

BUILDING STANDARDS COMMISSION

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



January 27, 2011

Siobhan Smith, City Clerk
City Hall
City of Half Moon Bay
501 Main Street
Half Moon Bay, California 94019

Dear Siobhan Smith:

This letter is to acknowledge receipt on December 23, 2010 of the City of Half Moon Bay submittal pertaining to Ordinance No. C-14-10 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 HALF MOON BAY

City Hall, 501 Main Street Half Moon Bay CA 94019

December 22, 2010

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

**Subject: CITY OF HALF MOON BAY ORDINANCE NO. C-14-10
AMENDING CHAPTER 14.04 OF THE HALF MOON BAY
MUNICIPAL CODE ADOPTING BY REFERENCE 2010 EDITIONS
OF THE CALIFORNIA BUILDING STANDARDS CODE**

Dear Building Standards Commission:

At their Regular Meeting of December 7, 2010 the City Council of the City of Half Moon Bay adopted the above-referenced Ordinance as required by the California Building Standards Commission.

I have enclosed the Ordinance and also a copy of City of Half Moon Bay *Resolution No. C-77-10 - Determining the Need for Local Modifications to the California Building Standards Code.*

Please feel free to contact me should you need additional information or have any questions.

Sincerely,

Siobhan Smith
City Clerk

cc: Doug Rider

2010 DEC 23 A 10:55
CITY OF HALF MOON BAY
CALIFORNIA BUILDING
STANDARDS COMMISSION

Ordinance No. C-14-10

AN ORDINANCE OF THE CITY OF HALF MOON BAY, AMENDING CHAPTER 14.04 BUILDING STANDARDS OF THE HALF MOON BAY MUNICIPAL CODE AND ADOPTING BY REFERENCE: THE 2010 CALIFORNIA BUILDING CODE, VOLUMES 1 AND 2, TITLE 24 PART 2; 2010 CALIFORNIA RESIDENTIAL CODE, TITLE 24 PART 2.5; 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE, TITLE 24 PART 11; 2010 CALIFORNIA FIRE CODE TITLE 24 PART 9; 2010 CALIFORNIA PLUMBING CODE, TITLE 24 PART 5; 2010 CALIFORNIA MECHANICAL CODE, TITLE 24 PART 4; 2010 CALIFORNIA ELECTRICAL CODE, TITLE 24 PART 3; 2010 CALIFORNIA ENERGY CODE, TITLE 24 PART 6; 2010 CALIFORNIA ADMINISTRATIVE CODE, TITLE 24 PART 1; 2010 CALIFORNIA REFERENCED STANDARDS CODE TITLE 24 PART 12; 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

The City Council of the City of Half Moon Bay does ordain as follows:

Section 1. Chapter 14.04 “Building Standards” of the Half Moon Bay Municipal Code is hereby changed to read as follows:

“Building Standards”

14.04.010	Intent and Purpose
14.04.020	Building Code
14.04.030	Mechanical Code
14.04.040	Energy Code
14.04.050	Referenced Standards Code
14.04.060	Plumbing Code
14.04.070	Electrical Code
14.04.080	Administrative Code
14.04.090	Existing Buildings Code
14.04.100	Historical building Code
14.04.110	Fire Code
14.04.120	Green Building Standards Code
14.04.130	Residential Code
14.04.140	Abatement of Dangerous Buildings Code
14.04.150	Penalties

Ordinance No. C-14-10 Repealing and Amending Existing Chapter 14.04 Building Standards

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14.04.010 Intent and Purpose

It is the intent of the City to adopt by reference the 2010 California Code Series of regulations for the purpose of establishing minimum standards to safeguard and protect the health, safety and welfare of the public by regulating the design, construction, quality of materials, use and occupancy and the location of all buildings and structures within the city.

14.04.020 Building Code

Those certain Codes and Standards known as the 2010 California Building Code, Part 2, Volumes 1 and 2, including Appendix Chapters C (Group U Agricultural Buildings) G (Flood Resistant Construction), H (Signs), I (Patio Covers) and J (Grading) as amended and by reference, the 2009 International Building Code as published by the International Code Council are hereby adopted by reference as though set forth in full herein.

Appendix J Grading, is amended as follows:

- a. Section J103.1, Permits Required, is amended by adding the following:

Notwithstanding the provisions of Section J103.2 exemptions, a grading permit shall be required for all excavation and grading involving more than 500 cubic yards of material; grading and excavating will exceed an area greater than 5000 square feet; or grading or excavating has a potential to obstruct a natural or man-made drainage course.

