Amendment of Subsection R106.2 of Chapter 1, Division II (Scope and Administration) of the California Residential Code, 2010 Edition.
15.01.560 - Amendment of Subsection R105.3 of Chapter 1, Division II (Scope and Administration) of the California Residential Code, 2010 Edition.
15.01.570 - Amendment of Subsections R108.1, R108.2 and R108.3 of Chapter 1, Division II (Scope and Administration) of the California Residential Code, 2010 Edition.
15.01.580 - Amendment of Section R202 of Chapter 2 (Definitions) of the California Residential Code, 2010 Edition.
15.01.590 - Adoption of Appendices.

15.01.600 – Exclusion of Other Appendices.

15.01.010 - Adoption of California Building Code, 2010 Edition.

A. The California Building Code, 2010 Edition is hereby adopted in its entirety and incorporated by reference into the El Monte Municipal Code, together with, and subject to, those amendments, additions and modifications delineated in this Chapter below. For the purposes of this Chapter 15.01, the California Building Code, 2010 Edition and its appendices as adopted herein may be referred to collectively as the "El Monte Building Code" or "this code."

B. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the city of El Monte and certain equipment specifically regulated herein.

15.01.020 - Definitions.

Except as otherwise provided in this Chapter, the words used in El Monte Building Code shall have the meanings ascribed to them within El Monte Building Code. The foregoing notwithstanding, the following terms shall have the meanings set forth below for purposes of this Chapter and the El Monte Building Code:

A. Whenever the term "municipality," "City," or "City of El Monte" is used, it shall mean the City of El Monte or the appropriate department, division, or agency of said City as the context may reasonably require.

B. Whenever the term "Legislative Body" or "City Council" is used, it shall mean the City Council of the City of El Monte, California.

C. Whenever the term "Building Official" is used, it means Chief Building Official of the City of El Monte.

D. Whenever the term "Building Department" is used, it shall refer to the Division of Building and Safety of the Community Development Department of the City of El Monte.

E. If any term used in the El Monte Building Code refers to an office, officer, board, commission or other public body not established by, or having jurisdiction over or within, the City of El Monte, the term shall be deemed to refer to such office, officer, board, commission or other public body as shall in fact be charged with the responsibility of performing the duty intended to be performed by said office, officer, board, commission or other public body.

F. The term "California Building Code" or "California Building Code, 2010 Edition" as used in El Monte Municipal Code means and refers to the El Monte Building Code as adopted and incorporated by reference under this Chapter.

15.01.030 - Amendment of Section 114 of Chapter 1, Division II (Scope and Administration) of the California Building Code, 2010 Edition.

Adoption of the California Building Code, 2010 Edition shall be subject to the addition of the following subsection 114.5 (Municipal Code Violations) to the text of Section 114 (Violations) of Chapter 1, Division II (Scope and Administration) of said code:

Any person who violates any provision of the El Monte Building Code shall be punishable as provided under Chapter 1.24 (General Penalty) of the El Monte Municipal Code.

15.01.040 - Amendment of Subsection 105.2 of Chapter 1, Division II (Scope and

Administration) of the California Building Code, 2010 Edition.

Adoption of the California Building Code, 2010 Edition shall be subject to the following amendments to subsection 105.2 (Work Exempt from Permit Building) of Section 105 (Permits) of Chapter 1, Division II (Scope and Administration):

Item "1" shall state the following:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and the highest point of the roof does not exceed 15 feet 0 inches above adjacent grade. The accessory structure shall comply with the City Zoning Code regardless whether a permit for said structure is required or not.

Item "2" shall state the following:

2. Wood, wrought iron and similar fences not over 6 feet high and masonry, concrete and similar garden or pilaster fences not over 3 feet high. Fences shall comply with the City's Zoning Code regardless whether a permit is required or not.

Item "4" shall state the following:

4. Retaining walls not over 3 feet high measured from the top of the footing to the top of the wall, unless supporting a surcharge. Retaining walls shall comply with the City's Zoning Code regardless whether a permit is required or not.

15.01.050 - Amendment of Subsection 107.2.5 of Chapter 1, Division II (Scope and Administration) of the California Building Code, 2010 Edition.

Adoption of the California Building Code, 2010 Edition shall be subject to the addition of item 107.2.5.2 (Future Property Line) to Subsection 107.2.5 (Site plan) of Section 107 (Submittal Documents) of Chapter 1, Division II (Scope and Administration). This added item 107.2.5.2 shall state the following:

107.2.5.2 Future Property Line.

(a) It is contemplated that certain streets within the territorial boundaries of the City of El Monte may be widened in the future in compliance with the circulation elements of the City's updated General Plan. When such streets are proposed for future widening such information shall be shown on the official zoning maps in Title 17 of the El Monte Municipal Code.

(b) Whenever building permits are issued for a structure on a lot having a future property line shown thereon in the official zoning maps, such future property line shall be considered to be the official lot line(s) for purposes of establishing building locations relative to set-backs, yard areas, open yards and the like.

15.01.060 - Amendment of Subsection 105.3 of Chapter 1, Division II (Scope and Administration) of the California Building Code, 2010 Edition.

Adoption of the California Building Code, 2010 Edition shall be subject to the following amendments to Subsection 105.3 (Application for Permit) of Section 105 (Permits) of Chapter 1, Division II (Scope and Administration). This added item 105.3.3 shall state the following:

105.3.3 Demolition Permits.

(a) Demolition permits may be issued to raze buildings and structures when the following pre-conditions have been satisfied:

1. The permit applicant provides the Building Official with a reasonably detailed written description of the subject property as well as a legal description.

2. The permit applicant provides the Building Official with the date the contemplated demolition will begin.

3. The terms and conditions, if any, upon which each permit is granted are written upon the permit application or appended in writing thereto.

4. The permit applicant, or his/her/its authorized agent, posts a cash/surety bond or a depositor's cash book assignment in an amount equal to the estimated cost, plus ten (10%) percent of the work required to be done or other amount as determined by the Building Official. Such costs shall be as estimated by the Building Official.

5. The permit applicant provides the Building Official with proof of compliance with the rules and regulations of the South Coast Air Quality Management District.

(b) The Building Official may waive the requirement for a bond or deposit at his/her discretion when the demolition is included as part of the permit for a new structure on the same site.

(c) Each bond posted or deposit made pursuant to the provisions of this Chapter 1, Division II (Scope and Administration) shall expressly require that each and every term and/or condition associated with a demolition permit be complied with to the satisfaction of the Building Official.

