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

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

March 1, 2012

Glen Martinez, Building Official
Development Services Department
City of Hayward
777 B Street
Hayward, CA 94541-5007

Dear Mr. Martinez:

This letter is to acknowledge receipt on April 5, 2011 of the City of Hayward submittal pertaining to Ordinance No. 10-19 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the findings and the modifications or changes 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
HAYWARD
HEART OF THE BAY

Dear Mr. McGowan

I would like to confirm that the City of Hayward thru Ordinance # 10-15 did adopt on 11-16-2010 the-2010 California Green Building Standards Code (CAL Green) without modifications and that we are in fact enforcing the mandatory regulations of the code. Ordinance # 10-19 which your associate Mr. Rodriguez referred to in his email was an ordinance to modify our preexisting green building ordinance (# 9-15) that the City had in place prior to the development of the Cal Green code and has no ties with the mandatory measures of the 2010 CA Green Building Standards Code. Instead of adopting Tier 1 or Tier 2 of Cal Green we choose to modify our existing local Green Building Ordinance to supplement the mandatory measures of the 2010 California Green Building Code. If you have any questions please do not hesitate to give me a call at (510) 583-4159.

Regards

Glen Martinez
Building Official
City of Hayward

Cc Mr. Enrique M. Rodriguez
Associate Construction Analyst
Building Standards Commission

DEVELOPMENT SERVICES DEPARTMENT
BUILDING DIVISION
777 B STREET, HAYWARD, CA 94541-5007
TEL: 510/583-4140 • FAX: 510/583-3642 • TDD: 510/247-3340 • WEBSITE: www.hayward-ca.gov

CITY OF
HAYWARD
HEART OF THE BAY

Dear Mr. McGowan

I would like to confirm that the City of Hayward thru Ordinance # 10-15 did adopt on 11-16-2010 the-2010 California Green Building Standards Code (CAL Green) without modifications and that we are in fact enforcing the mandatory regulations of the code. Ordinance # 10-19 which your associate Mr. Rodriguez referred to in his email was an ordinance to modify our preexisting green building ordinance (# 9-15) that the City had in place prior to the development of the Cal Green code and has no ties with the mandatory measures of the 2010 CA Green Building Standards Code. Instead of adopting Tier 1 or Tier 2 of Cal Green we choose to modify our existing local Green Building Ordinance to supplement the mandatory measures of the 2010 California Green Building Code. If you have any questions please do not hesitate to give me a call at (510) 583-4159.

Regards

Glen Martinez
Building Official
City of Hayward

Cc Mr. Enrique M. Rodriguez
Associate Construction Analyst
Building Standards Commission

DEVELOPMENT SERVICES DEPARTMENT
BUILDING DIVISION
777 B STREET, HAYWARD, CA 94541-5007
TEL: 510/583-4140 • FAX: 510/583-3642 • TDD: 510/247-3340 • WEBSITE: www.hayward-ca.gov

CITY OF
HAYWARD
HEART OF THE BAY

April 4, 2011

Building Standards Commission

Dear Commission

The City of Hayward would like to file its amendment Ordinance 10-9 to our previously filed "Green Building Requirements for Private Development" ordinance number 09-15. The State Energy Resources and Development Commission approved our amendment on March 23, 2011 and our City Council adopted the ordinance on November 17, 2010. In section 3 of the previously filed ordinance 09-15 which I have included a copy of you will find the necessary findings due to our local climatic, geological and topographical conditions. With our new ordinance we will have more restrictive building standards than those contained in the 2010 California Green Buildings Standards Code. If further information or clarification is required I can be reached by phone at (510) 583-4159 or by email at glen.martinez@hayward-ca.gov.

Regards

Glen Martinez
City Building Official
City of Hayward

DEVELOPMENT SERVICES DEPARTMENT
BUILDING DIVISION
777 B STREET, HAYWARD, CA 94541-5007
TEL: 510/583-4140 • FAX: 510/583-3642 • TDD: 510/247-3340 • WEBSITE: www.hayward-ca.gov

RESOLUTION NO: 11-0323-2

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: California Energy Commission approval of the City of Hayward's locally adopted building energy standards to require greater energy efficiency than the *2008 Building Energy Efficiency Standards*.

WHEREAS, the City of Hayward has submitted an application to the Energy Commission for approval of a local ordinance with energy efficiency requirements meeting or exceeding those required by the *2008 Building Energy Efficiency Standards*; and

WHEREAS, Public Resources Code Section 25402.1(h)(2) and Title 24, Part 1, Section 10-106 establish a process for local governments to apply to the Energy Commission for approval to adopt new versions of Building Energy Efficiency Standards that require additional energy efficiency measures or set more stringent energy budgets; and

WHEREAS, the City of Hayward submitted an application to the Energy Commission that meets all of the documentation requirements pursuant to Public Resources Code Section 25402.1(h)(2) and Section 10-106; and

WHEREAS, the City of Hayward has made a written commitment to actively enforce compliance both with the locally adopted energy standards and the *2008 Building Energy Efficiency Standards*; and

WHEREAS, the Energy Commission commends the City of Hayward for seeking to achieve additional energy demand reductions, energy savings and other benefits exceeding those of the *2008 Building Energy Efficiency Standards*;

THEREFORE BE IT RESOLVED, that on March 23, 2011 the Energy Commission approves the City of Hayward's locally adopted energy standards, and that these local standards may be enforced by the City of Hayward.

Dated: March 23, 2011

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

ROBERT B. WEISENMILLER, Chair

ORDINANCE NO. 10-19

AN ORDINANCE AMENDING SECTION 10-22.140 (d) COMMERCIAL COVERED PROJECTS SECTION OF ORDINANCE 09-15 GREEN BUILDING REQUIREMENTS FOR PRIVATE DEVELOPMENT

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 10-22.140 (d): Commercial Covered Projects

Section 10-22.140 (d) is hereby deleted and a new section (d) is added as follows:

Commercial Covered Projects.

Additions and Alterations (Tenant Improvements) to Existing Commercial Covered Projects.

For all tenant improvement projects entailing 1,000 square feet or more of new or remodeled space and where at least half of the light fixtures are new or replaced, one of the following must be met:

1) The lighting load for such fixtures shall be reduced by at least 15% below the requirements of the 2008 Building Energy Efficiency Standards (Title 24, Part 6) of the California Building Code, or

2) Comply with the requirements of Title 24, Part 6 and meet the California Green Building Standards Section A5.211.1 requirements by providing at least 1% or 1kw (whichever is greater) of the electrical power from a renewable source, or

3) Demonstrate an overall energy budget reduction of at least 5% below the requirements of Title 24, Part 6 using the performance method.

Newly Constructed Commercial Covered Projects

All newly constructed commercial covered projects shall exceed the 2008 Building Energy Efficiency Standards (Title 24, Part 6) of the California Building Code requirements by at least 15% using the performance method.

City plan check staff will verify that all energy savings required for commercial covered projects are demonstrated by the calculation of the time dependent valuation (TDV) energy for the proposed project as compared to the Title 24 Standard Building and that compliance with Title 24, Part 6 is demonstrated by the Title 24 Report and plans. Building inspection staff will field check the installation of all necessary equipment and devices and project construction as prescribed by the approved plans.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 9th day of November, 2010, by Council Member Henson.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the 16th day of November, 2010, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Quirk, Halliday. Peixoto, Salinas, Henson
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

APPROVED: _____
Mayor of the City of Hayward

DATE: November 17, 2010

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

Daily Review

c/o Bay Area News Group-East Bay
22533 Foothill Blvd.
Hayward, CA 94541
Legal Advertising
(800) 595-9595 opt. 4

Legal No. **0003756079**

Hayward, City of/City Clerk
Miriam Lens,777 B St.
Hayward CA 94541

PROOF OF PUBLICATION

FILE NO. Ord 2010 Fire

In the matter of

Daily Review

The Daily Review

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Daily Review, a newspaper published in the English language in the City of Hayward, County of Alameda, State of California.

I declare that the Daily Review is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's decree, dated March 2, 1950, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Daily Review as a Newspaper of General Circulation, case number 221938. Said decree states that "'The Daily Review' has been established, printed, and published daily in the City of Hayward, County of Alameda, State of California, for one year or more next preceding the date of the filing of said petition; that it is a newspaper published for the dissemination of local and telegraphic news and intelligence of a general character and has a bona fide subscription list of paying subscribers; ... [.] [and] THEREFORE, ... 'The Daily Review' is hereby determined and declared to be a newspaper of general circulation [within the meaning of Government Code §§ 6000 et seq.]" Said decree has not been revoked, vacated or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/13/2010

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Public Notice Advertising Clerk

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A FIRE PREVENTION CODE FOR THE CITY OF HAYWARD; ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR PENALTIES FOR VIOLATION, AND REPEALING ORDINANCE NO. 07-19, AS AMENDED, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1: Effective January 1, 2011, Ordinance No. 07-19, and all amendments thereto, is hereby repealed and in substitution thereof a new fire code for the City of Hayward is hereby enacted to read as follows:

SEC. 1.	FIRE PREVENTION CODE OF THE CITY OF HAYWARD, ADOPTION OF CALIFORNIA FIRE CODE
SEC. 2.	ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION OFFICE
SEC. 3.	DEFINITIONS
SEC. 4.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN ABOVEGROUND TANKS IS TO BE PROHIBITED
SEC. 5.	ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED
SEC. 6.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED
SEC. 7.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED
SEC. 8.	AMENDMENTS MADE IN THE CALIFORNIA FIRE CODE
GENERAL	
CHAPTER 1 - SCOPE AND ADMINISTRATION DIVISION II ADMINISTRATION	
SECTION 104 - GENERAL AUTHORITY AND RESPONSIBILITIES	
104.10	INVESTIGATIONS
104.10.1	ASSISTANCE FROM OTHER AGENCY
104.12	FIRE PROTECTION
SECTION 105 - PERMITS	
105.2.2	INSPECTION REQUIRED
105.8	PERMIT FEES
SECTION 108 - BOARD OF APPEALS	
108.1.	FIRE APPEALS BOARD ORGANIZATION
CHAPTER 2 - DEFINITIONS	
SECTION 202 - GENERAL DEFINITIONS	
CHAPTER 5 - FIRE SERVICE FEATURES	
SECTION 503 - FIRE APPARATUS ACCESS ROADS	
503.1	WHERE REQUIRED
503.1.4	FIRE LANES
SECTION 507 - FIRE PROTECTION WATER SUPPLIES	
507.5	FIRE HYDRANT SYSTEMS
507.5.1	WHERE REQUIRED
CHAPTER 6 - BUILDING SERVICES AND SYSTEMS	
SECTION 603 FUEL FIRED APPLIANCES	
603.4.	PORTABLE UNVENTED HEATERS
605.11	SOLAR PHOTOVOLTAIC POWER SYSTEMS
605.11.1	MARKING
605.11.1.1	MATERIALS
605.11.1.2	GRAPHICS
605.11.1.3	MARKING LOCATION AND CONTENT
605.11.1.3.1	MARKING AND LABELING OF DISCONNECTING MEANS
605.11.1.3.2	MARKING OF DC CONDUIT, RACEWAYS, ENCLOSURES AND CABLE ASSEMBLIES
605.11.2	PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS
605.11.2.1	MAIN SERVICE DISCONNECTS
605.11.2.2	POWER DISCONNECTS
605.11.3	DC CONDUCTORS
605.11.3.1	CIRCUIT ROUTING
605.11.3.2	WIRING METHODS
605.11.3.3	WIRING
605.11.4	ROOF ACCESS AND PATHWAYS
605.11.4.1	ROOF ACCESS POINTS
605.11.4.2	RESIDENTIAL SYSTEMS FOR ONE-AND TWO FAMILY RESIDENTIAL DWELLINGS
605.11.4.2.1	RESIDENTIAL BUILDINGS WITH HIP ROOF LAYOUTS
605.11.4.2.2	RESIDENTIAL BUILDINGS WITH A SINGLE RIDGE
605.11.4.2.3	HIPS AND VALLEYS
605.11.4.2.4	SMOKE VENTILATION
605.11.4.3	ALL OTHERS OCCUPANCIES
605.11.4.3.1	ACCESS
605.11.4.3.2	PATHWAYS
605.11.4.3.3	SMOKE VENTILATION
605.11.5	NON-HABITABLE BUILDINGS OR STRUCTURES
605.11.6	GROUND MOUNTED PHOTOVOLTAIC ARRAYS
CHAPTER - 9 FIRE PROTECTION SYSTEMS	
SECTION 901 - GENERAL	
901.4	INSTALLATION
901.4.2	NON-REQUIRED FIRE PROTECTION SYSTEMS
901.4.5	FIRE SPRINKLER CONTRACTORS
SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS	
903.2	WHERE REQUIRED
903.2.19	EXISTING BUILDINGS
903.2.20	HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE

903.3.1.1 NFPA 13 SPRINKLER SYSTEMS
SECTION 903.4.2 - ALARMS
SECTION 905 - STANDPIPES
905.1 GENERAL
905.3 REQUIRED INSTALLATIONS
905.4 LOCATION OF CLASS I STANDPIPE HOSE CONNECTIONS.
CHAPTER 14 - FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION
SECTION 1401 - GENERAL
1413 STANDPIPES.
1413.1 WHERE REQUIRED
CHAPTER 27 - HAZARDOUS MATERIALS - GENERAL PROVISIONS
SECTION 2703 - GENERAL REQUIREMENTS
SECTION 2703.1.5 - PROHIBITED LOCATION
CHAPTER 29 - COMBUSTIBLE FIBERS
SECTION 2905 - BALED STORAGE
2905.3 FIRE PROTECTION
CHAPTER 34 - FLAMMABLE AND COMBUSTIBLE LIQUIDS
SECTION 3401 - GENERAL
3401.4 PERMITS
3401.4.1 PLANS
SECTION 3403 - GENERAL REQUIREMENTS
SECTION 3403.1.4 - PROHIBITED LOCATION
SECTION 3404 - STORAGE
3404.1.1 APPLICABILITY
SECTION 3406 - SPECIAL OPERATIONS
3406.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES
3406.2.8 DISPENSING FROM TANK VEHICLES
CHAPTER 49 - WILDLAND-URBAN INTERFACE FIRE AREA
4901.3 WHERE REQUIRED
SECTION 4902 - DEFINITIONS
4905.2 CONSTRUCTION METHODS AND REQUIREMENTS.

SECTION 4906 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
SECTION 4907 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
APPENDIX B
FIRE-FLOW REQUIREMENTS FOR BUILDINGS
SECTION B105 - FIRE-FLOW REQUIREMENTS FOR BUILDINGS
B105.1 ONE- AND TWO-FAMILY DWELLINGS
B105.2 BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS

APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION
SEC. 9. APPEALS
SEC. 10. FEES
SEC. 11. PENALTIES
SEC. 12. REPEAL OF CONFLICTING ORDINANCES
SEC. 13. VALIDITY
SEC. 14. DATE OF EFFECT

Section 2. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A BUILDING CODE FOR THE CITY OF HAYWARD; REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-17, AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-17, and all amendments thereto, is hereby repealed and in substitution thereof a new Building Code for the City of Hayward is hereby enacted to read as follows:

BUILDING CODE OF THE CITY OF HAYWARD

SECTION 1.00 2010 CALIFORNIA BUILDING CODES, ADOPTION BY REFERENCE
SECTION 2.00 Applicability of CBC Appendix Chapters
APPENDIX CHAPTER I
ADMINISTRATIVE
SECTION 101 GENERAL
DIVISION II
SECTION101.1 TITLE
SECTION 101.4.4 PROPERTY MAINTENANCE
SECTION 102.4.3 ABSENCE OF REFERENCED STANDARDS
SECTION 103.1 CREATION OF ENFORCEMENT AGENCY
SECTION 104.11.3 PEER REVIEW
SECTION 105.1.1 ANNUAL PERMITS
SECTION 105.1.2 ANNUAL PERMIT RECORDS
SECTION 105.3 New section added.

SECTION 105.3.1 New section added.
SECTION105.5 EXPIRATION
SECTION 105.5.1 COMPLETION PERMITS
SECTION 107 SUBMITTAL DOCUMENTS
SECTION 107.2 CONSTRUCTION DOCUMENTS
SECTION107.3 EXAMINATION OF DOCUMENTS
SECTION 107.6 EXPIRATION OF PLAN REVIEW
SECTION 107.5 MAINTENANCE OF BUILDING PLANS
SECTION 109 FEES
SECTION 109.1.1 PLAN REVIEW FEES
SECTION109.2 SCHEDULE OF PERMIT FEES
SECTION 109.6 FEE REFUNDS
SECTION 109.7 INVESTIGATION FEES; WORK WITHOUT A PERMIT
SECTION 109.8 FEES FOR COMPLETION PERMITS
SECTION 109.9 REINSPECTION FEES
SECTION 110.3.8.1 INSPECTIONS OF MOVED BUILDINGS
SECTION 110.3.9 SPECIAL INSPECTIONS
SECTION 110.5 INSPECTION REQUESTS
SECTION110.7 INSPECTION RECORD CARD
SECTION111.3 TEMPORARY OCCUPANCY
SECTION 111.5 ABANDONMENT OF LEGAL OCCUPANCY
SECTION 111.6 OCCUPANCY VIOLATIONS
CHAPTER 2 - DEFINITIONS AND ABBREVIATIONS
SECTION 202 DEFINITIONS
CHAPTER 4 - SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY
SECTION 412.4.6 FIRE SUPPRESSION
SECTION 414.1.4 HAZARDOUS MATERIALS
SECTION 415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS
CHAPTER 5 - GENERAL BUILDING LIMITATIONS
TABLE 508.2.5 INCIDENTAL ACCESSORY OCCUPANCIES
CHAPTER 9 - FIRE PROTECTION SYSTEMS
SECTION 901.2 FIRE PROTECTION SYSTEMS
SECTION 903 AUTOMATIC SPRINKLER SYSTEMS
SECTION 903.1 GENERAL
SECTION 903.1.2 NEW CONSTRUCTION
SECTION 903.1.3 EXISTING BUILDINGS
SECTION 905 STANDPIPE SYSTEMS
SECTION 905.1 GENERAL
SECTION 905.4 LOCATION OF CLASS I STANDPIPE AND HOSE CONNECTIONS.
CHAPTER 15 - ROOF ASSEMBLIES AND ROOFTOP STRUCTURES
CHAPTER 16 - STRUCTURAL ENGINEERING DESIGN PROVISIONS
SECTION 1614 MODIFICATIONS TO ASCE (AMERICAN SOCIETY OF CIVIL ENGINEERS) STANDARDS
SECTION 1614.1 GENERAL
SECTION 1614.1.3 ASCE 7, SECTION 12.8.1.1
SECTION 1614.1.7 REPLACE ASCE 7, SECTION 12.12.3.
CHAPTER 23 - WOOD
SECTION 2308.9.3 BRACING
CHAPTER 33 - SAFEGUARDS DURING CONSTRUCTION
SECTION 3311.1 WHERE REQUIRED

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A MECHANICAL CODE FOR THE CITY OF HAYWARD, REGULATING THE ALTERATION, CONSTRUCTION, INSTALLATION AND REPAIR OF VENTILATING, REFRIGERATION, AND HEAT PRODUCING EQUIPMENT (MECHANICAL EQUIPMENT); PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES AND PRESCRIBING PENALTIES FOR VIOLATION OF SAID MECHANICAL CODE; AND REPEALING ORDINANCE NO. 07-20 AND ALL AMENDMENTS THERETO.

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-20, and all amendments thereto, is repealed and in substitution thereof a new Mechanical Code for the City of Hayward is hereby enacted to read as follows:

MECHANICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00 2010 MECHANICAL CODE ADOPTION BY REFERENCE
SECTION 2.00 AMENDMENTS, ADDITIONS, AND DELETIONS TO 2010 CALIFORNIA MECHANICAL CODE
APPENDIX CHAPTER I
TITLE AND SCOPE
APPENDIX CHAPTER 1 ADMINISTRATION
CALIFORNIA CHAPTER 1
GENERAL CODE PROVISIONS
DIVISION II
SECTION 101.0 TITLE
SECTION 114.1.1 TO WHOM PERMIT MAY BE ISSUED
CHAPTER II
DEFINITIONS

Introduced at a meeting of the Hayward City Council held November 9, 2010,

the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE TO BE KNOWN AND DESIGNATED AS THE ELECTRICAL CODE OF THE CITY OF HAYWARD; REGULATING THE INSTALLATION, ALTERATION, REPAIR, AND MAINTENANCE OF ELECTRICAL WIRING, ELECTRICAL FIXTURES, AND OTHER ELECTRICAL APPLIANCES AND EQUIPMENT; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-21 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-21, and all amendments thereto, is repealed and, in substitution thereof, a new Electrical Code for the City of Hayward is enacted to read as follows:

ELECTRICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00	CALIFORNIA ELECTRICAL CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE 2007 CALIFORNIA ELECTRICAL CODE
SECTION 3.00	APPLICABILITY OF CALIFORNIA ELECTRICAL CODE ANNEX CHAPTERS
ANNEX CHAPTER H - ADMINISTRATION AND ENFORCEMENT	
SECTION 80.15	ELECTRICAL BOARD
SECTION 80.19	PERMITS AND APPROVALS.
CALIFORNIA CHAPTER 1 - GENERAL CODE PROVISIONS	
SEC. 89.101.1	TITLE
CHAPTER 1 - GENERAL	
ARTICLE 100	DEFINITIONS
CHAPTER 2 - WIRING AND PROTECTION	
ARTICLE 210	BRANCH CIRCUITS
SEC. 210.5	(C) UNGROUNDED CONDUCTORS OF MULTIWIRE BRANCH CIRCUITS IN RACEWAY
ARTICLE 230	SERVICES, SECTION VI SERVICE EQUIPMENT - DISCONNECTING MEANS
SEC. 230.70 (a)	LOCATION
ARTICLE 250	GROUNDING AND BONDING, SEC. 250.66.SIZE OF ALTERNATING-CURRENT GROUNDING ELECTRODE CONDUCTOR
CHAPTER 3- WIRING METHODS AND MATERIALS	
ARTICLE 300	Wiring Methods is hereby amended
SEC.300.11	Securing and Supporting
CHAPTER 7- SPECIAL CONDITIONS	
ARTICLE 770	OPTICAL FIBER CABLE AND RACEWAYS

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE REPEALING ORDINANCE NO. 07-22 AND ALL AMENDMENTS THERETO, AND ESTABLISHING A PLUMBING CODE FOR THE CITY OF HAYWARD, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF PLUMBING; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-22, and all amendments thereto, is repealed and in substitution thereof a new Plumbing Code for the City of Hayward is hereby enacted to read as follows:

PLUMBING CODE OF THE CITY OF HAYWARD

SECTION 1.00	2010 CALIFORNIA PLUMBING CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE UNIFORM PLUMBING CODE
CHAPTER 1 - ADMINISTRATION	
DIVISION II	
SECTION 101.0	TITLE
SECTION 103.3	PERMIT ISSUANCE
SECTION 103.3.1.1	TO WHOM PERMIT MAY BE ISSUED
CHAPTER 2 - DEFINITIONS	
SECTION 203.0	DEFINITION OF TERMS
CHAPTER 3 - GENERAL REGULATIONS	
SECTION 301.1.3.1	STANDARDS
SECTION 316.1.1	THREADED JOINTS
SECTION 316.1.5	FLEXIBLE COMPRESSION FACTORY-FABRICATED JOINTS
SECTION 316.3	FLANGED FIXTURE CONNECTIONS
SECTION 316.3.1	

CHAPTER 6 - WATER SUPPLY AND DISTRIBUTION
SECTION 604.0 MATERIALS
SECTION 604.1
SECTION 609.3.2
CHAPTER 7 - SANITARY DRAINAGE
SECTION 701.0 MATERIALS
SECTION 701.1
Section 701.1.1
SECTION 701.1.2
SECTION 701.1.3
SECTION 701.2
SECTION 707.0 CLEANOUTS
SECTION 707.1
CHAPTER 9 - VENTS
SECTION 903 MATERIALS
SECTION 903.1
SECTION 903.1.2
CHAPTER 10 - TRAPS
SECTION 1003.1 TRAPS - DESCRIBED
CHAPTER 11 - STORMWATER DRAINAGE
SECTION 1101.0 GENERAL
Section 1101.1
SECTION 1102.0 MATERIALS
Section 1102.2 Roof Drainage-All Occupancy Groups

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING SECTION 10-22.140 (d) COMMERCIAL COVERED PROJECTS SECTION OF ORDINANCE 09-15 GREEN BUILDING REQUIREMENTS FOR PRIVATE DEVELOPMENT

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 10-22.140 (d): Commercial Covered Projects
Section 10-22.140 (d) is hereby deleted and a new section (d) is added.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

Dated: November 13, 2010
Miriam Lens, City Clerk
City of Hayward

DR #3756079; Nov. 13, 2010

ORDINANCE NO. 09-15

AN ORDINANCE AMENDING ARTICLE 22 TO CHAPTER 10 OF THE HAYWARD MUNICIPAL CODE ESTABLISHING GREEN BUILDING REQUIREMENTS FOR PRIVATE DEVELOPMENT

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Purpose. The purpose of this Article is to promote the health, safety and welfare of Hayward residents, workers and visitors by minimizing the use and waste of energy, water and other natural resources in the construction and operation of the City's building stock and by providing a healthy indoor environment. The green building practices required by this Article will encourage resource conservation, reduce waste generated by construction projects, increase energy efficiency and promote the health and productivity of residents, workers, and visitors of the City.

