

BUILDING STANDARDS COMMISSION

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



February 10, 2011

Kirke W. Warren, Acting Building & Community Preservation Manager
Community Development Department
City of Fullerton
303 West Commonwealth Avenue
Fullerton, CA 92832-1775

Dear Mr. Warren:

This letter is to acknowledge receipt on December 2, 2011 of the City of Fullerton submittal pertaining to Ordinance Numbers 3152 through 3158 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 FULLERTON

Community Development Department

November 30, 2010

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

Subject: Code Amendments.

Dear Sirs:

Please find enclosed the Ordinances adopting and amending the relevant codes, with the Resolution setting fourth the findings for same.

Sincerely,

Kirke W. Warren

Acting Building and Community Preservation Manager

714-773-5799

KirkeW@ci.fullerton.ca.us

2010 NOV 30 AM 11:45
CITY OF FULLERTON
COMMUNITY DEVELOPMENT DEPARTMENT

THE EDUCATION COMMUNITY



RESOLUTION NO. 10-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, SETTING FORTH FINDINGS FOR REQUIRED AMENDMENTS TO THE 2010 CALIFORNIA BUILDING CODE AND 2010 CALIFORNIA ELECTRICAL CODE WITH RESPECT TO HOUSING OCCUPANCIES RELATIVE TO LOCAL CLIMATIC AND GEOGRAPHIC CONDITIONS

THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:

Section 1

WHEREAS, Health and Safety Code Section 17958 provides that the City of Fullerton ("City") shall adopt Ordinances and regulations imposing the same or modified or changed requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922; and

WHEREAS, the State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent edition of the California Building Code, the California Plumbing Code, the California Mechanical Code, the California Electrical Code, the California Residential Code, The California Green Building Standards Code, the California Energy Code, the 1997 Uniform Housing Code and the 1997 Uniform Code for the Abatement of Dangerous buildings (hereinafter referred to collectively as "Codes"); and

WHEREAS, Health and Safety Code Section 17958.5(a) permits the City to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geographic, or topographic conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires that the City Council, before making any modifications or changes to the Codes, shall make an express finding that such changes or modifications are reasonably necessary because of local climatic, geographic, or topographic conditions; and

WHEREAS, the Community Development Department has recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to the California Building Codes, 2010 Edition, are reasonably necessary due to local conditions in the City of Fullerton and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Codes or are reasonably necessary to safeguard life and property within the City of Fullerton. Amendments related to life and fire safety contained in Sections 105.2, 403, 501, 903.2, 905.4, 907.2.13, 907.5.2.2, 907.6.3.2, 910.3.2.2, 916, Table 1004.1.1, 1505, and 3109.4.4.1 of the 2010 Edition of the California Building Code, and Article 310.2 of the 2010 Edition of the California Electrical Code, and sections 105, 403, 405, 902, of the 2010 Edition of the California Residential Code, as recommended by the Community Development, are hereby found to be reasonably necessary due to the following local conditions:

A. Climatic Conditions

1. Hot, dry Santa Ana winds are common to all areas within the City of Fullerton and Orange County in general. These winds, which can cause small fires to spread quickly, are a contributing factor to the high fire danger in the area, and create the need for an increased level of fire protection. This added protection will supplement normal fire department response available and provide immediate protection for life and safety of multiple occupants during fire occurrences.
2. Orange County and the City of Fullerton are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles, to rapid ignition and spread of fire. Therefore, there exists a need for additional fire protection measures.

B. Geographic Conditions

1. Orange County and the City of Fullerton are located in Seismic Design Category D. There are earthquake faults that run along both the northeastern and southwestern boundaries of Orange County. The Newport-Inglewood Fault Zone (NIFZ) which runs through Orange County was the source of the destructive 1933 Long Beach earthquake (6.3 magnitude, hypocenter off Newport Beach coast), which took 120 lives, with areas damaged from Laguna Beach to Marina del Rey and inland to Whittier, and poses one of the greatest hazards to lives and property in the nation. Regional planning for reoccurrence is recommended by the State of California, Department of Conservation. There was also an earthquake in December 1989, with the epicenter located near the City of Irvine. The fault on which this quake occurred was unknown prior to this activity. The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district, but when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. Experts predict a major earthquake in our area within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake. As noted by "Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, 1988, State Department of Conservation," page 59, "unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe".
2. Traffic and circulation congestion presently existing in the City of Fullerton often places fire department response time to fire occurrences at risk. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.
3. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints due to recent revenue-limiting state legislation have made it difficult for the fire department to locate additional fire stations and provide

manpower sufficient to concentrate fire companies and personnel to control fires in high density apartment or condominium buildings. Fire Department equipment does not allow easy access to areas of buildings greater than 55 feet above the level of Fire Department vehicle access. These conditions create the need for built-in on-site fire protection systems to protect occupants and property until fire fighting apparatus and personnel arrive on the scene.

The City of Fullerton is located in an area subject to a climatic condition of high winds and low humidity. This combination of events creates an environment, which is conducive to rapidly spreading fires. Control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally, Section 6, Figure 6-2 of ASCE 7 identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury.

The City of Fullerton is located in the middle of the seismically active area identified as Seismic Design Category D. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors.

4. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roofs become flying brands and are carried by the wind to other locations and thereby spread fire quickly. Recent Grand Jury Report findings support this concern.

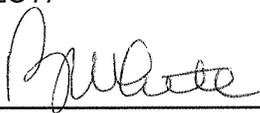
Section 2

The Community Development Department shall file copies of Resolution 10-92 and Ordinance Nos. 3152, 3153, 3154, 3155, 3156, 3157 and 3158 with the California Building Standards Commission as required by Health and Safety Code Section 17958.7.

ADOPTED BY THE FULLERTON CITY COUNCIL ON November 2, 2010.


Don Bankhead, Mayor

ATTEST:


Beverley White, City Clerk

The foregoing instrument is a full,
true and correct copy of the
original on file in this office.
Attest: 
City Clerk of the City of Fullerton
Date: 11-4-10

City of Fullerton
RESOLUTION CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

RESOLUTION NO. 10-92

I, Beverley White, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is four; and that the above and foregoing Resolution No. 10-92 was adopted at a regular meeting of the City Council held on the 2nd day of November, 2010, by the following vote:

COUNCIL MEMBER AYES:	Bankhead, Keller, Jones, Quirk-Silva
COUNCIL MEMBER NOES:	None
COUNCIL MEMBER ABSENT:	None
COUNCILMEMBER ABSTAINED:	None



Beverley White, City Clerk

ORDINANCE NO 3152

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING TITLE 14 OF THE FULLERTON MUNICIPAL CODE ADOPTING THE 2010 EDITION OF THE CALIFORNIA BUILDING CODE AND ITS AMENDMENTS AS THE FULLERTON BUILDING CODE

THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DOES ORDAIN AS FOLLOWS

Section 1 Section 14 03 010 of the Fullerton Municipal Code is hereby amended effective January 1, 2011, by the effective date of the 2010 Edition of the California Building Code All existing local amendments to the California Building Code, 2007 Edition, shall remain in force as to the content and applicability to design and construction methods and practices until December 31, 2010, when the local amendments set forth in Section 5 below become effective

Section 2 When this ordinance takes effect, it shall not change any of the provisions of the previous codes and ordinances or affect any offense, acts done or required to be done, penalties, forfeitures or punishments incurred, rights or liabilities accrued or claims arising out of the provisions of the previous ordinances and amendments Any pending actions shall not be affected by the enactment of this ordinance Any previous discontinuance, abatement, modification or alteration of any penalty accrued, or to accrue, and the rights or liabilities of any person shall not be affected by the enactment of this ordinance

Section 3. If any portion or portions of this ordinance are held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be considered as separate and independent and the Council declares that the legality of the remaining portions shall not change as a result of the court's findings

Section 4 Wherever there is reference to the California Building Code, it shall mean the International Building Code, 2009 Edition, promulgated by the International Code Council (ICC) as amended by the State of California Building Standards Commission and shall be effective January 1, 2011

Section 5 Title 14 of the Fullerton Municipal Code is hereby amended as follows

CHAPTER 14 03

BUILDING CODE

Sections

14 03 010	Uniform Code Adopted
14 03 020	Title
14 03 030	Amendment to Chapter 1, Division II, Section 113
14 03 040	Amendment to Chapter 1, Division II, Section 105 2
14 03 050	Amendment to Chapter 1, Division II, Section 109 3
14 03 060	Amendment to Chapter 1, Division II, Section 111 1
14 03 070	Amendment to Section 3109 2 by adding a definition of swimming pool
14 03 080	Amendment to Section 403
14 03 082	Amendment to Section 403 4 7 2 and 403 4 8 1
14 03 083	Amendment to Section 905 4 by adding items 7 and 8
14 03 084	Amendment to Section 907 2 13
14 03 085	Amendment to Section 907 5 2 2
14 03 086	Amendment to Section 907 6 3 2
14 03 087	Amendment to Section 910 3 2 2
14 03 090	Amendment to Table 1004 1 1
14 03 110	Amendment to the California Building Code Section 3109 4 4, Requirements for Swimming Pools, all occupancies
14 03 120	Amendment to Section 501 2
14 03 130	Amendment to Section 903 2 by adding third paragraph
14 03 140	Amendment to Chapter 9 by adding a new Section 916
14 03 150	Amendment to Chapter 10 by adding a new Section 1030, Building Security Provisions
14 03 160	Amendment to Section 1505 by adding a final paragraph
14 03 170	Amendment to Appendix J, Section J109 4
14 03 180	Amendment to Appendix J, Section J112
14 03 190	Amendment to Appendix J110
14 03 200	Amendment to Appendix, Section J103 1
14 03 210	Amendment to Chapter J, Section J113
14.03.220	Amendment to Title 14 by adding new section regarding Issuance of Building Permits

14 03 010 Uniform Code Adopted. Those certain documents, one copy each, are on file in the office of the Fullerton Building Official entitled "California Building Code, Volumes 1 & 2", published by the ICC, Workman Mill Road, Whittier, California, and everything contained therein, including Appendix Chapters is hereby adopted by reference, in accordance with Section 50022 2 of the Government Code, as a part of this Chapter, except that Section mentioned above to said California Building Code 2010 Edition are adopted as amended in this chapter

14 03 020 Title This Chapter and said California Building Code, 2010 Edition, as adopted by this Chapter, shall be known as the Fullerton Building Code. All references to "this Code" contained in the said California Building Code, 2010 Edition, shall be deemed to refer to this Chapter Each paragraph or section number contained in the said California Building Code,

2010 Edition, not amended by this Chapter, shall be deemed to be a subdivision of this Chapter. For example, "Section 102" of the said California Building Code, 2010 Edition, shall be deemed to be "Subdivision 102 of Section 14 03 020 of the Fullerton Municipal Code," and may be referred to as, "Section 102 of the Fullerton Building Code "

14 03 030 Amendment to Section 113 of Chapter 1, Division II Section 113 of said 2010 California Building Code, Chapter 1, Division II is hereby amended to read as follows

SECTION 113 Appeals

NOTE Section 18945 of the State Health and Safety Code, as stated in the 2010 California Building Code is not amended

SECTION 113 1 General

In order to provide for final interpretation of the provisions of this Code and to hear appeals provided for hereunder, there is hereby established a Board of Appeals with the Planning Commission, consisting of seven members who are not employees of the City, to act as the Board if so directed by the City Council. The Building Official shall be an ex-officio member of and shall act as Secretary to said Board. The Board shall be appointed by the governing body and shall hold office at its pleasure. The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the Building Official. Appeals to the Board shall be processed in accordance with the provisions contained in Section 113. Copies of all rules adopted by the Board shall be delivered to the Building Official, who shall make them freely accessible to the public.

SECTION 113 2 Authority

The board of appeals shall have no authority relative to interpretation of the administrative provisions of this Code nor shall the board be empowered to waive requirements of this Code.

SECTION 113 2 1 Form of Appeal.

Any person entitled by reason of any correction notice or order to correct may appeal from any notice and order or any action of the Building Official under this Code by filing at the office of the Building Official a written appeal containing

1. A heading in the words "Before the Board of Appeals of the City of Fullerton "
2. Caption reading "Appeal of " giving the names of all appellants participating in the appeal
3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order

- 4 A brief statement in ordinary and concise language of that specific order or action protested, together with any material facts claimed to support the contentions of the appellant
- 5 A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside
- 6 The signatures of all parties named as appellants and their official mailing addresses
- 7 The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal

The appeal should be filed whenever practical to expedite the permit process

SECTION 113 2 2 Processing of Appeal

Upon receipt of any appeal filed pursuant to this section, the Building Official shall present it at the next regular or special meeting of the Board of Appeals

SECTION 113 2 3 Scheduling and Noticing Appeal for Hearing

As soon as practical after receiving the written appeal, the Planning Commission shall fix a date, time and place for the hearing of the appeal by the Board. Such date shall be not less than 10 days nor more than 60 days from the date the appeal was filed with the Building Official. Written notice of the time and place of the hearing shall be given 10 days prior to the date of the hearing to each appellant by the Secretary of the Board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his address shown on the appeal.

SECTION 113 2 4 Effect of Failure of Appeal

Failure of any person to file an appeal in accordance with this Section shall hold in abeyance the action pending. When this action is a plan check, the plans shall not be approved, and when the action is an inspection, the work shall not be approved and shall not be concealed.

SECTION 113 2.5 Scope of Hearing on Appeal.

Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

SECTION 113 2 6 Final Action

The decision of the Planning Commission, acting as the Board of Appeals, is final and the Building Official shall be so directed as to the decision.

14 03 040 Amendments to Section 105 2 of Chapter 1, Division II of the said 2010 California Building Code are hereby amended to read as follows

SECTION 105 2, Building item 1 - The material shall be non-combustible unless the structure is at least three feet from a property line or adjacent structure

SECTION 105 2, Building item 2 - Fences not over six feet high Fences of reinforced concrete or masonry fences not over three feet high

SECTION 105 2, Building item 4 - Retaining walls which are not over twenty-four inches in height measured from the top of the footing to the top of the wall

14 03 050 Amendment to Section 109 3 of the said 2010 California Building Code, Chapter 1, Division II is hereby amended to read as follows

SECTION 109 3 Permit Fees

The City Council, by resolution, shall set the amount of fees to be required for the issuance of permits required by the Fullerton Building Code, and shall adjust said fees annually based upon data provided by the Community Development Department The determination of value or valuation under any provisions of this Code shall be established by City Council resolution

SECTION 109 3 1 Plan Review Fees

When a plan or other data is required to be submitted by Section 107 1, a plan review fee shall be paid at the time of submitting plans and specifications for review Said plan review fee shall be as set forth in the Fee Schedule.

Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at a rate established by the Fee Schedule

SECTION 109 3 2 Expiration of Plan Review

Applications for which no permit is issued within 180 days following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official The Building Official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee

14 03 060 Amendment to Section 111 1 Section 111 1, of the said 2010 California Building Code Chapter 1, Division II, is hereby amended to read as follows

SECTION 111 1 Use or occupancy.

No building or structure in all occupancy groups shall be used or occupied, nor shall such building or structure be connected with utility services, until the Building Official has determined compliance with this code and authorized such

use or occupancy, and has issued a Certificate of Occupancy therefore as provided herein. No change in the existing occupancy classification of a building or structure, or portion thereof, shall be made until the Building Official has issued a Certificate of Occupancy therefor as provided herein.

Exception: Group R, Division 3 and Group U Occupancies

14 03 070 Amendment to Section 3109.2. Section 3109.2, of said 2010 California Building Code, is hereby amended to read as follows:

SWIMMING POOL is any body of water, created by artificial means to be used for swimming, therapy, or bathing, any portion of which exceeds eighteen inches (18") in depth, except portable swimming pools.

SWIMMING POOL-PRIVATE is any constructed pool, permanent or portable, which is intended for non-commercial use as a swimming pool by not more than three owner families and guests.

SWIMMING POOL-PUBLIC is a pool other than a private pool.

14 03 080 Amendment to Section 403. Section 403, first paragraph of Section 403.1, and no. 2 definition of Section 403.1.1 of said 2010 California Building Code is hereby amended to read as follows:

SECTION 403

High-rise buildings having occupied floors located more than 55 feet above the lowest level of fire department vehicle access and group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access.

403.1 Applicability

New high-rise buildings having occupied floors located more than 55 feet above the lowest level of fire department vehicle access and new Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access shall comply with Sections 403.2 through 403.6.

403.1.1 Definitions

2. "High-rise structure" means every building of any type of construction occupancy having floor used for human occupancy located above 55 feet above the lowest floor level having building access (see Section 403.1.2), except buildings used as hospitals as defined by the Health and Safety Code Section 1250.

14 03 082 Amendment to Section 403.4.7.2 and 403.4.8.1. Section 403.4.7.2 and 403.8.1 of said 2010 California Building Code is hereby amended to read as follows:

403 4 7 2 Standby power loads. The following are classified as standby power loads

- 1 Power and lighting for the fire command center required by Section 403 4 5, and
- 2 Standby power shall be provided for elevators in accordance with Sections 1007 4, 3003, 3007, and 3008

403 4 8 1 Emergency power loads. The following are classified as emergency power loads

- 1 Exit signs and means of egress illumination required by Chapter 10,
- 2 Elevator car lighting,
- 3 Emergency voice/alarm communications systems,
- 4 Automatic fire detection systems,
- 5 Fire alarm systems,
- 6 Electrically powered fire pumps, and
7. Ventilation and automatic fire detection equipment for smoke proof enclosures

14 03 083. Amendment to Chapter 9 Section 905.4 of said 2010 California Building Code is hereby amended by adding items 7 and 8 as follows

- 7 The centerline of the 2 5 inches (64 mm) outlet shall be no less than 18 inches (457 mm) above and no more than 24 inches (610 mm) above the finished floor
- 8 Every new building with any horizontal dimensions greater than 300 feet (91440 mm) shall be provided with either access doors or a 2 5 inch (64 mm) outlets so that all portions of the building can be reached with 150 feet (45 720 mm) of hose from an access door or hose outlet Required access doors shall be located in the exterior of the building and shall be accessible without the use of a ladder The door dimensions shall be not less than 3 feet (914 mm) in width, and not less than 6 feet 8 inches (2032 mm) in height These doors are for fire department access only

14.03 084 Amendment to Chapter 9 Section 907 2 13 of said 2010 California Building Code is hereby revised to read as follows

907 2 13 High-rise buildings having occupied floors located more than 55 feet above the lowest level of fire department vehicle access and Group I-2 occupancies having floors located more than 75 feet above the lowest level fire department vehicle access High-rise buildings having occupied floors located more than 55 feet above the lowest level of fire department vehicle access and Group I-2 occupancies having floors located more than 75 feet above the lowest level fire department vehicle access shall be provided with an automatic smoke detection in accordance with Section 907 2 13 1, a fire department communication system in accordance with Section 907 2 13 2 and an emergency voice/alarm communication system in accordance with Section 907 5 2 2

14 03 085 Amendment to Chapter 9 Section 907 5 2 2 of said 2010 California Building Code is hereby amended by adding items 5 and 6 to read as follows

- 1 Elevator groups
- 2 Exit stairways
- 3 Each floor
- 4 Areas of refuge as defined in Section 1002 1
- 5 Dwelling Units in apartment houses
- 6 Hotel guest rooms or suites

14 03 086 Amendment to Chapter 9 Section 907 6 3 2 of said 2010 California Building Code is here by amended to read as follows

907.6 3 2 High-rise buildings High-rise buildings having occupied floors located more than 55 feet above the lowest level of fire department vehicle access and Group I-2 occupancies having floors located more than 75 feet above the lowest level fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided

- 1 Smoke detectors
- 2 Sprinkler waterflow devices.
- 3 Manual fire alarm boxes
- 4 Other approved types of automatic detection devices or suppression systems

14 03 087 Amendment to Chapter 9 Section 910 3 2 2 of said 2010 California Building Code is hereby amended to read as follows.