- b. Section J103.1.2, Engineered Grading Requirements, is added to read as follows:

- A. If more than 500 yards of material are to be removed from the site, the following information must be included in the application materials submitted to the City: The names, addresses and telephone numbers of all persons owning property where the material is to be deposited; the specific locations of the deposit site; the haul route or routes to be followed; and the estimated times and dates the materials are to be transported.

- B. If more than 500 yards of material are to be transported to the site, the following information must be included in the application submitted to the City:

- 1. A statement as to the source and type of materials to be transported to the site
- 2. The haul route or routes to be followed

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3. The estimated times and dates the materials are to be transported.
 4. The name, address and phone number of the person to have effective control of the work, including a telephone number for contact in the event of an emergency.
- c. Section J104.1 Submittal Requirements, is added to read as follows:
- A. If more than 500 yards of material are to be removed from the site, the following information must be included in the application materials submitted to the City: The names, addresses and telephone numbers of all persons owning property where the material is to be deposited; the specific locations of the deposit site; the haul route or routes to be followed; and the estimated times and dates the materials are to be transported.
 - B. If more than 500 yards of material are to be transported to the site, the following information must be included in the application submitted to the City:
 1. A statement as to the source and type of materials to be transported to the site
 2. The haul route or routes to be followed
 3. The estimated times and dates the materials are to be transported.
 4. The name, address and phone number of the person to have effective control of the work, including a telephone number for contact in the event of an emergency.
- d. A new Section J107.7, Grading and Filing of Flood Plain Areas, is added as follows: No grading shall occur and no fill material shall be placed within 100 feet of the edge of the low flow channel in a flood plain area. Minor grading or filling may be allowed in a flood plan area for agricultural purposes if in the opinion of the city Engineer the grading or fill material will not adversely affect the drainage in the flood plain area.

14.04.030 Mechanical Code

Those certain Codes and Standards known as the 2010 California Mechanical Code, Part 4, and by reference the 2009 Uniform Mechanical Code as published by the

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International Code Council including the appendices are hereby adopted by reference without amendment as though set forth in full herein.

14.04.040 Energy Code

Those certain Codes and Standards known as the 2010 California Energy Code, Part 6, published by the California Building Standards Commission are hereby adopted by reference without amendment as though set forth in full herein.

14.04.050 Referenced Standards Code

Those certain Codes and Standards known as the 2010 California Referenced Standards Code, Part 12 published by the California Building Standards Commission are hereby adopted by reference without amendment as though set forth in full herein.

14.04.060 Plumbing Code

Those certain Codes and Standards known as the 2010 California Plumbing Code, Part 5, and by reference the 2009 Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials, and all appendices thereto, are hereby adopted by reference without amendment as though set forth in full herein.

14.04.070 Electrical Code

Those certain Codes and Standards known as the 2010 California Electrical Code, Part 3, and by reference the 2008 National Electrical Code published by the BNI Publications, Inc, are hereby adopted by reference without amendment as though set forth in full herein.

In addition to the regulations contained in the California Electrical Code, the following regulations are imposed:

1. **Underground Services.** Underground electrical service shall be provided in all new construction, additions of more than 25% of the existing floor area, and remodels where the estimated cost of construction is 50% or more of the assessed valuation of the building. Underground service shall be installed in accordance with the most recent addition of the Pacific Gas and Electric Company Electric and Gas Service Requirements Section 5 Electric Service Underground.

14.04.080 Administrative Code

Those certain Codes and Standards known as the 2010 California Administrative Code, Part 1, published by the California Building Standards Commission are hereby adopted by reference without amendment as though set forth in full herein.

14.04.090 Existing Buildings Code

Those certain Codes and Standards known as the 2010 California Existing Building Code, Part 10, and by reference the 2009 International Existing Building Code published by the International Code Council, are hereby adopted by reference without amendment as though set forth in full herein.

14.04.100 Historical Building Code

Those certain Codes and Standards known as the 2010 California Historical Building Code, Part 8, published by the California Building Standards Commission are hereby adopted by reference without amendment as though set forth in full herein.

14.04.110 Fire Code

Those certain Codes and Standards known as the 2010 California Fire Code, Part 9, and by reference the 2009 International Fire Code published by the International Code Council, and all appendices thereto, are hereby adopted by reference without amendment as though set forth in full herein.

14.04.120 Green Building Standards Code

Those certain Codes and Standards known as the 2010 California Green Building Standards Code, Part 11, published by the California Building Standards Commission and all appendices thereto, are hereby adopted by reference without amendment as though set forth in full herein.