The City is proposing to adopt various enumerated changes and modifications to the California Building Standards Code ("Code"), as set forth in Section 3 below. Health and Safety Code Sections 17958, 17958.5 and 17958.7 permit cities and counties to make such changes or modifications in the Code as they determine are reasonably necessary because of "local climatic, geological, or topographical conditions". The City Council does hereby find and declare that the changes or modifications are reasonably necessary because of local climatic, geological, or topographical conditions in accordance with Health and Safety Code Sections 17958.5 and 17958.7.

Section 2. Findings. The City Council of the City of Hayward hereby finds that:

a. The design, construction, and maintenance of buildings and structures within the City can have a significant impact on the City's environmental sustainability, resource usage, energy efficiency, waste management, and the health and productivity of residents, workers, and visitors.

b. Green building design, construction, and operation can have a significant, positive effect on resource conservation, energy efficiency, waste and pollution generation, and the health and productivity of a building's occupants over the life of the building.

c. Green building benefits are spread throughout the systems and features of the building. Green buildings can include, among other things, the use of certified sustainable wood products; extensive use of high-recycled-content products; recycling of waste that occurs during deconstruction, demolition, and construction; orientation and design of a building to reduce the demand on the heating, ventilating, and air conditioning systems; the use of heating, ventilating, and air conditioning systems that provide energy efficiency and improved indoor air quality; enhancement of indoor air quality by selection and use of construction materials that do not emit

chemicals that are toxic or irritating to building occupants; the use of water conserving methods and equipment; and installation of alternative energy methods for supplemental energy production.

d. In recent years, green building design, construction and operational techniques have become increasingly widespread. Many homeowners, businesses, and building professionals have voluntarily sought to incorporate green building techniques into their projects. A number of local and national systems have been developed to serve as guides to green building practices. Requiring commercial and new residential projects to incorporate green building measures is appropriate to help achieve the public health and welfare benefits of green building.

Section 3. Findings Required by California Health & Safety Code Section 17958.5.

a. The City of Hayward is located in Climate Zones 3 and 12, which is characterized by periods of extremely hot, dry weather during the summer and fall months. In addition, during the winter, the City of Hayward frequently experiences cold days with temperature inversions that trap certain air pollutants near the ground and exacerbate conditions leading to respiratory disease and other health risks. Hayward extends from the San Francisco Bay at its western edge eastward to the foothills near the City of Pleasanton. Average temperatures range from a low of 41 degrees in January to a high of 74 degrees in August, with even higher temperatures above 100 degrees recorded in the eastern portion of the City. Topography ranges from sea level at the Bay edge to over 1,800 feet in the highest portions in the eastern portion of the City. Hayward has a relatively high potential for air quality impacts during the summer and fall. When high pressure dominates, low mixing depths and bay and ocean wind patterns can concentrate and carry pollutants from other cities to Hayward, adding to the locally emitted pollutant mix. In winter and spring the air pollution potential in Hayward is moderate. These local features contribute to the Bay Area's status as a "nonattainment area" under the federal Clean Air Act for ozone and particulate matter.

b. In June 2006, ICLEI – Local Governments for Sustainability, in partnership with the Alameda County Waste Management Authority & Recycling Board (StopWaste.Org) and the Alameda County Conference of Mayors, launched the Alameda County Climate Protection Project. The City of Hayward committed to the project and embarked on an ongoing, coordinated effort to reduce the emissions that cause global warming, improve air quality, reduce waste, cut energy use and save money. As reflected in Hayward's Climate Action Plan, the City of Hayward is committed to reducing community-wide greenhouse gas emissions by 12½ percent below its 2005 emissions level by 2020 and 82½ percent below such levels by 2050. While climate change is a global problem influenced by an array of interrelated factors, climate change is also a local problem with serious impacts foreseen for California, the Bay Area, and City of Hayward. Local impacts include:

i. *Sea level rise*: According to the Union of Concerned Scientists, the sea level in the State of California is expected to rise up to 12 inches over the next hundred years. The Pew Center on Climate Change has reported that this would result in the erosion of beaches, bay shores and river deltas, marshes and wetlands and increased salinity of estuaries, marshes, rivers and aquifers. This increased salinity has the potential to damage or destroy crops in low-lying farmlands.

Infrastructure at or near sea level, such as harbors, bridges, roads and even the San Francisco International and Oakland International Airports are at risk of damage and destruction. The San Francisco Bay Area Conservation Commission has modeled the impact of a sea level rise of 3 feet (approximately 1 meter) on the San Francisco Bay Area. Areas such as the Oakland Airport would be under water, as would parts of Hayward along its shoreline, including portions of the City's wastewater treatment facilities.

ii. *Impacts on water*: Water quality and quantity are at risk as a result of changing temperatures. With warmer average temperatures, more winter precipitation will fall in the form of rain instead of snow, shortening the winter snowfall season and accelerating the rate at which the snowpack melts in the spring. Not only does such snow melt increase the threat for spring flooding, it will decrease the Sierras' capacity as a natural water tower, resulting in decreased water availability for agricultural irrigation, hydroelectric generation and the general needs of a growing population. The Sierra snowpack is the origin of the Mokelumne River, the primary source of water for the jurisdictions within Alameda County.

iii. *Natural disasters:* Climate models predict a 4°F temperature increase in the next 20 to 40 years, with an increase in the number of long dry spells, as well as a 20-30% increase in precipitation in the spring and fall. More frequent and heavier precipitation causes flooding and mudslides, which would result in considerable cost incurrence associated with damage to property, infrastructure and even human life. In addition, the increase of wildfires due to continued dry periods and high temperatures is another expected impact of continued climate change. In these conditions, fires burn hotter and spread faster. Portions of Hayward are located in an urban/wildland interface area.

iv. *Public health impact:* Warming temperatures and increased precipitation can also encourage mosquito-breeding, thus engendering diseases that come with mosquitoes, such as the West Nile Virus, a disease of growing concern in the City of Hayward and the surrounding region. Heat waves are also expected to have a major impact on public health and be a contributing factor of mortality. Increased temperatures also pose a risk to human health when coupled with high concentrations of ground-level ozone and other air pollutants, which may lead to increased rates of asthma and other pulmonary diseases. The incidence of bad air days in California's urban areas has increased, mostly in hot summer days. In the summer of 2006, the Bay Area Air Quality Management District (BAAQMD) registered 11 Spare the Air days for the region and exceeded the California 1-hour standard for ozone (set at 90 ppb) 18 times.

v. *Impacts on plants and vegetation*: Native plants and animals are also at risk as temperatures rise. Scientists are reporting more species moving to higher elevations or more northerly latitudes in response. Increased temperatures also provide a foothold for invasive species of weeds, insects and other threats to native

species. The increased flow and salinity of water resources could also seriously affect the food web and mating conditions for fish that are of both economic and recreational interest to residents. In addition, the natural cycle of plant's flowering and pollination, as well as the temperature conditions necessary for a thriving locally adapted agriculture could be affected, with perennial crops such as grapes taking years to recover.

c. The City of Hayward's local climatic, topographic and geological conditions exacerbate the impacts of global climate change in several ways to make the adoption of green building requirements reasonable necessary:

i. Increasing summer temperatures increase the need for air conditioning, thereby increasing average load demand and peak load demand for energy within the City of Hayward. This heightened demand increases the risk of power outages and power shortages, with associated adverse public safety and economic impacts. Increased energy demand and usage also increases local and regional air pollution impacts. Decreasing energy consumption through energy efficiency and other green building techniques reduces each of these impacts.

ii. Increasing summer and year-round temperatures also adversely affects the City of Hayward's water supply, which is already subject to periodic drought conditions and potential water cutback. Decreasing water usage through conservation, sustainable landscaping (such as Bay-Friendly Landscaping), use of drought-tolerant and native plants, and other green building techniques reduces these adverse impacts.

d. The City of Hayward finds that the design, construction, and maintenance of buildings and landscapes within Hayward can have a significant impact on Hayward's environmental sustainability, resource usage and efficiency, waste management, and the health and productivity of residents, workers and visitors to the City of Hayward.

e. Green buildings play a significant role in reducing the amount of waste sent to landfills. Construction and demolition debris comprise up to 30% of all materials disposed of in California's landfills and over 21% of materials disposed of in Alameda County. Many of these materials have greenhouse gas implications once they are placed in landfills, related to both the process of organic materials breaking down in the landfill and producing methane and other greenhouse gasses, and the energy needed to produce more building materials from raw materials.

f. This green building ordinance furthers Hayward's efforts to enhance the community's social, economic, and environmental well-being and to mitigate the efforts of global warming on Hayward's weather, water supply, physical infrastructure, ecological diversity, human health and economy.

Section 4. The City of Hayward's Municipal Code is hereby amended to repeal Article 22 to Chapter 10 in its entirety and replace it with the following:

"GREEN BUILDING REQUIREMENTS FOR PRIVATE DEVELOPMENT

SECTION 10- 22.100 TITLE. This Article shall be known and may be cited as the Private Development Green Building Ordinance of the City of Hayward.

SECTION 10-22.110 DEFINITIONS. For the purposes of this Article, certain terms are defined as follows:

a. "Applicant" means any individual, firm, Limited Liability Company, association, partnership, political subdivision, government agency, industry, public or private corporation or any other entity that applies to the City of Hayward for permit(s) to construct a Project subject to the provisions of this Article.

b. "Build It Green" is a non-profit membership organization which developed the GreenPoint Rating Systems for Residential and Mixed Use occupancies in order to promote sustainable buildings.

c. California Building Energy Efficiency Standard (Title 24, part 6) refers to the most recent enforced version of the coded section of the California Building Code.

d. "City" means the City of Hayward.

e. "Commercial" means any building or space used for retail, industrial, office or other non-residential use.

f. "Covered Project" means any privately funded construction project, except as otherwise provided herein, for which an application for a building permit is received after August 1, 2009, or after the date the California Energy Commission and California Building Standards Commission approve green building standards required by this Article, whichever date is later, consisting of:

i. new construction, additions or remodels over 500 square feet for residential projects, or

ii. new construction, additions or remodels entailing 1,000 square feet or more of new or remodeled Commercial space.

g. "Green building" means a whole systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition and renovation. Green building practices recognize the relationship between natural and built environments and seek to minimize the use of energy, water, and other natural resources and provide a healthy, productive indoor environment.

h. "GreenPoint Rated" is a third party rating system for homes based on a set of green building measures incorporated from Build It Green's Green Building Guidelines and used to evaluate a home's environmental performance. City staff shall maintain the most recent

version of Build It Green's GreenPoint Rated Checklists for Single Family, Multi-Family and Existing Homes and Residential Green Building Guidelines for New Home Construction, Home Remodeling and Multifamily Green Building.

i. "Historical Building" means any structure or collection of structures deemed of importance to the history, architecture or culture of an area by an appropriate local or state governmental jurisdiction, pursuant to Section 18955 of the California Health and Safety Code and Section 8-201 of the 2007 California Historical Building Code, Title 24, Part 8.

j. "LEED ™" and "LEED ™ Checklist" mean the Leadership in Energy and Environmental Design rating system, certification methodology, and checklist used by the United States Green Building Council (USGBC). City staff shall maintain the most recent version of the LEED ™ Rating system at all times.

k. "Multi-family Residential Building" means a single residential building that has more than two dwelling units.

l. "Mixed-Use" means a building with residential and commercial uses.

SECTION 10- 22.120 APPLICATION.

The provisions of this Article apply to Covered Projects, with the following exemptions or exceptions:

a. Historical Buildings, as defined by this Article.

b. Permits issued only for foundation repair, re-roofing, repair of fire damage, work required by termite reports, upgrades for accessibility, or other items of building or structural maintenance as determined by the Building Official provided that these building projects comply with or are not subject to the California Building Energy Efficiency Standard (Title 24, part 6).

c. Provided that projects still fully comply with the California Building Energy Efficiency Standard (Title 24, part 6), hardship exemptions may be granted by the Building Official for projects valued at less than $50,000 where the Project Applicant can demonstrate the cost of complete compliance will exceed 20.0% of construction costs. In these cases, the applicant may limit compliance to 20.0% of the construction cost of the project.

d. Provided that projects still fully comply with the California Building Energy Efficiency Standard (Title 24, part 6), exemptions or partial exemptions may be granted by the City Council for other projects where it can be demonstrated that complete compliance is not possible due to unusual building circumstances. This exemption is for other than economic considerations.

e. Projects for which a Vesting Tentative Map has been approved by January 1, 2009 and for which there is full compliance with the California Building Energy Efficiency Standard (Title 24, part 6).

f. Projects subject to a Development Agreement approved by January 1, 2009 and for which full compliance with the California Building Energy Efficiency Standard (Title 24, part 6) at the time of permitting has been documented, but without a Vesting Tentative Map, shall comply with the requirements of this Article if a building permit application is received on or after January 1, 2011.

SECTION 10-22.130 ALTERNATIVE GREEN BUILDING REQUIREMENTS.

The following green building requirements shall apply to all Covered Projects. Wherever reference is made to the Hayward checklist or Green Point Rated systems, a comparable equivalent rating system may be used if the Building Official finds the proposed alternate method is satisfactory and complies with the intent of this Article. The applicable systems are those in effect at the time a complete application for the Project is submitted to the Building or Planning Division. All Covered Projects must submit all required documentation to demonstrate compliance with the California Building Energy Efficiency Standard (Title 24, part 6).

SECTION 10 -22.140 STANDARDS FOR COMPLIANCE.

a. Multi-Family Residential and Mixed-Use Buildings.

Applicants for new Multi-Family Residential Covered Projects, prior to obtaining a Certificate of Occupancy, shall submit documentation demonstrating the building(s) has/have been GreenPoint Rated as well as all required documentation to demonstrate full compliance with the California Building Energy Efficiency Standard (Title 24, part 6) at the time of permitting. The Certificate of Occupancy shall state that the project complies with the City's Private Development Green Building Ordinance.

Prior to August 1, 2009, in order to promote familiarity with green building standards, applicants are encouraged to have their projects GeenPoint Rated, or to incorporate items, if any, from the checklist; however, only completing the list and submitting it is mandatory in addition to all required documentation to demonstrate full compliance with the California Building Energy Efficiency Standard (Title 24, part 6) at the time of permitting. For such projects that are GreenPoint Rated, the Certificate of Occupancy shall state that the project complies with the City's Private Development Green Building Ordinance.

These requirements shall also apply to Mixed-Use Covered Projects.

b. New Single Family Dwellings.

Applicants for new Single Family Covered Projects prior to obtaining a Certificate of Occupancy, shall submit documentation demonstrating the building(s) has/have been GreenPoint Rated as well as all required documentation to demonstrate full compliance with the California Building Energy Efficiency Standard (Title 24, part 6) at the time of permitting. The Certificate of Occupancy shall state that the project complies with the City's Private Development Green Building Ordinance.

Prior to August 1, 2009, in order to promote familiarity with green building standards, applicants are encouraged to have their projects GeenPoint Rated, or to incorporate items, if any, from the checklist; however, only completing the list and submitting it is mandatory in addition to all documentation required to demonstrate full compliance with the California Building Energy Efficiency Standard (Title 24, part 6) at the time of permitting. For such projects that are GreenPoint Rated, the Certificate of Occupancy shall state that the project complies with the City's Private Development Green Building Ordinance.

c. Residential Additions/Remodels Greater Than 500 Square Feet.

Applicants for residential Covered Projects consisting of remodels and/or additions greater than 500 square feet to existing residential single family or multi-family dwellings, shall submit, with their permit application, the GreenPoint Rated Existing Homes Checklist. The Applicant shall indicate on the plans and checklist if any of the items on the checklist have been incorporated into the project. Applicants are encouraged to have their projects GeenPoint Rated, or to incorporate items from the checklist; however, only completing the list and submitting it is mandatory in addition to all documentation required to demonstrate full compliance with the California Building Energy Efficiency Standard (Title 24, part 6) at the time of permitting. For such projects that are GreenPoint Rated, the Certificate of Occupancy shall state that the project complies with the City's Private Development Green Building Ordinance.

d. Commercial Covered Projects.

Applicants for new Commercial Covered projects shall submit with their permit application the City of Hayward checklist for Private Non-Residential Development. The plans shall clearly show where each item has been incorporated into the project. The plan review, to be conducted by City staff, shall verify the incorporation of checklist items into the plans. The building inspection process, to be conducted by City staff, shall verify the inclusion of these items in the construction. A Certificate of Occupancy shall not be issued until the incorporation of the checklist items and full compliance with the California Building Energy Efficiency Standard (Title 24, part 6) at the time of

permitting is verified by City staff. The Certificate of Occupancy shall state that the project complies with the City's Private Development Green Building Ordinance.

Prior to August 1, 2009, applicants are encouraged to incorporate measures from the City of Hayward Checklist for Private Non-Residential Development into their projects in addition to submitting all required documentation to demonstrate full compliance with the California Building Energy Efficiency Standard (Title 24, part 6) at the time of permitting. For such projects that incorporate such measures, the Certificate of Occupancy shall state that the project complies with the City's Private Development Green Building Ordinance.

SECTION 10-22.150 PROMULGATION OF IMPLEMENTING REGULATIONS.

The City Manager shall promulgate any rules and regulations necessary or appropriate to achieve compliance with the requirements of this Article. The initial rules and regulations shall be promulgated after securing and reviewing comments from affected City departments. These rules and regulations shall ensure that the City of Hayward fully enforces both California Building Energy Efficiency Standard (Title 24, part 6) and this ordinance.

SECTION 10-22.160. COST EFFECTIVENESS STUDY.

Based upon the findings of a January 21, 2009, study entitled, "Energy Cost Effectiveness Case Studies Using the 2008 Title 24 Building Energy Efficiency Standards", adopted by the Stopwaste.org Board on April 22, 2009, the City Council has determined that the standards in this Article are cost effective and will require the diminution of energy consumption levels permitted by the 2008 Statewide energy efficiency standards."

Section 5. Severance. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 6. Annual Review. The City Council shall review this ordinance at least annually to determine whether it needs to be updated because of new legislation enacted by the State or new standards developed by the California Energy Commission, or other applicable organizations, such as StopWaste.org, Build It Green, and LEED (Leadership in Energy and Environmental Design). The Building Official shall annually report to the City Manager the number and types of projects built under this ordinance.

Section 7. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective thirty days after adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 3rd day of November, 2009, by Council Member Henson.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the 15th day of December, 2009, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Quirk, Halliday, May, Dowling, Henson
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

APPROVED: _____
Mayor of the City of Hayward

DATE: December 18, 2009

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY ARNOLD SCHWARZENEGGER, Governor

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

December 20, 2010

Miriam Lens, CMC, MPA
Office of the City Clerk
City of Hayward
777 B Street
Hayward, California 94541-5007

Miriam Lens,

This is to acknowledge receipt of the City of Hayward submittal pertaining to Ordinance No. 10-14 with findings on December 03, 2010. As the law states, no local modification or change to the California Building Standards Code (Code) shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

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

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

Sincerely,

Jane G. Taylor
Senior Architect

cc: Chron
Local Filings

CITY OF
HAYWARD
HEART OF THE BAY

December 1, 2010

Mr. Kevin Day
Staff Services Analyst
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Dear Mr. Day:

The Hayward City Council adopted Resolution 10-168 on November 9, 2010 and Ordinance 10-14 on November 16, 2010.

Enclosed you will find certified copies.

Please call me at 510.583.4401 if you have any questions.

Best regards,

Miriam Lens, CMC, MPA
City Clerk

Enclosures

2010 DEC -3 A 10:59
CALIFORNIA BUILDING STANDARDS COMMISSION

OFFICE OF THE CITY CLERK
777 B STREET, HAYWARD, CA 94541-5007
TEL: 510/583-4400 • FAX: 510/583-3636 • TDD: 510/247-3340

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-168

Introduced by Council Member Henson

RESOLUTION FINDING AND DETERMINING THE NEED FOR CHANGES OR MODIFICATION TO THE CALIFORNIA FIRE CODE, 2010 EDITION.

WHEREAS, California Health and Safety Code sections 13143.2 and 13143.5 permit a city to make such changes or modifications as deemed reasonably necessary because of local conditions to be made in specified uniform industry codes; and

WHEREAS, it is necessary that the City's Fire Code be revised to conform with parallel provisions in the City's Building Code as well as to address specialized needs presented by local conditions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward does hereby find and determine as follows:

1. In connection with the adoption by reference of the California Fire Code, 2010 Edition, the City needs to adopt changes or modifications to the following sections of the California Fire Code, 2010 Edition, by reason of local conditions: 1, 2, 3, 4, 5, 6, 7, 8,104.10, 104.10.1, 104.12, 105.2.2, 105.8, 108.1, 202, 503.1.4, 507.5.1, 603.4, 605.11 through 605.11.6, 901.4.2, 901.4.5, 903.2, 903.2.19, 903.2.20, 903.3.1.1, 903.4.2, 905.1, 905.3, 905.4, 1413.1, 2703.1.5, 2905.3, 3401.4.1, 3403.1.4, 3404.1.1, 3406.2, 3406.2.8, 4901.3, 4902, 4905.2, 4905.2.1, 4905.2.2, 4905.2.3, 4906, 4907, APPENDIX B SectionB105.1 and B 105.2, APPENDIX C TABLE C105.1, 9, 10, 11, 12, 13, and 14.

2. The amendments to the California Fire Code, 2010 Edition (published by the International Code Council) have been recognized by the City of Hayward to address the fire problems, concerns, and future directions by which this City can establish and maintain an environment which will afford an acceptable level of fire and life safety to its citizens and guests.

3. The "Findings of Facts" contained herein addresses present local conditions which either singularly or in combination cause the aforesaid amendments to be adopted. The following local conditions have an adverse effect on the prevention and control of major loss fires, thereby making it necessary to adopt the above changes or modifications in the California Fire Code in order to provide a reasonable degree of fire and life safety in this community.

CLIMATIC

a. Precipitation: Precipitation ranges from 15 to 24 inches per year with an average of approximately 17.58 inches per year. 95 percent falls during the months of October through April, and five percent from May through September.

b. Relative Humidity: Humidity during May through November ranges from 20 to 40 percent going as low as 10 percent on an average of 10 days during this period. During December through April, the humidity ranges from 41 to 68 percent.

c. Temperatures: High temperatures have been recorded in the low 100's F. Average summer highs are in the 73 F. range with an average annual maximum temperature of 66 F.

d. Winds: Prevailing winds are from the west, northwest (WNW). However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 14 to 23 miles-per-hour range, gusting to 25 to 35 miles-per-hour. Forty miles-per-hour winds are experienced occasionally, and higher have been registered. During the winter half of the year, strong, dry, gusty winds from the north move through the area for several days, creating extremely dry conditions.

e. Summary: These local climatic conditions effect the acceleration, intensity, and size of fires in the community. Times of little or no rainfall, of low humidity, and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and fires involving buildings. During wildland and wood shake and shingle roof fires, winds can carry sparks and burning brands to other roofs, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fire back into buildings and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts.