910 3 2 2. Sprinkler buildings Where installed in buildings provided with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically by actuation of a heat-responsive device rated at least 100° F above the operating temperature of the sprinkler, unless otherwise approved

14 03 090 Amendment to Chapter 10 Chapter 10 of said 2010 California Building Code is hereby amended by adding the following occupancies to table 1004 1 1 for determining the occupancy loads:

**TABLE 1004.1.1
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT**

FUNCTION OF SPACE	FLOOR AREA IN SQ. FT. PER OCCUPANT
Dance Floor Area	15 Net
Dining Rooms	15 Net
Drinking Establishments	15 Net
Lounges	15 Net
Stages	15 Net

14 03 110 Section 3109 4 4 Requirements for Private Swimming Pools The Section 3109 4 4 of said 2010 California Building Code is hereby amended to read as follows

SECTION 3109 4 4 Requirements for private swimming pools – (non-public)

3109 4 4 1 General

The provisions of this section apply to the design and construction of all swimming pools located within the City of Fullerton

3109 4 4 2 Maintenance

All swimming pools constructed after the effective date of this ordinance shall be maintained at all times in compliance with the applicable standards of this ordinance Swimming pools constructed under previous ordinances shall be maintained in accordance with the ordinance which was in effect at that time

3109 4 4 3 Definitions

For the purpose of this section, certain terms, words and phrases are defined as follows

ABOVE GROUND/ON-GROUND POOL See definition of swimming pool

BARRIER is a fence, wall, building wall or a combination thereof, or similar structure, which completely surrounds the swimming pool and obstructs access to the swimming pool, including doors and gates

GRADE is the underlying surface such as earth or a walking surface

HOT TUB See definition of swimming pool

IN-GROUND POOL See definition of swimming pool

SPA, NON-PORTABLE See definition of swimming pool

SPA, PORTABLE, is a non-permanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product and which is cord connected (not permanently electrically wired)

SWIMMING POOL is any structure intended for swimming or recreational bathing that contains water over 18 inches deep This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas

SWIMMING POOL, INDOOR, is a swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of said structure

SWIMMING POOL, OUTDOOR, is any swimming pool which is not an indoor pool

3109 4 4.4 1. Outdoor Swimming Pool An outdoor swimming pool, private or public, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following

- 1 The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier which faces away from the swimming pool The maximum vertical clearance between grade and the bottom of the barrier shall be two inches measured on the side of the barrier which faces away from the swimming pool Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches
- 2 Openings in the barrier shall not allow passage of a four-inch-diameter sphere
- 3 Solid barriers which do not have openings, such as masonry or stone walls, shall not contain indentations or protrusions except for tooled masonry joints Barriers consisting of a combination of masonry and wrought iron, or similar material shall comply with Item 2 and the railings shall be placed flush with the outside face of the barrier so as to prevent a toe hold
- 4 Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence Spacing between vertical members shall not exceed 1-3/4 inches in width Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1-3/4 inches in width.
- 5 When the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed four inches in width. When there are decorative cutouts within the vertical members, spacing within the cutouts shall not exceed 3/4 inches in width
- 6 Maximum mesh size for chain link fences shall be a 1-1/4 inch square unless the fence is provided with slats fastened at the top or bottom, which reduce the openings to no more than 1-3/4 inches The wire shall not be less than nine gauge Posts shall be spaced at not over eight feet on center The bottom wire of the fence shall be staked to the ground, between support posts
- 7 Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall be no more than 1-3/4 inches
- 8 Access gates shall have a width no greater than four feet Gates shall comply with 1 through 7 above. Gates shall be self-closing and self-latching and

swing in direction of exit from pool area. The latching device shall be capable of keeping the gate securely latched at all times when not in use. This section also applies to a garage man door when there is direct communication from the street to the pool enclosure area through the garage vehicle and man door. The latching device shall be installed a minimum of 4'6" above the exterior grade. If a lesser mounting height must be used, then the latch shall be on the inside of the enclosure and the gates and barrier shall have no opening greater than 1/2" within 18" of the release mechanism.

- 9 Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or (2) the ladder or steps shall be surrounded by a barrier which meets the requirements of Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter sphere.
- 10 The barrier shall be so arranged and constructed so that no impediment to a required exit is created.
- 11 All swimming pool and spa water shall be maintained in a clear condition which is free of significant algae, insects, debris and in a sanitary condition. The entire floor of the pool shall be clearly visible.

3109 4 4 4 2 Indoor Swimming Pool

Doors with direct access to an indoor swimming pool shall comply with Section 3109 4 4 4 1

3109 4 4 5 Excavations.

No person shall permit upon any property in the city under his control any excavation for a swimming pool, any uncompleted swimming pool, or any abandoned or unfilled swimming pool unless an enclosure thereof is constructed and maintained in the manner required by this chapter for swimming pools, except that no such enclosure shall be required for any part of the first thirty days that any such excavation is without plaster.

3109 4 4 6 Nuisance

All swimming pools, excavations for swimming pools, abandoned swimming pools, and unfilled swimming pools not enclosed within an enclosure in the manner provided by this chapter, and all sand, dirt, debris, or other material left in the public right-of-way after thirty days from the digging of any such excavation, and all curbs and sidewalks broken during the construction of such excavation or swimming pool and not repaired within thirty days, are hereby found and declared to be unsafe structures constituting immediate hazards detrimental to the public safety, health and welfare, and are hereby declared to be public nuisances that require immediate and summary abatement.

3109 4 4 7 Abatement

The Building Official shall summarily and without notice abate all such public nuisances immediately upon the discovery thereof, in such manner as in his discretion will remove the hazard thereof to the public safety, health and welfare, by cleaning all such dirt, debris and other material from the public right-of-way and repairing all such broken curbs and sidewalks and by either installing, repairing, or making secure the enclosures required by this chapter or by depositing in such excavation or swimming pool sufficient earth material.

3109 4 4 8 Right of entry

When a Building Official has reasonable cause to believe that such a public nuisance exists upon any property in the city, he is hereby required, in all emergency situations, such as when such nuisance constitutes an imminent peril and immediate danger to the safety of children that might be attracted to such nuisance before the consent of the person in control thereof or a search warrant can be obtained, to forthwith enter upon such property and abate such nuisance and use all force necessary therefore, otherwise he shall obtain, and act with, the consent of the persons in control of such property to enter thereon and abate such nuisance, except that if such consent is not readily obtainable, he shall apply to a magistrate for a search warrant permitting the entry upon such property and the abatement of such nuisance and upon such warrant being issued he shall forthwith enter upon such property and abate such nuisance in aid of the execution of such warrant

3109 4 4 9 Cost of abatement

The Building Official shall keep an accounting of the cost thereof, including incidental expenses for the abatement. The term "incidental expenses" includes, but is not limited to, the actual expenses and costs of the City in the preparation of notices, specifications and contracts, inspection of the work, and the cost of printing and mailing any notices required by this chapter, as well as administrative costs in the amount of thirty-three percent of the total cost of abatement. Upon conclusion of the abatement, the Director of Development Services shall submit an itemized statement of costs to the City Manager and shall set a hearing to review the cost accounting before the City Manager. The Director of Development Services shall cause notice of the time and place of the hearing to be given to the owner and/or occupant of the property to which the same relate, and to any other interested person requesting the same, by United States mail, postage prepaid, addressed to the person at his last known address at least five (5) working days in advance of the hearing.

3109 4 4 10 Hearing and assessment

At the time and place fixed for receiving and considering the statement, the City Manager shall hear and pass upon the statement of the Building Official, together with any objections or protests raised by any of the persons liable to be assessed for the cost of abating the nuisance. Thereupon, the City Manager shall make such revision, correction and modification to the statement as he may deem just,

after which the statement is submitted, or as revised, corrected or modified shall be conformed. The decision of the City Manager shall be final.

3109 4 4 11 Addition to Tax Bill

Unless such cost shall be so reimbursed from such cash bond, a certified copy of such resolution establishing such special assessment shall be mailed to the Orange County Tax Assessor to be included with the next regular tax bill against such property, and a certified copy of such resolution shall be filed with the Orange County Auditor for entry of such assessment on the Orange County tax roll for such property.

3109 4 4 12 Collection

Unless such cost is reimbursed from such cash bond, the amount of such assessment shall be collected at the time, and in the manner of ordinary municipal taxes.

- A Pursuant to California Government Code Sections 38773 and 38773 4, all expenses as determined by the Hearing Officer in connection with such abatement shall be charged and become an indebtedness to the owner of such structure or premises, as well as a lien upon the affected property as elsewhere herein provided.
- B Pursuant to California Government Code Section 38773 5, the confirmed cost of abatement of a nuisance upon any lot or parcel of land shall constitute a special assessment against the respective lot or parcel of land to which it relates. After confirmation of the report, a copy thereof shall be transmitted to the Orange County Auditor/Controller, whereupon it shall be the duty of the Auditor/Controller to add the amounts of the assessment, or assessments, to the next regular bills of taxes levied against the respective lots and parcels of land for municipal purposes, and thereafter the amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure for foreclosure and sale in case of delinquency as provided for ordinary municipal taxes.
- C Such notice of lien for recordation shall be in the form substantially as follows:

NOTICE OF LIEN
Claim of City of Fullerton

Pursuant to the authority vested by the provisions of the Fullerton Municipal Code, the Director of the Department of Development Services of the City of Fullerton did on, or about the _____ day of _____, 20____, cause the premises, hereinafter described to be rehabilitated or the building or structure on the property hereinafter described, to be repaired or demolished in order to abate a public nuisance on said real property, and the City of Fullerton, shall assess the cost of such rehabilitation, repair or demolition upon the real property hereinafter described, and the same has not been paid nor any part thereof, and that the City of Fullerton does hereby claim a lien on such rehabilitation, repair or

demolition in the amount of said assessment, to it, the same has been paid in full and discharged of record. The real property, hereinabove mentioned and upon which a lien is claimed, is that certain parcel of land lying and being in the City of Fullerton, County of Orange, State of California, and more particularly described as follows:

(description)

Assessor Parcel Number(s)

Dated This _____ day of _____, 20_____

City Manager, City of Fullerton

3109 4 4 13 Laws applicable

Laws relating to the levy, collection and enforcement of county taxes shall apply to such special assessment taxes.

3109 4 4 14 Bond

No permit for a swimming pool shall be issued unless security, as defined by Section 19835 of the California Health and Safety Code, in the sum of Five Hundred Dollars (\$500), is deposited with the Building Official with permission in writing, signed by the person making such security deposit for the Building Official to retain the security until such swimming pool is completed and enclosed as provided in this chapter and the public right-of-way, the curb and the sidewalk used in the construction of such swimming pool is left clean and free from any sand, dirt, debris or other material from, and in a condition undamaged by, such construction, and allowing the city to abate, and to expend all, or any part, of the security deposit for the abatement of any such nuisance as provided by this chapter.

3109 4 4 15 Return of Bond

The bond shall be returned to the person who deposited it, or to his assignee, when such swimming pool and enclosure are completed and the right-of-way, curb and sidewalk are left in a condition clean and undamaged from the construction of such swimming pool without any such nuisance having been abated by the City.

3109 4 4 16 Permits

A permit is required for the installation of all swimming pools or spas installed in or on the ground.

Exception: A portable, plug-connected spa shall not require any permit other than an electrical permit if a new outlet is to be installed. Permit fees shall be as adopted in the fee schedule. A permit for a pool shall include all ancillary work directly connected to the pool. For example, the gas line for the pool heater, the electrical circuits, and controls for the pump and filter are specifically included.

3109 4 4 17 Plans

Plans shall be submitted for plan check prior to permits being issued. Plan check fees shall be as adopted by the fee schedule. Plans shall contain, but not be limited to, a plot plan showing the property lines and the location of all existing and proposed structures on the property.

Plans shall show the distance of the pool from all slopes, structures, property lines, and utility lines. Plans shall show or state compliance with all requirements for pool security fencing (barriers). For public pools, plans shall also show how accessibility for the disabled is to be provided. Plans shall be of sufficient clarity and detail so that all structural elements may be examined. Plans for the construction of on-site built pools shall bear the stamp and wet ink signature of a state licensed engineer. Factory manufactured pools shall bear the stamp or label of an appropriate listing agency. Plans shall show the status of site drainage. Plans may be required to contain any other information that the Building Official or his deputy may determine to be required to ascertain the safety or appropriateness of the proposed installation.

3109 4 4 18 Inspections

3109 4 4 18 1. Pneumatically placed concrete shall be inspected during placement by a licensed deputy inspector, approved by the Building Official, to insure compliance with the mix design and specifications. Test samples shall be made by the deputy, and the compressive strength report from the test lab and the deputy's daily report shall be supplied to the building inspector.

3109 4 4 18 2. The Building Official may establish such other inspection procedures as he may deem appropriate to insure safety and adequacy of the installation.

3109 4 4 19 Demolition

Prior to demolition of an existing swimming pool, a demolition permit shall be obtained. The demolition shall be performed in a manner satisfactory to the Building Official and a bond paid in accordance with the fee schedule.

14 03 120. Amendment to Section 501 2 Address Numbers. Section 501 2 of said 2010 California Building Code is hereby amended to read as follows:

501 2 Addresses

Approved numbers or addresses shall be securely installed onto all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property.

501 2 1 Application to Existing Buildings

Whenever a permit is issued for any purpose, the requirement of Section 501 2 shall apply.

501 2 2 Location Map

For new developments with the R-2 occupancies, there shall be installed at all entrances a permanent weatherproof map which shall clearly and readily locate all individual buildings and dwelling units. Such maps shall be illuminated during the evening hours with a light having an intensity of not less than one foot-candle at the map level. Power supply shall be provided by separate circuits or connected to the general house lighting.

EXCEPTION R-2 occupancies having a total of less than 10 dwelling units

14 03 130 Amendment to Section 903 2 Section 903 2 of said 2010 California Building Code is hereby amended by adding the following third paragraph

When sprinkler systems on multi-story buildings are required by other sections of this code, an approved OS and Y valve shall be installed on the branch line at every floor to provide isolation from other floors during maintenance operations

14 03 140 Amendment to Chapter 9 Chapter 9 of the said 2010 California Building Code is hereby amended by adding Section 916, as follows

SECTION 916. Approved lock boxes

Approved lock boxes shall be provided in buildings of all occupancy groups when construction, alterations, repairs, or additions requiring a permit and having a valuation in excess of \$1,000 occur. In all cases, the location of said lock box shall be approved by the Fire Marshal.

EXCEPTIONS: Group R, Division 3 and Group U Occupancies

14 03 150 Addition of Section 1030, Building Security Provisions The 2010 California Building Code is amended by the addition of Section 1030, Building Security Provisions, to read as follows

SECTION 1030 - Security provisions

SECTION 1030 1 Purpose

The purpose of this chapter is to set forth minimum standards of construction for resistance to unlawful entry

SECTION 1030 2 Scope

The provision of this chapter shall apply to new enclosed Group B and R occupancies and new enclosed garages. Provisions of this chapter shall apply to existing structures and additions when the addition has a value of 50% or greater of the existing structures

SECTION 1030 3 Limitations

No provision of this chapter shall require or be construed to require devices on exit doors or on sleeping room emergency exits contrary to the requirements specified in Chapter 10.

SECTION 1030 4 Alternate Security Provisions

The provisions of this chapter are not intended to prevent the use of any device or method of construction not specifically prescribed by this code when such alternate provides equivalent security based upon a recommendation of the Chief of Police

SECTION 1030 5 Definitions

For the purpose of this chapter, certain terms are defined as follows

CYLINDER GUARD is a protection metal device of hardened steel or with a hardened steel insert that covers or surrounds the exposed portion of the lock cylinder for the purpose of protecting the cylinder from wrenching, prying, cutting, driving through, or pulling out by attack tools

DEADLOCKING LATCH is a latch in which the latch bolt is positively held in the projected portion by a guard bolt, plunger, or auxiliary mechanism

DEADBOLT is a bolt which has no automatic spring action and which is operated by a key cylinder, thumb turn, or lever, and is positively held fast when in the projected position

LATCH is a device for automatically retaining the door in a closed position upon its closing

SECTION 1030 6. Tests

Tests required by this chapter shall be performed by an approved testing agency and the product shall bear an identification indicating that it conforms to the standards prescribed in this chapter

SECTION 1030 7 Doors (General)

A door forming a part of the enclosure of a dwelling unit or of an area occupied by one tenant of a building shall be constructed, installed, and secured as set forth in Sections 1008 1 9 3 through 1008 1 9 5, when such door is directly reachable or capable of being reached from a street highway, yard, court, passageway, corridor, balcony, patio, breezeway, private garage, portion of the building which is available for use by the public or other tenants, or similar area A door enclosing a private garage with an interior opening leading directly to a dwelling unit shall also comply with said sections

Except where clear vision panels are installed, all front exterior doors shall be equipped with a wide angle (180 degree) door viewer, not to be mounted more than fifty-eight (58) inches from the bottom of the door

SECTION 1030 8 Doors (Swinging)

SECTION 1030 8 1

Swinging wooden doors which are openable from the inside without the use of a key shall be of one of the following constructions or shall be of a construction having equivalent forced entry resistance

- 1 Solid core doors not less than 1-3/8 inches in thickness
- 2 Wood panel-type doors with panels fabricated of lumber not less than 9/16 inch thickness, provided shaped portions of the panels are not less than 1/4" inch thick

Individual panels shall not exceed 300 square inches in area. Stiles and rails shall be of solid lumber with overall dimensions of not less than 1 - 3/8 inches in thickness and 3 inches in width. Mullions shall be considered a part of adjacent panels unless sized as required herein for stiles and rails, except mullions not over 18 inches long may have an overall width of not less than 2 inches. Carved areas shall have a thickness of not less than 3/8 inches. Dimensional tolerances published in recognized industry standards may be utilized.