(d) If a demolition permit does not set forth a specific completion date, the work authorized shall be completed within sixty (60) days after the date of the issuance of the demolition permit, unless otherwise set forth by the written order of the Building Official in his/her discretion.

(e) Whenever the Building Official finds that a default has occurred in the performance of any term or condition of any demolition permit, the Building Official shall give written notice thereof to the permittee. In such notice of default, the Building Official shall state the work to be done, the estimated costs thereof, and the period of time determined by the Building Official to be reasonably necessary for the completion of such work. If compliance is not had within the time specified by the Building Official, the Building Official, without delay and without further notice or proceeding, shall proceed to use any cash/surety bond or depositor's cash book or any portion of such instrument, to cause the required work to be done by contract or otherwise. The balance, if any, of such instrument upon the completion of the work, shall be returned to the depositor or to his successors or assigns after deducting the cost of the work, plus ten (10%) percent thereof.

(f) When a cash/surety bond or depositor's cash book assignment has been posted, the Building Official shall return the cash/surety or release the cash book assignment to the depositor or to his successors or assigns upon the termination of the bond, except any portion thereof that may have been used or deducted as elsewhere provided in this chapter.

(g) In the event of any default in the performance of any term or condition of the demolition permit, the Building Official, or any duly authorized person employed or engaged by the City, may go upon the premises to complete the required work or to remove or demolish the building or structure. The owner, or his representatives, successors, or assignees, or any other person who interferes with or obstructs the ingress or egress to or from any such premises of any authorized representative or agent of any surety or of the City of El Monte engaged in the work of completing, demolishing, or removing any building or structure for which a demolition permit has been issued after a default has occurred in the performance of the terms or conditions thereof shall be guilty of a violation punishable in accordance with Title 1 (General Provisions), Chapter 1.24 (General Penalty) of the El Monte Municipal Code.

(h) In addition to the demolition permit, permits for encroachments of public rights-of-way, the construction of protective canopies, electrical wiring, and the like, shall be obtained when required by the El Monte Municipal Code.

(i) The requirements for pedestrian protection shall be those set forth under Chapter 33 (Safeguards During Construction) of the El Monte Building Code as adopted herein. Except as otherwise provided under the El Monte Building Code, any use of the public right-of-way shall conform to the requirements of the El Monte Department of Public

Works.

(j) The requirements, restrictions and procedures for the filling of abandoned cesspools and the capping of abandoned sewer lines shall be those set forth under the El Monte Plumbing Code as adopted pursuant to Chapter 15.02 of the El Monte Municipal Code.

(k) All rubble, including footings and slabs, and debris shall be removed from the premises and the premises shall be left in a clean and orderly condition. The Building Official may approve alternate methods upon a written request by the applicant.

(l) A permit applicant for any of the following varieties of projects, activities or undertakings shall also comply with the provisions of Chapter 8.20 (Solid Waste - Removal, Collection, Disposal and Diversion) of the El Monte Municipal Code: (i) any project, activity or undertaking involving construction, demolition, additions, alterations, remodeling, encroachments, tenant improvements or grading when such projects, activities or undertakings require a building, demolition, encroachment and/or grading permit; (ii) any renovation and repair projects performed at all varieties of premises (including but not limited to roof tear-offs); (iii) any premises clean-outs (including but not limited to apartment clean-outs); (iv) any warehouse clean-ups; (v) nuisance and/or weed abatement clean-ups; or (vi) any street/road maintenance clean-ups.

15.01.070 - Amendment of Subsections 109.1, 109.2 and 109.3 of Chapter 1, Division II (Scope and Administration) of the California Building Code, 2010 Edition.

The adoption of the California Building Code, 2010 Edition shall be subject to the amendment of Subsections 109.1, 109.2 and 109.3 of Chapter 1, Division II (Scope and Administration) in their entirety. As amended, Subsections 109.1, 109.2 and 109.3 shall now read as follows:

109.1 General

All fees or service charges established in connection with this Chapter shall be paid to the Building Official c/o the El Monte Licensing Division. Permit and plan check fees and any other Code-related fees or service charges shall be established by resolution of the El Monte City Council and may be amended, modified and/or updated from time to time by resolution.

109.2 Permit Fees

The determination of value or valuation under any of the provisions of this Chapter shall be made by the Building Official whose determination shall be final. The value to be utilized in computing the permit and plan review fees established pursuant to this Chapter, shall be the total value of all work for which the permit is issued including, by way of illustration and not by limitation, construction and finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems, and all other permanent equipment. The fee for each permit shall be as set forth in City of El Monte Schedule of Building Permit Fees which shall be on file at the El Monte Building Division for viewing, copying and inspection.

109.3 Plan Review Fees

(a) When a plan or other data is required to be submitted for review and approval by the Building Official pursuant to this chapter, a plan review fee shall be paid at the time of submittal of such plan or other data. Where the plan or other data is incomplete or changed so as to require additional plan review (recheck), a recheck fee shall be paid at the time of submittal of such plan or other data. Said plan review and recheck fees shall be established and may be amended from time to time, by resolution of the City Council.

(b) Plan Review Fees. When submittal documents are required by Section 107, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be sixty-five percent (65%) of the building permit fee. The plan review fees specified in this section are separate fees from the permit fees

specified in Section 109.2 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.2, an additional plan review fee shall be charged as set forth in the adopted fee schedule.

15.01.080 - Amendment of Section 202 of Chapter 2 (Definitions) of the California Building Code, 2010 Edition.

Adoption of the California Building Code, 2010 Edition shall be subject to amendment of Section 202 of Chapter 2 (Definitions) of the California Building Code, 2010 Edition by the addition of the following defined term to the list of defined terms set forth therein:

GARAGE, PRIVATE, is a building or portion of a building in which motor vehicles are kept or stored, and which has three sides fully enclosed with approved materials. The fourth side shall be provided with a door or doors providing ingress and egress for the motor vehicles to be kept therein.

15.01.090 - Amendment of Section 3410 (Moved Structures) of Chapter 34 (Existing Structures) of the California Building Code, 2010 Edition.

Adoption of the California Building Code, 2010 Edition shall be subject to the amendment in its entirety of Section 3410 (Moved Structures) of Chapter 34 (Existing Structures). As amended, Section 3410 shall state the following:

Section 3410. Moved Structures.