GEOLOGICAL AND TOPOGRAPHIC

a. Vegetation: Dry grass and brush are common in the hills and open-space areas adjacent to built-up locations during six to eight months of each year. Many of these areas frequently experience wildland fires which threaten nearby buildings, particularly those with wood roofs or sidings.

b. Hills, Creeks, Canals, Freeways, Railways, Housing Tracts, Large Buildings, Building Complexes, and the Airport: All of these surface features, both natural and man-made, have a major adverse effect upon the road and street layout in the City including major traffic routes. These conditions limit the number, and cause indirect routing of major arterial streets for normal traffic as well as emergency vehicle response.

c. Terrain: Areas with buildings include level, sloping, and rolling terrain. This terrain is not dissimilar to terrain in other locations which have experienced major conflagrations.

d. Roads and Streets: As noted above, the limited number, and the indirect routing of roads and streets in the City create heavy, slow traffic conditions and excessively long travel routes from point to point.

e. Population: The current and rapidly growing population in the City creates two fire protection problems:

1. The more people, the more emergency incidents requiring Fire Department response. The greater the frequency of alarms, the greater the chance there will be simultaneous emergency incidents requiring Fire Department response. This results in longer response times and/or fewer fire companies to respond to any emergency within the City; and

2. The more people, the more traffic congestion during a greater part of the day. Such traffic congestion not only slows Fire Department response but often restricts access to fire scenes.

f. Buildings, Landscaping, and Clearances: Many building complexes are of designs which greatly limit the approach to and accessibility by Fire Department resources. Many houses and other buildings with wood roofs or sidings are close together, and fire will readily spread from one to another by both radiation and convection of flying brands.

g. Summary: Essentially, the above local geological and topographical conditions present fire frequency, magnitude, exposures, and accessibility problems and have a negative impact upon the response capability of the Fire Department. The quantity of Fire Department resources that can arrive within an effective time is limited. The time in which they can respond is extended due to lengthy travel distances and traffic congestion.

CONCLUSION

4. Local climatic, geological, and topographic conditions have a definite impact upon the frequency, spread, acceleration, intensity and size of fire involving buildings in Hayward. Furthermore, they have an adverse impact upon the number of Fire Department resources which can be brought to bear upon such fires within an expeditious period of time. Therefore, it is found to be reasonably necessary that the California Fire Code be changed or modified to adopt more stringent requirements to mitigate the effects of the above conditions.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the modifications or changes to the California Fire Code, to be filed with the State of California Department of Housing and Community Development, the state Building Standards Commission, and the state Fire Marshal, by registered mail.

BE IT FURTHER RESOLVED that, should any finding contained herein be declared for any reason invalid, it is the intent of the City Council that it would have passed all remaining portions of this resolution.

IN COUNCIL, HAYWARD, CALIFORNIA November 9, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR PRO TEMPORE: Zermeño

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None
MAYOR: Sweeney

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

I hereby certify that this is a correct copy of a document on file in this office
MIRIAM LENS
City Clerk, City of Hayward, California

By: _____
City Clerk

Date: November 30, 2010

ORDINANCE NO. 10-14

AN ORDINANCE ESTABLISHING A FIRE PREVENTION CODE FOR THE CITY OF HAYWARD; ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR PENALTIES FOR VIOLATION, AND REPEALING ORDINANCE NO. 07-19, AS AMENDED, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-19, and all amendments thereto, is hereby repealed and in substitution thereof a new fire code for the City of Hayward is hereby enacted to read as follows:

SEC. 1. FIRE PREVENTION CODE OF THE CITY OF HAYWARD, ADOPTION OF CALIFORNIA FIRE CODE. The City Council of the City of Hayward for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, hereby adopts that certain code and standards known as the 2010 California Fire Code and based on the International Fire Code being particularly the 2009 edition thereof and the whole thereof (including Appendices Chapter 4, B, C, D, E, F, G, H, I) save and except such portions as are hereunder deleted, modified, or amended as set forth hereinafter, as the Fire Code of the City of Hayward. A copy of each said California Fire Code is on file in the office of the City Clerk, to which reference is hereby made for further particulars.

Said code is adopted by reference pursuant to Section 50022.2 et seq. of the Government Code of the State of California, and the same is hereby adopted and incorporated as fully as if set out at length herein and, from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Hayward except as otherwise noted herein.

SEC. 2. ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION OFFICE.

2.1 The California Fire Code shall be enforced by the Fire Prevention Bureau and the Operations Division in the Fire Department of the City of Hayward.

2.2 The chief officer in charge of the Fire Prevention Bureau shall be appointed by the Fire Chief.

2.3 The Chief of the Fire Department shall recommend to the City Manager the employment of technical personnel responsible for code enforcement. The Chief of the Fire Department may also detail such members of the Fire Department as inspectors as shall from time to time be necessary.

SEC. 3. DEFINITIONS.

3.1 Whenever the word "jurisdiction" is used in the California Fire Code, it shall be held to mean the City of Hayward.

3.2 Whenever the term "Corporation Counsel" is used in the California Fire Code, it shall be held to mean the City Attorney of the City of Hayward.

3.3 Whenever the term "Fire Code Official" or "Fire Marshal" is used, it shall be held to mean the Chief Officer in charge of the Fire Prevention Bureau for the Fire Department or his or her designated representative.

SEC. 4. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN ABOVEGROUND TANKS IS TO BE PROHIBITED.

4.1 The storage and use of flammable or combustible liquids (including flammable cryogenic liquids) in aboveground tanks is prohibited, within the city limits of Hayward unless approved by the Fire Chief upon a finding that such an approval would minimize a danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

4.2 New bulk plants for flammable or combustible liquids are prohibited within the city limits of Hayward unless approved by the Fire Chief upon a finding that such an approval would minimize a danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

SEC. 5. ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED. The limits referred to in Section 3804.2 of the California Fire Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows: Within the city limits of Hayward, unless approved by the Fire Chief upon a finding that such an approval would minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

SEC. 6. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED. The

storage and use of explosives and blasting agents is prohibited within the city limits of Hayward, unless approved by the Fire Chief upon a finding that such an approval would minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

SEC. 7. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED. The storage of compressed natural gas is prohibited within the city limits of Hayward, unless approved by the Fire Chief upon a finding that such an approval would minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

SEC. 8. AMENDMENTS MADE IN THE CALIFORNIA FIRE CODE. The California Fire Code is amended in the following respects, with the reference numbers being taken from the California Fire Code, including deletions, additions and text changes.

GENERAL
CHAPTER 1 – SCOPE AND ADMINISTRATION
DIVISION II ADMINISTRATION

SECTION 104 - GENERAL AUTHORITY AND RESPONSIBILITIES.

104.10 Amend section to read:

104.10 INVESTIGATIONS. The Fire Department shall investigate promptly the cause, origin, and circumstances of each and every fire occurring in the jurisdiction involving loss of life or injury to person or destruction or damage to property and, if it appears that such fire is of suspicious origin, the department shall then initiate efforts for the immediate collection of all physical evidence relating to the cause of the fire.

The Fire Chief is authorized to investigate the cause, origin, and circumstances of unauthorized releases of hazardous materials.

104.10.1 ASSISTANCE FROM OTHER AGENCY. Amend subsection to read:

104.10.1 ASSISTANCE FROM OTHER AGENCY. The Police Department shall assist the Fire Department in its investigations whenever requested to do so, unless otherwise directed by the Chief of Police.

Add new subsection 104.12 to read:

104.12 FIRE PROTECTION. The Fire Chief shall designate the type and number of fire appliances to be installed and maintained in and upon all buildings and premises in the jurisdiction. This shall be done according to the relative severity of probable fire, including the rapidity with which it may spread. Such appliances shall be of a type suitable for

the probable class of fire associated with such buildings or premises and shall have approval of the Fire Chief.

SECTION 105 - PERMITS.

105.2.2 Amend section to read:

105.2.2 INSPECTION REQUIRED. Before a permit is issued, the Fire Chief or his or her designated representative is authorized to inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces, or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Department, joint approval shall be obtained from all departments concerned.

Add new subsection 105.8 to read:

105.8 PERMIT FEES. The City Council of the City of Hayward may, if it so desires establish by resolution, permit fees in connection with any permits required or authorized to be issued by the Fire Chief or any other authorized representative of the Fire Department.

SECTION 108 - BOARD OF APPEALS.

108.1 Amend section to read:

108.1. FIRE APPEALS BOARD ORGANIZATION. In order to determine the suitability of alternate materials and type of construction, there shall be and hereby is created an appropriate board consisting of five members who are qualified by experience and training to pass judgment upon pertinent matters. The Fire Chief shall be an ex-officio member and shall act as secretary of the board. The Fire Appeal Board shall be appointed by the City Manager and shall hold office at his or her pleasure. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Fire Chief, with a duplicate copy to the appellant, and may recommend to the executive body such new legislation as is consistent therewith.

CHAPTER 2 – DEFINITIONS

SECTION 202 - GENERAL DEFINITIONS.

High Rise Building Add number 4 to read:

4. The Fire Chief may determine that a building is a "high-rise structure" based on site/building configuration and the lack of viable exterior access to the upper floors for firefighting, rescue operations and where firefighters must place almost complete reliance on the building's life safety features, fire protection systems and components of building construction.

CHAPTER 5 - FIRE SERVICE FEATURES

SECTION 503 - FIRE APPARATUS ACCESS ROADS.

503.1 WHERE REQUIRED. Add new subsection 503.1.4 to read:

503.1.4 FIRE LANES. Where necessary to maintain adequate emergency vehicle approaches to buildings or fire apparatus access roads, the Fire Chief may establish designated "Fire Lanes."

1. Restrictions and requirements as specified in the California Vehicle Code sections 22500.1 and 22658 shall apply to fire lanes established by this section.

SECTION 507 - FIRE PROTECTION WATER SUPPLIES.

507.5 FIRE HYDRANT SYSTEMS.

507.5.1 WHERE REQUIRED. Amend subsection to read:

507.5.1 WHERE REQUIRED. Fire hydrant systems and fire hydrants shall be in accordance with Section 507.5. Hydrants shall be of the type approved in the City of Hayward and have not less than a six-inch connection with the mains. A shutoff valve shall be installed in the hydrant connection, a minimum distance of five feet from the hydrant. The number, size, and arrangements of outlets, the size of the main valve opening, and the size of barrel shall be suitable for the protection to be provided and shall be approved by the Fire Chief. Hydrants should be tested annually for proper functioning in accordance with the requirements of the authority having jurisdiction or upon request of the Fire Chief.

Hydrants shall be placed at least 50 feet from the buildings to be protected. Where it is not feasible to place them at that distance, they may be in closer proximity in locations approved by the Fire Chief.

CHAPTER 6 – BUILDING SERVICES AND SYSTEMS

SECTION 603 FUEL FIRED APPLIANCES.

603.4 Amend section to read:

603.4. PORTABLE UNVENTED HEATERS. The use of listed portable unvented oil-burning heating appliances shall be limited to supplemental heating in Group U Occupancies.

EXCEPTION: When approved by the Fire Chief, portable unvented oil-burning heating appliances may be used in any occupancy during construction when such use is necessary for the construction and the use does not represent a hazard to life or property.

Add new subsections 605.11 through 605.11.6 to read:

605.11 SOLAR PHOTOVOLTAIC POWER SYSTEMS. Solar photovoltaic power systems shall be installed in accordance with this Ordinance, the California Fire Code, the California Building Code and NFPA 70.

605.11.1 MARKING. Marking is required on photovoltaic system including all interior and exterior DC conduits, enclosures, raceways, cable assemblies, junction boxes, combiner boxes, and disconnects.

605.11.1.1 MATERIALS. The materials used for marking shall be reflective, weather resistant and suitable for the environment.

605.11.1.2 GRAPHICS. Marking as required in sections 605.11.1shall have all letters capitalized with a minimum height of 3/8 inch (9.5 mm) white on red background.

605.11.1.3 MARKING LOCATION AND CONTENT. Marking shall be provided in the location described in Section 605.11.1.3.1 through 605.11.1.3.2.

605.11.1.3 1 MARKING AND LABELING OF DISCONNECTING MEANS. Each photovoltaic system disconnecting means shall be permanently labeled to identify it as a photovoltaic system disconnect. A warning sign shall be placed adjacent to the disconnect in a location clearly visible from the location where the disconnect is operated. The marking shall contain the words:

WARNING: ELECTRIC SHOCK HAZARD.
DO NOT TOUCH TERMINAL.
TERMINALS ON BOTH THE LINE AND LOAD SIDES MAY BE ENERGIZED IN THE OPEN POSITION.

605.11.1.3.2 MARKING OF DC CONDUIT, RACEWAYS, ENCLOSURES AND CABLE ASSEMBLIES. Marking shall be placed on all interior and exterior DC conduit, raceways, enclosures and cable assemblies every 10 feet (3048 mm) within 1 foot (305 mm) of all turns or bends and within 1 foot (305 mm) above and below all penetrations of roof/ceiling assemblies and all walls and /or barriers. The marking shall contain the words:

WARNING: PHOTOVOLTAIC POWER SOURCE.

605.11.2 PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS. Photovoltaic system disconnecting means shall be provided in the locations described in Section

605.11.2.1 through 605.11.2.2.

605.11.2.1 MAIN SERVICE DISCONNECTS. A main service disconnect shall be provided to disconnect all conductors in a building or other structure from the photovoltaic system conductors. The disconnect shall be installed at a readily accessible locations on the outside of a building or structure. The disconnect shall be identified with labels and provided with warning sign in accordance to Section 605.11.1.3.1.

605.11.2.2 POWER DISCONNECTS. A power disconnect shall be provided in proximity of the photovoltaic array to de-energize the DC circuits from the array to the mains service disconnect and inverter. Power disconnects on the one- and two- family residential roof shall be located within 3 feet of the photovoltaic array along roof access and pathways and located together when possible. Power disconnects on roof other than the one- and two- family residential shall be located as close as practical possible to photovoltaic array and installed along the center line axis pathways when possible. Disconnects shall be identified with labels and provided with warning sign in accordance to Section 605.11.1.3.1.

605.11.3 DC CONDUCTORS. Conduit, wiring systems, and raceways for photovoltaic circuits shall be located as close as possible to the ridge or hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize ventilation opportunities. Conduit runs between sub arrays and to DC combiner boxes shall be installed in a manner that minimizes total amount of conduit on the roof by taking the shortest path from the array to the DC combiner box. The DC combiner boxes shall be located such that conduit runs are minimized in the pathways between arrays.

605.11.3.1 CIRCUIT ROUTING. Photovoltaic source and photovoltaic output conductors, in and out of conduit, and inside of a building or structure, shall be routed along building structural members such as beams, rafters, trusses, and columns where the location of those structural members can be determined by observation. Where circuits are imbedded in built-up, laminate, or membrane roofing materials in roof areas not covered by photovoltaic modules and associated equipment, the location of circuits shall be clearly marked.

605.11.3.2 WIRING METHODS. Wiring shall not be installed within 10 inches (254 mm) of the roof decking or sheathing except where directly below the roof surface covered by PV modules and associated equipment. Circuits shall be run vertically from the roof penetration point to supports a minimum of 10 inches (254 mm) below the roof decking.

605.11.3.3 WIRING. DC wiring shall be installed in metallic conduit or raceways when located within enclosed spaces in a building. Where flexible metal conduit (FMC) or metal clad cable (MC) smaller than metric designator 21 (trade size 3/4) containing PV power circuit conductors is installed across ceilings or floor joists, the raceway or cable shall be protected by

substantial guard strips that are at least as high as the raceway or cable. Where run exposed, other than within 6 feet (1829 mm) of their connection to equipment, these wiring methods shall closely follow the building surface or be protected from physical damage by an approved means.

605.11.4 ROOF ACCESS AND PATHWAYS. Roof access, pathways, and spacing requirements shall be provided in order to ensure access to the roof; provide pathways to specific areas of the roof; provide for smoke ventilation operations; and to provide emergency egress from the roof.

EXCEPTIONS:

1. Requirements relating to ridge, hip, and valleys do not apply to roofs slopes of two units vertical in twelve units horizontal (2:12) or less.

2. Residential structures shall be designed so that each array is no greater than 150 feet (45 720 mm) by 150 feet (45 720 mm) in either axis.

3. The Fire Chief may allow panels/modules to be located up to the ridge when an alternative ventilation method acceptable to the fire chief has been provided or where the fire chief has determined vertical ventilation techniques will not be employed, such as, but not limited to, the roof decking is concrete and metal, which may make ventilation or trenching operations impractical.

605.11.4.1 ROOF ACCESS POINTS. Roof access points shall be defined as an area that does not place ground ladders over openings such as windows or doors, and are located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.

605.11.4.2 RESIDENTIAL SYSTEMS FOR ONE-AND TWO FAMILY RESIDENTIAL DWELLINGS. Access shall be provided in accordance with Sections 605.11.4.2.1 through 605.11.4.2.4.

605.11.4.2.1 RESIDENTIAL BUILDINGS WITH HIP ROOF LAYOUTS. Panels/modules shall be located in a manner that provides a 3-foot (914 mm) wide clear access pathway from the eave to the ridge on each roof slope where panels/modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

605.11.4.2.2 RESIDENTIAL BUILDINGS WITH A SINGLE RIDGE. Panels/modules shall be located in a manner that provides two 3-foot (914 mm) wide access pathways from the eave to the ridge on each roof slope where panels/modules are located.

605.11.4.2.3 HIPS AND VALLEYS. Panels/modules shall be located no closer than 18 inches (457 mm) to a hip or a valley if panels/modules are to be placed on both sides of a

hip or valley. If the panels are to be located on only one side of a hip or valley that is of equal length then the panels shall be permitted to be placed directly adjacent to the hip or valley.

605.11.4.2.4 SMOKE VENTILATION. Panels/modules shall be located no higher than 3 feet (914 mm) below the ridge in order to allow for fire department smoke ventilation operations.

605.11.4.3 ALL OTHERS OCCUPANCIES. Access shall be provided in accordance with Sections 605.11.4.3.1 through 605.11.4.3.3.

EXCEPTION: Where it is determined by the Hayward Fire Department that the roof configuration is similar to an one- or two-family dwelling, the Hayward Fire Department may approve the residential access and ventilation requirements provided in 605.11.4.2.1 through 605.11.4.2.4.

605.11.4.3.1 ACCESS. There shall be a minimum 6 feet (1829 mm) wide clear perimeter around the edges of the roof.

EXCEPTION: If either axis of the building is 250 feet (76 200 mm) or less, there shall be a minimum 4 feet (1219 mm) wide clear perimeter around the edges of the roof.

605.11.4.3.2 PATHWAYS. The solar installation shall be designed to provide designated pathways. The pathways shall meet the following requirements:

1. The pathway shall be over areas capable of supporting the live load of fire fighters accessing the roof.

2. The center line axis pathways shall be provided in both axis of the roof. Center line axis pathways shall run where the roof structure is capable of supporting the live load of firefighters accessing the roof.

3. Pathways shall be straight line not less than 4 feet (1219 mm) clear to skylights and/or ventilation hatches.

4. Pathways shall be straight line not less than 4 feet (1219 mm) clear to roof standpipes.

5. Pathways shall provide not less than 4 feet (1219 mm) clear around roof access hatch with at least one not less than 4 feet (1219 mm) clear pathway to parapet or roof edge.

605.11.4.3.3 SMOKE VENTILATION. The solar installation shall be designed to meet the following requirements:

1. Arrays shall be no greater than 150 feet (45 720 mm) by 150 feet (45 720 mm) in distance in either axis in order to create opportunities for smoke ventilation operations.

2. Smoke ventilation options between array sections shall be one of the following:

2.1. A pathway 8 feet (2438 mm) or greater in width;

2.2. A 4 feet (1219 mm) or greater in width pathway and bordering roof skylights or smoke and heat vents;

2.2.1. A 4 feet (1219 mm) or greater in width pathway and bordering 4 feet (1219 mm) x 8 feet (2438 mm) "venting cutouts" every 20 feet (6096 mm) on alternating sides of the pathway.

605.11.5 NON-HABITABLE BUILDINGS OR STRUCTURES. Detached Group U non-habitable structures, such as parking shade structures, carports, solar trellises, and similar type structures shall comply with Section 605.11 through 605.11.3.

605.11.6 GROUND MOUNTED PHOTOVOLTAIC ARRAYS. Ground mounted photovoltaic arrays shall comply with Sections 605.11 through 605.11.3 and this section. A clear brush area of 10 feet (3048 mm) is required for ground mounted photovoltaic arrays. Any portion of ground mounted photovoltaic arrays shall be located with 150 (45 720mm) feet of a fire apparatus access road, measured by an approved route of hose lay distance.

CHAPTER – 9 FIRE PROTECTION SYSTEMS

SECTION 901 - GENERAL.

901.4 INSTALLATION. Amend 901.4.2 to read:

901.4.2 NON-REQUIRED FIRE PROTECTION SYSTEMS. Any fire protection system not required by this code or the California Building Code may be installed provided that such system meets the requirements of this code.

Add new subsection 901.4.5 to read:

901.4.5 FIRE SPRINKLER CONTRACTORS. All design and on-site installation work for automatic sprinkler systems shall be done by people whose qualifications satisfy applicable State of California requirements and whose expertise in the field is demonstrable through documentation of their appropriate education, experience, or license to the Fire Chief's satisfaction.

SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS.

903.2 WHERE REQUIRED. Amend 903.2 to read

903.2 WHERE REQUIRED. An automatic sprinkler system shall be installed in all new construction, regardless of occupancy classification, where the total floor area is 5,000 square feet (465 m2) or more (area separation walls may not be used in lieu of a sprinkler system except when buildings are separated by fire wall per Section 705 of the 2010 California Building Code), building height exceeds two stories, or floor heights exceed 15feet (4,572 mm) from the lowest level of Fire Department access and locations described in Section 903.2.1 through 903.2.12. In cases where multiple requirements may apply, the most restrictive requirement shall prevail. Floor areas of mezzanines shall be included in calculating the total floor area to be used in determining automatic fire-extinguishing requirements.

Add new subsection 903.2.19 to read:

903.2.19 EXISTING BUILDINGS. An automatic sprinkler system shall be installed in an existing building when cumulative additions, repairs, or alterations are made to the building and such additions, repairs, or alterations meet any of the following conditions:

1. Additions, repairs, or alterations are valued at 50 percent or more of the current assessed value of the building. (Value is based only on the structure involved. If owner disputes valuation, an appraisal can be performed at the owner's expense, by an appraiser acceptable to the Fire Chief.)

2. Any addition or additions to the original building which will add 10 percent or more to the total floor area of the existing building and the resulting floor area is 3,000 square feet (279 m2) or more for S-1 occupancies or 5,000 square feet (465 m2) or more for other occupancies.

3. Additions where items 1 or 2 do not apply that will result in a total floor area that exceeds the maximum floor area allowed by the Building Code under which the building was originally constructed.

4. Additions, repairs, or alterations that will result in a change in occupancy or use and with the resulting floor area is 3,000 square feet (279 m2) or more for S-1 occupancies or 5,000 square feet (465 m2) or more for other occupancies and shall comply with the most current CBC and CFC edition.

5. Accumulative area of alteration, addition or repair is 3,000 square feet (279 m2) or more for S-1 occupancies or 5,000 square feet (465 m2) or more for other occupancies. (Building owners are to be held responsible.)

Add new subsection 903.2.20 to read:

903.2.20 HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE.

Developments located in the hillside urban/wildland interface zone identified in Section 4901.3 of the ordinance shall be fully sprinkler per NFPA 13. Single family residence fire sprinkler system shall be installed in accordance with NFPA 13D with the following modifications:

1. Sprinkler coverage shall include attic, garages, decks, crawl spaces, porch and foyers.

2. Each sprinkler system shall have an approved audible alarm activated by sprinkler water flow in the interior of the building in a normally occupied location.

3. Provide a minimum of two replacement sprinklers for emergency replacement along with an appropriate wrench for changing sprinkler heads.

4. Control valve shall be secured with a chain and breakaway lock.

903.3.1.1 NFPA 13 SPRINKLER SYSTEMS. Add to the end of this section to read:

"When automatic sprinkler systems are required in buildings of undetermined use, they shall be designed and installed to have a sprinkler density of 0.33 GPM for 3,750 square feet with a maximum coverage of 100 square feet per head. Use is considered undetermined if not classified at time permit is issued. Where subsequent use requires a system with greater capability, the system shall be reinforced to the required code in order to obtain clearance for the new use."