- 3 Hollow core doors or doors less than 1-3/8 inches in thickness either of which are covered on the inside face with 16-gauge sheet metal attached with screws at six inches maximum centers around the perimeter

Lights in doors shall be as set forth in Chapters 24 and 26

SECTION 1030 8 2

A single swinging door, the active leaf of a pair of doors, and the bottom leaf of Dutch doors shall be equipped with a deadbolt and a latch. If a key locking feature is incorporated in the latching mechanism, a dead latch shall be used. The deadbolt and latch may be activated by one lock or by individual locks. Deadbolts shall contain hardened inserts, or equivalent, so as to repel cutting tool attack. The deadbolt lock or locks shall be key operated from the exterior side of the door and engaged or disengaged from the interior side of the door by a device not requiring a key, tool, or excessive force.

EXCEPTIONS

- 1 The latch may be omitted from doors in Group B, M, F and S occupancies
- 2 In other than residential occupancies, locks may be key, or otherwise, operated from the inside when not prohibited by Chapter 10 or other laws and regulations. The lock must be of the type which indicates when the door is locked or unlocked
- 3 A swinging door of a private garage with a width greater than five feet may be secured as set forth in Section 1030 10

- 4 In residential occupancies, doors not required by Section 1020 2 may be equipped with security-type hardware which requires a key to release from the interior side of the door if the sleeping rooms are protected with a smoke detection system as set forth in Section 907 2 9 2

A straight deadbolt shall have a minimum throw of one inch and the embedment shall be not less than 5/8 inch into the holding device receiving the projected bolt A hook shape or expanding lug deadbolt shall have a minimum throw of 3/4 inch All deadbolt locks which automatically activate two or more deadbolts shall embed at least 1/2 inch, but need not exceed 3/4 inch, into the holding devices receiving the projected bolts

SECTION 1030 8 3.

The inactive leaf of a pair of doors and the upper leaf of Dutch doors shall be equipped with a deadbolt or deadbolts as set forth in Subsection 1030 8 2

EXCEPTIONS

- 1 The bolt or bolts need not be key operated, but shall not be otherwise activated, from the exterior side of the door
- 2 The bolt or bolts may be engaged or disengaged automatically with the deadbolt or by another device on the active leaf or lower leaf
- 3 Manually operated hardened bolts at the top and bottom of the leaf and which embed a minimum of 1/2 inch into the device receiving the projected bolt may be used when not prohibited by Chapter 10 or other laws and regulations

SECTION 1030 8 4

Door stops on wooden jambs for in-swinging doors shall be of one-piece construction with the jamb or joined by a rabbet

SECTION 1030 8 5

Non-removable pins shall be used in pin-type hinges which are accessible from the outside when the door is closed All doors forming openings into an attached garage with interior access shall comply with this part

SECTION 1030 8.6

Cylinder guards shall be installed on cylinder locks for deadbolts whenever the cylinder projects beyond the outside face of the door or is otherwise accessible to attack tools

SECTION 1030 8 7

Swinging doors regulated by this chapter required for security shall comply with ASTM Standards, unless specified otherwise

SECTION 1030 9 Doors (Sliding Glass Doors)

Sliding glass doors shall be equipped with locking devices and shall be so installed that, when subjected to tests, they remain intact and engaged Movable panels shall not be rendered easily openable or removable from the frame during or after the tests

Cylinder guards shall be installed on all mortise or rim-type cylinder locks installed in hollow metal doors whenever the cylinder projects beyond the face of the door or is otherwise accessible to gripping tools

Locking devices installed on sliding glass doors providing the emergency egress required by Section 1020 2 shall be releasable from the inside without the use of a key, tool, or excessive force

Glazing shall comply with Chapter 24

SECTION 1030 10 Doors (Overhead and Sliding Doors)

Metal or wooden overhead and sliding doors shall be secured with a deadbolt lock, padlock with a hardened steel shackle, or equivalent when not otherwise locked by electric power operation Locking devices when installed at the jamb of metal or wooden overhead doors shall be installed on both jambs when such doors exceed nine feet in width Metal or wooden sliding doors exceeding nine feet in width and provided with a jamb locking device shall have the door side opposite the lock restrained by a guide or retainer

Cylinder guards shall be installed on all mortise or rim type cylinder locks installed in hollow metal doors whenever the cylinder projects beyond the face of the door or is otherwise accessible to gripping tools

Sliding door assemblies regulated by this chapter shall comply with ASTM Standards

SECTION 1030 11 Doors

Metal accordion grate or grill-type doors shall be equipped with metal guides at the top and bottom, and a cylinder lock or padlock and hardened steel shackle shall be provided

Cylinder guards shall be installed on all mortis or rim-type cylinder locks installed in hollow metal doors whenever the cylinder projects beyond the face of the door or is otherwise accessible to gripping tools

SECTION 1030 12 Lights (In General)

A window, skylight, or other light forming a part of the enclosure of a dwelling unit or of an area occupied by one tenant of a building shall be constructed, installed and secured as set forth in Section 1030 13 and 1030 14 when the bottom of such window, skylight or light is not more than sixteen (16) feet above the grade of a street, highway, yard, court, passageway, corridor, balcony, patio, breezeway, private garage, portion of the building which is available for use by the public or other tenants, or similar area

A window enclosing a private garage with an interior opening leading directly to a dwelling unit shall also comply with said Sections 1030 13 and 1030 14

SECTION 1030 13 Lights (Material)

Window assemblies which are designed to be openable and which are regulated by this chapter shall comply with ASTM Standards, unless specified otherwise

Lights within forty (40) inches of a required locking device on a door when in the closed and locked position and openable from the inside without the use of a key, and, lights with a least dimension greater than six (6) inches but less than forty-eight (48) inches in Group B occupancies, shall be fully tempered, laminated glass of at least 1/4 inch thickness, approved burglary-resistant material, or guarded by metal bars, screens, or grills in an approved manner

SECTION 1030 14 – Lights (Locking Devices)

SECTION 1030 14 1

Locking devices installed on windows providing the emergency egress required by Section 1029 shall be released from the inside without the use of a key, tool, or excessive force

SECTION 1030 14 2

Sliding glass windows shall be provided with locking devices that, when subjected to the tests specified, remain intact and engaged. Movable panels shall not be rendered easily openable or removable from the frame during or after the tests

SECTION 1030 14 3

Other openable windows shall be provided with substantial locking devices which render the building secure as the devices required by this section. In Group B, M, F and S occupancies, such devices shall be a glide bar, bolt, cross bar, and/or padlock with hardened steel shackle

SECTION 1030 14 4

Special louvered windows, except those above the first story in Group R occupancies which cannot be reached without a ladder, shall be of material or guarded as specified in Section 1029 4 and individual panes shall be securely

fastened by mechanical fasteners requiring a tool for removal and not accessible from the outside when the window is in the closed position

SECTION 1030 14 5

Individual glass panels in a leaded glass assembly shall not exceed thirty-five (35) square inches, doors and side lights containing such leaded glass panels shall face a public street and shall be clearly visible therefrom

SECTION 1030 15 Lighting Requirements

Lighting in multiple family dwellings shall be as follows:

- 1 Aisles, passageways, and recesses related to and within the building complex shall be illuminated with an intensity of at least one foot candle at the ground level during the hours of darkness. Lighting devices shall be protected by weather and vandalism resistant covers
- 2 Open parking lots and carports shall be provided with a maintained minimum of one (1) foot-candle of light on the parking surface during the hours of darkness. Lighting devices shall be protected by weather and vandalism-resistant covers

SECTION 1030 16 Other Openings (in General)

Openings, other than doors or lights, which form a part of the enclosure, or portion thereof, housing a single occupant and the bottom of which is not more than sixteen (16) feet above the grade of a street, highway, yard, court, passageway, corridor, balcony, patio, breezeway, or similar area, or from a private garage, or forms a portion of the building which is occupied, used or available for use by the public or other tenants, or an opening enclosing a private garage attached to a dwelling unit with openings therein shall be constructed, installed and secured as set forth in Section 1030 17

SECTION 1030 17 Hatchways, Scuttles and Similar Openings

SECTION 1030 17 1

Wooden hatchways less than 1-3/4 inch thick solid wood shall be covered on the inside with 16-gauge sheet metal attached with screws at six (6) inch maximum centers around the perimeter.

SECTION 1030 17 2

The hatchway shall be secured from the inside with a slide bar, slide bolt, and/or padlock with a hardened steel shackle

SECTION 1030 17 3

Outside pin-type hinges shall be provided with non-removable pins or a means by which the door cannot be opened through removal of hinge pins while the door is in the closed position

SECTION 1030 17 4

Other openings exceeding ninety-six (96) square inches with a least dimension exceeding eight (8) inches shall be secured by metal bars, screens, or grills in an approved manner

SECTION 1030 17 5

Scuttles, or other openings, to an attic common to two or more dwelling units or businesses, shall be secured from the inside with a slide bar, slide bolt or similar device. The scuttle cover shall be constructed of not less than 1/2 inch plywood

EXEMPTION - Suspended ceilings in businesses do not need to comply with this sub-section, when there is a solid wall, with no openings, extending from the floor to the roof which provides a physical separation between adjacent businesses

SECTION 1030 18 Keying Requirements

Upon occupancy by the owner or proprietor, each single unit in the same residential project or commercial building development, constructed under the same development plan, shall have locks using bitings which are interchangeable free from locks used in all other separate dwellings, proprietorships or similar distinct occupancies within such residential project or commercial building development

14 03 160 Amendment to Section 1505 Section 1505 of said 2010 California Building Code is hereby amended by adding the following final paragraph

For all occupancies and for all types of construction, the minimum class rating shall be Class B Table 1505 1 and the exceptions are hereby amended to comply with this minimum

14 03 170. Amendment to Appendix, Section J109 4 of said 2010 California Building Code, is hereby amended by adding second paragraph as follows

Details of such temporary and permanent desilting catch basins, drainage, surfacing, slope planting, and other erosion, surface water, and flood control protective devices, installations and measures, to be installed upon such property as are reasonably necessary, based upon the time of year during which the work will be commenced and completed, and upon the maximum rainfall intensity expected under conditions of a 25-year frequency storm, to prevent any damage to any public or private property from any land movement, erosion, surface water, or flooding, or from any deposit, or washing away of any soil, mud silt, rocks, sand or other earth material or debris, by, in, or from, the doing of such work, or which may originate, or come, from the site of such work Such plans are required to show that all of such protective devices, installations and measures will comply with this Building Code

14 03 180 Amendment to Appendix J Appendix J of said 2010 California Building Code is hereby amended by adding Section J112 as follows.

SECTION J112 Issuance

The provisions of Section J104 are applicable to Grading Permits. No person shall do or cause or permit to be done, on any property under such person's control, any grading work between the first day of October of any year and the fifteenth day of April of the following year unless there shall have been first provided on the property to be graded all of the temporary or permanent protective devices, installations, and measures required to be shown on the plans for such work by Section 105 with the exception of such grading work as may be necessary to provide said protection. No person in control of any such required protection shall fail to maintain it in such a condition that it will continue to serve its purpose in the same manner as, or better than, when it was installed. No person shall remove, damage or destroy, or cause or permit to be removed, damaged or destroyed, except for repair, improvement or replacement, any such required protection without a written permit from the Building Official certifying that such protection is no longer reasonably needed.

SECTION J112 1. Performance Bond

A grading permit shall not be issued for work which, if not completed in accordance with the approved plans and specifications, is likely to result in a hazardous condition, unless the permittee shall first file with the Building Official an agreement in writing executed by the applicant together with a performance bond in an amount sufficient to cover the cost of storm protection devices and corrective work necessary to remove and eliminate all hazards.

SECTION J112 2 Liability Bond

Where the work referred to in Subsection (a) of this section may expose adjacent private or public property to damage or cause injuries or death to others, the agreement and performance bond shall be accompanied by a certificate of insurance, verifying Comprehensive General Liability Policy with minimum combined single limits of \$500,000 per occurrence or insured's current limits, whichever is greater. The City of Fullerton shall be endorsed as an additional insured on the policy and said policy shall not be materially changed or terminated without a minimum of thirty (30) days' notice in writing to the City.

SECTION J112 3 Cash Deposit

Where such grading permit approves the export of excess material away from the site of grading, or approves the import of material to the site, the Permittee, in addition to compliance with (a) and (b) above shall, prior to grading permit issuance, obtain in written form from the Director of Engineering, a permit for such export or import, which permit shall

- 1 Set standards and criteria for the hours of operation, routes to be taken, and traffic control, detour, and safety measures to be undertaken during the export or import operations,

- 2 Require the Permittee to clean up and remove all spillage or deposits of dirt, mud, silt, or other materials or debris resulting from the grading and export or import,
- 3 Require as a guarantee of said cleanup and repair of any City right-of-way improvement damaged during grading or hauling, the deposit of a cash bond, in an amount equal to \$500 or 5% of the valuation of the export and/or import yardage. The amount required for this bond may be adjusted as deemed necessary by the Director of Community Development or the Director of Engineering. All or any part of said amount may be used by the City to clean up or repair City streets and easements should the Permittee fail to do as required above. This cash deposit, less any City expenses and costs, shall be returned to the Permittee upon satisfactory completion of the grading work described on the grading permit, together with the City's release of any bonds or securities held therefor.

SECTION J112.4 Form

Such agreement performance bond, liability bond or certificate of insurance, and export/import permit and cash bond shall be in a form, and executed in a manner, approved by the City Attorney before acceptance thereof by the Building Official.

14 03 190 Amendment to Section J110. Section J110 of said 2010 California Building Code Appendix J, is hereby amended to read as follows:

SECTION J110 Erosion control

Section J110.1 General. All fill and cut slopes in designated hillside areas which are determined by the Building Official to be subject to erosion shall be planted and irrigated with an irrigation system to promote the growth of ground cover plants to protect the slopes against erosion, as required in this section. The owner shall be responsible for planting and maintaining all slopes where such is required in this section. The protection for the slopes shall be installed as soon as practical and prior to calling for final approval. A landscaping and irrigation plan shall be submitted for approval with the grading plan.

SECTION J110.2. Minimum Requirements

SECTION J110.3 Other Devices

Where deemed necessary by the Building Official, check dams, cribbing, riprap or other methods and devices shall be installed to control erosion and to promote slope stability.

SECTION J110.3.1 Low Slopes to 15 feet in vertical height

SECTION J110.3.1.1

Plant with grass or ground cover plants as recommended on the planting schedule approved by the Community Development Department.

SECTION J110 3 1 2

An approved irrigation system shall be installed to irrigate the slopes as a part of the house plumbing installation. Materials and installation methods shall be approved by the Building Official. The irrigation system shall be demonstrated at the time of final inspection to ensure coverage and compliance.

EXCEPTION. Where the Building Official finds the slope is located in such an area as to make hand-watering possible, conveniently located hose bibs will be accepted in lieu of the required irrigation system when a hose no longer than 50 feet would be necessary.

SECTION J110 3 1.3

The slopes which have been planted with grasses and/or ground cover plants shall be watered at sufficient time intervals to promote growth.

SECTION J110 3 2 Medium Slopes (15 to 30 feet in vertical height)

SECTION J110 3 2 1

Plant with grass or ground cover as recommended on the planting schedule approved by the Community Development Department. Alternate plants may be recommended by a licensed landscape architect for approval by the Community Development Department.

SECTION J110 3 2 2

In addition to ground cover plants, shrubs having a one-gallon minimum size and located at a maximum of ten feet on center in either direction, shall also be planted. The plants and planting pattern may be varied to include trees upon the recommendation of the landscape architect when approved by the Department.

SECTION J110 3 2 3

An approved irrigation system shall be installed prior to planting of shrubs and trees and before final grading approval is requested. Materials and installation methods shall be approved by the Building Official. The irrigation system shall be demonstrated at time of final inspection to ensure coverage and compliance.

SECTION J110 3 3 High Slopes (30 feet or over in vertical height)

SECTION J110 3 3 1

Plant with grass or ground cover as recommended on the planting schedule approved by the Department. Alternate plants may be recommended by a licensed landscape architect for approval by the Community Development Department.

SECTION J110 3 3.2

In addition to ground cover plants, approved shrubs having a one-gallon minimum size and located at a maximum of ten feet on center in either direction on the slope or trees located at a maximum of twenty feet on center in either direction on the slope may be used. Additionally, a combination of shrubs and trees may be utilized. The plant and/or planting pattern may be varied upon the recommendation of a licensed landscape architect when approved by the Community Development Department.

SECTION J110 3 3 3

Slopes exceeding a height where a drainage terrace is required by Section 3315 of the 1995 California Building Code shall be planted with shrubs, minimum size of one-gallon and located at two feet on center, parallel to the benches and within two feet of the uphill side. As an alternate, larger varieties may be staggered on each side of the bench.

SECTION J110 3 3 4

An approved irrigation system shall be installed prior to planting of shrubs and trees and before final grading approval is requested. Materials and installation methods shall be approved by the Building Official. The irrigation system shall be demonstrated at the time of final inspection to determine coverage and compliance.

14 03 200 Amendment to Appendix J, Section J103 1, Permits Required

SECTION J103 1 of the said 2010 California Building Code is hereby amended by adding the following paragraph:

All grading in excess of 250 cubic yards shall be performed in accordance with the approved grading plan prepared by a civil engineer and shall be designated as "engineered grading." Grading involving less than 250 cubic yards shall be designated "regular grading" unless the Permittee, with the approval of the Building Official, chooses to have the grading performed as "engineered grading."

14 03 210 Amendment to Appendix Chapter J, Appendix Chapter J of the 2010 California Building Code is hereby amended by adding Section J113, to read as follows:

SECTION J113 - Contoured grading

SECTION J113 1. Purpose

The purpose of this Section is to preserve the natural terrain, quality, environment and aesthetic character of the City, while encouraging creative, innovative and safe residential development with a variety of housing types.

SECTION J113 2

Categories of Cut and Fill Slopes For the purpose of this Section, cut and fill slopes are divided into six (6) categories as follows:

Category I - All slopes under five (5) feet in height

Category II - All slopes between five (5) and fifteen (15) feet in height that do not fall into Category III below

Category III - All slopes between five (5) and fifteen (15) feet in height that are adjacent to and visible from 1) Public or private streets, 2) Existing or proposed publicly-owned lands.

Category IV - All slopes between fifteen (15) and thirty (30) feet in height that do not fall into Category V below

Category V - All slopes between fifteen (15) and thirty (30) feet in height that are adjacent to and visible from 1) Public or private streets, 2) Existing or proposed publicly-owned lands

Category VI - All slopes over thirty (30) feet in height

SECTION J113 3 Slope Gradients

Whenever possible, natural slope and natural contours shall be maintained. Where cut and fill slopes are required, and notwithstanding the other provisions of this Chapter, said cut and fill slopes shall not exceed an overall average steepness, as measured from the outer vertical extremities of said slope, as specified herein below:

Category I and II Slopes Shall be as provided for elsewhere in this Chapter

Category III and IV Slopes Two horizontal to one vertical average steepness

Category V and VI Slopes Two and one-half horizontal to one vertical average steepness

EXCEPTION Grading of a tract, the map of which was tentatively approved, or an individual R-I lot which was recorded, prior to December 5, 1979, is excepted. In addition, slopes existing prior to December 5, 1979, that subsequently fail may be repaired and/or restored without regard to this Section, but subject to all other provisions of this Chapter.