A. Buildings, structures, and their building service equipment moved into or within this jurisdiction shall comply with the provisions of the technical codes for new buildings or structures and their building service equipment, as amended by the State of California. Applicants requesting moving permits shall submit a certificate showing freedom from termite infestation for each building or structure to be moved. Said certificate shall be submitted at the time application for the moving permit has been duly filed. Upon filing of the application for permit to move a building or structure, and payment of the fee prescribed in the adopted fee schedule, the Building Official shall cause the building or structure to be inspected and shall prepare a written report which shall be forwarded to the applicant. This report shall indicate the approval or disapproval by the Building Official, and if approved for moving, shall outline the requirements necessary to make the building or structure conform to the codes and regulations of this and other ordinances duly adopted by the City of El Monte.

B. The report of inspection shall remain valid for a period of ninety (90) days from the date that the building or structure has been inspected. If the building or structure has not been relocated by the expiration of this time limit, then a new report and inspection fee shall be required. The applicant shall agree in writing, which shall be notarized, to make all the required changes and repairs within one hundred and eighty (180) days after relocation and shall post with the Building Official, a faithful performance bond, cash or surety, in an amount equal to the cost of the required reconstruction as determined by the Building Official. The faithful performance bond shall guarantee that the required changes shall be made, or the building or structure shall be removed or demolished and the site cleared, cleaned and restored to its original condition insofar as is practical.

15.01.100 - Amendment of Section 3109.4.1 of Chapter 31 (Special Construction) of the California Building Code, 2010 Edition.

Subsection 3109.4.1 of Chapter 31 of the California Building Code, 2010 Edition is amended by the replacement of its first sentence with the following sentence:

The top of the barrier shall be at least sixty (60) inches above grade measured on the side of the barrier that faces away from the swimming pool.

15.01.110 - Adoption of Appendices.

The following appendices that are part of the California Building Code, 2010 Edition are adopted in their entirety:

A. Appendix I, Patio Covers; and

B. Appendix J, Grading.

15.01.120 - Amendment of Appendix "J" (Grading) of the California Building Code, 2010 Edition.

A. Appendix "J" (Grading) of the California Building Code, 2010 Edition is amended by adding Section J103.3 to state the following:

J103.3. Grading Fees. Whenever any permit fees, plans review fees, inspection fees or other fees are required to be paid, the same shall be paid in accordance with the procedures and in such amounts as established, and may be amended from time to time, by resolution of the City Council.

B. Appendix "J" (Grading) of the California Building Code, 2010 Edition is amended by amending Section J109 in its entirety to state the following:

Section J109. Drainage. All drainage facilities shall be of such design as to carry surface waters to the nearest practical street, storm drain, or natural watercourse approved by the City Engineer.

Drainage waters shall not flow over a public sidewalk or parkway, but shall be deposited in a concrete receptor, located outside the driveway and parking area where possible, and approved for the purpose, and then carried under the sidewalk or parkway, through the curb into the gutter in a manner approved by the City Engineer.

EXCEPTION: Group U Occupancies and R-3 Occupancies, other than townhouses, may flow over a public sidewalk or parkway.

Surface waters entrapped on adjacent properties by reason of any fill shall be drained by the installation of pipes, conduits, culverts, or flumes in keeping with good engineering practices and design, to the nearest street, storm drain, or natural watercourse, as approved by the Director of Public Works and shall be the responsibility of the owner of the property on which the fill is placed.

No slope of any kind shall drain surface waters onto adjoining property limits and where fill exceeds twelve (12") inches in depth.

15.01.130 - Adoption of Additional Related Codes.

The following parts of the California Code of Regulations are adopted in their entirety:

A. Part 8, Historical Building Code; and

B. Part 10, Existing Building Code.

15.01.140 - Exclusion of Other Appendices.

Any additional appendices which may happen to be contained within the same book volume as the California Building Code, 2010 Edition, are not adopted or incorporated into the El Monte Municipal Code unless stated in this chapter.

15.01.510 - Adoption of California Residential Code, 2010 Edition.

A. The California Residential Code, 2010 Edition is adopted in its entirety and incorporated by reference into the El Monte Municipal Code, together with, and subject to, those amendments, additions and modifications delineated in this chapter below. For the purposes of this Chapter 15.01, the California Residential Code, 2010 Edition and its appendices as adopted herein may be referred to collectively as the "El Monte Building Code" or "this code."

B. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance

of all buildings and structures within the city of El Monte and certain equipment specifically regulated herein.

C. For clarification purposes, the California Residential Code contains Chapters 1 through 10 and 44, as the State adoption of the 2009 International Building Code excluded Chapters 11 through 43.

15.01.520 - Definitions.

Except as otherwise provided in this chapter, the words used in El Monte Building Code shall have the meanings ascribed to them within El Monte Building Code. The foregoing notwithstanding, the following terms shall have the meanings set forth below for purposes of this chapter and the El Monte Building Code:

A. Whenever the term "municipality," "City," or "City of El Monte" is used, it means the City of El Monte or the appropriate department, division, or agency of said City as the context may reasonably require.

B. Whenever the term "legislative body" or "City Council" is used, it means the City Council of the City of El Monte, California.

C. Whenever the term "Building Official" is used, it means Chief Building Official of the City of El Monte.

D. Whenever the term "Building Department" is used, it refers to the Division of Building and Safety of the Community Development Department of the City of El Monte.

E. If any term used in the El Monte Building Code refers to an office, officer, board, commission or other public body not established by, or having jurisdiction over or within, the City of El Monte, the term shall be deemed to refer to such office, officer, board, commission or other public body as shall in fact be charged with the responsibility of performing the duty intended to be performed by said office, officer, board, commission or other public body.

F. The term "California Residential Code" or "California Residential Code, 2010 Edition' as used in El Monte Municipal Code means and refers to the El Monte Building Code as adopted and incorporated by reference under this chapter.

15.01.530 - Amendment of Section R113 of Chapter 1, Division II (Scope and Administration) of the California Residential Code, 2010 Edition.

Adoption of the California Residential Code, 2010 Edition shall be subject to the addition of the following Subsection R113.5 (Municipal Code Violations) to the text of Section R113 (Violations) of Chapter 1, Division II (Scope and Administration) of said code:

Any person who violates any provision of the El Monte Building Code shall be punishable as provided under Chapter 1.24 (General Penalty) of the El Monte Municipal Code.

15.01.540 - Amendment of Subsection R105.2 of Chapter 1, Division II (Scope and Administration) of the California Residential Code, 2010 Edition.