SECTION 903.4.2 - ALARMS. Add to the end of this section to read:

"An interior audible alarm device shall be installed within the dwelling in a location so as to be heard throughout the home. The device shall activate upon any fire sprinkler system waterflow activity."

SECTION 905 - STANDPIPES.

905.1 GENERAL. Add sentence to the end of this section to read: "Buildings three stories or more in height shall have an approved standpipe system."

905.3 REQUIRED INSTALLATIONS. Amend to substitute any reference to "4 Stories" with "3 Stories."

905.4 LOCATION OF CLASS I STANDPIPE HOSE CONNECTIONS. Add new number 7 to read:

7. DUAL OUTLETS. All Class I standpipe outlets located as required in Section 905.3 shall have added outlets located in enclosed corridors adjacent to enclosed stairway access

doors at each level of every required stairway.

CHAPTER 14 – FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

SECTION 1401 - GENERAL.

1413 STANDPIPES. Amend subsection 1413.1 to read:

1413.1 WHERE REQUIRED. Every building three stories or more in height shall be provided with not less than one standpipe for use during construction. Such standpipe shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

In each floor there shall be provided a 2 ½-inch (64 mm) valve outlet for Fire Department use. Where construction height requires installation of a Class I standpipe, fire pumps and water main connections shall be provided to serve the standpipe.

CHAPTER 27 – HAZARDOUS MATERIALS - GENERAL PROVISIONS

SECTION 2703 - GENERAL REQUIREMENTS.

Add new subsection 2703.1.5 to read:

SECTION 2703.1.5 - PROHIBITED LOCATION. – Hazardous materials are not allowed below grade plane in buildings.

CHAPTER 29 – COMBUSTIBLE FIBERS

SECTION 2905 - BALED STORAGE.

Add new subsection 2905.3 to read:

2905.3 FIRE PROTECTION. Baled storage under any roof or overhang shall be protected by an approved automatic sprinkler system.

CHAPTER 34 – FLAMMABLE AND COMBUSTIBLE LIQUIDS

SECTION 3401 - GENERAL.

3401.4 PERMITS.

Add new subsection 3401.4.1 to read:

3401.4.1 PLANS. Plans shall be submitted with each application for a permit to store more than 60 gallons of flammable and combustible liquids in drums or tanks. The plans shall indicate the methods of storage, quantities to be stored, distances from buildings and property lines, access ways, fire-protection facilities, and provisions for drainage and runoff. Storage shall be in accordance with approved plans.

SECTION 3403 - GENERAL REQUIREMENTS.

Add new subsection 3403.1.4 to read:

SECTION 3403.1.4 - PROHIBITED LOCATION. Flammable and combustible liquids are not allowed below grade plane in buildings.

SECTION 3404 - STORAGE.

Add new subsection 3404.1.1 to read:

3404.1.1 APPLICABILITY. Storage and use of flammable and combustible liquids in containers, cylinders, and tanks shall be in accordance with sections 3401 and 3404. Storage and use in portable tanks over 60 gallons and in aboveground tanks is prohibited within the city limits of Hayward unless approved by the Fire Chief upon a finding that such approval would minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties. For permits see Section 105.1 and 3401.4.

For motor-vehicle-fuel-dispensing stations, see Chapter 22.

SECTION 3406 - SPECIAL OPERATIONS.

3406.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES.

3406.2 Amend the subsection to read:

3406.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES. Permanent and temporary storage and dispensing of Class I, II and III flammable and combustible liquids for private use on farms and rural areas and at construction sites, earth-moving projects, gravel pits or burrow pits shall be in accordance with Sections 3406.2.1 through 3406.2.8.1. The storage of Class I, II or III flammable and combustible liquids in aboveground tanks is prohibited within the

city limits of Hayward unless approved by the Fire Chief upon a finding that such approval would minimize danger to the health, safety, and welfare of the population of Hayward or to neighboring properties. For permits see section 105.1 and 3401.4.

EXCEPTION: Storage and use of fuel-oil in containers connected with oil-burning equipment regulated by Section 603 and the Mechanical Code.

3406.2.8 DISPENSING FROM TANK VEHICLES.

3406.2.8. Amend number 2 to read:

2. The dispensing hose does not exceed 50 feet (15,240 mm) in length.

Add item 9 to read:

9. Vapor-recovery systems are provided in accordance with Section 2206.7.9.

Add item 10 to read:

10. Tank vehicles shall not be permitted to serve as portable or temporary storage tanks.

CHAPTER 49 – "WILDLAND-URBAN INTERFACE FIRE AREA"

Add new subsection 4901.3 to read:

4901.3 WHERE REQUIRED. The area east of Mission Boulevard from the south side of D Street to the city limits south to Union City.

SECTION 4902 - DEFINITIONS.

Amend "Wildland-Urban Interface Fire Area" and replace it with "Hazardous Fire Area." Definition to read:

"HAZARDOUS FIRE AREA" is land designated which is covered with grass, grain, brush or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. Such areas are designated by the Fire Chief on a map maintained in the office of the Fire Chief. The "HAZARDOUS FIRE AREA" has been defined as:

> "The areas east of Mission Boulevard Blvd. from the south side of D Street to the city limits south to Union City."

SECTION 4905.2. Amend Section 4905.2 to read:

4905.2 CONSTRUCTION METHODS AND REQUIREMENTS. Within the limits established by Section 4901.3, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements described in Section 4905.2.1, 4905.2.2 and 4905.2.3. In cases where multiple requirements may apply, the most restrictive requirement shall prevail.

Add new subsection 4905.2.1 to read:

4905.2.1 The building construction shall comply with the requirements contained in the California Building Standards Code including the following:

1. California Building Code Chapter 7A,

2. California Residential Code Section R327,

3. California Reference Standards Code Chapter 12-7A

4. and this chapter

Add new subsection 4905.2.2

4905.2.2 The building constructed shall comply with the following requirements:

1. Within ten feet of a structure, construct fences with an open wire mesh or non combustible material to prevent fire from spreading to the structure.

2. Design roofs shall comply with a 'Class A" non-combustible roof rating as outlined in the California Building Code. (Do not use wood shake or treated wood shake roofs.)

3. Provide spark arrestors with1/4" metal mesh screens on all chimneys. Homeowners should inspect spark arrestors every year to ensure mesh screen integrity.

4. Additions to existing decks are subject to review by the Fire Marshal and may be required to meet building construction and fire protection standards.

5. Clearly address all structure at the curb and on the structure or facility per Fire Department specifications.

6. Restrict outdoor storage of firewood, kindling, or compost material within 30 feet of any structure, unless the material is stored in an approved bin or enclosure.

7. Locate chimney at least ten feet away from existing tree canopies.

8. Enclose all roof eaves.

Add new subsection 4905.2.3 to read:

4905.2.3 In addition, the building construction shall comply with other City standards and regulations including but not limited to the Zoning Ordinance, Subdivision Ordinance, Building Ordinance, Fire Code Ordinances, Grading Ordinance, Tree Preservation Ordinance, and Water Efficient Landscape Ordinance.

SECTION 4906. Amend Section 4906 to read:

SECTION 4906 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES. As adopted by Resolution No. 93-037.

SECTION 4907 Amend Section 4907 to read:

SECTION 4907 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES. As adopted by Resolution No. 93-037

APPENDIX B
FIRE-FLOW REQUIREMENTS FOR BUILDINGS

SECTION B105 - FIRE-FLOW REQUIREMENTS FOR BUILDINGS. Amend subsections B105.1 and B105.2 to read:

B105.1 ONE- AND TWO-FAMILY DWELLINGS. The minimum fire-flow requirements for one- and two-family dwellings shall be 1,500 gallons per minute, at 20 p.s.i.

EXCEPTION: Fire-flow may be reduced 50 percent when the building is provided with automatic sprinkler system. The resulting fire flow shall not be less than 1,500 gallons per minute at 20 p.s.i.

B105.2 BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS. The fire-flow for buildings other than one-and two-family dwellings shall not be less than specified in Table No. B105.1.

EXCEPTION: A reduction in required fire-flow of up to 50 percent, as approved by the Fire Chief, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire-flow shall not be less than 1,500 gallons per minute at 20 p.s.i. (5,677.5 L/min.).

APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION

TABLE C105.1 AMEND TO READ:

TABLE C105.1
NUMBER AND DISTRIBUTION OF FIRE HYDRANTS

DISTRICT	FIRE-FLOW REQUIREMENT (GPM) (1,)	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING (2,3,4) BETWEEN HYDRANTS (FEET)	MAXIMUM DISTANCE FROM HYDRANT TO ANY POINT ON STREET OR ROADWAY FRONTAGE AND TYPE REQUIRED (5) (FEET)
RESIDENTIAL				
Low Density	1,500	1	400	200 mod.steamer
Med Density	3,000	3	400	150 double "
High Density	4,500	5	300	150 double "
Commercial	5,000	5	300	150 double "
Industrial	5,000	5	300	150 double "
Civic Hospitals/ Schools/etc.	4,000	4	300	150 double "

1. Measured at 20 p.s.i. residual pressure.

2. Reduce by 100 feet for dead-end streets or roadways.

3. Where streets are provided with median dividers or arterial streets are provided with four or more traffic lanes, hydrants spacing shall average 500 feet on each side.

4. Where new water mains are extended along streets, where hydrants are not needed for protection of structures or similar fire problems, fire hydrants should be provided at not less than 1,000-foot spacing to provide for transportation hazards.

5. Reduce by 50 feet for dead-end streets or roadways.

SEC. 9. APPEALS.

Whenever the Fire Chief shall disapprove an application or refuse to grant a permit or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the City Manager.

SEC. 10. FEES. Fees may be established by resolution of the City Council for permits required by the code, and the fee required for any permit shall accompany the application for such permit. Unless the permit specifies otherwise, the permit shall be issued for a one-year period.

SEC. 11. PENALTIES.

11.1 Any person who shall violate any of the provisions of this code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City Council of the City of Hayward or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a criminal offense and subject to the penalties set forth in the Hayward Municipal Code, Chapter 1, Article 3, Section 1-3.00 et. seq.

11.2 The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions or to prohibit the use of any other criminal or civil remedy.

SEC. 12. REPEAL OF CONFLICTING ORDINANCES. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the California Fire Code as adopted and amended herein are hereby repealed.

Section 2. Severability. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 3. Effective Date. In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 9th day of November, by Council Member Henson.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the day of 16th, of November by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ATTEST: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

APPROVED: _____
Mayor of the City of Hayward

DATE: November 30, 2010

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

CITY OF HAYWARD CALIFORNIA

I hereby certify that this is a correct copy of a document on file in this office
MIRIAM LENS
City Clerk, City of Hayward, California

By: _____
City Clerk

Date: December 1, 2010

CITY OF
HAYWARD
HEART OF THE BAY

February 22, 2011

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

Re: Adoption of 2010 California Codes

Dear Chairperson,

With this letter I am submitting to the Commission the City of Hayward's ordinances adopting and amending the California Building Standards Codes. The 2010 California Codes adopted and amended are the Fire, Building, Electrical, Plumbing and Mechanical Codes. Accompanying each ordinance is the resolution adopting the findings of fact for the amendments of these codes. I apologize for the delay in submitting the ordinances this cycle but we have been waiting for the States Energy Commission to approve the local Green Building Ordinance amendments which we are now being told will not be completed until mid March. I will separately send that ordinance and resolution after the Energy Commission approves it.

Regards,

Glen Martinez
City Building Official
City of Hayward

DEVELOPMENT SERVICES DEPARTMENT
BUILDING DIVISION
777 B STREET, HAYWARD, CA 94541-5007
TEL: 510/583-4140 • FAX: 510/583-3642 • TDD: 510/247-3340 • WEBSITE: www.hayward-ca.gov

ORDINANCE NO. 10-14

AN ORDINANCE ESTABLISHING A FIRE PREVENTION CODE FOR THE CITY OF HAYWARD; ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR PENALTIES FOR VIOLATION, AND REPEALING ORDINANCE NO. 07-19, AS AMENDED, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-19, and all amendments thereto, is hereby repealed and in substitution thereof a new fire code for the City of Hayward is hereby enacted to read as follows:

SEC. 1. FIRE PREVENTION CODE OF THE CITY OF HAYWARD, ADOPTION OF CALIFORNIA FIRE CODE. The City Council of the City of Hayward for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, hereby adopts that certain code and standards known as the 2010 California Fire Code and based on the International Fire Code being particularly the 2009 edition thereof and the whole thereof (including Appendices Chapter 4, B, C, D, E, F, G, H, I) save and except such portions as are hereunder deleted, modified, or amended as set forth hereinafter, as the Fire Code of the City of Hayward. A copy of each said California Fire Code is on file in the office of the City Clerk, to which reference is hereby made for further particulars.

Said code is adopted by reference pursuant to Section 50022.2 et seq. of the Government Code of the State of California, and the same is hereby adopted and incorporated as fully as if set out at length herein and, from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Hayward except as otherwise noted herein.

SEC. 2. ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION OFFICE.

2.1 The California Fire Code shall be enforced by the Fire Prevention Bureau and the Operations Division in the Fire Department of the City of Hayward.

2.2 The chief officer in charge of the Fire Prevention Bureau shall be appointed by the Fire Chief.

2.3 The Chief of the Fire Department shall recommend to the City Manager the employment of technical personnel responsible for code enforcement. The Chief of the Fire Department may also detail such members of the Fire Department as inspectors as shall from time to time be necessary.

SEC. 3. DEFINITIONS.

3.1 Whenever the word "jurisdiction" is used in the California Fire Code, it shall be held to mean the City of Hayward.

3.2 Whenever the term "Corporation Counsel" is used in the California Fire Code, it shall be held to mean the City Attorney of the City of Hayward.

3.3 Whenever the term "Fire Code Official" or "Fire Marshal" is used, it shall be held to mean the Chief Officer in charge of the Fire Prevention Bureau for the Fire Department or his or her designated representative.

SEC. 4. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN ABOVEGROUND TANKS IS TO BE PROHIBITED.

4.1 The storage and use of flammable or combustible liquids (including flammable cryogenic liquids) in aboveground tanks is prohibited, within the city limits of Hayward unless approved by the Fire Chief upon a finding that such an approval would minimize a danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

4.2 New bulk plants for flammable or combustible liquids are prohibited within the city limits of Hayward unless approved by the Fire Chief upon a finding that such an approval would minimize a danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

SEC. 5. ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED. The limits referred to in Section 3804.2 of the California Fire Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows: Within the city limits of Hayward, unless approved by the Fire Chief upon a finding that such an approval would minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

SEC. 6. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED. The

storage and use of explosives and blasting agents is prohibited within the city limits of Hayward, unless approved by the Fire Chief upon a finding that such an approval would minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

SEC. 7. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED. The storage of compressed natural gas is prohibited within the city limits of Hayward, unless approved by the Fire Chief upon a finding that such an approval would minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

SEC. 8. AMENDMENTS MADE IN THE CALIFORNIA FIRE CODE. The California Fire Code is amended in the following respects, with the reference numbers being taken from the California Fire Code, including deletions, additions and text changes.

GENERAL
CHAPTER 1 – SCOPE AND ADMINISTRATION
DIVISION II ADMINISTRATION

SECTION 104 - GENERAL AUTHORITY AND RESPONSIBILITIES.

104.10 Amend section to read:

104.10 INVESTIGATIONS. The Fire Department shall investigate promptly the cause, origin, and circumstances of each and every fire occurring in the jurisdiction involving loss of life or injury to person or destruction or damage to property and, if it appears that such fire is of suspicious origin, the department shall then initiate efforts for the immediate collection of all physical evidence relating to the cause of the fire.

The Fire Chief is authorized to investigate the cause, origin, and circumstances of unauthorized releases of hazardous materials.

104.10.1 ASSISTANCE FROM OTHER AGENCY. Amend subsection to read:

104.10.1 ASSISTANCE FROM OTHER AGENCY. The Police Department shall assist the Fire Department in its investigations whenever requested to do so, unless otherwise directed by the Chief of Police.

Add new subsection 104.12 to read:

104.12 FIRE PROTECTION. The Fire Chief shall designate the type and number of fire appliances to be installed and maintained in and upon all buildings and premises in the jurisdiction. This shall be done according to the relative severity of probable fire, including the rapidity with which it may spread. Such appliances shall be of a type suitable for

the probable class of fire associated with such buildings or premises and shall have approval of the Fire Chief.

SECTION 105 - PERMITS.

105.2.2 Amend section to read:

105.2.2 INSPECTION REQUIRED. Before a permit is issued, the Fire Chief or his or her designated representative is authorized to inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces, or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Department, joint approval shall be obtained from all departments concerned.

Add new subsection 105.8 to read:

105.8 PERMIT FEES. The City Council of the City of Hayward may, if it so desires establish by resolution, permit fees in connection with any permits required or authorized to be issued by the Fire Chief or any other authorized representative of the Fire Department.

SECTION 108 - BOARD OF APPEALS.

108.1 Amend section to read:

108.1. FIRE APPEALS BOARD ORGANIZATION. In order to determine the suitability of alternate materials and type of construction, there shall be and hereby is created an appropriate board consisting of five members who are qualified by experience and training to pass judgment upon pertinent matters. The Fire Chief shall be an ex-officio member and shall act as secretary of the board. The Fire Appeal Board shall be appointed by the City Manager and shall hold office at his or her pleasure. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Fire Chief, with a duplicate copy to the appellant, and may recommend to the executive body such new legislation as is consistent therewith.

CHAPTER 2 – DEFINITIONS

SECTION 202 - GENERAL DEFINITIONS.

High Rise Building Add number 4 to read:

4. The Fire Chief may determine that a building is a "high-rise structure" based on site/building configuration and the lack of viable exterior access to the upper floors for firefighting, rescue operations and where firefighters must place almost complete reliance on the building's life safety features, fire protection systems and components of building construction.

CHAPTER 5 - FIRE SERVICE FEATURES

SECTION 503 - FIRE APPARATUS ACCESS ROADS.

503.1 WHERE REQUIRED. Add new subsection 503.1.4 to read:

503.1.4 FIRE LANES. Where necessary to maintain adequate emergency vehicle approaches to buildings or fire apparatus access roads, the Fire Chief may establish designated "Fire Lanes."

1. Restrictions and requirements as specified in the California Vehicle Code sections 22500.1 and 22658 shall apply to fire lanes established by this section.

SECTION 507 - FIRE PROTECTION WATER SUPPLIES.

507.5 FIRE HYDRANT SYSTEMS.

507.5.1 WHERE REQUIRED. Amend subsection to read:

507.5.1 WHERE REQUIRED. Fire hydrant systems and fire hydrants shall be in accordance with Section 507.5. Hydrants shall be of the type approved in the City of Hayward and have not less than a six-inch connection with the mains. A shutoff valve shall be installed in the hydrant connection, a minimum distance of five feet from the hydrant. The number, size, and arrangements of outlets, the size of the main valve opening, and the size of barrel shall be suitable for the protection to be provided and shall be approved by the Fire Chief. Hydrants should be tested annually for proper functioning in accordance with the requirements of the authority having jurisdiction or upon request of the Fire Chief.

Hydrants shall be placed at least 50 feet from the buildings to be protected. Where it is not feasible to place them at that distance, they may be in closer proximity in locations approved by the Fire Chief.

CHAPTER 6 – BUILDING SERVICES AND SYSTEMS

SECTION 603 FUEL FIRED APPLIANCES.

603.4 Amend section to read:

603.4. PORTABLE UNVENTED HEATERS. The use of listed portable unvented oil-burning heating appliances shall be limited to supplemental heating in Group U Occupancies.

EXCEPTION: When approved by the Fire Chief, portable unvented oil-burning heating appliances may be used in any occupancy during construction when such use is necessary for the construction and the use does not represent a hazard to life or property.

Add new subsections 605.11 through 605.11.6 to read:

605.11 SOLAR PHOTOVOLTAIC POWER SYSTEMS. Solar photovoltaic power systems shall be installed in accordance with this Ordinance, the California Fire Code, the California Building Code and NFPA 70.

605.11.1 MARKING. Marking is required on photovoltaic system including all interior and exterior DC conduits, enclosures, raceways, cable assemblies, junction boxes, combiner boxes, and disconnects.

605.11.1.1 MATERIALS. The materials used for marking shall be reflective, weather resistant and suitable for the environment.

605.11.1.2 GRAPHICS. Marking as required in sections 605.11.1shall have all letters capitalized with a minimum height of 3/8 inch (9.5 mm) white on red background.

605.11.1.3 MARKING LOCATION AND CONTENT. Marking shall be provided in the location described in Section 605.11.1.3.1 through 605.11.1.3.2.

605.11.1.3 1 MARKING AND LABELING OF DISCONNECTING MEANS. Each photovoltaic system disconnecting means shall be permanently labeled to identify it as a photovoltaic system disconnect. A warning sign shall be placed adjacent to the disconnect in a location clearly visible from the location where the disconnect is operated. The marking shall contain the words:

WARNING: ELECTRIC SHOCK HAZARD.
DO NOT TOUCH TERMINAL.
TERMINALS ON BOTH THE LINE AND LOAD SIDES MAY BE ENERGIZED IN THE OPEN POSITION.

605.11.1.3.2 MARKING OF DC CONDUIT, RACEWAYS, ENCLOSURES AND CABLE ASSEMBLIES. Marking shall be placed on all interior and exterior DC conduit, raceways, enclosures and cable assemblies every 10 feet (3048 mm) within 1 foot (305 mm) of all turns or bends and within 1 foot (305 mm) above and below all penetrations of roof/ceiling assemblies and all walls and /or barriers. The marking shall contain the words:

WARNING: PHOTOVOLTAIC POWER SOURCE.

605.11.2 PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS. Photovoltaic system disconnecting means shall be provided in the locations described in Section

605.11.2.1 through 605.11.2.2.

605.11.2.1 MAIN SERVICE DISCONNECTS. A main service disconnect shall be provided to disconnect all conductors in a building or other structure from the photovoltaic system conductors. The disconnect shall be installed at a readily accessible locations on the outside of a building or structure. The disconnect shall be identified with labels and provided with warning sign in accordance to Section 605.11.1.3.1.

605.11.2.2 POWER DISCONNECTS. A power disconnect shall be provided in proximity of the photovoltaic array to de-energize the DC circuits from the array to the mains service disconnect and inverter. Power disconnects on the one- and two- family residential roof shall be located within 3 feet of the photovoltaic array along roof access and pathways and located together when possible. Power disconnects on roof other than the one- and two- family residential shall be located as close as practical possible to photovoltaic array and installed along the center line axis pathways when possible. Disconnects shall be identified with labels and provided with warning sign in accordance to Section 605.11.1.3.1.

605.11.3 DC CONDUCTORS. Conduit, wiring systems, and raceways for photovoltaic circuits shall be located as close as possible to the ridge or hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize ventilation opportunities. Conduit runs between sub arrays and to DC combiner boxes shall be installed in a manner that minimizes total amount of conduit on the roof by taking the shortest path from the array to the DC combiner box. The DC combiner boxes shall be located such that conduit runs are minimized in the pathways between arrays.

605.11.3.1 CIRCUIT ROUTING. Photovoltaic source and photovoltaic output conductors, in and out of conduit, and inside of a building or structure, shall be routed along building structural members such as beams, rafters, trusses, and columns where the location of those structural members can be determined by observation. Where circuits are imbedded in built-up, laminate, or membrane roofing materials in roof areas not covered by photovoltaic modules and associated equipment, the location of circuits shall be clearly marked.

605.11.3.2 WIRING METHODS. Wiring shall not be installed within 10 inches (254 mm) of the roof decking or sheathing except where directly below the roof surface covered by PV modules and associated equipment. Circuits shall be run vertically from the roof penetration point to supports a minimum of 10 inches (254 mm) below the roof decking.

605.11.3.3 WIRING. DC wiring shall be installed in metallic conduit or raceways when located within enclosed spaces in a building. Where flexible metal conduit (FMC) or metal clad cable (MC) smaller than metric designator 21 (trade size 3/4) containing PV power circuit conductors is installed across ceilings or floor joists, the raceway or cable shall be protected by

substantial guard strips that are at least as high as the raceway or cable. Where run exposed, other than within 6 feet (1829 mm) of their connection to equipment, these wiring methods shall closely follow the building surface or be protected from physical damage by an approved means.