SECTION J113 4 Design Objectives

Within the overall limitations on steepness for Category III through VI Slopes provided in Subsection (c) hereof, said slopes shall be landform graded. Said landform grading shall utilize individually designed, creative and innovative techniques to as nearly as possible simulate natural landforms, including variable horizontal and vertical slope ratios, contour grading, planter pockets, "swale" and

'knob" landforms, extensively rounded "comers," "blending" with the natural terrain where applicable, undulating (both vertically and horizontally) terraces where applicable, and camouflaged downdrains Innovative land planning, such as single-loaded streets with split level or "upside down" housing are also encouraged

SECTION J113 5

Review all proposed grading shall be reviewed by the Director of Community Development, Planning Commission, and/or City Council, as applicable for conformance with the intent and specific requirements of this Section Unless specifically waived by the Planning Commission or City Council because of specific physical constraints or unaesthetic results, failure to suitably conform to said intent or requirements shall be cause for denial of the proposed grading or of the proposed project of which the proposed grading is a part Notwithstanding any other provision of this Chapter, any such denial by the Director of Community Development is appealable to the Planning Commission, and any such decision of the Planning Commission is appealable to the City Council. The decision of the City Council shall be final

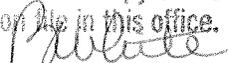
14.03 220 Issuance of Building Permits As Discretionary Act The issuance of any building permit is a non-mandatory, discretionary act, of a ministerial act As such, the ability to attach conditions to the issuance of a permit is authorized The extent of the conditions, if attached, will be based upon the nature and scope of the proposed work These conditions may include deed restrictions, dedications, performance standards and requirements for public improvements Failure to comply with any attached condition would prevent the approval of permitted work and the issuance of any subsequent Certificate of Occupancy

ADOPTED BY THE FULLERTON CITY COUNCIL ON November 16, 2010


Don Bankhead, Mayor

ATTEST


Beverley White, City Clerk

The foregoing instrument is a full,
true and correct copy of the
original on file in this office.
Attest: 
City Clerk of the City of Fullerton
Date: 11-23-10

City of Fullerton
ORDINANCE CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

ORDINANCE NO 3152

I, Beverley White, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is four; and that the above and foregoing Ordinance No 3152 had first reading by title only, introduction, and further reading waived at the November 2, 2010 City Council regular meeting and was adopted at the November 16, 2010 City Council regular meeting by the following vote

COUNCIL MEMBER AYES:	Bankhead, Keller, Quirk-Silva
COUNCIL MEMBER NOES:	None
COUNCIL MEMBER ABSENT:	Jones



Beverley White, City Clerk

ORDINANCE NO 3153

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING TITLE 14 OF THE FULLERTON MUNICIPAL CODE ADOPTING THE 2010 EDITION OF THE CALIFORNIA RESIDENTIAL CODE AND ITS AMENDMENTS AS THE FULLERTON RESIDENTIAL CODE

THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DOES ORDAIN AS FOLLOWS

Section 1 Section 14 04 010 of the Fullerton Municipal Code is hereby amended effective January 1, 2011, by the effective date of the 2010 Edition of the California Residential Code

Section 2 When this ordinance takes effect, it shall not change any of the provisions of the previous codes and ordinances or affect any offense, acts done or required to be done, penalties, forfeitures or punishments incurred, rights or liabilities accrued or claims arising out of the provisions of the previous ordinances and amendments Any pending actions shall not be affected by the enactment of this ordinance Any previous discontinuance, abatement, modification or alteration of any penalty accrued, or to accrue, and the rights or liabilities of any person shall not be affected by the enactment of this ordinance

Section 3 If any portion or portions of this ordinance are held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be considered as separate and independent and the Council declares that the legality of the remaining portions shall not change as a result of the court's findings

Section 4 Wherever there is reference to the California Residential Code, it shall mean the International Residential Code, 2009 Edition, promulgated by the International Code Council (ICC) as amended by the State of California Building Standards Commission and shall be effective January 1, 2011

Section 5 Title 14 of the Fullerton Municipal Code is hereby amended as follows

CHAPTER 14 04

RESIDENTIAL CODE

Sections

14 04 010	Uniform Code Adopted
14 04 020	Title
14 04 030	Amendment to Chapter 1, Division II, Section R112
14 04 040	Amendment to Chapter 1, Division II, Section R105 2
14 04 050	Amendment to Chapter 1, Division II, Section R108 3
14 04 060	Amendment to Chapter 1, Division II, Section R110 1
14 04 070	Amendment to Chapter 3, Section R319
14 04 080	Amendment to Chapter 3, by adding Section R329 Security Provisions

- 14 04 090 Amendment to Chapter 9, Section R902
- 14 04 100 Amendment to Chapter 3, Section R301
- 14 04.110 Amendment to Chapter 4, Section R403 1 3
- 14.04 120 Amendment to Chapter 4, Section R405 1

14 04 010 Uniform Code Adopted Those certain documents, one copy each, are on file in the office of the Fullerton Building Official entitled "California Residential Code", published by the ICC, Workman Mill Road, Whittier, California, and everything contained therein, including Appendix H is hereby adopted by reference, in accordance with Section 50022 2 of the Government Code, as a part of this Chapter, except that Section mentioned above to said California Residential Code 2010 Edition are adopted as amended in this chapter

14 04 020 Title This Chapter and said California Residential Code, 2010 Edition, as adopted by this Chapter, shall be known as the Fullerton Residential Code All references to "this Code" contained in the said California Residential Code, 2010 Edition, shall be deemed to refer to this Chapter Each paragraph or section number contained in the said California Residential Code, 2010 Edition, not amended by this Chapter, shall be deemed to be a subdivision of this Chapter For example, "Section R102" of the said California Residential Code, 2010 Edition, shall be deemed to be "Subdivision R102 of Section 14 04 020 of the Fullerton Municipal Code," and may be referred to as, "Section R102 of the Fullerton Residential Code "

14 04 030 Amendment to Section R112 of Chapter 1, Division II Section R112 of said 2010 California Residential Code, Chapter 1, Division II is hereby amended to read as follows

SECTION R112 Appeals

NOTE. Section 18945 of the State Health and Safety Code, as stated in the 2010 California Residential Code is not amended

SECTION R112.1 General

In order to provide for final interpretation of the provisions of this Code and to hear appeals provided for hereunder, there is hereby established a Board of Appeals with the Planning Commission, consisting of seven members who are not employees of the City, to act as the Board if so directed by the City Council The Building Official shall be an ex-officio member of and shall act as Secretary to said Board The Board shall be appointed by the governing body and shall hold office at its pleasure The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the Building Official Appeals to the Board shall be processed in accordance with the provisions contained in Section R112 Copies of all rules adopted by the Board shall be delivered to the Building Official, who shall make them freely accessible to the public

SECTION R112.2 Authority

The board of appeals shall have no authority relative to interpretation of the administrative provisions of this Code nor shall the board be empowered to waive requirements of this Code

SECTION R112 2 1 Form of Appeal

Any person entitled by reason of any correction notice or order to correct may appeal from any notice and order or any action of the Building Official under this Code by filing at the office of the Building Official a written appeal containing

- 1 A heading in the words: "Before the Board of Appeals of the City of Fullerton "
- 2 Caption reading "Appeal of " giving the names of all appellants participating in the appeal
- 3 A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order
- 4 A brief statement in ordinary and concise language of that specific order or action protested, together with any material facts claimed to support the contentions of the appellant
- 5 A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside
- 6 The signatures of all parties named as appellants and their official mailing addresses
- 7 The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal

The appeal should be filed whenever practical to expedite the permit process

SECTION R112 2 2 Processing of Appeal

Upon receipt of any appeal filed pursuant to this section, the Building Official shall present it at the next regular or special meeting of the Board of Appeals

SECTION R112 2 3 Scheduling and Noticing Appeal for Hearing

As soon as practical after receiving the written appeal, the Planning Commission shall fix a date, time and place for the hearing of the appeal by the Board. Such date shall be not less than 10 days nor more than 60 days from the date the appeal was filed with the Building Official. Written notice of the time and place of the hearing shall be given 10 days prior to the date of the hearing to each appellant by the Secretary of the Board either by causing a copy of such notice to

be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his address shown on the appeal.

SECTION R112 2 4 Effect of Failure of Appeal

Failure of any person to file an appeal in accordance with this Section shall hold in abeyance the action pending. When this action is a plan check, the plans shall not be approved, and when the action is an inspection, the work shall not be approved and shall not be concealed.

SECTION R112 2 5 Scope of Hearing on Appeal

Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

SECTION R112 2 6 Final Action

The decision of the Planning Commission, acting as the Board of Appeals, is final and the Building Official shall be so directed as to the decision.

14 04 040 Amendments to Section R105.2 of Chapter 1, Division II of the said 2010 California Residential Code are hereby amended to read as follows:

SECTION R105 2, Building item 1 - The material shall be non-combustible unless the structure is at least three feet from a property line or adjacent structure.

SECTION R105 2, Building item 2 - Fences not over six feet high. Fences of reinforced concrete or masonry fences not over three feet high.

SECTION R105 2, Building item 3 - Retaining walls which are not over twenty-four inches in height measured from the top of the footing to the top of the wall.

14 04 050 Amendment to Section R108 3 of the said 2007 California Building Code, Chapter 1, Division II is hereby amended to read as follows:

SECTION R108 3 Permit Fees

The City Council, by resolution, shall set the amount of fees to be required for the issuance of permits required by the Fullerton Residential Code, and shall adjust said fees annually based upon data provided by the Community Development Department. The determination of value or valuation under any provisions of this Code shall be established by City Council resolution.

SECTION R108 3 1 Plan Review Fees.

When a plan or other data is required to be submitted by Section R106 1, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in the Fee Schedule.

Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at a rate established by the Fee Schedule

SECTION R108 3 2 Expiration of Plan Review

Applications for which no permit is issued within 180 days following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

14 04 060 Amendment to Section R110 1 Section R110 1, of the said 2010 California Residential Code Chapter 1, Division II, is hereby amended to read as follows

SECTION R110 1 Use or occupancy

No building or structure in all occupancy groups shall be used or occupied, nor shall such building or structure be connected with utility services, until the Building Official has determined compliance with this code and authorized such use or occupancy, and has issued a Certificate of Occupancy therefore as provided herein. No change in the existing occupancy classification of a building or structure, or portion thereof, shall be made until the Building Official has issued a Certificate of Occupancy therefore as provided herein.

Exception Group R, Division 3 and Group U Occupancies

14 04 070 Amendment to Section R319 Section R319 of said 2010 California Residential Code is hereby amended to read as follows

SECTION R319 1 Addresses

Approved numbers or addresses shall be securely installed onto all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property.

SECTION R319 2 Application to Existing Buildings

Whenever a permit is issued for any purpose, the requirement of Section R319 1 shall apply.

14 04 080 Addition of Section R329, Building Security Provisions. The 2010 California Residential Code is amended by the addition of Section R329, Building Security Provisions, to read as follows

SECTION R329 - Security provisions

SECTION R329 Purpose

The purpose of this chapter is to set forth minimum standards of construction for resistance to unlawful entry

SECTION R329 2

Scope The provision of this chapter shall apply to new enclosed Group B and R occupancies and new enclosed garages Provisions of this chapter shall apply to existing structures and additions when the addition has a value of 50% or greater of the existing structures

SECTION R329 3. Limitations

No provision of this chapter shall require or be construed to require devices on exit doors or on sleeping room emergency exits contrary to the requirements specified in Section R310

SECTION R329 4 Alternate Security Provisions

The provisions of this chapter are not intended to prevent the use of any device or method of construction not specifically prescribed by this code when such alternate provides equivalent security based upon a recommendation of the Chief of Police

SECTION R329 5 Definitions

For the purpose of this chapter, certain terms are defined as follows

CYLINDER GUARD is a protection metal device of hardened steel or with a hardened steel insert that covers or surrounds the exposed portion of the lock cylinder for the purpose of protecting the cylinder from wrenching, prying, cutting, driving through, or pulling out by attack tools

DEADLOCKING LATCH is a latch in which the latch bolt is positively held in the projected portion by a guard bolt, plunger, or auxiliary mechanism.

DEADBOLT is a bolt which has no automatic spring action and which is operated by a key cylinder, thumb turn, or lever, and is positively held fast when in the projected position

LATCH is a device for automatically retaining the door in a closed position upon its closing

SECTION R329 6 Tests

Tests required by this chapter shall be performed by an approved testing agency and the product shall bear an identification indicating that it conforms to the standards prescribed in this chapter

SECTION R329 7. Doors (General)

A door forming a part of the enclosure of a dwelling unit or of an area occupied by one tenant of a building shall be constructed, installed, and secured as set forth in Section R311 2, when such door is directly reachable or capable of being reached from a street highway, yard, court, passageway, corridor, balcony, patio, breezeway, private garage, portion of the building which is available for use by the public or other tenants, or similar area. A door enclosing a private garage with an interior opening leading directly to a dwelling unit shall also comply with said sections.

Except where clear vision panels are installed, all front exterior doors shall be equipped with a wide angle (180 degree) door viewer, not to be mounted more than fifty-eight (58) inches from the bottom of the door.

SECTION R329 8 Doors (Swinging)

SECTION R329 8 1

Swinging wooden doors which are openable from the inside without the use of a key shall be of one of the following constructions or shall be of a construction having equivalent forced entry resistance:

- 1 Solid core doors not less than 1-3/8 inches in thickness
- 2 Wood panel-type doors with panels fabricated of lumber not less than 9/16 inch thickness, provided shaped portions of the panels are not less than 1/4" inch thick

Individual panels shall not exceed 300 square inches in area. Stiles and rails shall be of solid lumber with overall dimensions of not less than 1 - 3/8 inches in thickness and 3 inches in width. Mullions shall be considered a part of adjacent panels unless sized as required herein for stiles and rails, except mullions not over 18 inches long may have an overall width of not less than 2 inches. Carved areas shall have a thickness of not less than 3/8 inches. Dimensional tolerances published in recognized industry standards may be utilized.

- 3 Hollow core doors or doors less than 1-3/8 inches in thickness either of which are covered on the inside face with 16-gauge sheet metal attached with screws at six inches maximum centers around the perimeter

Lights in doors shall be as set forth in Chapters 24 and 26

SECTION R329 8 2

A single swinging door, the active leaf of a pair of doors, and the bottom leaf of Dutch doors shall be equipped with a deadbolt and a latch. If a key locking feature is incorporated in the latching mechanism, a dead latch shall be used. The deadbolt and latch may be activated by one lock or by individual locks.

Deadbolts shall contain hardened inserts, or equivalent, so as to repel cutting tool attack. The deadbolt lock or locks shall be key operated from the exterior side of the door and engaged or disengaged from the interior side of the door by a device not requiring a key, tool, or excessive force.

EXCEPTIONS

- 1 The latch may be omitted from doors in Group B, M, F and S occupancies
- 2 In other than residential occupancies, locks may be key, or otherwise, operated from the inside when not prohibited by other laws and regulations. The lock must be of the type which indicates when the door is locked or unlocked
- 3 A swinging door of a private garage with a width greater than five feet may be secured as set forth in Section R329.10
- 4 In residential occupancies, doors not required by Section R311.2 may be equipped with security-type hardware which requires a key to release from the interior side of the door if the sleeping rooms are protected with a smoke detection system as set forth in Section R314

A straight deadbolt shall have a minimum throw of one inch and the embedment shall be not less than 5/8 inch into the holding device receiving the projected bolt. A hook shape or expanding lug deadbolt shall have a minimum throw of 3/4 inch. All deadbolt locks which automatically activate two or more deadbolts shall embed at least 1/2 inch, but need not exceed 3/4 inch, into the holding devices receiving the projected bolts.

SECTION R329.8.3

The inactive leaf of a pair of doors and the upper leaf of Dutch doors shall be equipped with a deadbolt or deadbolts as set forth in Section R329.8.2

EXCEPTIONS

- 1 The bolt or bolts need not be key operated, but shall not be otherwise activated, from the exterior side of the door
- 2 The bolt or bolts may be engaged or disengaged automatically with the deadbolt or by another device on the active leaf or lower leaf
- 3 Manually operated hardened bolts at the top and bottom of the leaf and which embed a minimum of 1/2 inch into the device receiving the projected bolt may be used when not prohibited by Chapter 10 or other laws and regulations

SECTION R329 8 4

Door stops on wooden jambs for in-swinging doors shall be of one-piece construction with the jamb or joined by a rabbet

SECTION R329 8 5

Non-removable pins shall be used in pin-type hinges which are accessible from the outside when the door is closed All doors forming openings into an attached garage with interior access shall comply with this part

SECTION R329 8 6

Cylinder guards shall be installed on cylinder locks for deadbolts whenever the cylinder projects beyond the outside face of the door or is otherwise accessible to attack tools

SECTION R329 8 7

Swinging doors regulated by this chapter required for security shall comply with ASTM Standards, unless specified otherwise

SECTION R329 9 Doors (Sliding Glass Doors)

Sliding glass doors shall be equipped with locking devices and shall be so installed that, when subjected to tests, they remain intact and engaged Movable panels shall not be rendered easily openable or removable from the frame during or after the tests

Cylinder guards shall be installed on all mortise or rim-type cylinder locks installed in hollow metal doors whenever the cylinder projects beyond the face of the door or is otherwise accessible to gripping tools

Locking devices installed on sliding glass doors providing the emergency egress required by Section R310 shall be releasable from the inside without the use of a key, tool, or excessive force

Glazing shall comply with Section 308

SECTION R329 10 Doors (Overhead and Sliding Doors)

Metal or wooden overhead and sliding doors shall be secured with a deadbolt lock, padlock with a hardened steel shackle, or equivalent when not otherwise locked by electric power operation Locking devices when installed at the jamb of metal or wooden overhead doors shall be installed on both jambs when such doors exceed nine feet in width Metal or wooden sliding doors exceeding nine feet in width and provided with a jamb locking device shall have the door side opposite the lock restrained by a guide or retainer

Cylinder guards shall be installed on all mortise or rim type cylinder locks installed in hollow metal doors whenever the cylinder projects beyond the face of the door or is otherwise accessible to gripping tools

Sliding door assemblies regulated by this chapter shall comply with ASTM Standards.