14.04.130 Residential Code

Those certain Codes and Standards known as the 2010 California Residential Code, Part 2.5, and by reference the 2009 International Residential Code published by the International Code Council, and Appendix Chapters H (Patio Covers) and J (Existing Buildings) thereto, are hereby adopted by reference without amendment as though set forth in full herein.

14.04.130 Abatement of Dangerous Buildings Code

Those certain Codes and Standards Known as the 1997 Uniform Code for the Abatement of Dangerous Buildings, are hereby adopted by reference without amendments as though set forth in full herein.

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14.04.150 Penalties

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, or maintain any building or structure in the city, or cause same to be done, contrary to or in violation of any of the provisions of the code, or to otherwise violate any provision of any of the codes adopted in this chapter.

Any person, firm, or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of this chapter or any of the codes adopted herein, shall be guilty of a misdemeanor, unless such violation is prosecuted as an infraction, and penalties for any such violation shall be as set forth in Chapter 1.14 of the Municipal Code. Any person, firm, or corporation shall be guilty of a separate offense for each and every day during which any violation of any provision of this chapter or any of the codes adopted herein is committed, continued, or permitted. Any violation of this chapter or any of the codes adopted herein is a public nuisance that may be abated pursuant to Title 1.

Section 2. Severability. If any words, phrases, provisions or sections of this Chapter are either determined by a Court of competent jurisdiction to be void, invalid, unenforceable, or preempted by state or federal law then such words, phrases, provisions, or sections shall be severed from this Chapter, and all the remaining words, phrases, provisions, and sections of this Chapter shall remain in full force and effect; provided however, that the severing of such words, phrases, provision, and sections does not frustrate the purposes of any of the remaining sections of the chapter.

Section 3. Effective Date. Pursuant to Section 36937 of the Government code of the State of California, this ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

Section 5. Publication. The City Clerk shall cause this ordinance to be published and posted in accordance with the requirements of Section 36933 of the Government Code of the State of California.

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Introduced this 16th day of November 2010

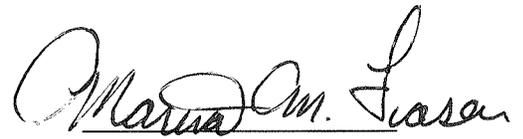
Passed and Adopted this 7th day of December 2010, by the following votes:

AYES: Alifano, Kowalczyk, Muller & Mayor Fraser

NOES:

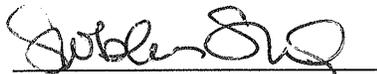
ABSENT: Patridge

ABSTAIN:



Marina Fraser, Mayor
12/7/10

ATTEST:



Siobhan Smith, City Clerk

APPROVED AS TO FORM:



Anthony Condotti, City Attorney

RESOLUTION NO. C-77-10

**A RESOLUTION OF THE CITY COUNCIL OF HALF MOON BAY
DETERMINING THE NEED FOR LOCAL MODIFICATIONS TO THE CALIFORNIA
BUILDING STANDARDS CODE**

RECITALS

WHEREAS, Title 24 of the California Code of Regulations, also known as the California Building Standards Code ("CBSC"), contains construction standards applicable to local jurisdictions throughout the state including the City of Half Moon Bay ("City"); and

WHEREAS, when reasonably necessary due to local climatic, geological, or topographical conditions, Health and Safety Code Sections 17958.5 and 18941.5 permit the City to establish more restrictive building standards than those set forth in the CBSC; and

WHEREAS, before making changes to the CBSC pursuant to Health and Safety Code Section 17958.5, Health and Safety Code Section 17958.7 requires the City to make express findings that such changes are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City is adopting local amendments to the following subcodes of the CBSC: the California Building Code and the California Electrical Code; and

WHEREAS, these local amendments have been evaluated and recognized by the City as tools for addressing problems with building construction in the City of Half Moon Bay, which are aimed at establishing and maintaining an environment that will afford the City a high level of fire and life safety to all those who work and live within the City's boundaries; and

WHEREAS, once adopted the City is required to file its local amendments and findings with the California Building Standards Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Half Moon Bay hereby:

- A. The City, pursuant to the authority granted it under California Health and Safety Code Sections 17958.5 and 18941.5, has determined that there is a need to establish building standards that are more restrictive than those adopted by the

Resolution Determining the Need for Local Modifications to the California Building Standards Code
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State of California and found in Title 24 and Title 25 of the California Code of Regulations. These new building standards have been determined by the City of Half Moon Bay to address the problems, concerns and future direction by which the City can establish and maintain an environment which will afford an appropriate level of fire and life safety to all who live and work within its boundary.