605.11.4 ROOF ACCESS AND PATHWAYS. Roof access, pathways, and spacing requirements shall be provided in order to ensure access to the roof; provide pathways to specific areas of the roof; provide for smoke ventilation operations; and to provide emergency egress from the roof.

EXCEPTIONS:

1. Requirements relating to ridge, hip, and valleys do not apply to roofs slopes of two units vertical in twelve units horizontal (2:12) or less.

2. Residential structures shall be designed so that each array is no greater than 150 feet (45 720 mm) by 150 feet (45 720 mm) in either axis.

3. The Fire Chief may allow panels/modules to be located up to the ridge when an alternative ventilation method acceptable to the fire chief has been provided or where the fire chief has determined vertical ventilation techniques will not be employed, such as, but not limited to, the roof decking is concrete and metal, which may make ventilation or trenching operations impractical.

605.11.4.1 ROOF ACCESS POINTS. Roof access points shall be defined as an area that does not place ground ladders over openings such as windows or doors, and are located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.

605.11.4.2 RESIDENTIAL SYSTEMS FOR ONE-AND TWO FAMILY RESIDENTIAL DWELLINGS. Access shall be provided in accordance with Sections 605.11.4.2.1 through 605.11.4.2.4.

605.11.4.2.1 RESIDENTIAL BUILDINGS WITH HIP ROOF LAYOUTS. Panels/modules shall be located in a manner that provides a 3-foot (914 mm) wide clear access pathway from the eave to the ridge on each roof slope where panels/modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

605.11.4.2.2 RESIDENTIAL BUILDINGS WITH A SINGLE RIDGE. Panels/modules shall be located in a manner that provides two 3-foot (914 mm) wide access pathways from the eave to the ridge on each roof slope where panels/modules are located.

605.11.4.2.3 HIPS AND VALLEYS. Panels/modules shall be located no closer than 18 inches (457 mm) to a hip or a valley if panels/modules are to be placed on both sides of a

hip or valley. If the panels are to be located on only one side of a hip or valley that is of equal length then the panels shall be permitted to be placed directly adjacent to the hip or valley.

605.11.4.2.4 SMOKE VENTILATION. Panels/modules shall be located no higher than 3 feet (914 mm) below the ridge in order to allow for fire department smoke ventilation operations.

605.11.4.3 ALL OTHERS OCCUPANCIES. Access shall be provided in accordance with Sections 605.11.4.3.1 through 605.11.4.3.3.

EXCEPTION: Where it is determined by the Hayward Fire Department that the roof configuration is similar to an one- or two-family dwelling, the Hayward Fire Department may approve the residential access and ventilation requirements provided in 605.11.4.2.1 through 605.11.4.2.4.

605.11.4.3.1 ACCESS. There shall be a minimum 6 feet (1829 mm) wide clear perimeter around the edges of the roof.

EXCEPTION: If either axis of the building is 250 feet (76 200 mm) or less, there shall be a minimum 4 feet (1219 mm) wide clear perimeter around the edges of the roof.

605.11.4.3.2 PATHWAYS. The solar installation shall be designed to provide designated pathways. The pathways shall meet the following requirements:

1. The pathway shall be over areas capable of supporting the live load of fire fighters accessing the roof.

2. The center line axis pathways shall be provided in both axis of the roof. Center line axis pathways shall run where the roof structure is capable of supporting the live load of firefighters accessing the roof.

3. Pathways shall be straight line not less than 4 feet (1219 mm) clear to skylights and/or ventilation hatches.

4. Pathways shall be straight line not less than 4 feet (1219 mm) clear to roof standpipes.

5. Pathways shall provide not less than 4 feet (1219 mm) clear around roof access hatch with at least one not less than 4 feet (1219 mm) clear pathway to parapet or roof edge.

605.11.4.3.3 SMOKE VENTILATION. The solar installation shall be designed to meet the following requirements:

1. Arrays shall be no greater than 150 feet (45 720 mm) by 150 feet (45 720 mm) in distance in either axis in order to create opportunities for smoke ventilation operations.

2. Smoke ventilation options between array sections shall be one of the following:

2.1. A pathway 8 feet (2438 mm) or greater in width;

2.2. A 4 feet (1219 mm) or greater in width pathway and bordering roof skylights or smoke and heat vents;

2.2.1. A 4 feet (1219 mm) or greater in width pathway and bordering 4 feet (1219 mm) x 8 feet (2438 mm) "venting cutouts" every 20 feet (6096 mm) on alternating sides of the pathway.

605.11.5 NON-HABITABLE BUILDINGS OR STRUCTURES. Detached Group U non-habitable structures, such as parking shade structures, carports, solar trellises, and similar type structures shall comply with Section 605.11 through 605.11.3.

605.11.6 GROUND MOUNTED PHOTOVOLTAIC ARRAYS. Ground mounted photovoltaic arrays shall comply with Sections 605.11 through 605.11.3 and this section. A clear brush area of 10 feet (3048 mm) is required for ground mounted photovoltaic arrays. Any portion of ground mounted photovoltaic arrays shall be located with 150 (45 720mm) feet of a fire apparatus access road, measured by an approved route of hose lay distance.

CHAPTER – 9 FIRE PROTECTION SYSTEMS

SECTION 901 - GENERAL.

901.4 INSTALLATION. Amend 901.4.2 to read:

901.4.2 NON-REQUIRED FIRE PROTECTION SYSTEMS. Any fire protection system not required by this code or the California Building Code may be installed provided that such system meets the requirements of this code.

Add new subsection 901.4.5 to read:

901.4.5 FIRE SPRINKLER CONTRACTORS. All design and on-site installation work for automatic sprinkler systems shall be done by people whose qualifications satisfy applicable State of California requirements and whose expertise in the field is demonstrable through documentation of their appropriate education, experience, or license to the Fire Chief's satisfaction.

SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS.

903.2 WHERE REQUIRED. Amend 903.2 to read

903.2 WHERE REQUIRED. An automatic sprinkler system shall be installed in all new construction, regardless of occupancy classification, where the total floor area is 5,000 square feet (465 m2) or more (area separation walls may not be used in lieu of a sprinkler system except when buildings are separated by fire wall per Section 705 of the 2010 California Building Code), building height exceeds two stories, or floor heights exceed 15feet (4,572 mm) from the lowest level of Fire Department access and locations described in Section 903.2.1 through 903.2.12. In cases where multiple requirements may apply, the most restrictive requirement shall prevail. Floor areas of mezzanines shall be included in calculating the total floor area to be used in determining automatic fire-extinguishing requirements.

Add new subsection 903.2.19 to read:

903.2.19 EXISTING BUILDINGS. An automatic sprinkler system shall be installed in an existing building when cumulative additions, repairs, or alterations are made to the building and such additions, repairs, or alterations meet any of the following conditions:

1. Additions, repairs, or alterations are valued at 50 percent or more of the current assessed value of the building. (Value is based only on the structure involved. If owner disputes valuation, an appraisal can be performed at the owner's expense, by an appraiser acceptable to the Fire Chief.)

2. Any addition or additions to the original building which will add 10 percent or more to the total floor area of the existing building and the resulting floor area is 3,000 square feet (279 m2) or more for S-1 occupancies or 5,000 square feet (465 m2) or more for other occupancies.

3. Additions where items 1 or 2 do not apply that will result in a total floor area that exceeds the maximum floor area allowed by the Building Code under which the building was originally constructed.

4. Additions, repairs, or alterations that will result in a change in occupancy or use and with the resulting floor area is 3,000 square feet (279 m2) or more for S-1 occupancies or 5,000 square feet (465 m2) or more for other occupancies and shall comply with the most current CBC and CFC edition.

5. Accumulative area of alteration, addition or repair is 3,000 square feet (279 m2) or more for S-1 occupancies or 5,000 square feet (465 m2) or more for other occupancies. (Building owners are to be held responsible.)

Add new subsection 903.2.20 to read:

903.2.20 HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE.

Developments located in the hillside urban/wildland interface zone identified in Section 4901.3 of the ordinance shall be fully sprinkler per NFPA 13. Single family residence fire sprinkler system shall be installed in accordance with NFPA 13D with the following modifications:

1. Sprinkler coverage shall include attic, garages, decks, crawl spaces, porch and foyers.

2. Each sprinkler system shall have an approved audible alarm activated by sprinkler water flow in the interior of the building in a normally occupied location.

3. Provide a minimum of two replacement sprinklers for emergency replacement along with an appropriate wrench for changing sprinkler heads.

4. Control valve shall be secured with a chain and breakaway lock.

903.3.1.1 NFPA 13 SPRINKLER SYSTEMS. Add to the end of this section to read:

"When automatic sprinkler systems are required in buildings of undetermined use, they shall be designed and installed to have a sprinkler density of 0.33 GPM for 3,750 square feet with a maximum coverage of 100 square feet per head. Use is considered undetermined if not classified at time permit is issued. Where subsequent use requires a system with greater capability, the system shall be reinforced to the required code in order to obtain clearance for the new use."

SECTION 903.4.2 - ALARMS. Add to the end of this section to read:

"An interior audible alarm device shall be installed within the dwelling in a location so as to be heard throughout the home. The device shall activate upon any fire sprinkler system waterflow activity."

SECTION 905 - STANDPIPES.

905.1 GENERAL. Add sentence to the end of this section to read: "Buildings three stories or more in height shall have an approved standpipe system."

905.3 REQUIRED INSTALLATIONS. Amend to substitute any reference to "4 Stories" with "3 Stories."

905.4 LOCATION OF CLASS I STANDPIPE HOSE CONNECTIONS. Add new number 7 to read:

7. DUAL OUTLETS. All Class I standpipe outlets located as required in Section 905.3 shall have added outlets located in enclosed corridors adjacent to enclosed stairway access

doors at each level of every required stairway.

CHAPTER 14 – FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

SECTION 1401 - GENERAL.

1413 STANDPIPES. Amend subsection 1413.1 to read:

1413.1 WHERE REQUIRED. Every building three stories or more in height shall be provided with not less than one standpipe for use during construction. Such standpipe shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

In each floor there shall be provided a 2 ½-inch (64 mm) valve outlet for Fire Department use. Where construction height requires installation of a Class I standpipe, fire pumps and water main connections shall be provided to serve the standpipe.

CHAPTER 27 – HAZARDOUS MATERIALS - GENERAL PROVISIONS

SECTION 2703 - GENERAL REQUIREMENTS.

Add new subsection 2703.1.5 to read:

SECTION 2703.1.5 - PROHIBITED LOCATION. – Hazardous materials are not allowed below grade plane in buildings.

CHAPTER 29 – COMBUSTIBLE FIBERS

SECTION 2905 - BALED STORAGE.

Add new subsection 2905.3 to read:

2905.3 FIRE PROTECTION. Baled storage under any roof or overhang shall be protected by an approved automatic sprinkler system.

CHAPTER 34 – FLAMMABLE AND COMBUSTIBLE LIQUIDS

SECTION 3401 - GENERAL.

3401.4 PERMITS.

Add new subsection 3401.4.1 to read:

3401.4.1 PLANS. Plans shall be submitted with each application for a permit to store more than 60 gallons of flammable and combustible liquids in drums or tanks. The plans shall indicate the methods of storage, quantities to be stored, distances from buildings and property lines, access ways, fire-protection facilities, and provisions for drainage and runoff. Storage shall be in accordance with approved plans.

SECTION 3403 - GENERAL REQUIREMENTS.

Add new subsection 3403.1.4 to read:

SECTION 3403.1.4 - PROHIBITED LOCATION. Flammable and combustible liquids are not allowed below grade plane in buildings.

SECTION 3404 - STORAGE.

Add new subsection 3404.1.1 to read:

3404.1.1 APPLICABILITY. Storage and use of flammable and combustible liquids in containers, cylinders, and tanks shall be in accordance with sections 3401 and 3404. Storage and use in portable tanks over 60 gallons and in aboveground tanks is prohibited within the city limits of Hayward unless approved by the Fire Chief upon a finding that such approval would minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties. For permits see Section 105.1 and 3401.4.

For motor-vehicle-fuel-dispensing stations, see Chapter 22.

SECTION 3406 - SPECIAL OPERATIONS.

3406.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES.

3406.2 Amend the subsection to read:

3406.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES. Permanent and temporary storage and dispensing of Class I, II and III flammable and combustible liquids for private use on farms and rural areas and at construction sites, earth-moving projects, gravel pits or burrow pits shall be in accordance with Sections 3406.2.1 through 3406.2.8.1. The storage of Class I, II or III flammable and combustible liquids in aboveground tanks is prohibited within the

city limits of Hayward unless approved by the Fire Chief upon a finding that such approval would minimize danger to the health, safety, and welfare of the population of Hayward or to neighboring properties. For permits see section 105.1 and 3401.4.

EXCEPTION: Storage and use of fuel-oil in containers connected with oil-burning equipment regulated by Section 603 and the Mechanical Code.

3406.2.8 DISPENSING FROM TANK VEHICLES.

3406.2.8. Amend number 2 to read:

2. The dispensing hose does not exceed 50 feet (15,240 mm) in length.

Add item 9 to read:

9. Vapor-recovery systems are provided in accordance with Section 2206.7.9.

Add item 10 to read:

10. Tank vehicles shall not be permitted to serve as portable or temporary storage tanks.

CHAPTER 49 – "WILDLAND-URBAN INTERFACE FIRE AREA"

Add new subsection 4901.3 to read:

4901.3 WHERE REQUIRED. The area east of Mission Boulevard from the south side of D Street to the city limits south to Union City.

SECTION 4902 - DEFINITIONS.

Amend "Wildland-Urban Interface Fire Area" and replace it with "Hazardous Fire Area." Definition to read:

"HAZARDOUS FIRE AREA" is land designated which is covered with grass, grain, brush or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. Such areas are designated by the Fire Chief on a map maintained in the office of the Fire Chief. The "HAZARDOUS FIRE AREA" has been defined as:

> "The areas east of Mission Boulevard Blvd. from the south side of D Street to the city limits south to Union City."

SECTION 4905.2. Amend Section 4905.2 to read:

4905.2 CONSTRUCTION METHODS AND REQUIREMENTS. Within the limits established by Section 4901.3, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements described in Section 4905.2.1, 4905.2.2 and 4905.2.3. In cases where multiple requirements may apply, the most restrictive requirement shall prevail.

Add new subsection 4905.2.1 to read:

4905.2.1 The building construction shall comply with the requirements contained in the California Building Standards Code including the following:

1. California Building Code Chapter 7A,
2. California Residential Code Section R327,
3. California Reference Standards Code Chapter 12-7A
4. and this chapter

Add new subsection 4905.2.2

4905.2.2 The building constructed shall comply with the following requirements:

1. Within ten feet of a structure, construct fences with an open wire mesh or non combustible material to prevent fire from spreading to the structure.
2. Design roofs shall comply with a 'Class A" non-combustible roof rating as outlined in the California Building Code. (Do not use wood shake or treated wood shake roofs.)
3. Provide spark arrestors with1/4" metal mesh screens on all chimneys. Homeowners should inspect spark arrestors every year to ensure mesh screen integrity.
4. Additions to existing decks are subject to review by the Fire Marshal and may be required to meet building construction and fire protection standards.
5. Clearly address all structure at the curb and on the structure or facility per Fire Department specifications.
6. Restrict outdoor storage of firewood, kindling, or compost material within 30 feet of any structure, unless the material is stored in an approved bin or enclosure.

7. Locate chimney at least ten feet away from existing tree canopies.

8. Enclose all roof eaves.

Add new subsection 4905.2.3 to read:

4905.2.3 In addition, the building construction shall comply with other City standards and regulations including but not limited to the Zoning Ordinance, Subdivision Ordinance, Building Ordinance, Fire Code Ordinances, Grading Ordinance, Tree Preservation Ordinance, and Water Efficient Landscape Ordinance.

SECTION 4906. Amend Section 4906 to read:

SECTION 4906 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES. As adopted by Resolution No. 93-037.

SECTION 4907 Amend Section 4907 to read:

SECTION 4907 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES. As adopted by Resolution No. 93-037

APPENDIX B
FIRE-FLOW REQUIREMENTS FOR BUILDINGS

SECTION B105 - FIRE-FLOW REQUIREMENTS FOR BUILDINGS. Amend subsections B105.1 and B105.2 to read:

B105.1 ONE- AND TWO-FAMILY DWELLINGS. The minimum fire-flow requirements for one- and two-family dwellings shall be 1,500 gallons per minute, at 20 p.s.i.

EXCEPTION: Fire-flow may be reduced 50 percent when the building is provided with automatic sprinkler system. The resulting fire flow shall not be less than 1,500 gallons per minute at 20 p.s.i.

B105.2 BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS. The fire-flow for buildings other than one-and two-family dwellings shall not be less than specified in Table No. B105.1.

EXCEPTION: A reduction in required fire-flow of up to 50 percent, as approved by the Fire Chief, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire-flow shall not be less than 1,500 gallons per minute at 20 p.s.i. (5,677.5 L/min.).

APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION

TABLE C105.1 AMEND TO READ:

TABLE C105.1
NUMBER AND DISTRIBUTION OF FIRE HYDRANTS

DISTRICT	FIRE-FLOW REQUIREMENT (GPM) (1,)	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING (2,3,4) BETWEEN HYDRANTS (FEET)	MAXIMUM DISTANCE FROM HYDRANT TO ANY POINT ON STREET OR ROADWAY FRONTAGE AND TYPE REQUIRED (5) (FEET)
RESIDENTIAL				
Low Density	1,500	1	400	200 mod.steamer
Med Density	3,000	3	400	150 double "
High Density	4,500	5	300	150 double "
Commercial	5,000	5	300	150 double "
Industrial	5,000	5	300	150 double "
Civic Hospitals/ Schools/etc.	4,000	4	300	150 double "

1. Measured at 20 p.s.i. residual pressure.

2. Reduce by 100 feet for dead-end streets or roadways.

3. Where streets are provided with median dividers or arterial streets are provided with four or more traffic lanes, hydrants spacing shall average 500 feet on each side.

4. Where new water mains are extended along streets, where hydrants are not needed for protection of structures or similar fire problems, fire hydrants should be provided at not less than 1,000-foot spacing to provide for transportation hazards.

5. Reduce by 50 feet for dead-end streets or roadways.

SEC. 9. APPEALS.

Whenever the Fire Chief shall disapprove an application or refuse to grant a permit or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the City Manager.

SEC. 10. FEES. Fees may be established by resolution of the City Council for permits required by the code, and the fee required for any permit shall accompany the application for such permit. Unless the permit specifies otherwise, the permit shall be issued for a one-year period.

SEC. 11. PENALTIES.

11.1 Any person who shall violate any of the provisions of this code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City Council of the City of Hayward or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a criminal offense and subject to the penalties set forth in the Hayward Municipal Code, Chapter 1, Article 3, Section 1-3.00 et. seq.

11.2 The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions or to prohibit the use of any other criminal or civil remedy.

SEC. 12. REPEAL OF CONFLICTING ORDINANCES. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the California Fire Code as adopted and amended herein are hereby repealed.

Section 2. Severability. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 3. Effective Date. In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 9th day of November, by Council Member Henson.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the day of 16th, of November by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ATTEST: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

APPROVED: _____
Mayor of the City of Hayward

DATE: November 30, 2010

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

Daily Review

c/o Bay Area News Group-East Bay
22533 Foothill Blvd.
Hayward, CA 94541
Legal Advertising
(800) 595-9595 opt. 4

Legal No. **0003756079**

Hayward, City of/City Clerk
Miriam Lens,777 B St.
Hayward CA 94541

PROOF OF PUBLICATION

FILE NO. Ord 2010 Fire

In the matter of

Daily Review

The Daily Review

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Daily Review, a newspaper published in the English language in the City of Hayward, County of Alameda, State of California.

I declare that the Daily Review is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's decree, dated March 2, 1950, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Daily Review as a Newspaper of General Circulation, case number 221938. Said decree states that "'The Daily Review' has been established, printed, and published daily in the City of Hayward, County of Alameda, State of California, for one year or more next preceding the date of the filing of said petition; that it is a newspaper published for the dissemination of local and telegraphic news and inte" ance of a general character and has a bona fide subscription list paying subscribers; ... [ ] [and] THEREFORE, ... 'The Daily Review' is hereby determined and declared to be a newspaper of general circulation [within the meaning of Government Code §§ 6000 et seq.]" Said decree has not been revoked, vacated or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/13/2010

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Public Notice Advertising Clerk

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A FIRE PREVENTION CODE FOR THE CITY OF HAYWARD; ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR PENALTIES FOR VIOLATION, AND REPEALING ORDINANCE NO. 07-19, AS AMENDED, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1: Effective January 1, 2011, Ordinance No. 07-19, and all amendments thereto, is hereby repealed and in substitution thereof a new fire code for the City of Hayward is hereby enacted to read as follows:

SEC. 1.	FIRE PREVENTION CODE OF THE CITY OF HAYWARD, ADOPTION OF CALIFORNIA FIRE CODE
SEC. 2.	ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION OFFICE
SEC. 3.	DEFINITIONS
SEC. 4.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN ABOVE-GROUND TANKS IS TO BE PROHIBITED
SEC. 5.	ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED
SEC. 6.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED
SEC. 7.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED
SEC. 8.	AMENDMENTS MADE IN THE CALIFORNIA FIRE CODE
GENERAL	
CHAPTER 1 - SCOPE AND ADMINISTRATION DIVISION II ADMINISTRATION	
SECTION 104 - GENERAL AUTHORITY AND RESPONSIBILITIES	
104.10	INVESTIGATIONS
104.10.1	ASSISTANCE FROM OTHER AGENCY
104.12	FIRE PROTECTION
SECTION 105 - PERMITS	
105.2.2	INSPECTION REQUIRED
105.8	PERMIT FEES
SECTION 108 - BOARD OF APPEALS	
108.1.	FIRE APPEALS BOARD ORGANIZATION
CHAPTER 2 - DEFINITIONS	
SECTION 202 - GENERAL DEFINITIONS	
CHAPTER 5 - FIRE SERVICE FEATURES	
SECTION 503 - FIRE APPARATUS ACCESS ROADS	
503.1	WHERE REQUIRED
503.1.4	FIRE LANES
SECTION 507 - FIRE PROTECTION WATER SUPPLIES	
507.5	FIRE HYDRANT SYSTEMS
507.5.1	WHERE REQUIRED
CHAPTER 6 - BUILDING SERVICES AND SYSTEMS	
SECTION 603 FUEL FIRED APPLIANCES	
603.4.	PORTABLE UNVENTED HEATERS
605.11	SOLAR PHOTOVOLTAIC POWER SYSTEMS
605.11.1	MARKING
605.11.1.1	MATERIALS
605.11.1.2	GRAPHICS
605.11.1.3	MARKING LOCATION AND CONTENT
605.11.1.3.1	MARKING AND LABELING OF DISCONNECTING MEANS
605.11.1.3.2	MARKING OF DC ,CONDUIT, RACEWAYS, ENCLOSURES AND CABLE ASSEMBLIES
605.11.2	PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS
605.11.2.1	MAIN SERVICE DISCONNECTS
605.11.2.2	POWER DISCONNECTS
605.11.3	DC CONDUCTORS
605.11.3.1	CIRCUIT ROUTING
605.11.3.2	WIRING METHODS
605.11.3.3	WIRING
605.11.4	ROOF ACCESS AND PATHWAYS
605.11.4.1	ROOF ACCESS POINTS
605.11.4.2	RESIDENTIAL SYSTEMS FOR ONE-AND TWO FAMILY RESIDENTIAL DWELLINGS
605.11.4.2.1	RESIDENTIAL BUILDINGS WITH HIP ROOF LAYOUTS
605.11.4.2.2	RESIDENTIAL BUILDINGS WITH A SINGLE RIDGE
605.11.4.2.3	HIPS AND VALLEYS
605.11.4.2.4	SMOKE VENTILATION
605.11.4.3	ALL OTHERS OCCUPANCIES
605.11.4.3.1	ACCESS
605.11.4.3.2	PATHWAYS
605.11.4.3.3	SMOKE VENTILATION
605.11.5	NON-HABITABLE BUILDINGS OR STRUCTURES
605.11.6	GROUND MOUNTED PHOTOVOLTAIC ARRAYS
CHAPTER - 9 FIRE PROTECTION SYSTEMS	
SECTION 901 - GENERAL	
901.4	INSTALLATION
901.4.2	NON-REQUIRED FIRE PROTECTION SYSTEMS
901.4.5	FIRE SPRINKLER CONTRACTORS
SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS	
903.2	WHERE REQUIRED
903.2.19	EXISTING BUILDINGS
903.2.20	HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE

903.3.1.1 NFPA 13 SPRINKLER SYSTEMS
SECTION 903.4.2 - ALARMS
SECTION 905 - STANDPIPES
905.1 GENERAL
905.3 REQUIRED INSTALLATIONS
905.4 LOCATION OF CLASS I STANDPIPE HOSE CONNECTIONS.
CHAPTER 14 - FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION
SECTION 1401 - GENERAL
1413 STANDPIPES.
1413.1 WHERE REQUIRED
CHAPTER 27 - HAZARDOUS MATERIALS - GENERAL PROVISIONS
SECTION 2703 - GENERAL REQUIREMENTS
SECTION 2703.1.5 - PROHIBITED LOCATION
CHAPTER 29 - COMBUSTIBLE FIBERS
SECTION 2905 - BALED STORAGE
2905.3 FIRE PROTECTION
CHAPTER 34 - FLAMMABLE AND COMBUSTIBLE LIQUIDS
SECTION 3401 - GENERAL
3401.4 PERMITS
3401.4.1 PLANS
SECTION 3403 - GENERAL REQUIREMENTS
SECTION 3403.1.4 - PROHIBITED LOCATION
SECTION 3404 - STORAGE
3404.1.1 APPLICABILITY
SECTION 3406 - SPECIAL OPERATIONS
3406.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES
3406.2.8 DISPENSING FROM TANK VEHICLES
CHAPTER 49 - WILDLAND-URBAN INTERFACE FIRE AREA
4901.3 WHERE REQUIRED
SECTION 4902 - DEFINITIONS
4905.2 CONSTRUCTION METHODS AND REQUIREMENTS.