Adoption of the California Residential Code, 2010 Edition shall be subject to the following amendments to Subsection R105.2 (Work Exempt from Permit-Building) of Section R105 (Permits) of Chapter 1, Division II (Scope and Administration):

Item "1" shall state the following:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and the highest point of the roof does not exceed 15 feet 0 inches

above adjacent grade. The accessory structure shall comply with the City Zoning Code regardless whether a permit for said structure is required or not.

Item "2" shall state the following:

2. Wood, wrought iron and similar fences not over 6 feet high and masonry, concrete and similar garden or pilaster fences not over 3 feet high. Fences shall comply with the City's Zoning Code regardless whether a permit is required or not.

Item "3" shall state the following:

3. Retaining walls not over 3 feet high measured from the top of the footing to the top of the wall, unless supporting a surcharge. Retaining walls shall comply with the City's Zoning Code regardless whether a permit is required or not.

15.01.550 - Amendment of Subsection R106.2 of Chapter 1, Division II (Scope and Administration) of the California Residential Code, 2010 Edition.

Adoption of the California Residential Code, 2010 Edition shall be subject to the addition of item R106.2.1 (Future Property Line) to Subsection R106.2 (Site plan) of Section R106 (Construction Documents) of Chapter 1, Division II (Scope and Administration). This added item R106.2.1 shall state the following:

R106.2.1 Future Property Line.

(a) It is contemplated that certain streets within the territorial boundaries of the City of El Monte may be widened in the future in compliance with the circulation elements of the City's updated General Plan. When such streets are proposed for future widening such information shall be shown on the official zoning maps in Title 17 of the El Monte Municipal Code.

(b) Whenever building permits are issued for a structure on a lot having a future property line shown thereon in the official zoning maps, such future property line shall be considered to be the official lot line(s) for purposes of establishing building locations relative to set-backs, yard areas, open yards and the like.

15.01.560 - Amendment of Subsection R105.3 of Chapter 1, Division II (Scope and Administration) of the California Residential Code, 2010 Edition.

Adoption of the California Residential Code, 2010 Edition shall be subject to the following amendments to Subsection R105.3 (Application for Permit) of Section R105 (Permits) of Chapter 1, Division II (Scope and Administration). This added item R105.3.3 shall state the following:

R105.3.3 Demolition Permits.

(a) Demolition permits may be issued to raze buildings and structures when the following pre-conditions have been satisfied:

1. The permit applicant provides the Building Official with a reasonably detailed written description of the subject property as well as a legal description.

2. The permit applicant provides the Building Official with the date the contemplated demolition will begin.

3. The terms and conditions, if any, upon which each permit is granted are written upon the permit application or appended in writing thereto.

4. The permit applicant, or his/her/its authorized agent, posts a cash/surety bond or a depositor's cash book assignment in an amount equal to the estimated cost, plus ten (10%) percent of the work required to be done or other amount as determined by the Building Official. Such costs shall be as estimated by the Building Official.

5. The permit applicant provides the Building Official with proof of compliance with the rules and regulations of the South Coast Air Quality Management District.

(b) The Building Official may waive the requirement for a bond or deposit at his/her discretion when the demolition is included as part of the permit for a new structure on the same site.

(c) Each bond posted or deposit made pursuant to the provisions of this Chapter 1, Division II (Scope and Administration) shall expressly require that each and every term and/or condition associated with a demolition permit be complied with to the satisfaction of the Building Official.

(d) If a demolition permit does not set forth a specific completion date, the work authorized shall be completed within sixty (60) days after the date of the issuance of the demolition permit unless otherwise set forth by the written order of the Building Official in his/her discretion.

(e) Whenever the Building Official finds that a default has occurred in the performance of any term or condition of any demolition permit, the Building Official shall give written notice thereof to the permittee. In such notice of default, the Building Official shall state the work to be done, the estimated costs thereof, and the period of time determined by the Building Official to be reasonably necessary for the completion of such work. If compliance is not had within the time specified by the Building Official, the Building Official, without delay and without further notice or proceeding, shall proceed to use any cash/surety bond or depositor's cash book or any portion of such instrument, to cause the required work to be done by contract or otherwise. The balance, if any, of such instrument upon the completion of the work, shall be returned to the depositor or to his successors or assigns after deducting the cost of the work, plus ten (10%) percent thereof.

(f) When a cash/surety bond or depositor's cash book assignment has been posted, the Building Official shall return the cash/surety or release the cash book assignment to the depositor or to his successors or assigns upon the termination of the bond, except any portion thereof that may have been used or deducted as elsewhere provided in this chapter.

(g) In the event of any default in the performance of any term or condition of the demolition permit, the Building Official, or any duly authorized person employed or engaged by the City, may go upon the premises to complete the required work or to remove or demolish the building or structure. The owner, or his representatives, successors, or assignees, or any other person who interferes with or obstructs the ingress or egress to or from any such premises of any authorized representative or agent of any surety or of the City of El Monte engaged in the work of completing, demolishing, or removing any building or structure for which a demolition permit has been issued after a default has occurred in the performance of the terms or conditions thereof shall be guilty of a violation punishable in accordance with Title 1 (General Provisions), Chapter 1.24 (General Penalty) of the El Monte Municipal Code.

(h) In addition to the demolition permit, permits for encroachments of public rights-of-way, the construction of protective canopies, electrical wiring, and the like, shall be obtained when required by the El Monte Municipal Code.

(i) The requirements for pedestrian protection shall be those set forth under Chapter 33 (Safeguards During Construction) of the California Building Code as adopted herein. Except as otherwise provided under the El Monte Building Code, any use of the public right-of-way shall conform to the requirements of the El Monte Department of Public Works.

(j) The requirements, restrictions and procedures for the filling of abandoned cesspools and the capping of abandoned sewer lines shall be those set forth under the El Monte Plumbing Code as adopted pursuant to Chapter 15.02 of the El Monte Municipal Code.

(k) All rubble, including footings and slabs, and debris shall be removed from the premises and the premises shall be left in a clean and orderly condition. The Building Official may approve alternate methods upon a written request by the applicant.

(l) A permit applicant for any of the following varieties of projects, activities or undertakings shall also comply with the provisions of Chapter 8.20 (Solid Waste - Removal, Collection, Disposal and Diversion) of the El Monte Municipal Code: (i) any project, activity or undertaking involving construction, demolition, additions, alterations, remodeling, encroachments, tenant improvements or grading when such projects, activities or undertakings require a building, demolition, encroachment and/or grading permit; (ii) any renovation and repair projects performed at all varieties of premises (including but not limited to roof tear-offs); (iii) any premises clean-outs (including but not limited to apartment clean-outs); (iv) any warehouse clean-ups; (v) nuisance and/or weed abatement clean-ups; or (vi) any street/road maintenance clean-ups.