- B. The City has determined that it is necessary to amend state building standards found in the following sub-codes of the California Code of Regulations Title 24: the California Building Code and the California Electrical Code. The City's amendments to these sub-codes are set forth in Half Moon Bay Ordinance No. C-14-10.
- C. Under the provisions of Sections 17958.5 and 18941.5 of the Health and Safety Code, the amendment of state building standards at the local level must be reasonably necessary due to local climatic, topographical and/or geological conditions and the City must make express findings in this regard. The Council has determined that the following findings of fact address and present the local climatic, topographical, and/or geological conditions, which either singularly or in combination, have caused the aforementioned amendments to be adopted:

1. CLIMATIC

The City is located on a coastal plain and as such is affected greatly by ocean changes. High winds are a factor in design considerations with expected three second gusts in excess of 90 miles per hour. Conditions are such as to require additional structural provisions for wind loading. This City has an average annual rainfall of twenty-five (25) inches and all storm water flows to the ocean. It is therefore necessary that the City provide special provision to protect the environment and comply with the regional storm water permit.

2. TOPOGRAPHICAL

The City has many areas that are in the Tsunami Inundation Area and is also bordered by wildland areas. These conditions require the City to take the necessary precautions to protect the public from likely events of floods or wildland-urban interface fires. In addition, the area has highly expansive clay type soils that require modifications in foundation and drainage design. Some areas of the City have a

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high water table and necessitate special drainage conditions to protect the facility from flooding as well as providing for storm water runoff to the ocean.

3. GEOLOGICAL

The City is located in seismic Zone D. The San Andreas Fault, as well as faults that are not fully charted, are within immediate boundaries of the City. The City, in the event of a major earthquake, would in all likelihood be cut off from the rest of the Peninsula cities. It is deemed reasonable that provisions be made to assure that the most conservative measures are designed into structures to protect the facilities, both residential and commercial. This would be to provide time for emergency personnel and equipment to reach the coast and provide assistance.

D. Based upon the local climatic, topographical and geological conditions identified in Section C, the specific amendments identified in Half Moon Bay Ordinance No. C-14-10 are found to be reasonable and necessary modifications to the requirements established pursuant to Sections 17958.5 and 18941.5. While it is clearly understood that the adoption of such amendments may not prevent the incidence failures, the implementation of these various amendments to the code attempt to reduce the severity and potential loss of life, property and protection of the environment.

E. California Health and Safety Code Section 17958.7 requires that building standards modifications or changes be expressly marked and identified as to which each finding refers. Therefore, the City Council finds that local climatic, geological and topographical conditions identified in Section C, taken together, have necessitated the City's modifications of the state's building standards contained in the following sections of the California Building and Electrical Codes:

Building Code

- Appendix J Section J103.1
- Appendix J Section J103.1.2
- Appendix J Section J104.1
- Appendix J Section J107.7

Electrical Code

Article 100 Definition of Electrical Service

Add underground electrical service shall be provided in all new construction, additions of more than 25% of the existing floor area, and remodels where the estimated cost of

Resolution Determining the Need for Local Modifications to the California Building Standards Code
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construction is 50% or more of the assessed valuation of the building. Underground service shall be installed in accordance with the most recent addition of the Pacific Gas and Electric Company Electric and Gas Service Requirement Section 5 Electric Service Underground.

BE IT FURTHER RESOLVED that a copy of this Resolution and Half Moon Bay Ordinance No. C-14-10 shall be filed with the California Building Standards Commission in accordance with Health and Safety Code Section 17958.7.

* * * * *

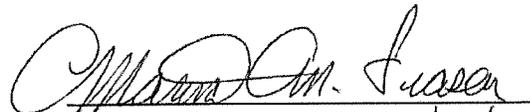
PASSED AND ADOPTED by the City Council of the City of Half Moon Bay at a meeting held on the 16th day of November, 2010, by the following vote:

AYES: Alifano, Kowalczyk, Patridge & Mayor Fraser

NOES:

ABSENT: Muller

ABSTAIN:


Marina Fraser, MAYOR 11/17/10

I hereby certify that the foregoing is a full, true, and correct copy of a resolution duly passed and adopted by the City Council of the City of Half Moon Bay, San Mateo County, California, at a meeting thereof held on the 16th of November, 2010.

ATTEST:


Siobhan Smith, CITY CLERK