SECTION 4906 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
SECTION 4907 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
APPENDIX B
FIRE-FLOW REQUIREMENTS FOR BUILDINGS
SECTION B105 - FIRE-FLOW REQUIREMENTS FOR BUILDINGS
B105.1 ONE- AND TWO-FAMILY DWELLINGS
B105.2 BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS

APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION
SEC. 9. APPEALS
SEC. 10. FEES
SEC. 11. PENALTIES
SEC. 12. REPEAL OF CONFLICTING ORDINANCES
SEC. 13. VALIDITY
SEC. 14. DATE OF EFFECT

Section 2. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A BUILDING CODE FOR THE CITY OF HAYWARD; REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-17, AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-17, and all amendments thereto, is hereby repealed and in substitution thereof a new Building Code for the City of Hayward is hereby enacted to read as follows:

BUILDING CODE OF THE CITY OF HAYWARD

SECTION 1.00 2010 CALIFORNIA BUILDING CODES, ADOPTION BY REFERENCE
SECTION 2.00 Applicability of CBC Appendix Chapters
APPENDIX CHAPTER I
ADMINISTRATIVE
SECTION 101 GENERAL
DIVISION II
SECTION101.1 TITLE
SECTION 101.4.4 PROPERTY MAINTENANCE
SECTION 102.4.3 ABSENCE OF REFERENCED STANDARDS
SECTION 103.1 CREATION OF ENFORCEMENT AGENCY
SECTION 104.11.3 PEER REVIEW
SECTION 105.1.1 ANNUAL PERMITS
SECTION 105.1.2 ANNUAL PERMIT RECORDS
SECTION 105.3 New section added.

SECTION 105.3.1 New section added.
SECTION105.5 EXPIRATION
SECTION 105.5.1 COMPLETION PERMITS
SECTION 107 SUBMITTAL DOCUMENTS
SECTION 107.2 CONSTRUCTION DOCUMENTS
SECTION107.3 EXAMINATION OF DOCUMENTS
SECTION 107.6 EXPIRATION OF PLAN REVIEW
SECTION 107.5 MAINTENANCE OF BUILDING PLANS
SECTION 109 FEES
SECTION 109.1.1 PLAN REVIEW FEES.
SECTION109.2 SCHEDULE OF PERMIT FEES
SECTION 109.6 FEE REFUNDS
SECTION 109.7 INVESTIGATION FEES; WORK WITHOUT A PERMIT
SECTION 109.8 FEES FOR COMPLETION PERMITS
SECTION 109.9 REINSPECTION FEES
SECTION 110.3.8.1 INSPECTIONS OF MOVED BUILDINGS
SECTION 110.3.9 SPECIAL INSPECTIONS
SECTION 110.5 INSPECTION REQUESTS
SECTION110.7 INSPECTION RECORD CARD
SECTION111.3 TEMPORARY OCCUPANCY
SECTION 111.5 ABANDONMENT OF LEGAL OCCUPANCY
SECTION 111.6 OCCUPANCY VIOLATIONS
CHAPTER 2 - DEFINITIONS AND ABBREVIATIONS
SECTION 202 DEFINITIONS
CHAPTER 4 - SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY
SECTION 412.4.6 FIRE SUPPRESSION
SECTION 414.1.4 HAZARDOUS MATERIALS
SECTION 415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS
CHAPTER 5 - GENERAL BUILDING LIMITATIONS
TABLE 508.2.5 INCIDENTAL ACCESSORY OCCUPANCIES
CHAPTER 9 - FIRE PROTECTION SYSTEMS
SECTION 901.2 FIRE PROTECTION SYSTEMS
SECTION 903 AUTOMATIC SPRINKLER SYSTEMS
SECTION 903.1 GENERAL
SECTION 903.1.2 NEW CONSTRUCTION
SECTION 903.1.3 EXISTING BUILDINGS
SECTION 905 STANDPIPE SYSTEMS
SECTION 905.1 GENERAL
SECTION 905.4 LOCATION OF CLASS I STANDPIPE AND HOSE CONNECTIONS.
CHAPTER 15 - ROOF ASSEMBLIES AND ROOFTOP STRUCTURES
CHAPTER 16 - STRUCTURAL ENGINEERING DESIGN PROVISIONS
SECTION 1614 MODIFICATIONS TO ASCE (AMERICAN SOCIETY OF CIVIL ENGINEERS) STANDARDS
SECTION 1614.1 GENERAL
SECTION 1614.1.3 ASCE 7, SECTION 12.8.1.1
SECTION 1614.1.7 REPLACE ASCE 7, SECTION 12.12.3.
CHAPTER 23 - WOOD
SECTION 2308.9.3 BRACING
CHAPTER 33 - SAFEGUARDS DURING CONSTRUCTION
SECTION 3311.1 WHERE REQUIRED

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A MECHANICAL CODE FOR THE CITY OF HAYWARD, REGULATING THE ALTERATION, CONSTRUCTION, INSTALLATION AND REPAIR OF VENTILATING, REFRIGERATION, AND HEAT PRODUCING EQUIPMENT (MECHANICAL EQUIPMENT); PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES AND PRESCRIBING PENALTIES FOR VIOLATION OF SAID MECHANICAL CODE; AND REPEALING ORDINANCE NO. 07-20 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-20, and all amendments thereto, is repealed and in substitution thereof a new Mechanical Code for the City of Hayward is hereby enacted to read as follows:

MECHANICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00 2010 MECHANICAL CODE ADOPTION BY REFERENCE
SECTION 2.00 AMENDMENTS, ADDITIONS, AND DELETIONS TO 2010 CALIFORNIA MECHANICAL CODE
APPENDIX CHAPTER I
TITLE AND SCOPE
APPENDIX CHAPTER 1 ADMINISTRATION
CALIFORNIA CHAPTER 1
GENERAL CODE PROVISIONS
DIVISION II
SECTION 101.0 TITLE
SECTION 114.1.1 TO WHOM PERMIT MAY BE ISSUED
CHAPTER II
DEFINITIONS

Introduced at a meeting of the Hayward City Council held November 9, 2010,

the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE TO BE KNOWN AND DESIGNATED AS THE ELECTRICAL CODE OF THE CITY OF HAYWARD; REGULATING THE INSTALLATION, ALTERATION, REPAIR, AND MAINTENANCE OF ELECTRICAL WIRING, ELECTRICAL FIXTURES, AND OTHER ELECTRICAL APPLIANCES AND EQUIPMENT; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-21 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-21, and all amendments thereto, is repealed and, in substitution thereof, a new Electrical Code for the City of Hayward is enacted to read as follows:

ELECTRICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00	CALIFORNIA ELECTRICAL CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE 2007 CALIFORNIA ELECTRICAL CODE
SECTION 3.00	APPLICABILITY OF CALIFORNIA ELECTRICAL CODE ANNEX CHAPTERS
ANNEX CHAPTER H - ADMINISTRATION AND ENFORCEMENT	
SECTION 80.15	ELECTRICAL BOARD
SECTION 80.19	PERMITS AND APPROVALS.
CALIFORNIA CHAPTER 1 - GENERAL CODE PROVISIONS	
SEC. 89.101.1	TITLE
CHAPTER 1 - GENERAL	
ARTICLE 100	DEFINITIONS
CHAPTER 2 - WIRING AND PROTECTION	
ARTICLE 210	BRANCH CIRCUITS
SEC. 210.5	(C) UNGROUNDED CONDUCTORS OF MULTIWIRE BRANCH CIRCUITS IN RACEWAY
ARTICLE 230	SERVICES, SECTION VI SERVICE EQUIPMENT - DISCONNECTING MEANS
SEC. 230.70 (a)	LOCATION
ARTICLE 250	GROUNDING AND BONDING, SEC. 250.66.SIZE OF ALTERNATING-CURRENT GROUNDING ELECTRODE CONDUCTOR
CHAPTER 3- WIRING METHODS AND MATERIALS	
ARTICLE 300	Wiring Methods is hereby amended
SEC.300.11	Securing and Supporting
CHAPTER 7- SPECIAL CONDITIONS	
ARTICLE 770	OPTICAL FIBER CABLE AND RACEWAYS

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE REPEALING ORDINANCE NO. 07-22 AND ALL AMENDMENTS THERETO, AND ESTABLISHING A PLUMBING CODE FOR THE CITY OF HAYWARD, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF PLUMBING; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-22, and all amendments thereto, is repealed and in substitution thereof a new Plumbing Code for the City of Hayward is hereby enacted to read as follows:

PLUMBING CODE OF THE CITY OF HAYWARD

SECTION 1.00	2010 CALIFORNIA PLUMBING CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE UNIFORM PLUMBING CODE
CHAPTER 1 - ADMINISTRATION	
DIVISION II	
SECTION 101.0	TITLE
SECTION 103.3	PERMIT ISSUANCE
SECTION 103.3.1.1	TO WHOM PERMIT MAY BE ISSUED
CHAPTER 2 - DEFINITIONS	
SECTION 203.0	DEFINITION OF TERMS
CHAPTER 3 - GENERAL REGULATIONS	
SECTION 301.1.3.1	STANDARDS
SECTION 316.1.1	THREADED JOINTS
SECTION 316.1.5	FLEXIBLE COMPRESSION FACTORY-FABRICATED JOINTS
SECTION 316.3	FLANGED FIXTURE CONNECTIONS
SECTION 316.3.1	

CHAPTER 6 - WATER SUPPLY AND DISTRIBUTION
SECTION 604.0 MATERIALS
SECTION 604.1
SECTION 609.3.2
CHAPTER 7 - SANITARY DRAINAGE
SECTION 701.0 MATERIALS
SECTION 701.1
Section 701.1.1
SECTION 701.1.2
SECTION 701.1.3
SECTION 701.2
SECTION 707.0 CLEANOUTS
SECTION 707.1
CHAPTER 9 - VENTS
SECTION 903 MATERIALS
SECTION 903.1
SECTION 903.1.2
CHAPTER 10 - TRAPS
SECTION 1003.1 TRAPS - DESCRIBED
CHAPTER 11 - STORMWATER DRAINAGE
SECTION 1101.0 GENERAL
Section 1101.1
SECTION 1102.0 MATERIALS
Section 1102.2 Roof Drainage-All Occupancy Groups

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING SECTION 10-22.140 (d) COMMERCIAL COVERED PROJECTS SECTION OF ORDINANCE 09-15 GREEN BUILDING REQUIREMENTS FOR PRIVATE DEVELOPMENT

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 10-22.140 (d): Commercial Covered Projects
Section 10-22.140 (d) is hereby deleted and a new section (d) is added.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

Dated: November 13, 2010
Miriam Lens, City Clerk
City of Hayward

DR #3756079; Nov. 13, 2010

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-168

Introduced by Council Member Henson

RESOLUTION FINDING AND DETERMINING THE NEED FOR CHANGES OR MODIFICATION TO THE CALIFORNIA FIRE CODE, 2010 EDITION.

WHEREAS, California Health and Safety Code sections 13143.2 and 13143.5 permit a city to make such changes or modifications as deemed reasonably necessary because of local conditions to be made in specified uniform industry codes; and

WHEREAS, it is necessary that the City's Fire Code be revised to conform with parallel provisions in the City's Building Code as well as to address specialized needs presented by local conditions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward does hereby find and determine as follows:

1. In connection with the adoption by reference of the California Fire Code, 2010 Edition, the City needs to adopt changes or modifications to the following sections of the California Fire Code, 2010 Edition, by reason of local conditions: 1, 2, 3, 4, 5, 6, 7, 8,104.10, 104.10.1, 104.12, 105.2.2, 105.8, 108.1, 202, 503.1.4, 507.5.1, 603.4, 605.11 through 605.11.6, 901.4.2, 901.4.5, 903.2, 903.2.19, 903.2.20, 903.3.1.1, 903.4.2, 905.1, 905.3, 905.4, 1413.1, 2703.1.5, 2905.3, 3401.4.1, 3403.1.4, 3404.1.1, 3406.2, 3406.2.8, 4901.3, 4902, 4905.2, 4905.2.1, 4905.2.2, 4905.2.3, 4906, 4907, APPENDIX B SectionB105.1 and B 105.2, APPENDIX C TABLE C105.1, 9, 10, 11, 12, 13, and 14.

2. The amendments to the California Fire Code, 2010 Edition (published by the International Code Council) have been recognized by the City of Hayward to address the fire problems, concerns, and future directions by which this City can establish and maintain an environment which will afford an acceptable level of fire and life safety to its citizens and guests.

3. The "Findings of Facts" contained herein addresses present local conditions which either singularly or in combination cause the aforesaid amendments to be adopted. The following local conditions have an adverse effect on the prevention and control of major loss fires, thereby making it necessary to adopt the above changes or modifications in the California Fire Code in order to provide a reasonable degree of fire and life safety in this community.

CLIMATIC

a. Precipitation: Precipitation ranges from 15 to 24 inches per year with an average of approximately 17.58 inches per year. 95 percent falls during the months of October through April, and five percent from May through September.

b. Relative Humidity: Humidity during May through November ranges from 20 to 40 percent going as low as 10 percent on an average of 10 days during this period. During December through April, the humidity ranges from 41 to 68 percent.

c. Temperatures: High temperatures have been recorded in the low 100's F. Average summer highs are in the 73 F. range with an average annual maximum temperature of 66 F.

d. Winds: Prevailing winds are from the west, northwest (WNW). However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 14 to 23 miles-per-hour range, gusting to 25 to 35 miles-per-hour. Forty miles-per-hour winds are experienced occasionally, and higher have been registered. During the winter half of the year, strong, dry, gusty winds from the north move through the area for several days, creating extremely dry conditions.

e. Summary: These local climatic conditions effect the acceleration, intensity, and size of fires in the community. Times of little or no rainfall, of low humidity, and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and fires involving buildings. During wildland and wood shake and shingle roof fires, winds can carry sparks and burning brands to other roofs, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fire back into buildings and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts.

GEOLOGICAL AND TOPOGRAPHIC

a. Vegetation: Dry grass and brush are common in the hills and open-space areas adjacent to built-up locations during six to eight months of each year. Many of these areas frequently experience wildland fires which threaten nearby buildings, particularly those with wood roofs or sidings.

b. Hills, Creeks, Canals, Freeways, Railways, Housing Tracts, Large Buildings, Building Complexes, and the Airport: All of these surface features, both natural and man-made, have a major adverse effect upon the road and street layout in the City including major traffic routes. These conditions limit the number, and cause indirect routing of major arterial streets for normal traffic as well as emergency vehicle response.

c. Terrain: Areas with buildings include level, sloping, and rolling terrain. This terrain is not dissimilar to terrain in other locations which have experienced major conflagrations.

d. Roads and Streets: As noted above, the limited number, and the indirect routing of roads and streets in the City create heavy, slow traffic conditions and excessively long travel routes from point to point.

e. Population: The current and rapidly growing population in the City creates two fire protection problems:

1. The more people, the more emergency incidents requiring Fire Department response. The greater the frequency of alarms, the greater the chance there will be simultaneous emergency incidents requiring Fire Department response. This results in longer response times and/or fewer fire companies to respond to any emergency within the City; and

2. The more people, the more traffic congestion during a greater part of the day. Such traffic congestion not only slows Fire Department response but often restricts access to fire scenes.

f. Buildings, Landscaping, and Clearances: Many building complexes are of designs which greatly limit the approach to and accessibility by Fire Department resources. Many houses and other buildings with wood roofs or sidings are close together, and fire will readily spread from one to another by both radiation and convection of flying brands.

g. Summary: Essentially, the above local geological and topographical conditions present fire frequency, magnitude, exposures, and accessibility problems and have a negative impact upon the response capability of the Fire Department. The quantity of Fire Department resources that can arrive within an effective time is limited. The time in which they can respond is extended due to lengthy travel distances and traffic congestion.

CONCLUSION

4. Local climatic, geological, and topographic conditions have a definite impact upon the frequency, spread, acceleration, intensity and size of fire involving buildings in Hayward. Furthermore, they have an adverse impact upon the number of Fire Department resources which can be brought to bear upon such fires within an expeditious period of time. Therefore, it is found to be reasonably necessary that the California Fire Code be changed or modified to adopt more stringent requirements to mitigate the effects of the above conditions.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the modifications or changes to the California Fire Code, to be filed with the State of California Department of Housing and Community Development, the state Building Standards Commission, and the state Fire Marshal, by registered mail.

BE IT FURTHER RESOLVED that, should any finding contained herein be declared for any reason invalid, it is the intent of the City Council that it would have passed all remaining portions of this resolution.

IN COUNCIL, HAYWARD, CALIFORNIA November 9, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR PRO TEMPORE: Zermeño

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None
MAYOR: Sweeney

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

ORDINANCE NO. 10-15

AN ORDINANCE ESTABLISHING A BUILDING CODE FOR THE CITY OF HAYWARD; REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-17, AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-17, and all amendments thereto, is hereby repealed and in substitution thereof a new Building Code for the City of Hayward is hereby enacted to read as follows:

BUILDING CODE
OF THE CITY OF HAYWARD

SECTION.1.00 2010 CALIFORNIA BUILDING CODES, ADOPTION BY REFERENCE. The 2010 California Building Code Part 1and the two volumes of Part 2, the2010 California Residential Building Code Part 2.5, the 2010 California Historical Building Code Part 8, the 2010 California Existing Building Code Part 10, the 2010 California Green Building Standards Code Part 11and the 2009 International Code for Property Maintenance, based on the 2009 International Building Code and the 2009 International Residential Code, and Appendices thereto, published by the International Code Conference, as amended by the State of California pursuant to Health and Safety Code section 17922, and as further modified by the amendments, additions, and deletions as set forth hereinafter, is hereby adopted by reference as the Building Code of the City of Hayward.

A printed copy of such 2010 California Building Codes which is in five parts, together with the State and local amendments thereto, is on file in the office of the City Clerk, to which reference is hereby made for further particulars.

Reference is also made to the States' Matrix Adoption Tables which identify local Building Official's responsibility to enforce certain amendments.

SECTION 2.00 Applicability of CBC Appendix Chapters. Wherever in the CBC reference is made to an appendix chapter, the provisions of the said appendix shall not apply unless specifically adopted by this code. The following table is provided for reference:

Appendix Chapter Volume 2	Subject	Applicabiity
1	Administration	Adopted & Amended the Administrative Code Applicable to all Adopted Codes
A	Employee Qualifications	Not Applicable
B	Board of Appeals	Not Applicable
C	Group U Agriculture Buildings	Not Applicable
D	Fire Districts	Not Applicable
E	Reserved	Not Applicable
F	Rodent Proofing	Not Applicable
G	Flood Resistant Construction	Not Applicable
H	Signs	Not Applicable
I	Patio Covers	Applicable
J	Grading	Not Applicable
K	Group R-3 and Group R-3.1 Occupancies of the Central Valley Flood Protection Plan	Not Applicable
Appendix Chapter Volume 2.5	Subject	Applicability
A	Sizing of Gas Piping	Not Applicable
B	Sizing of Vent Piping	Not Applicable
C	Exit Terminals	Not Applicable
D	Existing Appliance Installation	Not Applicable
E	Manufactured Housing	Not Applicable
F	Radon Control	Not Applicable
G	Swimming Pools	Applicable
H	Patio Covers	Applicable
I	Private Sewage Disposal	Not Applicable
J	Existing Buildings	Not Applicable
K	Sound Transmission	Not Applicable
L	Permit Fees	Not Applicable
M	Home Day Care	Not Applicable
N	Venting Methods	Not Applicable
O	Gray Water Recycling	Not Applicable
P	Sizing of Water Piping	Not Applicable
Q	ICC Residential Electric Code	Not Applicable
R	Areas Protected Central Valley Flood Protection Plan	Not Applicable

APPENDIX CHAPTER I
ADMINISTRATIVE

SECTION 101 GENERAL

Appendix Chapter 1, "Administration", Division I and Division II are hereby adopted as the administrative chapter for the building codes for the City of Hayward with amendments as follows:

Devision II

SECTION 101 TITLE

Section 101.1 is revised to read as follows:

101.1 Title. The CBC, as amended herein, shall be known as the "Building Code of the City of Hayward." The provisions contained herein are adopted, and together with the amended CBC, are referred to hereafter as "these regulations" or "these building standards" or "this code."

SECTION 101.4.4 PROPERTY MAINTENANCE

The first sentence of Section 101.4.4 is revised to read as follows:

101.4.4 Property maintenance. The provisions of the 2009 International Code for Property Maintenance shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

SECTION 102.4.3 ABSENCE OF REFERENCED STANDARDS

A new section, 102.4.3 is added to read as follows:

102.4.3 Absence of referenced codes or standards. Where, in any specific case, applicable code sections are absent due to the fact they have not been adopted by the State of California, the building official may require or allow use of alternative codes as a reference document. These codes may include but are not limited to the 2009 International Residential Code, 2009 Uniform Plumbing Code, 2009 Uniform Mechanical Code, 2008 International Electric Code. The use of alternative referenced code will be at the sole discretion of the building official.

SECTION 103.1 CREATION OF ENFORCEMENT AGENCY

Section 103.1 is revised to read as follows:

103.1 Creation of Enforcement Agency. The Building Division of the Development Services Department is hereby created and the official in charge thereof shall be known as the building official.

SECTION 104.11.3 PEER REVIEW

Section 104.11.3 Peer Review is hereby deleted.

SECTION 105.1.1 ANNUAL PERMITS

Section 105.1.1 Annual Permits is hereby deleted.

SECTION 105.1.2 ANNUAL PERMIT RECORDS

Section 105.1.2 Annual Permit Records is hereby deleted.

SECTION 105.3

A new Section 105.3.3 is hereby added to read as follows:

(a) Permits may only be issued to a person holding a valid State of California Contractors license except when otherwise provided in this section.

(b) Any permit required by this code may be issued to any person to do any work regulated by this code in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings provided the applicant is the owner and resident in such buildings, accessory buildings, or quarters.

SECTION 105.5 EXPIRATION

Section 105.5 is hereby deleted and new section 105.5 is added as follows:

105.5 Expiration. With the following exceptions, every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not completed within 1 year from the date of issuance:

1. The building official shall have the authority to authorize longer time periods for specific projects.

2. Whenever a permit is issued specifically to correct a violation of this code or of any pertinent law, rule, regulation, or ordinance, or to rehabilitate, repair, modify, remove, or demolish a dangerous or illegal building or structure or equipment, or to otherwise abate a nuisance, the building official shall establish a reasonable time period for the completion of the work.