15.01.570 - Amendment of Subsections R108.1, R108.2 and R108.3 of Chapter 1, Division II (Scope and Administration) of the California Residential Code, 2010 Edition.

The adoption of the California Residential Code, 2010 Edition shall be subject to the amendment of Subsections 108.1, 108.2 and 108.3 of Chapter 1 Division II (Scope and Administration) in their entirety. As amended, Subsections 108.1, 108.2 and 108.3 shall now read as follows:

R108.1 General

All fees or service charges established in connection with this Chapter shall be paid to the Building Official c/o the El Monte Licensing Division. Permit and plan check fees and any other Code-related fees or service charges shall be established by resolution of the El Monte City Council and may be amended, modified and/or updated from time to time by resolution.

R108.2 Permit Fees

The determination of value or valuation under any of the provisions of this Chapter shall be made by the Building Official whose determination shall be final. The value to be utilized in computing the permit and plan review fees established pursuant to this Chapter, shall be the total value of all work for which the permit is issued including, by way of illustration and not by limitation, construction and finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire extinguishing systems, and all other permanent equipment. The fee for each permit shall be as set forth in City of El Monte Schedule of Building Permit Fees which shall be on file at the El Monte Building Division for viewing, copying and inspection.

R108.3 Plan Review Fees

(a) When a plan or other data is required to be submitted for review and approval by the Building Official pursuant to this chapter, a plan review fee shall be paid at the time of submittal of such plan or other data. Where the plan or other data is incomplete or changed so as to require additional plan review (recheck), a recheck fee shall be paid at the time of submittal of such plan or other data. Said plan review and recheck fees shall be established and may be amended from time to time, by resolution of the City Council.

(b) Plan Review Fees. When submittal documents are required by Section R106, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be sixty-five percent (65%) of the building permit fee. The plan review fees specified in this section are separate fees from the permit fees specified in Section 108.2 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged as set forth in the adopted fee schedule.

15.01.580 - Amendment of Section R202 of Chapter 2 (Definitions) of the California Residential Code, 2010 Edition.

Adoption of the California Residential Code, 2010 Edition shall be subject to amendment of Section R202 of Chapter 2 (Definitions) of the California Residential

Code, 2010 Edition by the addition of the following defined term to the list of defined terms set forth therein:

GARAGE, PRIVATE, is a building or portion of a building in which motor vehicles are kept or stored, and which has three sides fully enclosed with approved materials. The fourth side shall be provided with a door or doors providing ingress and egress for the motor vehicles to be kept therein.

15.01.590 - Adoption of Appendices.

The following appendix that is part of the California Residential Code, 2010 Edition is adopted in its entirety:

Appendix "H," Patio Covers

15.01.600 - Exclusion of Other Appendices.

Any additional Appendices which may happen to be contained within the same book volume as the California Residential Code, 2010 Edition, are not adopted or incorporated into the El Monte Municipal Code unless stated in this chapter.

SECTION 6. Title, Citation, Reference. This newly amended Chapter 15.01 (Building Code) of Title 15 (Building and Construction) of the El Monte Municipal Code and all provisions and appendices of the California Building Code, 2010 Edition, and the California Residential Code, 2010 Edition, which it adopts and incorporates, may be referred to as the "El Monte Building Code" in any prosecution for the violations of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting, or repealing all or part or portion thereof as an addition to, amendment to, correction or repeal of the "El Monte Building Code."

SECTION 7. Inconsistent Provisions. Any provision of the El Monte Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to affect the provisions of his Ordinance.

SECTION 8. Constitutionality. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would he subsequently declared invalid or unconstitutional.

SECTION 9. Effective Date. The Mayor shall sign and the City Clerk attest to the passage of this Ordinance. The City Clerk shall cause the same to he published once in the official newspaper within 15 days after its adoption. This ordinance shall become effective January 1, 2011.

PASSED, APPROVED AND ADOPTED this 19th day of October, 2010

Andre Quintero, Mayor
City of El Monte

ATTEST:

Lorene Gutierrez, City Clerk
City of El Monte

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Ordinance No. 2756 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 19th day of October, 2010 and that said ordinance was adopted by the following vote, to-wit:

AYES: Mayor Quintero, Mayor Pro Tem Wallach, Councilman Gomez, Councilwoman Ishigaki and Councilwoman Macias

NOES: None

ABSENT: None

Lorene Gutierrez
City Clerk of the City of El Monte

ORDINANCE NO. 2757

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL MONTE AMENDING CHAPTER 15.03 (MECHANICAL CODE) OF THE EL MONTE MUNICIPAL CODE TO ADOPT AND INCORPORATE BY REFERENCE THE PROVISIONS OF THE 2010 EDITION OF THE CALIFORNIA MECHANICAL CODE SUBJECT TO CERTAIN SPECIFIED AMENDMENTS AND MODIFICATIONS.

THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 15 (Building and Construction) of the El Monte Municipal Code is hereby amended by the amendment of Chapter 15.03 (Mechanical Code) of the El Monte Municipal Code in its entirety so as to adopt and incorporate by reference the provisions of the 2010 Edition of the California Mechanical Code (Title 24, Part 4 of the California Code of Regulations). In so adopting and incorporating by reference the provisions of the 2010 Edition of the California Mechanical Code, it is the intent of the City to adopt and incorporate by reference the 2009 Edition of the Uniform Mechanical Code of the International Association of Plumbing and Mechanical Officials to the same extent it was adopted and amended by the State of California by way of the California Mechanical Code, 2010 Edition – all subject to additional City modifications detailed below.

SECTION 2. The amendment of Chapter 15.03 notwithstanding, shall not apply to or excuse any violation thereof occurring prior to the effective date of this Ordinance. Further, the code provisions adopted and incorporated herein by reference shall be in full force and shall be applicable to construction wherein plans have been submitted on or after the effective date of this Ordinance.

SECTION 3. The amendments of the current provisions of Chapter 15.03 of the El Monte Municipal Code shall not affect any violation, punishment or penalty imposed before the amendments take effect, nor any suit, prosecution or proceeding pending at the time of amendments, for any offense committed under the previous provisions.