SECTION R329 11 Doors

Metal accordion grate or grill-type doors shall be equipped with metal guides at the top and bottom, and a cylinder lock or padlock and hardened steel shackle shall be provided

Cylinder guards shall be installed on all mortis or rim-type cylinder locks installed in hollow metal doors whenever the cylinder projects beyond the face of the door or is otherwise accessible to gripping tools

SECTION R329 12 Lights (In General)

A window, skylight, or other light forming a part of the enclosure of a dwelling unit or of an area occupied by one tenant of a building shall be constructed, installed and secured as set forth in Section R329 13 and R329 14 when the bottom of such window, skylight or light is not more than sixteen (16) feet above the grade of a street, highway, yard, court, passageway, corridor, balcony, patio, breezeway, private garage, portion of the building which is available for use by the public or other tenants, or similar area

A window enclosing a private garage with an interior opening leading directly to a dwelling unit shall also comply with said Sections R329 13 and R329 14

SECTION R329 13 Lights (Material)

Window assemblies which are designed to be openable and which are regulated by this chapter shall comply with ASTM Standards, unless specified otherwise

Lights within forty (40) inches of a required locking device on a door when in the closed and locked position and openable from the inside without the use of a key, and, lights with a least dimension greater than six (6) inches but less than forty-eight (48) inches in Group B occupancies, shall be fully tempered, laminated glass of at least 1/4 inch thickness, approved burglary-resistant material, or guarded by metal bars, screens, or grills in an approved manner

SECTION R329 14 - Lights (Locking Devices)

SECTION R329 14 1

Locking devices installed on windows providing the emergency egress required by Section 301 4 shall be released from the inside without the use of a key, tool, or excessive force.

SECTION R329 14 2

Sliding glass windows shall be provided with locking devices that, when subjected to the tests specified, remain intact and engaged. Movable panels shall not be rendered easily openable or removable from the frame during or after the tests.

SECTION R329 14 3

Other openable windows shall be provided with substantial locking devices which render the building secure as the devices required by this section. In Group B, M, F and S occupancies, such devices shall be a glide bar, bolt, cross bar, and/or padlock with hardened steel shackle.

SECTION R329 14 4

Special louvered windows, except those above the first story in Group R occupancies which cannot be reached without a ladder, shall be of material or guarded as specified in Section R329.13 and individual panes shall be securely fastened by mechanical fasteners requiring a tool for removal and not accessible from the outside when the window is in the closed position.

SECTION R329 14 5

Individual glass panels in a leaded glass assembly shall not exceed thirty-five (35) square inches, doors and side lights containing such leaded glass panels shall face a public street and shall be clearly visible therefrom.

SECTION R329 15. Lighting Requirements

Lighting in multiple family dwellings shall be as follows:

- 1 Aisles, passageways, and recesses related to and within the building complex shall be illuminated with an intensity of at least one foot candle at the ground level during the hours of darkness. Lighting devices shall be protected by weather and vandalism resistant covers.
- 2 Open parking lots and carports shall be provided with a maintained minimum of one (1) foot-candle of light on the parking surface during the hours of darkness. Lighting devices shall be protected by weather and vandalism-resistant covers.

SECTION R329 16 Other Openings (in General)

Openings, other than doors or lights, which form a part of the enclosure, or portion thereof, housing a single occupant and the bottom of which is not more than sixteen (16) feet above the grade of a street, highway, yard, court, passageway, corridor, balcony, patio, breezeway, or similar area, or from a private garage, or forms a portion of the building which is occupied, used or available for use by the public or other tenants, or an opening enclosing a private

garage attached to a dwelling unit with openings therein shall be constructed, installed and secured as set forth in Section R329 17

SECTION R329 17 Hatchways, Scuttles and Similar Openings

SECTION R329 17 1

Wooden hatchways less than 1-3/4 inch thick solid wood shall be covered on the inside with 16-gauge sheet metal attached with screws at six (6) inch maximum centers around the perimeter

SECTION R329 17 2

The hatchway shall be secured from the inside with a slide bar, slide bolt, and/or padlock with a hardened steel shackle

SECTION R329 17 3

Outside pin-type hinges shall be provided with non-removable pins or a means by which the door cannot be opened through removal of hinge pins while the door is in the closed position

SECTION R329 17 4

Other openings exceeding ninety-six (96) square inches with a least dimension exceeding eight (8) inches shall be secured by metal bars, screens, or grills in an approved manner

SECTION R329 17 5

Scuttles, or other openings, to an attic common to two or more dwelling units or businesses, shall be secured from the inside with a slide bar, slide bolt or similar device. The scuttle cover shall be constructed of not less than 1/2 inch plywood

EXEMPTION - Suspended ceilings in businesses do not need to comply with this sub-section, when there is a solid wall, with no openings, extending from the floor to the roof which provides a physical separation between adjacent businesses

SECTION R329 18 Keying Requirements

Upon occupancy by the owner or proprietor, each single unit in the same residential project or commercial building development, constructed under the same development plan, shall have locks using bitings which are interchangeable free from locks used in all other separate dwellings, proprietorships or similar distinct occupancies within such residential project or commercial building development

14 04.090 Amendment to Section R902. Section R902 1 and Section R902 2 are hereby amended by adding the following paragraph at the beginning of each Section respectively

For all occupancies and for all types of construction, the minimum class rating shall be Class B

14 04 100 Amendment to Section R301 Table R301 2(1) of said 2010 California Residential Code, is hereby amended to read as follows

TABLE R301 2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^g	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ⁱ
	Speed ^g (mph)	Topographic effects ^h		Weathering ^a	Frost line Depth ^b	Termite ^c					
Zero	85	No	D ₂	Negligible	24"	Very Heavy	43	No	See Exhibit B	0	60

For SI 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s

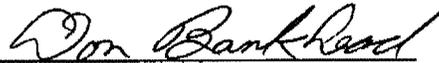
- a Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301 2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b The frost line depth may require deeper footings than indicated in Figure R403 1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301 2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301 2 1 4.
- e Temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- f The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301 2 2 1.
- g The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- h In accordance with Sections R905 2 7 1, R905 4 3 1, R905 5 3 1, R905 6 3 1, R905 7 3 1 and R905 8 3 1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES". Otherwise, the jurisdiction shall fill in this part of the table with "NO".
- i The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°)" at www.ncdc.noaa.gov/fpsf.html

- j The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html
- k In accordance with Section R301 2 1 5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES " Otherwise, the jurisdiction shall indicate "NO" in this part of the table

14 04 110 Amendment to Section R403 1 3 of said 2010 California Residential Code by deleting the Exception at the end of this Section in it's entirety

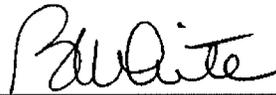
14 04 120 Amendment to section R405 1 of said 2010 California Residential Code by deleting the Exception at the end of this Section in its entirety

ADOPTED BY THE FULLERTON CITY COUNCIL ON November 16, 2010



Don Bankhead, Mayor

ATTEST



Beverley White, City Clerk

The table that follows is provided for your community's use in determining the FIRM panels affecting your community. Note, when referencing the FIRM panels in your floodplain management ordinances, the complete FIRM panel number should be referenced. For example, the first FIRM panel entry for Aliso Viejo will read **06059C0409J** and the first panel entry for Anaheim will read **06059C0069J**. The countywide prefix **06059C** and suffix **J** are common to all communities.

LISTING OF COMMUNITIES

COMMUNITY NAME	COMMUNITY NUMBER	LOCATED ON PANELS	INITIAL NFIP MAP DATE	INITIAL FIRM DATE	MOST RECENT FIRM PANEL DATE
ALISO VIEJO, CITY OF	060770	409, 426, 427, 428, 429, 436, 437	JANUARY 10, 1975	SEPTEMBER 14, 1979	December 3, 2009
ANAHEIM, CITY OF	060213	68, 90, 109, 117, 126, 127, 128, 129, 131, 132, 133, 135, 137, 141, 142, 151, 152, 153, 154, 156, 157, 158, 159, 161, 180, 185	JULY 26 1974	JUNE 4, 1980	December 3, 2009
BREA, CITY OF	060214	33, 34, 41, 42, 58, 59, 61, 62, 63, 66	MAY 24 1974	DECEMBER 2, 1980	December 3, 2009
BUENA PARK, CITY OF	060215	19, 38, 106, 107, 108, 109, 117, 126, 128	NOVEMBER 1, 1974	FEBRUARY 1, 1979	December 3, 2009
COSTA MESA, CITY OF	060216	254, 258, 259, 262, 264, 266, 267, 268, 269, 278, 285	MAY 17, 1974	SEPTEMBER 30, 1982	December 3, 2009
CYPRESS, CITY OF	060217	105, 108, 109, 112, 116, 117	FEBRUARY 9, 1979	SEPTEMBER 15, 1989	December 3, 2009
DANA POINT, CITY OF	060736	501, 502, 504, 506, 508, 509	SEPTEMBER 15 1989	SEPTEMBER 15, 1989	December 3, 2009
FOUNTAIN VALLEY, CITY OF	060218	251, 252, 253, 254, 256, 258, 261, 262	MARCH 29, 1974	NOVEMBER 17, 1982	December 3, 2009
FULLERTON, CITY OF	060219	36, 37, 38, 39, 41, 42, 43, 44, 61, 63, 126, 127, 131, 132	JUNE 28, 1974	JULY 5, 1977	December 3, 2009
GARDEN GROVE, CITY OF	060220	116, 117, 118, 119, 136, 137, 138, 139, 141, 142, 143, 144, 252	JUNE 14, 1974	SEPTEMBER 30, 1982	December 3, 2009
HUNTINGTON BEACH, CITY OF	0605034	118, 119, 227, 229, 231, 232, 233, 234, 241, 242, 244, 252, 253, 261, 262, 263, 264	AUGUST 9, 1974	FEBRUARY 16, 1973	December 3, 2009
IRVINE, CITY OF	060222	169, 190, 278, 279, 281, 282, 283, 284, 286, 287, 288, 289, 291, 292, 293, 294, 305, 308, 313, 314, 315, 316, 402, 406, 407, 426	JUNE 21, 1974	FEBRUARY 15 1980	December 3, 2009

City of Fullerton
ORDINANCE CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

ORDINANCE NO. 3153

I, Beverley White, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is four, and that the above and foregoing Ordinance No 3153 had first reading by title only, introduction, and further reading waived at the November 2, 2010 City Council regular meeting and was adopted at the November 16, 2010 City Council regular meeting by the following vote:

COUNCIL MEMBER AYES
COUNCIL MEMBER NOES
COUNCIL MEMBER ABSENT.

Bankhead, Keller, Quirk-Silva
None
Jones



Beverley White, City Clerk

ORDINANCE NO 3154

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING TITLE 14 OF THE FULLERTON MUNICIPAL CODE TO ADOPT THE 2010 EDITION OF THE CALIFORNIA ELECTRICAL CODE AS THE FULLERTON ELECTRICAL CODE

THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DOES ORDAIN AS FOLLOWS

Section 1 That Title 14 of the Fullerton Municipal Code is hereby amended effective January 1, 2011 by amending Chapter 14 05, Electrical Code

Section 2 That when this ordinance takes effect, it shall not change any of the provisions of the previous codes and ordinances or affect any offense, acts done or required to be done, penalties, forfeitures or punishments incurred, rights or liabilities accrued or claims arising out of the provisions of the previous ordinances and amendments Any pending actions shall not be affected by the enactment of this ordinance. Any previous discontinuance, abatement, or liabilities of any person shall not be affected by the enactment of this ordinance

Section 3 That if any portion or portions of this ordinance are held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be considered as separate and independent and the Council declares that the legality of the remaining portions shall not change as a result of the court's findings

Section 4 That wherever there is reference to the California Electrical Code, it shall mean the 2008 Edition National Electrical Code promulgated by the National Fire Protection Association as amended by the State of California Building Standards Commission, effective January 1, 2011.

Section 5 That Title 14, of the Fullerton Municipal Code is hereby amended as follows

CHAPTER 14 05
ELECTRICAL CODE

Sections

- 14 05 010 Uniform Code Adopted
- 14 05 020 Title
- 14,05 030 Amendment to Article 89 108 4 by adding
89 108 4 1 1 Requirements for Permit
- 14 05 040 Amendment to Article 89 108 4 2 and 89 108 4 3 relating
to fees
- 14 05 050 Amendment to Article 89 108 8 Appeals
- 14 05 060 Amendment to Article 310 2(B)
Aluminum Wiring - Restrictions
- 14 05 070 Moved Buildings
- 14 05 080 Change in Use
- 14 05 090 Used Material

14 05 010 Uniform Code Adopted Those portions of that certain document, one copy of which is on file in the office of the Fullerton City Clerk entitled "2010 California Administrative Code, California Electrical Code, 2010 Edition," published by the California Building Standards Commission, contained in Chapters 1-3 and as amended herein, and the California Electrical Code, 2010 Edition, and identified as NFPA 70-2008, published by the National Fire Protection Association contained in articles numbered 89 through 830 thereof, being Chapters 1 to 8 both inclusive, and in that part thereof marked "Tables," being Section A, of Chapter 9, are hereby adopted by reference, in accordance with Section 50022 2 of the Government Code, as a part of this Chapter except that Sections 89 and 310 are adopted as amended by this Chapter

14 05 020 Title This Chapter and said 2010 California Administrative Code and the California Electrical Code 2010 Edition, with the amendments provided in this Chapter, shall be known as the Fullerton Electrical Code.

14 05 030 Amendment to Article 89 108.4.

89 108 4 of said California Electrical Code 2010 Edition is amended by adding Section 89.108 4 1 1 Requirements for Permit

89 108 4 1 1 Requirements for Permit The application for an electrical permit shall be in writing on forms furnished by the Community Development Department and shall be filled out in full stating the location by street and number of the building, or place where the work is to be performed, the name and address of the owner, the name and address of the person who will do the work, and a statement that such person has a State Contractor's License when such work is for occupancies other than R-3 or U Applications shall contain or be accompanied by a plan, when required by the Fee Schedule, showing the entire amount of work contemplated, the character of such work, and a diagram of wiring showing all outlets, meter locations, load centers, conduit and wire sizes, the length of runs and circuits, and, as nearly as possible, the manner in which all wire and other electrical connections and equipment are to be installed, together with all other information required by the Building Official All plans submitted requiring a connected load of 400 or greater amperes, or 600 volts to ground, or greater, shall be prepared by an Electrical Engineer registered by the State of California and each sheet shall bear his registration number, date of expiration and signature

14 05 040 Fees Amendment to Article 89 Sections 89 108 4 2 and 89 108 4 3 of said California Electrical Code 2010 Edition are hereby amended to read as follows

89 108 4 2 Permit Fees The applicant shall pay for each permit at the time of issuance, a fee as set forth in the Fee Schedule as adopted by the City Council. The City Council, by resolution, shall set the amount of fees to be required by the Fullerton Electrical Code and may, from time to time, adjust said amounts Whenever Table No. 3-A is referenced in this Code, it shall mean the Fee Schedule as adopted by the City Council

89 108 4 3 Plan Check Fees When plans are required as set forth in the Fee Schedule, the applicant shall pay the plan check fee as set forth in the Fee Schedule at the time of submittal for the plan check

14 05 050 Board of Appeals. Amendment to Article 89 Section 89 108 8 of the California Electrical Code 2010 Edition is hereby amended to read, in its entirety, as follows

APPEALS

Board of Appeals In order to provide for final interpretation of the provisions of this Code and to hear appeals provided for hereunder, there is hereby established a Board of Appeals with the Planning Commission, consisting of seven members who are not employees of the City, to act as the Board if so directed by the City Council The Director of Community Development shall be an ex-officio member of and shall act as Secretary to said Board The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the Building Official Appeals to the Board shall be processed in accordance with the provisions contained in Section 14.03 030 of this Code Copies of all rules or regulations adopted by the Board shall be delivered to the Director of Community Development, who shall make them freely accessible to the public

14 05 060 Amendment to Article 310 2(B) Article 310 2(B) of said 2010 California Electrical Code is hereby amended to read as follows.

(b) Copper wire shall be the preferred material used for wiring

Aluminum wire may only be permitted by exemption on an individual case-by-case basis by the administrative authority Any such decision shall be reviewed by the City Council within fifteen (15) days thereof and may be approved or denied by the City Council Any approval by the administrative authority or City Council shall be based on findings that all of the following conditions exist

- (1) Installation procedures shall be specified and assured in a manner which will provide an equivalent degree of safety as obtainable with copper wire
- (2) Proof of limited copper wire availability or excess costs in copper wiring shall be documented
- (3) An agreement to reimburse the city for the cost of any inspections deemed necessary to assure a safe installation shall be entered into with the city inspection agency

All existing aluminum wiring installations may not be altered, added to, removed or rewired in any manner for any purpose except under permit and by a licensed electrician, and in accordance with procedures approved by the Building Official

Existing aluminum wiring may not be connected to a copper wiring system except in a manner approved by the Building Official and shall have a properly sized over current protection device

14 05 070 Moved Buildings Where a building equipped with electrical wiring has been moved from any location in the city to another location in the city, the wiring in such building shall be made to conform with the provisions of the Electrical Code of Fullerton as to service capacity and safety regulations and no person shall use said wiring, or permit it to be used until it has been inspected and approved by the Building Official

14 05 080 Change in Use No person shall change the occupancy or use of any existing building in the city which would place the building in a different group of occupancy unless such building is made to comply with the requirements of this Chapter for that group

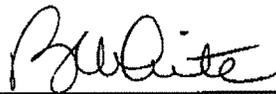
14 05.090 Used Material No person shall use previously used electrical materials in any installation authorized by an electrical permit without first obtaining permission from the Building Official

ADOPTED BY THE FULLERTON CITY COUNCIL ON November 16, 2010

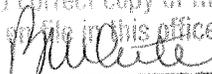


Don Bankhead, Mayor

ATTEST



Beverley White, City Clerk

The foregoing instrument is a full,
true and correct copy of the
original on file in this office.
Attest: 

City Clerk of the City of Fullerton
Date: 11-23-10

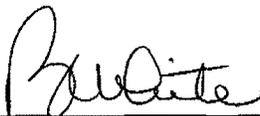
City of Fullerton
ORDINANCE CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

ORDINANCE NO 3154

I, Beverley White, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is four; and that the above and foregoing Ordinance No. 3154 had first reading by title only, introduction, and further reading waived at the November 2, 2010 City Council regular meeting and was adopted at the November 16, 2010 City Council regular meeting by the following vote:

COUNCIL MEMBER AYES:	Bankhead, Keller, Quirk-Silva
COUNCIL MEMBER NOES:	None
COUNCIL MEMBER ABSENT:	Jones



Beverley White, City Clerk

THE FOLLOWING ORDINANCE WHICH AMENDS
THE FULLERTON MUNICIPAL CODE HAS BEEN
ADOPTED BY THE CITY COUNCIL BUT IS NOT
YET INCLUDED IN THE ON-LINE MUNICIPAL CODE

ORDINANCE NO 3155

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
FULLERTON, CALIFORNIA, AMENDING TITLE 14 OF THE
FULLERTON MUNICIPAL CODE TO ADOPT THE 2010 EDITION OF
THE CALIFORNIA UNIFORM PLUMBING CODE WITH STATE OF
CALIFORNIA 2010 AMENDMENTS AS THE FULLERTON
PLUMBING CODE**

ORDINANCE NO 3155

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING TITLE 14 OF THE FULLERTON MUNICIPAL CODE TO ADOPT THE 2010 EDITION OF THE CALIFORNIA UNIFORM PLUMBING CODE WITH STATE OF CALIFORNIA 2010 AMENDMENTS AS THE FULLERTON PLUMBING CODE

THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DOES ORDAIN AS FOLLOWS

Section 1 Title 14 of the Fullerton Municipal Code is hereby amended effective January 1, 2011, by amending Chapter 14 07, Plumbing Code

Section 2 When this ordinance takes effect, it shall not change any of the provisions of the previous codes and ordinances or affect any offense, acts done or required to be done, penalties, forfeitures or punishments incurred, rights or liabilities accrued or claims arising out of the provisions of the previous ordinances and amendments Any pending actions shall not be affected by the enactment of this ordinance Any previous discontinuance, abatement, modification or alteration of any penalty accrued, or to accrue, and the rights or liabilities of any person shall not be affected by the enactment of this ordinance

Section 3 If any portion or portions of this ordinance are held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be considered as separate and independent and the Council declares that the legality of the remaining portions shall not change as a result of the court's findings

Section 4 Wherever there is reference to the California Plumbing Code, it shall mean the applicable model code promulgated by the International Association of Plumbing and Mechanical Officials as amended by the State of California Building Standards Commission effective January 1, 2011.