3. Whenever a permit is issued for certain short-term projects, the building official shall have the authority to establish a time period of less than 1 year. These projects may include, but not be limited to, termite repairs, free-standing fireplace stoves, solar system installations, spas and hot tubs, demolition, and electrical service alterations.

4. The permit holder may renew a permit for a period of no longer than 1 year after the original date of expiration, provided that the request for renewal is submitted to the building official prior to the said expiration date along with the payment of a renewal fee, that no changes have been made or will be made in the original plans and specifications, and that no laws, regulations, rules, or ordinances have been changed in such as manner as to prohibit the completion of the proposed work. This renewed permit shall require that all incomplete work conform to the laws, regulations, rules, and ordinances in effect at the time of renewal. The permit renewal fee shall be established as indicated in Sections 108.

SECTION 105.5.1 COMPLETION PERMITS

New Section 105.5.1 is added as follows:

105.5.1 Completion permits. In the event that an initial or a renewed permit expires before the work is complete, the completion of the work shall require the issuance of a "completion" permit and the payment of an additional permit fee; moreover, the building official shall have the authority to require the resubmittal of plans, a new plan review, and/or the updating or reassessment of the valuation of the incomplete work. This completion permit will require that all incomplete work conform to the laws, regulations, rules, and ordinances in effect at the time of issuance and that all work be completed prior to the expiration date; no further extensions or renewals shall be allowed. The completion permit fee shall be established as indicated in Section 108.7 and in accordance with the schedule of previously completed and inspected work.

Notwithstanding the above, in the event that a permittee fails to complete the work and to obtain a completion permit within 1 year following the expiration of an initial or a renewal permit, the work may not be completed pending the issuance of a new permit. The building official shall have the authority to require the resubmittal of some or all of the plans and specifications, a partial or complete plan review, the payment of additional review and filing fees, and that all work conform to the laws, regulations, rules, and ordinances in effect at the time of the latest permit application.

SECTION 107 SUBMITTAL DOCUMENTS

Paragraph 1 of Section 107.1 is revised to read as follows:

106.1 Submittal documents. Plans, topographic plats, specifications, engineering calculations, stress diagrams, heat loss calculations demonstrating compliance with California Energy Conservation Standards, soil investigation reports, geotechnical investigation reports, test data, flood elevation certifications, flood design certifications, electrical load calculations, gas

and water supply demand calculations, sewer service documentation, air quality releases, and other data sufficient to show the correctness of the plans and specifications and to assure that the proposed building or work will conform to the requirements of this code and to all other applicable laws, rules, regulations, and ordinances, shall be submitted when and in the quantity required by the building official.

SECTION 107.2 CONSTRUCTION DOCUMENTS

Section 107.2.1 is hereby deleted and replaced by new Section 107.2.1 as follows:

107.2.1 Information on construction documents. Plans and specifications shall be drawn to scale upon substantial and adequately sized paper using a semi-permanent medium and shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, rules, regulations, and ordinances. The building official shall have the authority to reject plans and specifications that are drawn using pencil or other readily changeable medium or that are drawn on unsuitable or improperly sized paper.

The first sheet of each set of plans shall contain the address or legal description of the property where the work is proposed to be done, the name and address of the owner of the property and the name, and the address and signature of the person who has prepared the plans.

The plans shall include a plot plan that shall show the location of existing buildings and structures, any proposed additions or modifications thereto, and all proposed buildings or structures. The plan shall also show any designated flood, earthquake, or seismic hazard zones on or adjacent to the premises along with topographic features and accessory structures such as waterways, slopes, driveways, retaining walls, fences, poles, wells, etc., and any affected underground structures, lines, pipes, and conduits.

If the permit application is for a new building or structure, a moved building, or a substantially improved building in a floodplain, the applicant shall submit the plot plan in the form of a topographic plat prepared and signed by a licensed land surveyor, or a registered civil engineer qualified under the provisions of the State Business and Professions Code to prepare such a document. The plat shall be drawn to scale and shall show contours at intervals of 1 foot (.3 m) or less on slopes up to 3% and not more than 5 feet (1.5 m) on slopes more than 3%. The plat shall show the location under or above ground, of all existing or proposed gas mains and services; water mains, water services, fire hydrants, sewer mains; power and communication lines; poles and transformers; storm drains, inlets, culverts, curbs, gutters, sidewalks, pavement, building and private sewers, wells, septic tanks and leach fields. The plat shall also delineate all easements and special building setback lines established by covenants or restrictions on the property, all watercourse setback, floodplain, earthquake fault, and seismic hazard boundaries designated by the county, and the width, alignment, grade, and surface treatment of all driveways or access roadways that will be used by emergency services personnel. The building official may require that the plat include the plotting of a boundary line survey whenever the exact location of the line is necessary for the enforcement of any of the provisions of this code. If a question as to the location of a property line or any other boundary line arises at any time before or after the

issuance of a permit, the building official shall have the authority to require that a survey of the line be performed, the line be located by appropriate stakes or monuments, and that 3 copies of a plat of the survey be filed with the building official.

EXCEPTIONS:

1. A topographic plat is not required for any lot shown on a subdivision tract map, if the said map was filed at the county recorder's office within 5 years of the date of the application for a permit.

2. The building official may upon written request waive the requirements for a topographic plat map under any one of the following conditions:

a. Properties that contain substantial existing development; or

b. Properties where a topographic plat map has been previously submitted to the building official and where there have been no significant changes to the finished grades shown on the said map; or

c. Properties where the building official determines that the information that would be provided by a plat completed in accordance with this Section is not necessary to show that the work proposed by a particular permit application can be completed in compliance with this code.

The plans shall also include a grading and drainage plan showing existing elevations or contours and all proposed final elevations within 100 feet of any proposed buildings or structures, including the adjacent grade at the buildings or structures. This plan shall also show how all portions of the lot are to be drained, all necessary drainage structures, and the contours or a profile of any proposed access roadways. The grading and drainage plan may be combined with the plot plan if such information can be clearly shown on the plot plan.

Plans for buildings other than group R – division 3 and group U occupancies, as defined in the 2010 CBC, shall indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical, mechanical, plumbing and communication conduits, pipes, and similar systems.

The building official shall have the authority to waive the requirements for a plot plan and a grading plan if the proposed work is minor, and does not involve the construction of new buildings or structures or the change in configuration of existing buildings or structures.

SECTION 107.3 EXAMINATION OF DOCUMENTS

A second paragraph is added to Section 107.3 Examination of Documents, to read as follows:

107.3 Examination of Documents. The application, plans, specifications, computations, certifications, and other data filed by an applicant for a permit shall be reviewed by the building official. Such plans may also be reviewed by other departments of the City of Hayward as required by the applicable laws, rules, regulations, and ordinances, including but not limited to the review required by Section 13146 of the state Health and Safety Code of those occupancies regulated by the State Fire Marshal. If the building official finds that the work described in the application for a permit and the plans, specifications, computations, certifications and other data filed therewith conform to the requirements of this code and other pertinent laws, rules, regulations, and ordinances, and that the fees specified by the City of Hayward's master fee schedule as shall be amended from time to time, have been paid, the building official shall issue a building permit to the applicant.

SECTION 107.6 EXPIRATION OF PLAN REVIEW

New Section 107.6 is added as follows:

107.6 Expiration of Plan Review. Applications for which no permit is issued within 1 year following the date of completion of the initial review of the submitted plans, or applications for which no permit is issued within 18 months following the date of application, shall expire by limitation. The building official may extend either of these expiration dates for an additional period, not exceeding 180 days, upon written 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.

Following final expiration of the application, plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official.
In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

SECTION 107.5 MAINTENANCE OF BUILDING PLANS

Section 107.5 Retention of construction documents is hereby deleted and is replaced with a new section 107.5 as follows:

107.5 Maintenance of building plans. The building department of Hayward shall maintain an official copy, which may be on laser fiche, microfilm or other type of photographic copy, of the plans of every building, during the life of the building, for which the department issued a building permit. "Building department" means the department, bureau, or officer charged with the enforcement of laws or ordinances regulating the erection, construction, or alteration of buildings. Except for plans of a common interest development as defined in Section 1351 of the Civil Code, plans need not be copied for:

(a) Single or multiple dwellings not more than two stories and basement in height.
(b) Garages and other structures appurtenant to buildings described under subdivision.
(c) Farm or ranch buildings.
(d) Any one-story building where the span between bearing walls does not exceed 25 feet.

The exemption in this subdivision does not, however, apply to a steel frame or concrete building.

SECTION 109 FEES.

Section 109.1 is revised to read as follows:

109.1 Payment of fees. Prior to the issuance of any permit required by this code, the applicant shall pay the pertinent permit fee as assessed by the building official in accordance with the schedule described in Section 109.2 along with all other appropriate fees required by this code and by the Municipal Code of the City of Hayward. The said fee shall cover both the administrative costs of preparing and issuing the permit and the normal inspection requirements as described in109; however, when an inspection requires corrections and the said corrections require more than one reinspection, or when an inspection is called for by the permittee but the work is not ready for the inspection, or where the plans, specifications, or other material required for the inspection is not available to the inspector, the building official may require that a reinspection fee be paid to the building official prior to the required reinspection.

The fees for reinspections and for other inspections, including but not limited to the inspection of existing buildings or structures being prepared for movement into or out of the county, shall be set by the building official in accordance with the schedule described in Section 109.

SECTION 109.1.1 PLAN REVIEW FEES

New Section 109.1.1 is added as follows:

109.1.1 Plan Review Fees. When submittal documents are required by Section 107.1, a plan review fee shall be paid at the time of submitting the said documents for review. Said plan review fee shall be assessed by the building official in accordance with the schedule described in Section 109.2.

The plan review fee specified in this Section is separate from and in addition to the permit fee specified in Section 109.2. This review fee shall cover both the initial review of the submitted plans and a single re-check of the corrected plans. Any further re-checking shall be subject to the additional plan checking fee established in the fee schedule described in Section 109.2; moreover, when submittal documents are incomplete or changed so as to require additional plan review, or when the project involves deferred submittal items, the additional plan review fee shall be charged as specified in the said fee schedule.

SECTION 109.2 SCHEDULE OF PERMIT FEES

Section 109.2 is revised to read as follows:

109.2 Schedule of permit fees. Fees shall be as set forth in a fee schedule adopted, for this purpose, by resolution of the City Council. The said schedule shall establish, but not be limited to, fees for permit issuance and inspections, filing of certain permit exemptions, regular plan reviews, Title 24 energy conservation reviews, termite report reviews,

special or additional plan checking, off-hour inspections, re-inspections, movement of buildings or structures, demolition of buildings or structures, permit renewals, completion permits, and permit re-issuance.

The fees for the plan checking and permit issuance of related items shall also be included in the said fee schedule.

SECTION 109.6 FEE REFUNDS

Section 109.6 is revised to read as follows:

109.6 Fee Refunds. The building official shall not authorize refunding of any fee paid to the building department except on written application filed by the original permittee.

The building official may authorize refunding of any fee paid under this code that was erroneously paid or collected.

The building official may authorize the refunding of a maximum of 60% of the initial permit fee paid to the building official when no work has been done under an unexpired permit issued in accordance with this code. If no work has been done and an issued permit has expired, the building official may authorize refunding of not more than 30% of the said permit fee, provided that the request for refund is submitted within 1 year following the permit expiration; after 1 year beyond the permit expiration date, no refund of the permit fee shall be authorized.

The building official may authorize the refunding of a maximum of 60% of the plan review fee paid to the building official if no plan review comments have been issued by the building official prior to the receipt of the request for refund. No refund of this fee shall be authorized following the issuance of the initial plan review comments by the building official.

SECTION 109.7 INVESTIGATION FEES; WORK WITHOUT A PERMIT

New Section 109.7 is added as follows:

109.7 Investigation Fees: Work without a Permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, the building official shall perform an investigation prior to the issuance of the permit authorizing the work.

An investigation fee shall be charged to offset the cost of the said investigation. This fee shall be in addition to any other regular plan review or permit fee, and shall be collected whether or not a permit is then or subsequently issued. The amount of the investigation fee shall be assessed by the building official in accordance with the schedule described in Section 109.2 and based upon the circumstances and extent of the violation, but in no case shall be less than the amount of the permit fee required by this code. 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.

SECTION 109.8 FEES FOR COMPLETION PERMITS

New Section 109.8 is added as follows:

109.8 Fees for completion permits. Fees for completion permits as described in Section 105.5.1 shall be based upon the percentage of work that has passed inspection prior to the expiration of the renewed permit. If either valuation or fees have changed since the original permit was issued the fees or the valuation shall be updated to the new fees or valuations in effect at the time the completion permit is issued. The percentages to be charged will remain the same.

This schedule is intended to apply to conventional wood frame building construction. In the event that the work is not conventional wood frame construction, or does not constitute a complete building, or is a type of structure other than a building, the building official shall determine the fee based upon the number of the inspections remaining to be performed.

Completed Inspections[1]	% of Updated Valuation
None	60
Foundation	55
Under-floor	50
Shear Wall	40
Rough Frame	30
Lath or Gypsum Board	20
Gas Test	15
All, except Final	10

SECTION 109.9 REINSPECTION FEES

Section 109.9 is added as follows:

109.9 Reinspections. If reinspections are required, fees for the same may be assessed in accordance with Section 109. To obtain a re-inspection, the permittee shall file an application therefore in writing on a form furnished for that purpose, by the building official, and pay any assessed re-inspection fee. In those instances where the building official has assessed a re-inspection fee, the building inspector shall perform no additional inspections of the work until the required fee has been paid.

SECTION 110.3.8.1 INSPECTIONS OF MOVED BUILDINGS

Section 110.3.8.1 is added as follows:

Inspections of moved buildings: Prior to the issuance of a permit to move any building or structure or equipment into, within, or out of the unincorporated areas of the county, the building official shall inspect the same to assure compliance with this code and with all pertinent laws, rules, regulations, and ordinances, including but not limited to the capability of the building or structure or equipment to be moved without endangering the public safety. The

building official may require that portions of the building or structure or equipment be removed or uncovered in order to determine such compliance. If after inspection, the building official determines that the building or structure or equipment cannot be safely moved or cannot reasonably be altered, modified, or improved to meet any other requirement of this code or of the pertinent laws, rules, regulations, and ordinances, he/she shall have the authority to deny the application for a permit. In the event of such denial, the building official shall notify the applicant, in writing, stating the reasons for such denial.

In the event that the building or structure or equipment is proposed to be removed from the unincorporated county into another jurisdiction, the building official shall coordinate all permit issuances or denials with that jurisdiction.

SECTION 110.3.9 SPECIAL INSPECTIONS

Section 110.3.9 is deleted and new section 110.3.9 is added as follows:

110.3.9 Special Inspections. When this code requires tests, inspections, or observations per Chapter 17 of the CBC, the architect or engineer of record shall submit, upon a special form provided by the building official, an inspection program that must be approved by the building official prior to the issuance of the building permit. This program shall include the description of all work requiring special tests and inspections, the nature of the tests and inspections, the names and qualifications of the designated testing and inspecting persons, the specific duties of the special inspectors, samples of the required inspection reports, and time limits for the submittal of the reports.

Special inspectors shall be employed by the owner, the architect or engineer of record, or an agent of the owner, but shall not be employed by the contractor or other persons doing the work.

SECTION 110.5 INSPECTION REQUESTS

Section 110.5 is revised to read as follows:

110.5 Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official shall provide each permittee with detailed instructions for requesting such inspections.

It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work. Any work that has been covered or concealed prior to a required inspection shall be uncovered for such inspection after notice has been given by the building official.

SECTION 110.7 INSPECTION RECORD CARD

Section 110.7 is added as follows:

110.7 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available the inspection record card provided by the building official. The building official shall make the required entries on the said card so as to indicate the inspection status of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

SECTION 111.3 TEMPORARY OCCUPANCY

Two new paragraphs are added at the end of Section 111.3 as follows:

111.3 Temporary occupancy. If the building official finds that no substantial hazard will result from occupancy or use of any building or structure, or portion thereof, before the same is completed, he/she may authorize such a temporary occupancy or use pending the completion of the entire building or structure.

The building official, in authorizing temporary occupancy or use, may impose any reasonable conditions that may be necessary to protect life, health, and property and may include a time limit on such occupancy or use. In the event that any such condition is violated, the building official may revoke a temporary occupancy or use.

SECTION 111.5 ABANDONMENT OF LEGAL OCCUPANCY

Section 111.5 is added as follows:

111.5 Abandonment of Legal Occupancy. Whenever the legal occupancy or use of a building or structure, other than a 1 or 2 family dwelling, is abandoned continuously for a period of 1 year or more, the said building or structure shall be considered to have no legal occupancy and shall be so declared by the building official. When this building or structure is next occupied or used after such declaration, it shall be made to comply fully with the requirements for the new occupancy or use pursuant to the requirements of this code.

SECTION 111.6 OCCUPANCY VIOLATIONS

New Section 111.6 is added as follows:

111.6 Occupancy violations. Whenever any building or structure or equipment therein, or portion thereof, as is regulated by this code or by any other pertinent law, rule, regulation, or ordinance, is being used or occupied contrary to this code or to such law, rule, regulation, or ordinance, or when the use or occupancy of the same is changed without the

approval of the building official, the building official shall have the authority to order such use or occupancy discontinued, and the building or structure, or portion thereof, vacated, by serving written notice to any persons causing such use or occupancy to be continued. All vacation notices shall state the specific nature of the violation(s), including a reference to the code provision, law, ordinance, rule, or regulation being violated, the time limit when the said use or occupancy must be discontinued, and if necessary, the time when the building or structure, or portion thereof, must be vacated. If there are no persons present on the premises, the building official shall post the notice in a conspicuous place.

No person shall continue to use or occupy the said building or structure or equipment, or portion thereof, contrary to the terms of such notice, pending the correction of the stated violation(s) and the approval of the use or occupancy by the building official.

CHAPTER 2
DEFINITIONS AND ABBREVIATIONS

SECTION. 202 DEFINITIONS. New definitions are added to this section as follows:

"CITY OF" or "THE CITY" shall mean the City of Hayward, as the text may require.

"CITY COUNCIL" shall mean the City Council of the City of Hayward.

"BOARD OF APPEALS" shall mean the "Building Advisory Committee" of the City of Hayward.

"BUILDING DEPARTMENT" or "ADMINISTRATIVE AUTHORITY" shall mean the Building Official.

"HAZARDOUS FIRE AREA" is land which is covered with grass, grain brush, or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. Such areas are designated by the Fire Chief on a map are maintained in the office of the Fire Marshal. The "Hazardous Fire Area" has been generally defined as:

The areas East of Mission Blvd. from the South side of D Street to the city limits South to Union City.

(Refer to Resolution No. 93-037, City of Hayward hillside design and urban/wildland interface guidelines)

CHAPTER 4
SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

SECTION 412.4.6 FIRE SUPPRESSION

Exception to this section is hereby deleted.

SECTION 414.1.4 HAZARDOUS MATERIALS

A new Section 414.1.4 is hereby added to read as follows:

Hazardous materials are not allowed below grade plane in buildings.

SECTION 415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS

A new sentence is hereby added at the end of this section to read as follows:

Flammable and combustible liquids are not allowed below grade plane in buildings.

CHAPTER 5
GENERAL BUILDING LIMITATIONS

TABLE 508.2.5 INCIDENTAL ACCESSORY OCCUPANCIES

Where the phrase "automatic fire extinguishing system" appears it is to be replaced with the following phrase:

"automatic sprinkler system".

CHAPTER 9
FIRE PROTECTION SYSTEMS

SECTION 901.2 FIRE PROTECTION SYSTEMS

Section 901.2 exception is hereby deleted and a new exception is inserted to read as follows:

Any fire protection system not required by this code shall be permitted to be installed provided that such system meets the requirements of this code.

SECTION 903
AUTOMATIC SPRINKLER SYSTEMS

SECTION 903.1 GENERAL

Section 903.1 is amended to read as follows:

Automatic sprinkler systems shall be installed in the occupancies and locations as set forth in this section.

For provision on special hazards, hazardous materials, and hazardous fire areas (as designated by the Fire Marshal), see CFC Section 305, Articles 23, 27 thru 44 and 47.

SECTION 903.1.2 NEW CONSTRUCTION

New Section 903.1.2 is added to read as follows:

An automatic sprinkler system shall be installed in all new construction, regardless of occupancy classification, where the total floor area is 5,000 square feet (465 m2) or more, (Area Separation Walls may not be used in lieu of a sprinkler system except when buildings are separated by continuous area separation walls of at least four-hour fire-resistive construction without openings), building height exceeds two stories, or floor heights exceed 15 feet (4572 mm) from the lowest level of Fire Department access. In cases where multiple requirements may apply, the most restrictive requirement shall prevail. Floor areas of mezzanines shall be included in calculating the total floor area to be used in determining automatic fire-extinguishing requirements.

SECTION 903.1.3 EXISTING BUILDINGS.

New Section 903.1.3 is added to read as follows:

An automatic sprinkler system shall be installed in an existing building when cumulative additions, repairs, or alterations are made to the building and such additions, repairs, or alterations meet any of the following conditions:

1) Additions, repairs, or alterations are valued at 50 percent or more of the current assessed value of the building. (Value is based only on the structure involved. If owner disputes valuation, an appraisal can be performed at the owner's expense, by an appraiser acceptable to the Fire Chief.)

2) Any addition or additions to the original building which will add 10 percent or more to the total floor area of the existing building and the resulting floor area is 5,000 square feet (465 m2) or more, except where the occupancy classification for the building is Group S-1,

in which case, the resulting total floor area required is 3,000 square feet (279m2) or more.

3) Additions where items 1 or 2 do not apply that will result in a total floor area that exceeds the maximum floor area allowed by the Building Code under which the building was originally constructed.

4) Additions, repairs, or alterations that will result in a change in occupancy or use shall comply with section 3406 of the 2010 California Building Code.

SECTION 905 STANDPIPE SYSTEMS

SECTION 905.1 GENERAL

Add a sentence at the end of this section to read as follows:

Buildings three stories or more in height shall have the appropriate class standpipe.

SECTION 905.4 LOCATION OF CLASS I STANDPIPE AND HOSE CONNECTIONS.

Section 905.4 add new subsection number 7 to read as follows:

DUAL OUTLETS. All Class I standpipe outlets located as required in section 905.4 shall have added outlets located in enclosed corridors adjacent to enclosed stairway access doors at each level of every required stairway.

CHAPTER 15
ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

Section 1505.5 is hereby amended to read as follows:

Nonclassified roofing is not allowed in the City of Hayward.

CHAPTER 16
STRUCTURAL ENGINEERING DESIGN PROVISIONS

SECTION 1614 MODIFICATIONS TO ASCE (AMERICAN SOCIETY OF CIVIL ENGINEERS) STANDARDS.

Sections 1614, 1614.1, 1614.1.3 and 1614.1.7 are added to Chapter 16 of the 2010 California Building Code to read as follows:

SECTION 1614.1 GENERAL

The following text is hereby added to read as follows:

The text of ASCE 7 shall be modified as indicated in this Section.

SECTION 1614.1.3 ASCE 7, SECTION 12.8.1.1.

Modify ASCE 7 Section 12.8.1.1 by amending Equation 12.8-5 as follows;

$C_S = 0.044 S_{DS} I \geq 0.01$

SECTION 1614.1.7 REPLACE ASCE 7, SECTION 12.12.3.

ASCE 7 Section 12.12.3 is hereby replaced as follows:

All structures shall be separated from adjoining structures. Separations shall follow for the maximum inelastic response displacement (?M). ?M shall be determined at critical locations with consideration for both translational and torsional displacements of the structure as follows:

$\Delta_M = C_d \delta_{max}$ (Equation 16-45)

Where δ_{max} is the calculated maximum displacement at level x as defined in ASCE 7 Section 12.8.4.3

Adjacent buildings on the same property shall be separated by at least a distance Δ_{MT}, where

$\Delta_{MT} = \sqrt{(\Delta_{M1})^2 + (\Delta_{M2})^2}$ (Equation 16-46)

And Δ_{M1} and Δ_{M2} are the maximum inelastic response displacements of the adjacent buildings.