SECTION 4. Chapter 15.03 shall state and provide the following:

Chapter 15.03 MECHANICAL CODE

Sections:
15.03.010 Adoption of California Mechanical Code, 2010 Edition.
15.03.020 Fees and Service Charges.
15.03.030 Adoption of Appendices.
15.03.040 Exclusion of Other Appendices.

15.03.010 Adoption of California Mechanical Code, 2010 Edition.

A. The California Mechanical Code, 2010 Edition is hereby adopted in its entirety and incorporated by reference into the El Monte Municipal Code, together with, and subject to, those amendments, additions and modifications delineated in this Chapter below. For the purposes of this Chapter 15.03, the California Mechanical

Code, 2010 Edition as adopted herein may be referred to as the "El Monte Mechanical Code" or "this code."

B. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, location, operation and maintenance or use of heating, ventilation, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances within the city of El Monte.

15.03.020 Fees and Service Charges.

The adopted provisions of the California Mechanical Code, 2010 Edition notwithstanding, permit and plan check fees and any other code-related fees or service charges shall be established by resolution of the El Monte City Council and may be amended, modified and/or updated from time to time by resolution.

15.02.030 Adoption of Appendices.

The following appendices that are part of the California Mechanical Code, 2010 Edition are adopted in their entirety:

Appendices "B," "C," and "D."

15.03.040 - Exclusion of Other Appendices.

Any additional Appendices which may happen to be contained within the same book volume as the California Mechanical Code, 2010 Edition, are not adopted or incorporated into the El Monte Municipal Code unless stated in this chapter.

SECTION 5. Title, Citation, Reference. This newly amended Chapter 15.03 (Mechanical Code) of Title 15 (Building and Construction) of the El Monte Municipal Code and all provisions and appendices of the California Mechanical Code, 2010 Edition, may be referred to as the "El Monte Mechanical Code" in any prosecution for the violations of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting, or repealing all or part or portion thereof as an addition to, amendment to, correction or repeal of the "El Monte Mechanical Code."

SECTION 6. Inconsistent Provisions. Any provision of the El Monte Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to affect the provisions of his Ordinance.

SECTION 7. Constitutionality. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would he subsequently declared invalid or unconstitutional.

SECTION 8. Effective Date. The Mayor shall sign and the City Clerk attest to the passage of this Ordinance. The City Clerk shall cause the same to he published once in the official newspaper within 15 days after its adoption. This ordinance shall become effective January 1, 2011.

PASSED, APPROVED AND ADOPTED this 19th day of October, 2010

Andre Quintero, Mayor
City of El Monte

ATTEST:

Lorene Gutierrez, City Clerk
City of El Monte

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Ordinance No. 2757 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 19th day of October, 2010 and that said ordinance was adopted by the following vote, to-wit:

AYES: Mayor Quintero, Mayor Pro Tem Wallach, Councilman Gomez, Councilwoman Ishigaki and Councilwoman Macias

NOES: None

ABSENT: None

Lorene Gutierrez
City Clerk of the City of El Monte

ORDINANCE NO. 2758

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL MONTE AMENDING CHAPTER 15.05 (ELECTRICAL CODE) OF THE EL MONTE MUNICIPAL CODE TO ADOPT AND INCORPORATE BY REFERENCE THE PROVISIONS OF THE 2010 EDITION OF THE CALIFORNIA ELECTRICAL CODE SUBJECT TO CERTAIN SPECIFIED AMENDMENTS AND MODIFICATIONS

THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 15 (Building and Construction) of the El Monte Municipal Code is hereby amended by the amendment of Chapter 15.05 (Electrical Code) of the El Monte Municipal Code in its entirety so as to adopt and incorporate by reference the provisions of the 2010 Edition of the California Electrical Code (Title 24, Part 3 of the California Code of Regulations). In so adopting and incorporating by reference the provisions of the 2010 Edition of the California Electrical Code, it is the intent of the City to adopt and incorporate by reference the 2008 Edition of the National Electrical Code of the National Fire Protection Association to the same extent it was adopted and amended by the State of California by way of the California Electrical Code, 2010 Edition – all subject to additional City modifications detailed below.

SECTION 2. The amendment of Chapter 15.05 notwithstanding, shall not apply to or excuse any violation thereof occurring prior to the effective date of this Ordinance. Further, the code provisions adopted and incorporated herein by reference shall be in full force and shall be applicable to construction wherein plans have been submitted on or after the effective date of this Ordinance.

SECTION 3. The amendments of the current provisions of Chapter 15.05 of the El Monte Municipal Code shall not affect any violation, punishment or penalty imposed before the amendments take effect, nor any suit, prosecution or proceeding pending at the time of amendments, for any offense committed under the previous provisions.

SECTION 4. Chapter 15.05 shall state and provide the following:

Chapter 15.05 ELECTRICAL CODE

Sections:

15.05.010 Adoption of California Electrical Code, 2010 Edition.
15.05.020 Amendment of Article 90 (Introduction) of the California Electrical Code, 2010 Edition.
15.05.030 Authority of Building Official.
15.05.050 Fees and Service Charges.
15.05.060 Adoption of Annexes.
15.05.070 Exclusion of Other Annexes.

15.05.010 Adoption of California Electrical Code, 2010 Edition.

A. The California Electrical Code, 2010 Edition is adopted in its entirety and incorporated by reference into the El Monte Municipal Code, together with, and

subject to, those amendments, additions and modifications delineated in this chapter, below. For the purposes of this Chapter 15.05, the California Electrical Code, 2010 Edition as adopted herein may be referred to as the "El Monte Electrical Code" or "this code."

B. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of any electrical system within the city of El Monte.

15.05.020 Amendment of Article 90 (Introduction) of the California Electrical Code, 2010 Edition.

Adoption of the California Electrical Code, 2010 shall be subject to the addition of Section 90.10 (Administration) to Article 90 (Introduction). As adopted, Section 90-10 shall read as follows:

90.10. Administration.

All administrative permitting and related requirements of the El Monte Electrical Code shall be governed by the applicable provisions of Chapter 1.24 (General Penalty) of Title 1 (General Provisions) of the El Monte Municipal Code.

15.05.030 Authority of Building Official.

The adopted provisions of the California Electrical Code, 2010 Edition notwithstanding, the Building Official of the city of El Monte, or the Building Official's expressly authorized city-employed representative(s) shall oversee the enforcement of the provisions of the El Monte Electrical Code and shall be vested with the authority to enforce all such provisions on behalf of the city of El Monte.