Section 5 Title 14 of the Fullerton Municipal Code is hereby amended by as follows

Chapter 14 07
PLUMBING CODE

Sections

14 07 010	Uniform Plumbing Code Adopted
14 07 020	Title
14 07 030	Amendment to Section 103 of Chapter 1, by adding Subsections 103 2 1 7 and 103 2 1 8
14 07 040	Amendment to Section 103 4 1
14 07 050	Addition of Section 103 4 4 2
14.07.060	Amendment to Section 103 9.

14 07 010 Uniform Plumbing Code Adopted That certain document, one copy of which is on file in the office of the Building Official, entitled "California Plumbing Code, 2010 Edition," International Association of Plumbing and Mechanical Officials, and is hereby adopted and made a part of this Chapter by reference, in accordance with Section 50022.2 of the California Government Code, except that Section of said California Plumbing Code, 2010 Edition is adopted as amended in this Chapter, as follows

14 07 020 Title This Chapter and said California Plumbing Code, 2010 Edition, with the amendments provided in this Chapter, shall be known as the Fullerton Plumbing Code

14 07 030 Amendment to Section 103.2 of, Chapter 1

SECTION 103.2 is hereby amended by adding subsections 103.2.1.7 and 103.2.1.8 as follows

SECTION 103.2.1.7

The permittee shall be a contractor licensed to perform such work covered by the permit

EXCEPTION Plumbing work associated with R-3 and U Occupancies

SECTION 103.2.1.8

All persons or firms are required to obtain a temporary water permit from Water Engineering prior to the use of any public water supply

14 07 040 Amendment to Section 103.4.1, Chapter 1 Section 103.4.1 is hereby amended to read as follows

SECTION 103.4.1 Cost of Permit.

Every applicant for a permit to do work regulated by this Code shall state in writing on the application form provided for that purpose, the character of work proposed to be done and the amount and kind in connection therewith, together with such information, pertinent thereto, as may be required

Such applicant shall pay for each permit, at the time of issuance, a fee as set forth in the schedule of fees as adopted by the City Council. The City Council by resolution, shall set the amount of fees to be required by the Fullerton Plumbing Code and may, from time to time, adjust said amounts. For the purpose of this Section, a sanitary plumbing outlet on or to which a plumbing fixture or appliance may be set or attached shall be construed to be a fixture. Fees shall be assessed for the reconnection and retest of plumbing fixtures, gas systems, water heaters and similar devices

When a permit has been obtained to connect an existing building or existing work to the public sewer or to connect to a new private disposal facility, backfilling of private sewage disposal facilities abandoned consequent to such connection is included in the permit

When interceptor traps or mobile home site traps are installed at the same time as a building sewer on any lot, no sewer permit shall be required for the connection of any such trap to an appropriate inlet fitting provided in the building sewer by the permittee constructing such sewer

14 07 050 Amendment to Section 103 4 4 2, Chapter 1

SECTION 103 4.4 2 is hereby amended to read as follows

An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by City Council resolution. The minimum investigation fee shall be the same as the minimum fee established by City Council resolution. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law

14 07 060 Addition of Section 103 9 to Chapter 1 Section 103 9 is hereby amended by adding as follows

SECTION 103.9 APPEALS.

SECTION 103 9. Board of Appeals

In order to provide for final interpretation of the provisions of this Code and to hear appeals provided for hereunder, there is hereby established a Board of Appeals with the Planning Commission, consisting of seven members who are not employees of the City, to act as the Board if so directed by the City Council. The Director of Community Development shall be an ex-officio member of, and shall act as Secretary to, said Board. The Board shall be appointed by the governing body and shall hold office at its pleasure. The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the Director of Community Development. Appeals to the Board shall be processed in accordance with the provisions contained in Section 14 03.030 of this code. Copies of all rules or regulations adopted by the Board shall be delivered to the Director of Community Development, who shall make them freely accessible to the public.

ADOPTED BY THE FULLERTON CITY COUNCIL ON November 16, 2010


Don Bankhead, Mayor

ATTEST


Beverley White, City Clerk

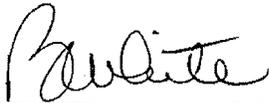
City of Fullerton
ORDINANCE CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

ORDINANCE NO. 3155

I, Beverley White, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is four, and that the above and foregoing Ordinance No. 3155 had first reading by title only, introduction, and further reading waived at the November 2, 2010 City Council regular meeting and was adopted at the November 16, 2010 City Council regular meeting by the following vote:

COUNCIL MEMBER AYES:	Bankhead, Keller, Quirk-Silva
COUNCIL MEMBER NOES	None
COUNCIL MEMBER ABSENT:	Jones



Beverley White, City Clerk

THE FOLLOWING ORDINANCE WHICH AMENDS
THE FULLERTON MUNICIPAL CODE HAS BEEN
ADOPTED BY THE CITY COUNCIL BUT IS NOT
YET INCLUDED IN THE ON-LINE MUNICIPAL CODE

ORDINANCE NO 3156

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
FULLERTON, CALIFORNIA, AMENDING TITLE 14 OF THE
FULLERTON MUNICIPAL CODE TO ADOPT THE 2010 EDITION
OF THE CALIFORNIA MECHANICAL CODE AS THE
FULLERTON MECHANICAL CODE**

ORDINANCE NO 3156

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING TITLE 14 OF THE FULLERTON MUNICIPAL CODE TO ADOPT THE 2010 EDITION OF THE CALIFORNIA MECHANICAL CODE AS THE FULLERTON MECHANICAL CODE

THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DOES ORDAIN AS FOLLOWS

Section 1 That Title 14 of the Fullerton Municipal Code is hereby amended effective January 1, 2011, by amending Chapter 14 09, Mechanical Code

Section 2 That when this ordinance takes effect, it shall not change any of the provisions of the previous codes and ordinances or affect any offense, acts done or required to be done, penalties, forfeitures or punishments incurred, rights or liabilities accrued or claims arising out of the provisions of the previous ordinances and amendments Any pending actions shall not be affected by the enactment of this ordinance Any previous discontinuance, abatement, modification or alteration of any penalty accrued, or to accrue, and the rights or liabilities of any person shall not be affected by the enactment of this ordinance

Section 3 That if any portion or portions of this ordinance are held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be considered as separate and independent and the Council declares that the legality of the remaining portions shall not change as a result of the court's findings

Section 4 That wherever there is reference to the California Mechanical Code, it shall mean the Uniform Mechanical Code promulgated by the IAPMO as amended by the State of California Building Standards Commission, which became effective January 1, 2011

Section 5 That Title 14 of the Fullerton Municipal Code is hereby amended as follows

CHAPTER 14 09
MECHANICAL CODE

Sections

- 14 09 010 Uniform Code Adopted
- 14 09 020 Title
- 14 09 030 Amendment to Section 110 1
- 14 09 040 Amendment to Section 113 1 by adding Item No 7
- 14 09 050 Amendment to Section 115.2
- 14 09 060 Amendment to Section 116 6

14 09 010 Uniform Code Adopted That certain document, one copy of which is on file in the office of the Fullerton City Clerk, entitled "California Mechanical Code, 2010 Edition," published by the IAPMO, and everything contained therein including the Appendix, is hereby adopted by reference in accordance with Section 50022 2 of the California Government Code, as part of this Chapter, except that Section 115 2, Table 1-A, is not adopted as a part of this Chapter and Sections 110, 113 1, 115 and 116 6 of the said California Mechanical Code, 2010 Edition, are adopted as amended in this Chapter

14 09 020 Title This Chapter and said California Mechanical Code, 2010 Edition, as adopted by this Chapter, shall be known as the Fullerton Mechanical Code All references to "this Code" contained in the said California Mechanical Code, 2010 Edition, shall be deemed to refer to this Chapter Each paragraph or section number contained in the said California Mechanical Code, 2010 Edition, shall be deemed to be a subdivision of this Chapter For example, "Section 102" of said State Mechanical Code, 2010 Edition, shall be deemed to be "Subdivision 102 of Section 14 09 020 of the Fullerton Municipal Code," and may be referred to as "Section 102 of the Fullerton Mechanical Code "

14 09 030 Amendment to Section 110 1 of Appendix, Chapter 1

SECTION 110 1 of said 2010 California Mechanical Code Appendix, Chapter 1 is hereby amended to read as follows

SECTION 110 1 Appeals In order to provide for final interpretation of the provisions of this Code and to hear appeals provided for hereunder, there is hereby established a Board of Appeals with the Planning Commission consisting of seven members who are not employees of the City to act as the Board if so directed by City Council The Director of Community Development shall be an ex-officio member of and shall act as Secretary to said Board The Board shall be appointed by the governing body and shall hold office at its pleasure The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the Building Official. Appeals to the Board shall be processed in accordance with the provisions contained in Section 14 03 030 of this Code Copies of all rules or regulations adopted by the Board shall be delivered to the Director of Community Development, who shall make them freely accessible to the public

14 09 040 Amendment to Section 113 1

SECTION 113 1 of said California Mechanical Code, 2010 Edition, is hereby amended by adding Item No 7 to read as follows

SECTION 113 1 7 The permittee shall be a contractor licensed to perform such work covered by the permit

EXCEPTION Mechanical work associated with R-3 and U occupancies

14 09 050 Amendment to Section 115 2

SECTION 115 2 of said California Mechanical Code, 2010 Edition, is hereby amended to read as follows

SECTION 115 2 Permit Fees - The City Council, by resolution, shall set the amount of fees to be required for the issuance of permits required by the Fullerton Mechanical Code, and shall adjust said fees annually based upon data provided by the Community Development Department Prior to issuance of a mechanical permit, the fees shall be paid Whenever Table 1-1 is referenced in this Code, it shall mean the fees adopted by City Council resolution

14 09 060 Amendment to Section 116 6

SECTION 116 6 of said California Mechanical Code, 2010 Edition, is hereby amended by adding Section 116 6

SECTION 116 6 Reinspection fees may be assessed for failure to provide access when the approved plans are not readily available to the inspector on the date for which inspection is requested or for deviating from plans requiring the approval of the Building Official

ADOPTED BY THE FULLERTON CITY COUNCIL ON November 16, 2010


Don Bankhead, Mayor

ATTEST


Beverley White, City Clerk

City of Fullerton
ORDINANCE CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

ORDINANCE NO 3156

I, Beverley White, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is four; and that the above and foregoing Ordinance No 3156 had first reading by title only, introduction, and further reading waived at the November 2, 2010 City Council regular meeting and was adopted at the November 16, 2010 City Council regular meeting by the following vote

COUNCIL MEMBER AYES:	Bankhead, Keller, Quirk-Silva
COUNCIL MEMBER NOES:	None
COUNCIL MEMBER ABSENT:	Jones



Beverley White, City Clerk

THE FOLLOWING ORDINANCE WHICH AMENDS
THE FULLERTON MUNICIPAL CODE HAS BEEN
ADOPTED BY THE CITY COUNCIL BUT IS NOT
YET INCLUDED IN THE ON-LINE MUNICIPAL CODE

ORDINANCE NO 3157

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
FULLERTON, CALIFORNIA, AMENDING TITLE 14 OF THE
FULLERTON MUNICIPAL CODE TO ADOPT THE 2010
EDITION OF THE CALIFORNIA ENERGY CODE AS
THE FULLERTON ENERGY CODE**

ORDINANCE NO 3157

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING TITLE 14 OF THE FULLERTON MUNICIPAL CODE TO ADOPT THE 2010 EDITION OF THE CALIFORNIA ENERGY CODE AS THE FULLERTON ENERGY CODE

THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1 That Title 14 of the Fullerton Municipal Code is hereby amended effective January 1, 2011, by adding Chapter 14 16, Energy Code

Section 2 That when this ordinance takes effect, it shall not change any of the provisions of the previous codes and ordinances or affect any offense, acts done or required to be done, penalties, forfeitures or punishments incurred, rights or liabilities accrued or claims arising out of the provisions of the previous ordinances and amendments. Any pending actions shall not be affected by the enactment of this ordinance. Any previous discontinuance, abatement, or liabilities of any person shall not be affected by the enactment of this ordinance.

Section 3 That if any portion or portions of this ordinance are held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be considered as separate and independent and the Council declares that the legality of the remaining portions shall not change as a result of the court's findings.

Section 4 That wherever there is reference to the California Energy Code, it shall mean the California Code of Regulations, Title 24, Part 6, as published by the State of California Building Standards Commission, effective January 1, 2011.

Section 5 That Title 14, of the Fullerton Municipal Code is hereby amended as follows:

CHAPTER 14 16
ENERGY CODE

Sections

14 16 010 Uniform Code Adopted
14 16 020 Title

14 16 010 Uniform Code Adopted The California Code of Regulations, Title 24, Part 6, identified as the California Energy Code, 2010 Edition, published by the California Building Standards Commission, is hereby adopted by reference, in accordance with Section 50022.2 of the Government Code.

14 16 020 Title This Chapter and the California Energy Code, 2010 Edition, shall be known as the Fullerton Energy Code.

ADOPTED BY THE FULLERTON CITY COUNCIL ON November 16, 2010



Don Bankhead, Mayor

ATTEST



Beverley White, City Clerk

City of Fullerton
ORDINANCE CERTIFICATION

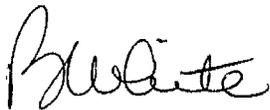
STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

ORDINANCE NO 3157

I, Beverley White, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is four; and that the above and foregoing Ordinance No 3157 had first reading by title only, introduction, and further reading waived at the November 2, 2010 City Council regular meeting and was adopted at the November 16, 2010 City Council regular meeting by the following vote

COUNCIL MEMBER AYES
COUNCIL MEMBER NOES:
COUNCIL MEMBER ABSENT:

Bankhead, Keller, Quirk-Silva
None
Jones



Beverley White, City Clerk

THE FOLLOWING ORDINANCE WHICH AMENDS
THE FULLERTON MUNICIPAL CODE HAS BEEN
ADOPTED BY THE CITY COUNCIL BUT IS NOT
YET INCLUDED IN THE ON-LINE MUNICIPAL CODE

ORDINANCE NO 3158

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
FULLERTON, CALIFORNIA, AMENDING TITLE 14 OF THE FULLERTON
MUNICIPAL CODE ADOPTING THE 2010 EDITION OF THE CALIFORNIA
GREEN BUILDING STANDARDS CODE AND ITS AMENDMENTS AS
THE FULLERTON GREEN BUILDING CODE**

ORDINANCE NO 3158

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING TITLE 14 OF THE FULLERTON MUNICIPAL CODE ADOPTING THE 2010 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE AND ITS AMENDMENTS AS THE FULLERTON GREEN BUILDING CODE

THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DOES ORDAIN AS FOLLOWS

Section 1 Section 14 06 010 of the Fullerton Municipal Code is hereby amended effective January 1, 2011, by the effective date of the 2010 Edition of the California Green Building Standards Code.

Section 2 When this ordinance takes effect, it shall not change any of the provisions of the previous codes and ordinances or affect any offense, acts done or required to be done, penalties, forfeitures or punishments incurred, rights or liabilities accrued or claims arising out of the provisions of the previous ordinances and amendments Any pending actions shall not be affected by the enactment of this ordinance Any previous discontinuance, abatement, modification or alteration of any penalty accrued, or to accrue, and the rights or liabilities of any person shall not be affected by the enactment of this ordinance

Section 3 If any portion or portions of this ordinance are held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be considered as separate and independent and the Council declares that the legality of the remaining portions shall not change as a result of the court's findings

Section 4 Wherever there is reference to the California Green Building Standards Code, it shall mean the California Green Building Standards Code, 2010 Edition, promulgated by the California Building Standards Commission and shall be effective January 1, 2011

Section 5 Title 14 of the Fullerton Municipal Code is hereby amended as follows

CHAPTER 14 06

GREEN BUILDING STANDARDS CODE

Sections

14 06 010	Uniform Code Adopted
14 06 020	Title
14 06 030	Amendment to Chapter 2, Section 202
14 06 040	Amendment to Chapter 4, Section 4 304 1.
14 06 050	Amendment to Chapter 4, Section 4 408
14 06 060	Amendment to Chapter 5, Section 5.408

14 06 010 Uniform Code Adopted Those certain documents, one copy each, are on file in the office of the Fullerton Building Official entitled "California Green Building Standards Code", published by the California Building Standards Commission, and everything contained therein is hereby adopted by reference, in accordance with Section 50022 2 of the Government Code, as a part of this Chapter, except that Section mentioned above to said California Green Building Standards Code 2010 Edition are adopted as amended in this chapter

14 06 020 Title This Chapter and said California Green Building Standards Code, 2010 Edition, as adopted by this Chapter, shall be known as the Fullerton Green Building Standards Code All references to "this Code" contained in the said California Green Building Standards Code, 2010 Edition, shall be deemed to refer to this Chapter Each paragraph or section number contained in the said California Green Building Standards Code, 2010 Edition, not amended by this Chapter, shall be deemed to be a subdivision of this Chapter For example, "Section 102" of the said California Green Building Standards Code, 2010 Edition, shall be deemed to be "Subdivision 102 of Section 14 06 020 of the Fullerton Municipal Code," and may be referred to as, "Section 102 of the Fullerton Green Building Standards Code "

14 06 030 Amendment to Section 202 of Chapter 2 Section 202 of said 2010 California Green Building Standards Code, Chapter 2 is hereby amended by adding the definition of following

Sustainability Consideration of present development and construction impacts on the community, the economy, and the environment without compromising the needs of the future

14.06 040 Amendments to Section 4 304 1 of Chapter 4, Division 4 3 of the said 2010 California Green Building Standards Code is hereby amended to read as follows

Irrigation controllers Automatic irrigation system controllers for landscaping provided and installed at the time of final inspection and shall comply with the following

- 1 Controllers shall be weather- or soil moisture-based irrigation controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change
- 2 Weather-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s) Soil moisture-based controllers are not required to have rain sensor input

14 06 050 Amendment to Chapter 4, Section 4 408 of the said 2010 California Green Building Standards Code is hereby amended to read as follows

4.408 1 Definitions As used in this chapter

- A "Applicant" means any individual, firm, contractor, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever that applies to the City for the applicable permits to undertake any construction or demolition project within the City.