15.05.050 Fees and Service Charges.

The adopted provisions of the California Electrical Code, 2010 Edition notwithstanding, permit and plan check fees and any other code-related fees or service charges shall be established by resolution of the El Monte City Council and may be amended, modified and/or updated from time to time by resolution.

15.05.060 Adoption of Annexes.

The following annexes that are part of the California Electrical Code, 2010 Edition are adopted in their entirety:

Annexes "A," "B," "C," "D," "E," "F," "G" and "H."

15.02.070 - Exclusion of Other Annexes.

Any additional annexes which may happen to be contained within the same book volume as the California Electrical Code, 2010 Edition, are not adopted or incorporated into the El Monte Municipal Code unless stated in this chapter.

SECTION 5. Title, Citation, Reference. This newly amended Chapter 15.05 (Electrical Code) of Title 15 (Building and Construction) of the El Monte Municipal Code and all provisions and appendices of the California Electrical Code, 2010 Edition, may be referred to as the "El Monte Electrical Code" in any prosecution for the violations of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting, or repealing all or part or portion thereof as an addition to, amendment to, correction or repeal of the "El Monte Electrical Code."

SECTION 6. Inconsistent Provisions. Any provision of the El Monte Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to affect the provisions of his Ordinance.

SECTION 7. Constitutionality. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would he subsequently declared invalid or unconstitutional.

SECTION 8. Effective Date. The Mayor shall sign and the City Clerk attest to the passage of this Ordinance. The City Clerk shall cause the same to he published once in the official newspaper within 15 days after its adoption. This ordinance shall become effective January 1, 2011.

PASSED, APPROVED AND ADOPTED this 19th day of October, 2010

Andre Quintero, Mayor
City of El Monte

ATTEST:

Lorene Gutierrez, City Clerk
City of El Monte

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Ordinance No. 2758 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 19th day of October, 2010 and that said ordinance was adopted by the following vote, to-wit:

AYES: Mayor Quintero, Mayor Pro Tem Wallach, Councilman Gomez, Councilwoman Ishigaki and Councilwoman Macias

NOES: None

ABSENT: None

Lorene Gutierrez
City Clerk of the City of El Monte

ORDINANCE NO. 2759

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL MONTE AMENDING CHAPTER 15.02 (PLUMBING CODE) OF THE EL MONTE MUNICIPAL CODE TO ADOPT AND INCORPORATE BY REFERENCE THE PROVISIONS OF THE 2010 EDITION OF THE CALIFORNIA PLUMBING CODE SUBJECT TO CERTAIN SPECIFIED AMENDMENTS AND MODIFICATIONS.

THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 15 (Building and Construction) of the El Monte Municipal Code is hereby amended by the amendment of Chapter 15.02 (Plumbing Code) of the El Monte Municipal Code in its entirety so as to adopt and incorporate by reference the provisions of the 2010 Edition of the California Plumbing Code (Title 24, Part 5 of the California Code of Regulations). In so adopting and incorporating by reference the provisions of the 2010 Edition of the California Plumbing Code, it is the intent of the City to adopt and incorporate by reference the 2009 Edition of the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials to the same extent it was adopted and amended by the State of California by way of the California Plumbing Code, 2010 Edition – all subject to additional City modifications detailed below.

SECTION 2. The amendment of Chapter 15.02 notwithstanding, shall not apply to or excuse any violation thereof occurring prior to the effective date of this Ordinance. Further, the code provisions adopted and incorporated herein by reference shall be in full force and shall be applicable to construction wherein plans have been submitted on or after the effective date of this Ordinance.

SECTION 3. The amendments of the current provisions of Chapter 15.02 of the El Monte Municipal Code shall not affect any violation, punishment or penalty imposed before the amendments take effect, nor any suit, prosecution or proceeding pending at the time of amendments, for any offense committed under the previous provisions.

SECTION 4. Chapter 15.02 shall state and provide the following:

Chapter 15.02 - PLUMBING CODE

Sections:

15.02.010 - Adoption of California Plumbing Code, 2010 Edition.
15.02.020 - Administrative Authority.
15.02.030 - Fees and Service Charges.
15.02.040 - Adoption of Appendices.
15.02.050 - Exclusion of Other Appendices.

15.02.010 Adoption of California Plumbing Code, 2010 Edition.

A. The California Plumbing Code, 2010 Edition is hereby adopted in its entirety and incorporated by reference into the El Monte Municipal Code, together with, and subject to, those amendments, additions and modifications delineated in this Chapter below. For the purposes of this Chapter 15.02, the California Plumbing Code, 2010 Edition as adopted herein may be referred to as the "El Monte Plumbing Code" or "this code."

B. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of any plumbing system within the city of El Monte.

15.02.020 Administrative Authority.

Adoption of the California Plumbing Code, 2010 Edition shall be subject to the addition of the following sentence to subsection 102.1 (Authority Having Jurisdiction) of Section 102.0 (Organization and Enforcement) of Chapter 1, Division II (Administration):

Whenever the terms "Administrative Authority" or "Authority Having Jurisdiction" is used in this Code or its appendices, it shall mean and refer to the Chief Building Official of the City of El Monte or designee.

15.02.030 Fees and Service Charges.

The adopted provisions of the California Plumbing Code, 2010 Edition notwithstanding, permit and plan check fees and any other code-related fees or service charges shall be established by resolution of the El Monte City Council and may be amended, modified and/or updated from time to time by resolution.

15.02.040 Adoption of Appendices.

A. The following appendices that are part of the California Plumbing Code, 2010 Edition are adopted in their entirety:

Appendices "A," "B," "D," "G," "I," and "K."

B. Adoption of the California Plumbing Code, 2010 Edition shall be subject to the adoption and incorporation of an additional Appendix M (Swimming Pools). As adopted, Appendix M (Swimming Pools) shall state and provide the following:

APPENDIX M
Swimming Pools

Basic Provisions: Appendix M (Swimming Pools) is hereby added for the purpose of providing basic plumbing regulations with respect to swimming pools.

M1 - Swimming pool waste water shall be disposed of as hereinafter set forth in this section and the type of disposal proposed shall be approved by the Administrative Authority prior to the commence of any work. A means of disposal of the total contents of the pool (periodic emptying) without surface run-off shall be established to the satisfaction of the Administrative Authority.