- B "Compliance Official" means the staff person(s) designated by the Director of Community Development authorized and responsible for implementing this chapter
- C "Construction" means the building of any facility or structure or any portion thereof including any tenant improvements to an existing facility or structure
- D "Construction and demolition debris" means
 - 1. Discarded materials generally not considered water soluble and nonhazardous in nature, including but not limited to steel, glass, brick, concrete, asphalt material, pipe, wall board, roofing materials, and lumber from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure and/or landscaping, including rocks, soil, tree remains, trees, and other vegetative matter that normally results from land clearing, landscaping, and development operations for a construction project,
 - 2. Clean cardboard, paper, plastic, wood, and metal scraps from any construction project,
 - 3. Other nonhazardous wastes that are generated at construction or demolition projects provided such amounts are consistent with best management practices of the industry
- E "Demolition" means the *decimating*, razing, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior
- F "Designated recyclable and reusable materials" shall include, but are not limited to
 - 1. Masonry building materials including all products generally used in construction including, but not limited to, asphalt, concrete, rock, stone, mortar, and brick,
 - 2. Wood materials including any and all dimensional lumber, fencing or construction wood that is not chemically treated, creosoted, contaminated, or painted,
 - 3. Metals including all metal scrap such as, but not limited to, pipes, siding, window frames, doorframes, and fences,
 - 4. Roofing materials, including wood shingles as well as asphalt, metal, stone and slate based roofing materials,
 - 5. Salvageable materials includes all salvageable materials and structures including, but not limited to, wallboard, doors, windows, fixtures, toilets, sinks, bathtubs, and appliances

- G "Divert" means to use material for any purpose other than disposal in a landfill
- H "Project" shall have the meaning set forth in Section 5 16 030 of this chapter
- I "Project site" means a lot or parcel where demolition, construction, addition, or alteration is proposed. In the case of a residential subdivision under construction, "project site" means the parcels proposed for development in a particular phase by a homebuilder
- J "Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace
- K "Renovation" means any change, addition, or modification to an existing structure
- L "Reuse" means further or repeated use of construction or demolition debris
- M "Waste reduction and recycling plan" shall mean a completed, City-provided form submitted before the issuance of a building and/or demolition permit, approved by the Compliance Official for the purpose of compliance with these chapters.
- N "Waste reduction and recycling report" means a completed, City-provided form submitted quarterly and after demolition or construction, as a precedent to final inspection and issuance of any certificate of occupancy, approved by the Compliance Official for the purpose of compliance with this chapter

4 408 2 Applicability of Chapter

Projects subject to the requirements of this chapter shall include any construction or demolition work that consists of one or more of the following

- A Demolition of a building or structure, or a portion thereof, that is equal to or greater than five hundred square feet (residential, commercial, industrial, or institutional)
- B Construction of a new commercial, industrial, or institutional building or structure that is equal to or greater than five hundred square feet
- C Construction of any new residential dwellings whatsoever
- D Addition or alteration of a commercial, industrial, institutional, or multi-family building or structure that is equal to or greater than five hundred square feet.

4 408.3 Exemptions

The following projects will not be subject to the requirements set forth by this chapter

- A Emergency work (demolition, construction, addition, or alteration) performed in order to protect the public health, safety or welfare as defined in Public Resources Code Section 21060 3 and as determined in writing by any public safety official or code compliance officer or the City, prior to the commencement of the emergency work
- B A project contaminated by hazardous substances or waste as defined by state or federal law

4 408 4 Diversion requirements

Every applicant shall make a good faith effort to divert from landfills

- (1) At least fifty percent, determined by weight, of all soil, rock, and gravel, and
- (2) At least fifty percent, determined by weight, of all project construction and demolition debris, not including soil, rock, and gravel, generated from every applicable construction, remodeling, or demolition project by using recycling, reuse, and diversion programs. Separate calculations and reports will be required for the construction and demolition portions of projects that involve both activities. To the extent practicable, soil, rock, and gravel to be removed from the project site may not be commingled with other project construction and demolition debris

4 408 4 Issuance of a building or demolition permit

- A Submission of Waste Reduction and Recycling Plan Every applicant shall submit a properly completed plan as provided by the City as a requirement of the building or demolition permit process. The plan shall be submitted as part of the building permit application packet and shall be accompanied by a fee, as established by resolution of the City Council that is sufficient to cover the City's costs associated with reviewing and processing the plan. The plan shall indicate those materials to be recycled and/or disposed of and such other project information as required by the Compliance Official, including at least all of the following
 - 1 The estimated volume or weight of the project construction and demolition debris to be generated, listed by each type of material,
 - 2 Volume or weight of the construction and demolition debris to be reused salvaged or recycled listed by each type of material,
 - 3 The estimated volume or weight of construction and demolition debris that will be landfilled listed by each type of material,
 - 4 The facilities or service providers to be used by the applicant, and
 - 5 The estimated date on which demolition or construction is to commence
- B Approval of Waste Reduction and Recycling Plan

1. Notwithstanding any other provisions of this chapter, no building or demolition permit shall be issued for any project as defined in this chapter unless and until the Compliance Official has approved the Waste Reduction and Recycling Plan
2. A Waste Reduction and Recycling Plan will be approved or denied within fifteen business days after a completed permit application is filed with the City. Any approval may include conditions reasonably necessary to meet the standards of this chapter
3. The Compliance Official shall only approve a Waste Reduction and Recycling Plan if he or she determines that it contains all of the information required by this chapter and determines that the Plan, if followed, will represent a good faith effort by the applicant to divert at least fifty percent by weight of all construction and demolition debris generated by the project. Volume calculations converted to weight in a manner reasonably determined by the Compliance Official may be utilized for this purpose as needed. If the Compliance Official determines that all of the above conditions have been met, he or she shall mark the Waste Reduction and Recycling Plan "Approved," return a copy of the plan to the applicant, and notify the Community Development Department that it has been approved

C Denial of Waste Reduction and Recycling Plan. If the Compliance Official determines that the Waste Reduction and Recycling Plan is incomplete, he or she shall return it to the applicant marked "Denied, Further Explanation Required". The applicant must then submit additional information before the Waste Reduction and Recycling Plan can be reviewed and the building or demolition permit issued

1. The estimated volume or weight of the project construction and demolition debris to be generated, listed by each type of material,
2. Volume or weight of the construction and demolition debris to be reused, salvaged or recycled listed by each type of material,
3. The estimated volume or weight of construction and demolition debris that will be landfilled listed by each type of material,
4. The facilities or service providers to be used by the applicant, and
5. The estimated date on which demolition or construction is to commence

4 408 5 Compliance with diversion requirements

A During demolition or construction, the Compliance Official may inspect project sites to determine compliance with the Waste Reduction and Recycling Plan. The applicant, if requested, must supply written proof of compliance with its Waste Reduction and Recycling Plan within five business days. Failure to comply with the Waste Reduction and Recycling

Plan during construction or demolition is a violation of this chapter, and, in addition to any other penalty and/or remedy, shall be grounds for issuance of a "stop work" order and/or issuance of an administrative citation. Each day that the applicant fails to comply with the requirements of this chapter constitutes a separate offense.

- B Applicants shall submit proof of compliance with this chapter on a quarterly basis during construction and/or demolition as well as at the end of the project to demonstrate compliance with the project's Waste Reduction and Recycling Plan. If a project involves both demolition and construction, the report and documentation for the demolition project must be submitted and approved by the Compliance Official before issuance of a building permit for the construction project. Quarterly reports shall be submitted each April 30, July 30, October 30, and January 30 (or as determined by the Compliance Official) and are to cover the previous three calendar months (January through March, April through June, July through September, and October through December). End of project reports are to be submitted at the end of the project as a precedent to final inspection and certificate of occupancy. Proof of compliance to be submitted with quarterly and end of project reports shall include:
- 1 Submittal of a completed, City-provided Waste Reduction and Recycling Report
 - 2 Receipts from the vendor or facility which collected or received each material showing the actual weight or volume of that material (recyclables and solid waste), each receipt must clearly state the project title and date. If the receipt provides information for multiple projects, the project titles and the amounts of material for each project must be clearly identified.
 - 3 Weight slips/count of material salvaged or reused in the project. Each receipt must clearly state the project title and date. If the receipt provides information for multiple projects, the project titles and the amounts of material for each project must be clearly identified.
 - 4 Any additional information the Compliance Official reasonably determines is needed to demonstrate compliance with the applicant's approved Waste Reduction and Recycling Plan.

14 06 060. Amendment to Chapter 5, Section 5 408 of the said 2010 California Green Building Standards Code is hereby amended to read as follows:

5 408 1 Definitions.

As used in this chapter:

- A "Applicant" means any individual, firm, contractor, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever that applies to the City for the applicable permits to undertake any construction or demolition project within the City.

- B "Compliance Official" means the staff person(s) designated by the Director of Community Development authorized and responsible for implementing this chapter
- C "Construction" means the building of any facility or structure or any portion thereof including any tenant improvements to an existing facility or structure
- D "Construction and demolition debris" means
 - 1 Discarded materials generally not considered water soluble and nonhazardous in nature, including but not limited to steel, glass, brick, concrete, asphalt material, pipe, wall board, roofing materials, and lumber from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure and/or landscaping, including rocks, soil, tree remains, trees, and other vegetative matter that normally results from land clearing, landscaping, and development operations for a construction project,
 - 2 Clean cardboard, paper, plastic, wood, and metal scraps from any construction project,
 - 3 Other nonhazardous wastes that are generated at construction or demolition projects provided such amounts are consistent with best management practices of the industry
- E "Demolition" means the decimating, razing, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior
- F "Designated recyclable and reusable materials" shall include, but are not limited to
 - 1 Masonry building materials including all products generally used in construction including, but not limited to, asphalt, concrete, rock, stone, mortar, and brick,
 - 2 Wood materials including any and all dimensional lumber, fencing or construction wood that is not chemically treated, creosoted, contaminated, or painted,
 - 3. Metals including all metal scrap such as, but not limited to, pipes, siding, window frames, doorframes, and fences,
 - 4 Roofing materials, including wood shingles as well as asphalt, metal, stone and slate based roofing materials,
 - 5 Salvageable materials includes all salvageable materials and structures including, but not limited to, wallboard, doors, windows, fixtures, toilets, sinks, bathtubs, and appliances
- G. "Divert" means to use material for any purpose other than disposal in a landfill

- H "Project" shall have the meaning set forth in Section 5 16 030 of this chapter
- I "Project site" means a lot or parcel where demolition, construction, addition, or alteration is proposed In the case of a residential subdivision under construction, "project site" means the parcels proposed for development in a particular phase by a homebuilder
- J "Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace
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safety official or code compliance officer or the City, prior to the commencement of the emergency work

- B A project contaminated by hazardous substances or waste as defined by state or federal law

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5 408 4 Issuance of a building or demolition permit

- A Submission of Waste Reduction and Recycling Plan Every applicant shall submit a properly completed plan as provided by the City as a requirement of the building or demolition permit process The plan shall be submitted as part of the building permit application packet and shall be accompanied by a fee, as established by resolution of the City Council, that is sufficient to cover the City's costs associated with reviewing and processing the plan The plan shall indicate those materials to be recycled and/or disposed of and such other project information as required by the Compliance Official, including at least all of the following

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- 3. The estimated volume or weight of construction and demolition debris that will be landfilled listed by each type of material,
- 4. The facilities or service providers to be used by the applicant, and
- 5. The estimated date on which demolition or construction is to commence

B Approval of Waste Reduction and Recycling Plan

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chapter unless and until the Compliance Official has approved the Waste Reduction and Recycling Plan.

- 2 A Waste Reduction and Recycling Plan will be approved or denied within fifteen business days after a completed permit application is filed with the City. Any approval may include conditions reasonably necessary to meet the standards of this chapter.
- 3 The Compliance Official shall only approve a Waste Reduction and Recycling Plan if he or she determines that it contains all of the information required by this chapter and determines that the Plan, if followed, will represent a good faith effort by the applicant to divert at least fifty percent by weight of all construction and demolition debris generated by the project. Volume calculations converted to weight in a manner reasonably determined by the Compliance Official may be utilized for this purpose as needed. If the Compliance Official determines that all of the above conditions have been met, he or she shall mark the Waste Reduction and Recycling Plan "Approved," return a copy of the plan to the applicant, and notify the Community Development Department that it has been approved.

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- 4 The facilities or service providers to be used by the applicant, and
- 5 The estimated date on which demolition or construction is to commence.

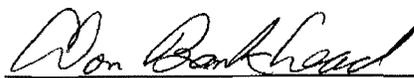
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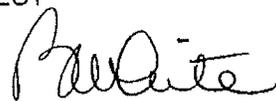
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- 3 Weight slips/count of material salvaged or reused in the project. Each receipt must clearly state the project title and date. If the receipt provides information for multiple projects, the project titles and the amounts of material for each project must be clearly identified.
- 4 Any additional information the Compliance Official reasonably determines is needed to demonstrate compliance with the applicant's approved Waste Reduction and Recycling Plan.

ADOPTED BY THE FULLERTON CITY COUNCIL ON November 16, 2010


Don Bankhead, Mayor

ATTEST


Beverley White, City Clerk

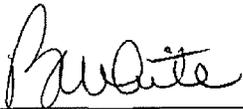
City of Fullerton
ORDINANCE CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

ORDINANCE NO 3158

I, Beverley White, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is four; and that the above and foregoing Ordinance No 3158 had first reading by title only, introduction, and further reading waived at the November 2, 2010 City Council regular meeting and was adopted at the November 16, 2010 City Council regular meeting by the following vote

COUNCIL MEMBER AYES:	Bankhead, Keller, Quirk-Silva
COUNCIL MEMBER NOES	None
COUNCIL MEMBER ABSENT	Jones



Beverley White, City Clerk

BUILDING STANDARDS COMMISSION

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



January 12, 2011

Ms. Julie Kunze, Division Chief/ Fire Marshal
Fire Department
City of Fullerton
312 East Commonwealth Avenue
Fullerton, California 92832-2099

Dear Ms. Julie Kunze:

This letter is to acknowledge receipt on December 22, 2010 of the City of Fullerton submittal pertaining to Ordinance No. 3161 with findings and is acceptable for filing. Per 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 FULLERTON

Fire Department

December 15, 2010

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

To Whom It May Concern:

Attached please find the Resolution and Ordinance relevant to the City of Fullerton adoption of the California Fire Code, 2010 Edition.

If you have any questions, please contact me at 714-738-6511.

Sincerely,



Julie Kunze
Division Chief/Fire Marshal

Attachments

2010 DEC 22 P 1:33
CALIFORNIA BUILDING
STANDARDS COMMISSION

Fullerton: 100 Years of Community Pride

312 East Commonwealth Avenue, Fullerton, California 92832-2099
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RESOLUTION NO. 10-106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, SETTING FORTH LOCAL CONDITIONS JUSTIFYING AMENDMENTS TO THE 2010 EDITION OF THE CALIFORNIA FIRE CODE INCORPORATING BY REFERENCE THE 2009 INTERNATIONAL FIRE CODE WITH CALIFORNIA AMENDMENTS AS CODIFIED IN THE CALIFORNIA BUILDING STANDARDS CODE, PART 9, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

THE CITY COUNCIL OF THE CITY OF FULLERTON HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

WHEREAS, Section 17958.5 of the Health and Safety Code permits the City to make changes or modifications to the 2010 California Fire Code, incorporating by reference the 2009 International Fire Code with California amendments, as codified within the California Building Standards Code, Part 9, Title 24 of the California Code of Regulations, (hereinafter "2010 California Fire Code"), as such changes or modifications are reasonably necessary because of local climatic, geographical or topographical conditions; and

WHEREAS, Section 13143.5 of the Health and Safety Code permits a city, by ordinance, to make changes or modifications to the 2010 California Fire Code that are more stringent than the requirements published in the California Building Standards Code, Part 9, Title 24, of the California Code of Regulations, relating to fire and panic safety; and

WHEREAS, Sections 13143.5 and 17958.7 of the Health and Safety Code require the City, prior to adopting the ordinance, to make express findings that the adopted standards are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the findings and local amendments apply to all occupancy classifications, unless specified otherwise; and

NOW, THEREFORE, BE IT RESOLVED, that the modifications and changes recommended to the 2010 California Fire Code are reasonably necessary due to the following conditions:

SECTION 1. That to the extent that the City's adoption of the 2010 California Fire Code, as amended, makes changes or modifications that are more stringent than the requirements published in the California Building Standards Code relating to fire and panic safety, such changes and modifications are reasonably necessary due to the following conditions:

- A. The City of Fullerton is located in an area which is subject to periodic wind conditions of extremely high velocity; the City is also subject to seasonal high temperatures and dry atmospheric conditions which often occur during times of those high-velocity winds.

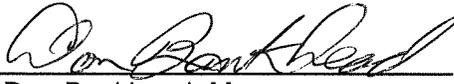
- B. These dry climatic conditions and winds contribute to rapid spread of fires originating in high-density business and living conditions. These conditions create a need for increased levels of protection.
- C. Traffic and circulation congestion is common throughout the City of Fullerton. This congestion often places at risk the Fire Department response time to fire occurrences, and makes it necessary to provide additional fire and life safety requirements to limit the exposure to death, injury, and property loss caused by fire, prior to the arrival of the Fire Department.
- D. The City of Fullerton is located in an area of substantial seismic activity. Several faults, including the San Andreas, are located in and around the City. These faults are expected to have a major impact on the City of Fullerton and pose a threat to life and property. It is believed these faults are capable of generating up to an 8.3 magnitude earthquake. Major earthquakes are accompanied by congested traffic flow and fires. During a major earthquake, Fire Department resources would be extremely taxed and the ability to respond would be complicated and in some cases impossible.
- E. The climatic conditions described above are further accentuated by the topographical features of the hill and canyon area in the central and northeastern portions of the City. The high fire hazard severity zones are especially susceptible to fires which may spread quickly from one structure to another due to lack of shrub/brush clearance requirements, and other fire protection requirements needed to provide reasonable levels of fire safety.