M2 - The following are legal methods of swimming pool waste water disposal:
1. To a public sewer.
2. On the property if the property is large enough to insure that runoff will not encroach on abutting property.
3. To a tank truck.

M3 - No direct connection shall be made between any sewer, drainage system, drywell or subsoil irrigation line and any line connected to a swimming pool.

M4 - Waste water from any filter, scum gutter overflow, pool emptying line or similar apparatus or appurtenance when discharged to any part of a drainage system, shall be provided with a three (3) inch (76.2 mm) trap.

M5 - Except as provided in M6, the discharge outlet terminal from any pool or filter shall be protected from backflow by an air gap at least six (6) inches (152.4 mm) above the flood rim of the receptor.

M6 - No scum gutter drain, overflow drain, back wash discharge drain, or pool emptying line shall enter any receptor below the rim unless the pool piping at its deepest point, the bottom of the filters, and the bottom of the scum gutter drain, or overflow inlets are at least six (6) inches (152.4 mm) above the surface rim of the receptor.

M7 - A positive point of potable water supply to each swimming pool shall be established and shall be installed as required by Chapter 6 of the California Plumbing Code.

M8 - Plans for other than private swimming pools shall be approved by the Los Angeles County Health Department.

15.02.050 - Exclusion of Other Appendices.

Any additional Appendices which may happen to be contained within the same

book volume as the California Plumbing Code, 2010 Edition, are not adopted or incorporated into the El Monte Municipal Code unless stated in this chapter.

SECTION 5. Title, Citation, Reference. This newly amended Chapter 15.02 (Plumbing Code) of Title 15 (Building and Construction) of the El Monte Municipal Code and all provisions and appendices of the California Plumbing Code, 2010 Edition, may be referred to as the "El Monte Plumbing Code" in any prosecution for the violations of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting, or repealing all or part or portion thereof as an addition to, amendment to, correction or repeal of the "El Monte Plumbing Code."

SECTION 6. Inconsistent Provisions. Any provision of the El Monte Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or

PASSED, APPROVED AND ADOPTED this 19th day of October, 2010

Andre Quintero, Mayor
City of El Monte

ATTEST:

Lorene Gutierrez, City Clerk
City of El Monte

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Ordinance No. 2759 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 19th day of October, 2010 and that said ordinance was adopted by the following vote, to-wit:

AYES: Mayor Quintero, Mayor Pro Tem Wallach, Councilman Gomez, Councilwoman Ishigaki and Councilwoman Macias

NOES: None

ABSENT: None

Lorene Gutierrez
City Clerk of the City of El Monte

ORDINANCE NO. 2760

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL MONTE ADDING CHAPTER 15.04 (GREEN BUILDING STANDARDS CODE) OF THE EL MONTE MUNICIPAL CODE TO ADOPT AND INCORPORATE BY REFERENCE THE PROVISIONS OF THE 2010 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE SUBJECT TO CERTAIN SPECIFIED AMENDMENTS AND MODIFICATIONS.

THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 15 (Building and Construction) of the El Monte Municipal Code is hereby amended by the addition of Chapter 15.04 (Green Building Standards Code) of the El Monte Municipal Code so as to adopt and incorporate by reference the provisions of the 2010 Edition of the California Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations) – all subject to additional City modifications detailed below.

SECTION 2. The addition of Chapter 15.04 notwithstanding, shall not apply to or excuse any violation thereof occurring prior to the effective date of this Ordinance. Further, the code provisions adopted and incorporated herein by reference shall be in full force and shall be applicable to construction wherein plans have been submitted on or after the effective date of this Ordinance.

SECTION 3. The addition of the current provisions of Chapter 15.04 of the El Monte Municipal Code shall not affect any violation, punishment or penalty imposed before the amendments take effect, nor any suit, prosecution or proceeding pending at the time of amendments, for any offense committed under the previous provisions.

SECTION 4. Chapter 15.04 shall state and provide the following:

Chapter 15.04 GREEN BUILDING STANDARDS CODE

Sections:

15.04.010 Adoption of California Green Building Standards Code, 2010 Edition.
15.04.020 Fees and Service Charges.
15.04.030 – Exclusion of Appendices.

15.04.010 Adoption of California Green Building Standards Code, 2010 Edition.

A. The California Green Building Standards Code, 2010 Edition is adopted in its entirety and incorporated by reference into the El Monte Municipal Code, together with, and subject to, those amendments, additions and modifications delineated in this chapter, below. For the purposes of this Chapter 15.04, the California Green Building Standards Code, 2010 Edition as adopted herein may be referred to as the "El Monte Green Building Standards Code" or "this code."

15.04.020 Fees and Service Charges.

The adopted provisions of the California Green Building Standards Code, 2010 Edition notwithstanding, permit and plan check fees and any other code-related fees or service charges shall be established by resolution of the El Monte City Council and may be amended, modified and/or updated from time to time by resolution.

15.01.030 - Exclusion of Appendices.

Any appendices which may happen to be contained within the same book volume as the California Green Building Standards Code, 2010 Edition, are not adopted or incorporated into the El Monte Municipal Code unless stated in this chapter.

SECTION 5. Title, Citation, Reference. This newly adopted Chapter 15.04 (Green Building Standards Code) of Title 15 (Building and Construction) of the El Monte Municipal Code, 2010 Edition, may be referred to as the "El Monte Green Building Standards Code" in any prosecution for the violations of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting, or repealing all or part or portion thereof as an addition to, amendment to, correction or repeal of the "El Monte Green Building Standards Code."

SECTION 6. Inconsistent Provisions. Any provision of the El Monte Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to affect the provisions of his Ordinance.

SECTION 7. Constitutionality. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would he subsequently declared invalid or unconstitutional.

SECTION 8. Effective Date. The Mayor shall sign and the City Clerk attest to the passage of this Ordinance. The Cite Clerk shall cause the same to he published once in the official newspaper within 15 days after its adoption. This ordinance shall become effective January 1, 2011.

PASSED, APPROVED AND ADOPTED this 19th day of October, 2010

Andre Quintero, Mayor
City of El Monte

ATTEST:

Lorene Gutierrez, City Clerk
City of El Monte

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Ordinance No. 2760 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 19th day of October, 2010 and that said ordinance was adopted by the following vote, to-wit:

AYES: Mayor Quintero, Mayor Pro Tem Wallach, Councilman Gomez, Councilwoman Ishigaki and Councilwoman Macias

NOES: None

ABSENT: None

Lorene Gutierrez
City Clerk of the City of El Monte