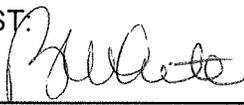
SECTION 2. In order to correct existing conditions and prevent future conditions that are detrimental to the public health and safety and may result in serious injury, it is reasonably necessary for the City of Fullerton to require the provisions of the 2010 California Fire Code as amended and adopted.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Fullerton has found that the proposed local amendments are in compliance with the Health and Safety Code, Section 17958, of the State of California and does hereby adopt the findings stated herein and as amended by the City Council during the public hearing.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a copy of this Resolution, together with the Ordinance adopting the amendments to the 2010 California Fire incorporating by reference the 2009 International Fire Code be filed with the State Department of Housing and Community Development and with the California Building Standards Commission.

ADOPTED BY THE FULLERTON CITY COUNCIL ON November 2, 2010.


Don Bankhead, Mayor

ATTEST

Beverley White, City Clerk

The foregoing instrument is a full, true and correct copy of the original on file in this office.
Attest: 
City Clerk of the City of Fullerton
Date: 11-4-10

City of Fullerton
RESOLUTION CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

RESOLUTION NO. 10-106

I, Beverley White, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is four; and that the above and foregoing Resolution No. 10-106 was adopted at a regular meeting of the City Council held on the 2nd day of November, 2010, by the following vote:

COUNCIL MEMBER AYES:	Bankhead, Keller, Jones, Quirk-Silva
COUNCIL MEMBER NOES:	None
COUNCIL MEMBER ABSENT:	None
COUNCILMEMBER ABSTAINED:	None



Beverley White, City Clerk

ORDINANCE NO 3161

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING CHAPTER 13 20 OF THE FULLERTON MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2010 CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS, AND INCORPORATING BY REFERENCE THE 2009 INTERNATIONAL FIRE CODE WITH CALIFORNIA AMENDMENTS, AS CODIFIED WITHIN PART 9, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS

Section 1 That Chapter 13 20 of the Fullerton Municipal Code, Fullerton Fire Code of 2007 is hereby repealed.

Section 2 That Title 13 of the Fullerton Municipal Code is hereby amended as follows

Chapter 13 20

2010 FULLERTON FIRE CODE

SECTIONS

13.20.10	Adoption of the 2010 California Fire Code
13 20 20	General, Amended
13 20 30	Applicability, Amended
13 20 40	Department of Fire Prevention, Amended
13 20 50	Permits, Amended
13 20 60	Maintenance, Amended
13 20 70	Board of Appeals, Amended
13 20 80	Violations, Amended
13 20 90	Stop Work Order, Amended
13.20 100	Fees, Amended
13 20 110	Validity, Added
13 20 120	Definitions, Amended
13 20 130	Christmas Tree Sales, Added
13 20 140	Outdoor Fires, Added
13 20 150	Premises Identification, Amended
13 20 160	Key Boxes, Amended
13 20 170	Fire Protection Water Supplies, Amended
13 20 180	Fire Command Center, Amended
13 20 190	Electrical Equipment, Wiring and Hazards, Amended
13 20 200	Table 1004 1 1, Amended
13 20 210	Flammable and Combustible Liquids Motor Fuel-Dispensing Facilities, Amended
13 20 220	General Amendments, Amended
13.20.230	Storage, Amended
13.20.240	Defensible Space, Added

13 20 10 Adoption of the 2007 California Fire Code
Local Fullerton Amendments

Pursuant to the provisions of Section 50022 1 to 50022 8, inclusive, of the Government Code of the State of California, the City Council of the City of Fullerton does hereby adopt, by reference, the 2010 Edition of the California Fire Code, incorporating by reference the 2009 International Fire Code with California Amendments, as codified within Part 9, Title 24 of the California Code of Regulations, also known as the California Building Standards Code, as amended by this Chapter, including Appendix Chapter 4, and Appendices A, B, BB, C, CC, D, E, F, G, H, I and J as published, and the whole thereof, save and except such portions as are hereinafter deleted or amended by this Ordinance. One copy of this Code has been and is now filed in the office of the City Clerk of the City of Fullerton and the same is hereby adopted and incorporated as if fully set out at length herein, and from the date on which this ordinance shall take effect, which is January 1, 2011, the provisions thereof shall be controlling within the limits of the City of Fullerton.

Chapter 1, Division 11, ADMINISTRATION is hereby amended as follows

13 20 20 SECTION 101 GENERAL

Section 101 1 Title. (Amended)

These regulations shall be known as the 2010 Fullerton Fire Code, hereinafter referred to as "this code "

13 20 30 SECTION 102 APPLICABILITY

Section 102 10 Conflicting Provisions (Amended)

Where there is a conflict between a general requirement and a specific requirement, the fire code official shall decide which requirement meets the general intent of this code

13 20 40 SECTION 103 DEPARTMENT OF FIRE PREVENTION

Section 103 3 Deputies (Amended)

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the fire code official shall have the authority to appoint a deputy fire code official, other related technical officers, inspectors and other employees. When requested by the fire code official, the Chief of Police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code

13 20 50 SECTION 105 PERMITS

Section 105 6 Required Operational Permits (Amended)

The fire code official is authorized to issue operational permits for the operations set forth in Appendix Chapter 1, Sections 105 6 1 through 105.6 52

Subsection 105 6 5 Cellulose Nitrate Film. (Amended)

An operational permit is required to store, handle or use cellulose nitrate film

Subsection 105 6 15 is deleted in its entirety

Subsection 105 6 48 Aircraft Refueling Vehicles (Added)

A permit is required to operate an aircraft refueling vehicle

Subsection 105 6 49 Christmas Tree Lot (Added)

A permit is required to operate a Christmas tree lot in the City of Fullerton

Subsection 105 6.50 Fire Clearance, New Business (Added)

A fire clearance inspection is required to open or to change ownership of a Fullerton business.

Subsection 105 6 51 Fire Clearance Required by State or Other Governmental Agencies (Added)

Classifications

- A Convalescent and Nursing Homes
- B Child Day Care Facilities – less than 26 persons
- C Child Day Care Facilities – 26 or more persons
- D Hospitals, less than 100 beds
- E Hospitals, 100 beds or more
- F Sanitariums
- G Schools (private)
- H Residential Care Facilities, less than 26 persons
- I Residential Care Facilities, 26 or more persons
- J. Residential Care Facilities, more than 6 non-ambulatory persons

Subsection 105 6 52 General Use (Added)

A General Use permit shall be required for any activity or operation not specifically described in this section, which in the judgment of the fire code official is likely to produce conditions hazardous to life or property
Section 105 7 Required Construction Permits (Amended)

The fire code official is authorized to issue construction permits for work as set forth in Appendix Chapter 1, Sections 105 7 1 through 105 7 15

Subsection 105 7.15 Aboveground Tanks (Added)

A construction permit is required for the installation of or modification to an aboveground storage tank containing a flammable or combustible liquid or hazardous substance or material

13 20 60 SECTION 107 MAINTENANCE

Section 107 7 Occupant Count. (Added)

The supervisor of each place of assembly shall have an effective system to maintain a count of the number of occupants present in order to keep the number at or below the allowable occupant load If the fire code official determines at any time that an accurate count of occupants is not being maintained, the occupancy shall be cleared to obtain an accurate count

13 20 70 SECTION 108 BOARD OF APPEALS

Section 108 1 Board of Appeals (Amended)

In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals The board of appeals shall be the planning commission reconvened as the board of appeals The board in conducting its business shall follow the appeals procedures articulated in Chapter 6 01 of the Fullerton Municipal Code As to appeals pursuant to this Section, "director of community development" shall be replaced by "fire official" throughout the applicable sections of Chapter 6 01

13 20 80 SECTION 109 VIOLATIONS

Section 109 3 Violation Penalties (Amended)

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than 1000 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment Each day that a violation continues after due notice has been served shall be deemed a separate offense

13 20 90 SECTION 111 STOP WORK ORDER

Section 111 4 Failure to Comply (Amended)

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this Code and be subject to citations and/or penalties in amounts as determined by the City Council

13 20 100 SECTION 113 FEES

Subsection 113 6 Permit Fees (Added)

For each and every permit issued pursuant to this Code, there shall be paid to the City of Fullerton Fire Department a fee in such amount as established by Resolution of the Fullerton City Council

13 20 110 SECTION 114 VALIDITY (Added)

Section 114 1 Validity (Added)

The City Council of the City of Fullerton hereby declares that should any section, paragraph, sentence or word of this ordinance or of the California Fire Code as adopted and amended herein be declared for any reason to be invalid, it is the intent of the City Council of the City of Fullerton that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid

13 20 120 Chapter 2, DEFINITIONS is hereby amended as follows

"FIRE HAZARD" (Added)

Is any thing or act which increases or could cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or any thing or act which could obstruct, delay, hinder or interfere with the operations of the fire department or the egress of occupants in the event of fire

"HIGH-RISE BUILDING" Item 2 (Amended)

Item 2 "High-rise structure" means every building of any type of construction or occupancy having floors used for human occupancy located more than 55 feet above the lowest floor level having building access (see California Building Code, Section 403 1 2) except buildings used as hospitals as defined in Health and Safety Code Section 1250

Chapter 3, GENERAL PRECAUTIONS AGAINST FIRE is hereby amended as follows

13 20 130 SECTION 318 CHRISTMAS TREE SALES (Added)

Section 318 1 Christmas Tree Sales (Added)

No person shall sell, display for sale, or store for sale in the City of Fullerton, any cut Christmas tree, unless a permit therefore has been obtained from the Fire Department. Such permits shall only be issued to local charitable, civic or patriotic groups or organizations, and established places of business that have been in existence for at least one year prior to the application for such permits

Subsection 318 1 1 Permit – When issued (Added)

Permits to sell, display for sale, or store for sale cut Christmas trees in the City of Fullerton may only be issued for the period from November 5 to December 31. The applicant must show that the proposed location and method of any activity will not constitute a fire hazard or violation of law

Subsection 318 1 2 Cleanup Deposit (Added)

Each applicant shall make a cleanup guarantee deposit of \$250.00 with the City of Fullerton. The applicant must agree that not later than the tenth day of January following the issuance of such permit, all unsold trees, combustible waste and accumulation of sawdust will be removed from the permitted location and disposed of properly. Following the tenth day of January the City may remove and dispose of accumulations and apply the deposit to costs, including overhead expenses, incurred by such removal

Subsection 318 1 3 Return of Deposit (Added)

The Fire Marshal will inspect sites as soon as possible after January 10 of each year. Permittees who have completed the site cleanup will receive a rebate of the cleanup guarantee deposit

Subsection 318 1 4 Liability (Added)

Each permittee shall provide general liability insurance in the amount of \$100,000 for each person and \$300,000 for each occurrence against any claim for any damages caused in any manner from the use of such lot or the keeping or sale of any Christmas trees therein. A certificate of such insurance shall be filed with the Fire Marshal showing the City as a named insured hereunder

13 20 140 SECTION 319 OUTDOOR FIRES (Added)

Section 319 1 Outdoor Fires (Added)

Outdoor fires shall not be built, ignited or maintained in or upon hazardous fire areas, except by permit from the fire code official

Exception Outdoor fires at occupied one and two-family dwellings where such fires are built in a permanent barbecue, portable barbecue, outdoor fireplace with spark arrester, or grill and are a minimum of 25 feet (9144 mm) from a grass, grain, brush, or forest-covered area Permanent barbecues, portable barbecues, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash or combustible waste material

Section 319 2 Conditions (Added)

Outdoor fires shall not be built, ignited or maintained in or upon hazardous fire areas when the following conditions exist:

- 1 Predicted sustained winds exceed 20 MPH at the ground level, or a red flag condition has been declared,
- 2 A person age 17 or over is not present at all times to watch and tend such fire, or
- 3 A public announcement is made that open burning is prohibited

Chapter 5, FIRE SERVICE FEATURES is hereby amended as follows

13 20 150 SECTION 505 PREMISES IDENTIFICATION

Section 505.1 Address Numbers (Amended)

New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property and any alleyway serving the property These numbers shall contrast with their background Address numbers shall be Arabic numerals or alphabet letters Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm) *Where access is by means of a private road or the building cannot be viewed from the public way, a monument, pole, or other approved signage shall be used to identify the structure* All Address identification shall be assigned and/or approved by the City of Fullerton Engineering Department

13 20 160 SECTION 506 KEY BOXES

Section 506 1 Where Required (Amended)

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for emergency or non-emergency response purposes, the fire code official is authorized to require a key box, lock or key switch to be installed in an accessible location. The key box, switch, or lock shall be of an approved type and all key boxes shall contain keys to gain necessary access as required by the fire code official.

13 20 170 SECTION 507 FIRE PROTECTION WATER SUPPLIES

Subsection 507 5 1 Where Required (Amended)

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than allowed in APPENDIX C from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

13 20 180 SECTION 508 FIRE COMMAND CENTER

Subsection 508 1 1 Location and access. (Amended)

The fire command center shall be located adjacent to an approved fire access road and be accessible directly from the exterior. The location and accessibility of the fire command center shall be approved by the fire chief.

Section 508 2 Identification (Added)

The fire command center shall be identified by a permanent easily identifiable sign noting "Fire Dept Command Center" located on the door to the fire command center in accordance with Figure 509 2.

Chapter 6, BUILDING SERVICES AND SYSTEMS is hereby amended as follows

13 20 190 SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

Section 605 11 Photovoltaic Solar Systems (Added)

Solar systems shall comply with the Electrical Code and the Orange County Fire Chief's Association Guideline for Fire Safety Elements of Solar Photovoltaic Systems. The provision of this section may be applied by either the fire code official or the building code official.

Chapter 10, MEANS OF EGRESS is hereby amended as follows

13 20 200 TABLE 1004 1 1 Maximum Floor Area Allowances per Occupant (Amended)

Table 1004 1 1 is amended by adding the following for determining occupant load

TABLE 1004 1 1
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

FUNCTION OF SPACE	FLOOR AREA IN SQ FT PER OCCUPANT
Dance Floor Area Dining Rooms Drinking Establishments Lounges Stages	15 Net

Chapter 22, MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES is hereby amended as follows

13 20 210 SECTION 2206 FLAMMABLE AND COMBUSTIBLE LIQUIDS MOTOR FUEL-DISPENSING FACILITIES

Subsection 2206.6 2 6 Spill Containers (Amended)

A spill container having a capacity of not less than 5 gallons (19L) shall be provided for each fill connection. For tanks with a top-fill connection, spill containers shall be noncombustible and shall be fixed to the tank and equipped with a manual drain valve that drains into the primary tank.

Chapter 34, FLAMMABLE AND COMBUSTIBLE LIQUIDS is hereby amended as follows

13 20 220 SECTION 3403 GENERAL REQUIREMENTS

Subsection 3403 6 9 1 Fiberglass-reinforced Plastic Piping (Amended)

Fiberglass-reinforced plastic (FRP) shall be provided with flexible joints in accordance with subsection 4303 6 9

13 20 230 SECTION 3404 STORAGE

Subsection 3404 2 7 11 Tank Lining (Amended)

Tank lining is not allowed unless approved by the fire code official.
Subsection 3404 2 9 6 1 Locations Where Aboveground tanks are Prohibited (Amended)

Storage of Class I and II liquids in approved aboveground tanks in excess of 499 gallon capacity, outside of buildings, is prohibited within the City of Fullerton except at locations classified as Zone M-P, C-2, C-H, M-G, and P-L and then only as an accessory use as defined in the Title 15 hereof, and then only by approval of the fire code official

Subsection 3404 2 9 7 8 Spill Containers (Amended)

A spill container having a capacity of not less than 5 gallons (19L) shall be provided for each fill connection For tanks with a top fill connection, spill containers shall be noncombustible and shall be fixed to the tank and equipped with a manual drain valve that drains into the primary tank

Subsection 3404 2 11 Underground Tank (Amended)

Underground storage of flammable and combustible liquids in tanks shall comply with the Fullerton Fire Department, Underground Storage Tank Installation Guidelines, Section 3404 2 and Sections 3404 1 11 1 through 3404.2.11 5 2

Subsection 3404 2 13 1 1 Temporarily Out of Service (Amended)

Underground storage tanks temporarily out of service shall be in accordance with the Fullerton Fire Department, Underground Tank Temporary Closure Guidelines.

Subsection 3404 2 13 1 2 Out of Service for 90 Days (Amended)

Underground tanks not used for a period of 90 days shall be safeguarded in accordance with all the Fullerton Fire Department, Underground Tank Temporary Closure Guidelines

Subsection 3404 2 13 1 4 Tanks Abandoned In Place (Amended)

Tanks abandoned in place shall be in accordance with the Fullerton Fire Department, Underground Storage Tank Abandonment in Place Guidelines

Chapter 49, REQUIREMENTS FOR WILDAND-URBAN INTERFACE FIRE AREAS is hereby amended as follows

13 20 240 SECTION 4907 DEFENSIBLE SPACE (Added)

Section 4907 2 Brush Clearance in Protection Areas. (Added)

If Identified, each person or entity who owns, leases, controls, operates, or maintains any parcel of land within or adjacent to the protection area (as defined) shall comply with the Fullerton Fire Department Standard #62, Brush Clearance in the Protection Areas

Subsection 4907 3 Clearance of Brush and Vegetation from Roadways
(Added)

The fire code official is authorized to require areas within 10' of each side of any portion of a roadway, highway or private street which are improved, designed or ordinarily used for vehicular traffic to be cleared of vegetation and other combustible growth. The fire code official is authorized to enter upon private property to do so.

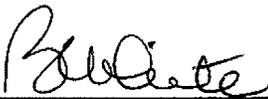
Exception: Single specimen trees, ornamental shrubs or cultivated and irrigated ground cover such as grass, ivy, succulents, or similar plants used as ground cover, provided that they do not form a means of readily transmitting fire.

ADOPTED BY THE FULLERTON CITY COUNCIL ON November 16, 2010



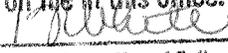
Don Bankhead, Mayor

ATTEST



Beverley White, City Clerk

The foregoing instrument is a full,
true and correct copy of the
original on file in this office.

Attest: 

City Clerk of the City of Fullerton

Date: 11-23-10

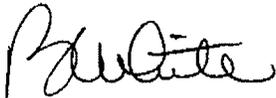
City of Fullerton
ORDINANCE CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

ORDINANCE NO. 3161

I, Beverley White, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is four, and that the above and foregoing Ordinance No. 3161 had first reading by title only, introduction, and further reading waived at the November 2, 2010 City Council regular meeting and was adopted at the November 16, 2010 City Council regular meeting by the following vote:

COUNCIL MEMBER AYES:	Bankhead, Keller, Quirk-Silva
COUNCIL MEMBER NOES:	None
COUNCIL MEMBER ABSENT	Jones



Beverley White, City Clerk