Where a structure adjoins a property line not common to a public way, the structure shall also be set back from the property line by at least the displacement, ?M, of that structure.

Exception: Smaller separations or property line setbacks shall be permitted when justified by rational analyses.

CHAPTER 23
WOOD

SECTION 2308.9.3 BRACING

Section 2308.9.3 is hereby amended by deleting Item(s) 1, 2, 5 and 7.

CHAPTER 33
SAFEGUARDS DURING CONSTRUCTION

SECTION 3311.1 WHERE REQUIRED

Section 3311.1 is hereby deleted and replaced with a new section to read as follows:

Every building three stories or more in height shall be provided with not less than one standpipe for use during construction. Such standpipe shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

In each floor there shall be provided a 2 ½-inch valve outlet for Fire Department use. Where construction height requires installation of a Class I standpipe, fire pumps and water main connections shall be provided to serve the standpipe.

Section 2. Severability. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 3. Effective Date. In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 9th day of November, by Council Member Henson.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the 16th day of November, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ATTEST: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

APPROVED: _____
Mayor of the City of Hayward

DATE: November 30, 2010

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

Daily Review

c/o Bay Area News Group-East Bay
22533 Foothill Blvd.
Hayward, CA 94541
Legal Advertising
(800) 595-9595 opt. 4

Legal No. **0003756079**

Hayward, City of/City Clerk
Miriam Lens,777 B St.
Hayward CA 94541

PROOF OF PUBLICATION

FILE NO. Ord 2010 Fire

In the matter of

Daily Review

The)ly Review

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Daily Review, a newspaper published in the English language in the City of Hayward, County of Alameda, State of California.

I declare that the Daily Review is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's decree, dated March 2, 1950, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Daily Review as a Newspaper of General Circulation, case number 221938. Said decree states that "'The Daily Review' has been established, printed, and published daily in the City of Hayward, County of Alameda, State of California, for one year or more next preceding the date of the filing of said petition; that it is a newspaper published for the dissemination of local and telegraphic news and int)ence of a general character and has a bona fide subscription lis paying subscribers; ... [.] [and] THEREFORE, ... 'The Daily Review' is hereby determined and declared to be a newspaper of general circulation [within the meaning of Government Code §§ 6000 et seq.]" Said decree has not been revoked, vacated or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/13/2010

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Public Notice Advertising Clerk

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A FIRE PREVENTION CODE FOR THE CITY OF HAYWARD; ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION; PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR PENALTIES FOR VIOLATION, AND REPEALING ORDINANCE NO. 07-19, AS AMENDED, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-19, and all amendments thereto, is hereby repealed and in substitution thereof a new fire code for the City of Hayward is hereby enacted to read as follows:

SEC. 1.	FIRE PREVENTION CODE OF THE CITY OF HAYWARD, ADOPTION OF CALIFORNIA FIRE CODE
SEC. 2.	ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION OFFICE
SEC. 3.	DEFINITIONS
SEC. 4.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN ABOVEGROUND TANKS IS TO BE PROHIBITED
SEC. 5.	ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED
SEC. 6.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED
SEC. 7.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED
SEC. 8.	AMENDMENTS MADE IN THE CALIFORNIA FIRE CODE

GENERAL
CHAPTER 1 - SCOPE AND ADMINISTRATION DIVISION II ADMINISTRATION
SECTION 104 - GENERAL AUTHORITY AND RESPONSIBILITIES

104.10	INVESTIGATIONS
104.10.1	ASSISTANCE FROM OTHER AGENCY
104.12	FIRE PROTECTION

SECTION 105 - PERMITS

105.2.2	INSPECTION REQUIRED
105.8	PERMIT FEES

SECTION 108 - BOARD OF APPEALS

108.1.	FIRE APPEALS BOARD ORGANIZATION

CHAPTER 2 - DEFINITIONS
SECTION 202 - GENERAL DEFINITIONS

CHAPTER 5 - FIRE SERVICE FEATURES
SECTION 503 - FIRE APPARATUS ACCESS ROADS

503.1	WHERE REQUIRED
503.1.4	FIRE LANES

SECTION 507 - FIRE PROTECTION WATER SUPPLIES

507.5	FIRE HYDRANT SYSTEMS
507.5.1	WHERE REQUIRED

CHAPTER 6 - BUILDING SERVICES AND SYSTEMS
SECTION 603 FUEL FIRED APPLIANCES

603.4.	PORTABLE UNVENTED HEATERS
605.11	SOLAR PHOTOVOLTAIC POWER SYSTEMS
605.11.1	MARKING
605.11.1.1	MATERIALS
605.11.1.2	GRAPHICS
605.11.1.3	MARKING LOCATION AND CONTENT
605.11.1.3.1	MARKING AND LABELING OF DISCONNECTING MEANS
605.11.1.3.2	MARKING OF DC CONDUIT, RACEWAYS, ENCLOSURES AND CABLE ASSEMBLIES
605.11.2	PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS
605.11.2.1	MAIN SERVICE DISCONNECTS
605.11.2.2	POWER DISCONNECTS
605.11.3	DC CONDUCTORS
605.11.3.1	CIRCUIT ROUTING
605.11.3.2	WIRING METHODS
605.11.3.3	WIRING
605.11.4	ROOF ACCESS AND PATHWAYS
605.11.4.1	ROOF ACCESS POINTS
605.11.4.2	RESIDENTIAL SYSTEMS FOR ONE-AND TWO FAMILY RESIDENTIAL DWELLINGS
605.11.4.2.1	RESIDENTIAL BUILDINGS WITH HIP ROOF LAYOUTS
605.11.4.2.2	RESIDENTIAL BUILDINGS WITH A SINGLE RIDGE
605.11.4.2.3	HIPS AND VALLEYS
605.11.4.2.4	SMOKE VENTILATION
605.11.4.3	ALL OTHERS OCCUPANCIES
605.11.4.3.1	ACCESS
605.11.4.3.2	PATHWAYS
605.11.4.3.3	SMOKE VENTILATION
605.11.5	NON-HABITABLE BUILDINGS OR STRUCTURES
605.11.6	GROUND MOUNTED PHOTOVOLTAIC ARRAYS

CHAPTER - 9 FIRE PROTECTION SYSTEMS
SECTION 901 - GENERAL

901.4	INSTALLATION
901.4.2	NON-REQUIRED FIRE PROTECTION SYSTEMS
901.4.5	FIRE SPRINKLER CONTRACTORS

SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS

903.2	WHERE REQUIRED
903.2.19	EXISTING BUILDINGS
903.2.20	HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE

903.3.1.1 NFPA 13 SPRINKLER SYSTEMS
SECTION 903.4.2 - ALARMS
SECTION 905 - STANDPIPES
905.1 GENERAL
905.3 REQUIRED INSTALLATIONS
905.4 LOCATION OF CLASS I STANDPIPE HOSE CONNECTIONS.
CHAPTER 14 - FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION
SECTION 1401 - GENERAL
1413 STANDPIPES.
1413.1 WHERE REQUIRED
CHAPTER 27 - HAZARDOUS MATERIALS - GENERAL PROVISIONS
SECTION 2703 - GENERAL REQUIREMENTS
SECTION 2703.1.5 - PROHIBITED LOCATION
CHAPTER 29 - COMBUSTIBLE FIBERS
SECTION 2905 - BALED STORAGE
2905.3 FIRE PROTECTION
CHAPTER 34 - FLAMMABLE AND COMBUSTIBLE LIQUIDS
SECTION 3401 - GENERAL
3401.4 PERMITS
3401.4.1 PLANS
SECTION 3403 - GENERAL REQUIREMENTS
SECTION 3403.1.4 - PROHIBITED LOCATION
SECTION 3404 - STORAGE
3404.1.1 APPLICABILITY
SECTION 3406 - SPECIAL OPERATIONS
3406.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES
3406.2.8 DISPENSING FROM TANK VEHICLES
CHAPTER 49 - WILDLAND-URBAN INTERFACE FIRE AREA
4901.3 WHERE REQUIRED
SECTION 4902 - DEFINITIONS
4905.2 CONSTRUCTION METHODS AND REQUIREMENTS.

SECTION 4906 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
SECTION 4907 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
APPENDIX B
FIRE-FLOW REQUIREMENTS FOR BUILDINGS
SECTION B105 - FIRE-FLOW REQUIREMENTS FOR BUILDINGS
B105.1 ONE- AND TWO-FAMILY DWELLINGS
B105.2 BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS

APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION
SEC. 9. APPEALS
SEC. 10. FEES
SEC. 11. PENALTIES
SEC. 12. REPEAL OF CONFLICTING ORDINANCES
SEC. 13. VALIDITY
SEC. 14. DATE OF EFFECT

Section 2. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A BUILDING CODE FOR THE CITY OF HAYWARD; REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-17, AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-17, and all amendments thereto, is hereby repealed and in substitution thereof a new Building Code for the City of Hayward is hereby enacted to read as follows:

BUILDING CODE OF THE CITY OF HAYWARD

SECTION 1.00 2010 CALIFORNIA BUILDING CODES, ADOPTION BY REFERENCE
SECTION 2.00 Applicability of CBC Appendix Chapters
APPENDIX CHAPTER I
ADMINISTRATIVE
SECTION 101 GENERAL
DIVISION II
SECTION101.1 TITLE
SECTION 101.4.4 PROPERTY MAINTENANCE
SECTION 102.4.3 ABSENCE OF REFERENCED STANDARDS
SECTION 103.1 CREATION OF ENFORCEMENT AGENCY
SECTION 104.11.3 PEER REVIEW
SECTION 105.1.1 ANNUAL PERMITS
SECTION 105.1.2 ANNUAL PERMIT RECORDS
SECTION 105.3 New section added.

SECTION 105.3.1 New section added.
SECTION105.5 EXPIRATION
SECTION 105.5.1 COMPLETION PERMITS
SECTION 107 SUBMITTAL DOCUMENTS
SECTION 107.2 CONSTRUCTION DOCUMENTS
SECTION107.3 EXAMINATION OF DOCUMENTS
SECTION 107.6 EXPIRATION OF PLAN REVIEW
SECTION 107.5 MAINTENANCE OF BUILDING PLANS
SECTION 109 FEES
SECTION 109.1.1 PLAN REVIEW FEES
SECTION109.2 SCHEDULE OF PERMIT FEES
SECTION 109.6 FEE REFUNDS
SECTION 109.7 INVESTIGATION FEES; WORK WITHOUT A PERMIT
SECTION 109.8 FEES FOR COMPLETION PERMITS
SECTION 109.9 REINSPECTION FEES
SECTION 110.3.8.1 INSPECTIONS OF MOVED BUILDINGS
SECTION 110.3.9 SPECIAL INSPECTIONS
SECTION 110.5 INSPECTION REQUESTS
SECTION110.7 INSPECTION RECORD CARD
SECTION111.3 TEMPORARY OCCUPANCY
SECTION 111.5 ABANDONMENT OF LEGAL OCCUPANCY
SECTION 111.6 OCCUPANCY VIOLATIONS
CHAPTER 2 - DEFINITIONS AND ABBREVIATIONS
SECTION 202 DEFINITIONS
CHAPTER 4 - SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY
SECTION 412.4.6 FIRE SUPPRESSION
SECTION 414.1.4 HAZARDOUS MATERIALS
SECTION 415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS
CHAPTER 5 - GENERAL BUILDING LIMITATIONS
TABLE 508.2.5 INCIDENTAL ACCESSORY OCCUPANCIES
CHAPTER 9 - FIRE PROTECTION SYSTEMS
SECTION 901.2 FIRE PROTECTION SYSTEMS
SECTION 903 AUTOMATIC SPRINKLER SYSTEMS
SECTION 903.1 GENERAL
SECTION 903.1.2 NEW CONSTRUCTION
SECTION 903.1.3 EXISTING BUILDINGS
SECTION 905 STANDPIPE SYSTEMS
SECTION 905.1 GENERAL
SECTION 905.4 LOCATION OF CLASS I STANDPIPE AND HOSE CONNECTIONS.
CHAPTER 15 - ROOF ASSEMBLIES AND ROOFTOP STRUCTURES
CHAPTER 16 - STRUCTURAL ENGINEERING DESIGN PROVISIONS
SECTION 1614 MODIFICATIONS TO ASCE (AMERICAN SOCIETY OF CIVIL ENGINEERS) STANDARDS
SECTION 1614.1 GENERAL
SECTION 1614.1.3 ASCE 7, SECTION 12.8.1.1
SECTION 1614.1.7 REPLACE ASCE 7, SECTION 12.12.3.
CHAPTER 23 - WOOD
SECTION 2308.9.3 BRACING
CHAPTER 33 - SAFEGUARDS DURING CONSTRUCTION
SECTION 3311.1 WHERE REQUIRED

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A MECHANICAL CODE FOR THE CITY OF HAYWARD, REGULATING THE ALTERATION, CONSTRUCTION, INSTALLATION AND REPAIR OF VENTILATING, REFRIGERATION, AND HEAT PRODUCING EQUIPMENT (MECHANICAL EQUIPMENT); PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES AND PRESCRIBING PENALTIES FOR VIOLATION OF SAID MECHANICAL CODE; AND REPEALING ORDINANCE NO. 07-20 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-20, and all amendments thereto, is repealed and in substitution thereof a new Mechanical Code for the City of Hayward is hereby enacted to read as follows:

MECHANICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00 2010 MECHANICAL CODE ADOPTION BY REFERENCE
SECTION 2.00 AMENDMENTS, ADDITIONS, AND DELETIONS TO 2010 CALIFORNIA MECHANICAL CODE
APPENDIX CHAPTER I
TITLE AND SCOPE
APPENDIX CHAPTER 1 ADMINISTRATION
CALIFORNIA CHAPTER 1
GENERAL CODE PROVISIONS
DIVISION II
SECTION 101.0 TITLE
SECTION 114.1.1 TO WHOM PERMIT MAY BE ISSUED
CHAPTER II
DEFINITIONS

Introduced at a meeting of the Hayward City Council held November 9, 2010,

the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE TO BE KNOWN AND DESIGNATED AS THE ELECTRICAL CODE OF THE CITY OF HAYWARD; REGULATING THE INSTALLATION, ALTERATION, REPAIR, AND MAINTENANCE OF ELECTRICAL WIRING, ELECTRICAL FIXTURES, AND OTHER ELECTRICAL APPLIANCES AND EQUIPMENT; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-21 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-21, and all amendments thereto, is repealed and, in substitution thereof, a new Electrical Code for the City of Hayward is enacted to read as follows:

ELECTRICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00	CALIFORNIA ELECTRICAL CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE 2007 CALIFORNIA ELECTRICAL CODE
SECTION 3.00	APPLICABILITY OF CALIFORNIA ELECTRICAL CODE ANNEX CHAPTERS
ANNEX CHAPTER H - ADMINISTRATION AND ENFORCEMENT	
SECTION 80.15	ELECTRICAL BOARD
SECTION 80.19	PERMITS AND APPROVALS.
CALIFORNIA CHAPTER 1 - GENERAL CODE PROVISIONS	
SEC. 89.101.1	TITLE
CHAPTER 1 - GENERAL	
ARTICLE 100	DEFINITIONS
CHAPTER 2 - WIRING AND PROTECTION	
ARTICLE 210	BRANCH CIRCUITS
SEC. 210.5	(C) UNGROUNDED CONDUCTORS OF MULTIWIRE BRANCH CIRCUITS IN RACEWAY
ARTICLE 230	SERVICES, SECTION VI SERVICE EQUIPMENT - DISCONNECTING MEANS
SEC. 230.70 (a)	LOCATION
ARTICLE 250	GROUNDING AND BONDING, SEC. 250.66.SIZE OF ALTERNATING-CURRENT GROUNDING ELECTRODE CONDUCTOR
CHAPTER 3- WIRING METHODS AND MATERIALS	
ARTICLE 300	Wiring Methods is hereby amended
SEC.300.11	Securing and Supporting
CHAPTER 7- SPECIAL CONDITIONS	
ARTICLE 770	OPTICAL FIBER CABLE AND RACEWAYS

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE REPEALING ORDINANCE NO. 07-22 AND ALL AMENDMENTS THERETO, AND ESTABLISHING A PLUMBING CODE FOR THE CITY OF HAYWARD, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF PLUMBING; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-22, and all amendments thereto, is repealed and in substitution thereof a new Plumbing Code for the City of Hayward is hereby enacted to read as follows:

PLUMBING CODE OF THE CITY OF HAYWARD

SECTION 1.00	2010 CALIFORNIA PLUMBING CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE UNIFORM PLUMBING CODE
CHAPTER 1 - ADMINISTRATION	
DIVISION II	
SECTION 101.0	TITLE
SECTION 103.3	PERMIT ISSUANCE
SECTION 103.3.1.1	TO WHOM PERMIT MAY BE ISSUED
CHAPTER 2 - DEFINITIONS	
SECTION 203.0	DEFINITION OF TERMS
CHAPTER 3 - GENERAL REGULATIONS	
SECTION 301.1.3.1	STANDARDS
SECTION 316.1.1	THREADED JOINTS
SECTION 316.1.5	FLEXIBLE COMPRESSION FACTORY-FABRICATED JOINTS
SECTION 316.3	FLANGED FIXTURE CONNECTIONS
SECTION 316.3.1	

CHAPTER 6 - WATER SUPPLY AND DISTRIBUTION
SECTION 604.0 MATERIALS
SECTION 604.1
SECTION 609.3.2
CHAPTER 7 - SANITARY DRAINAGE
SECTION 701.0 MATERIALS
SECTION 701.1
Section 701.1.1
SECTION 701.1.2
SECTION 701.1.3
SECTION 701.2
SECTION 707.0 CLEANOUTS
SECTION 707.1
CHAPTER 9 - VENTS
SECTION 903 MATERIALS
SECTION 903.1
SECTION 903.1.2
CHAPTER 10 - TRAPS
SECTION 1003.1 TRAPS - DESCRIBED
CHAPTER 11 - STORMWATER DRAINAGE
SECTION 1101.0 GENERAL
Section 1101.1
SECTION 1102.0 MATERIALS
Section 1102.2 Roof Drainage-All Occupancy Groups

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING SECTION 10-22.140 (d) COMMERCIAL COVERED PROJECTS SECTION OF ORDINANCE 09-15 GREEN BUILDING REQUIREMENTS FOR PRIVATE DEVELOPMENT

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 10-22.140 (d): Commercial Covered Projects
Section 10-22.140 (d) is hereby deleted and a new section (d) is added.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

Dated: November 13, 2010
Miriam Lens, City Clerk
City of Hayward

DR #3756079; Nov. 13, 2010

Contact Us

If you have comments or questions about the BSC or this website, please complete our Feedback form.

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

Phone: (916) 263-0916

Fax: (916) 263-0959

Email: cbsc@dgs.ca.gov

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-169

Introduced by Council Member Henson

RESOLUTION FINDING AND DETERMINING THE NEED FOR CHANGES OR MODIFICATIONS TO THE 2010 CALIFORNIA BUILDING CODE

WHEREAS, section 17958 of the California Health and Safety Code requires the adoption by the City of Hayward of regulations imposing the same requirements of certain uniform industry codes as specified in Health and Safety Code section 17922 and the California Housing and Community Development Commission regulations promulgated thereunder; and

WHEREAS, Health and Safety Code section 17958.5 permits a city to make such changes or modifications to the uniform industry codes as are deemed reasonably necessary because of local conditions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, pursuant to the requirements of Health and Safety Code section 17958.7, does hereby find and determine the need to adopt changes or modifications to the following sections of the 2010 California Building Code by reason of local climatic, geological, and topographical conditions:

ADMINISTRATIVE CHANGES

1. Certain sections in Volume 2 and Appendix Chapter 1 have been modified or changed to conform with provisions of other ordinances and the Charter of the City of Hayward; such changes are not technical in nature, but are administrative only, and as to those, pursuant to California Code of Regulations Title 25, Section 52, they are deemed equivalent to procedures provided by the state.

2. Amendments and modifications have been made to parallel the requirements as set forth in the Fire Code. Modifications are to the following sections: Chapter 4, Sections 412.4.6, 414.1.4, 415.6.2; Chapter 5, Section 508.2.5; Chapter 9, Sections 901.2, 903.1, 905.1, 905.4, and Sections 903.1.2, 903.1.3 have been added and new Section 1505.5 to Chapter 15 has been added. These modifications have been recognized by the City of Hayward to address the fire problems, concerns, and future directions by which this City can establish and maintain an environment which will afford a level of fire and life safety to its citizens and guests. The proposed Fire and Building Code change sets a lower mandatory limit for the installation of fire sprinklers by reducing to 5,000 square feet of total building floor area and the number of stories from 3 to 4. These proposed changes will provide increased ability to control fires.

The code sections 1614,1614.1,1614.1.3 and 1614.1.7 have been added to Chapter 16, Structural Design. Section 2308.9.3 of Chapter 23 Wood, Section 2308.9.3 has been modified. All of these modifications and additions are intended to increase the safety of buildings in a seismic event. This is necessitated by the proximity of the Hayward fault as well as several smaller faults throughout the City of Hayward.

1. A new section 3311.1 has been added to Chapter 33, Safeguards During Construction. This modification is necessary to make Building Code requirements consistent with the Fire Code.

2. Appendix I from Volume 2 and Appendix H from Volume 2.5, Patio Covers, are adopted.

3. All other appendices, except Appendix 1, Administration, have not been adopted since their requirements, where applicable to the City of Hayward are adequately covered by other ordinances of the City of Hayward.

BE IT FURTHER RESOLVED that the aforementioned amendments to the 2010 California Building Code, are based on local climatic, geological, or topographical conditions. The "Findings of Facts" contained herein addresses present local conditions which either singularly or in combination cause the aforementioned amendments to be adopted. The following local conditions have an adverse effect on the prevention and control of major loss fires, thereby making necessary the above changes or modifications in the 2010 California Building Code in order to provide a greater degree of fire and life safety in this community.

CLIMATIC

a. Precipitation: Precipitation ranges from 15 to 24 inches per year with an average of approximately 17.58 inches per year. 95 percent falls during the months of October through April, and 5 percent from May through September.

b. Relative Humidity: Humidity remains in the middle range most of the time. It ranges from 41 percent to 68 percent during the year.

c. Temperatures: High temperatures have been recorded in the low 100's F. Average summer highs are in the 73 F. range with an average annual maximum temperature of 66 F.

d. Winds: Prevailing winds are from the west, northwest (WNW). However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 14 to 23 mile-per-hour range, gusting to 25 to 35 miles per hour. Forty mile-per-hour winds are experienced occasionally, and higher have been registered. During the winter half of the year, strong, dry, gusty winds from the north move through the area for several days, creating extremely dry conditions.

TOPOGRAPHICAL

a. Vegetation: Dry grass and brush are common in the hills and open-space areas adjacent to built-up locations during six to eight months of each year. Many of these areas frequently experience wildland fires which threaten nearby buildings, particularly those with wood roofs or sidings.

b Hills, Creeks, Canals, Freeways, Railways, Housing Tracts, Large Buildings, Building Complexes, and the Airport: All of these surface features, both natural and man-made, have a major adverse effect upon the road and street layout in the City, including major traffic routes. These conditions limit the number and cause indirect routing of major arterial streets for normal traffic as well as emergency vehicle response.

c. Terrain: Areas with buildings include level, sloping, and rolling terrain. This terrain is not dissimilar to terrain in other locations which have experienced major conflagrations.

d. Roads and Streets: As noted above, the limited number and the indirect routing of roads and streets in the City create heavy, slow traffic conditions and excessively long travel routes from point to point.

e. Population: The current and rapidly growing population in the City creates two fire protection problems:

1. The more people, the more emergency incidents requiring Fire Department response. The greater the frequency of alarms, the greater the chance there will be simultaneous emergency incidents requiring Fire Department response. This results in longer response times or fewer fire companies to respond to any emergency within the City; and

2. The more people, the more traffic congestion during a greater part of the day. Such traffic congestion not only slows Fire Department response but often restricts access to fire scenes.

f. Buildings, Landscaping and Clearances: Many building complexes are of designs which greatly limit the approach to and accessibility by Fire Department resources. Many houses and other buildings with wood roofs or sidings are close together and fire will readily spread from one to another by both radiation and convection of flying brands.

GEOLOGICAL

a. Seismic Activity: The City of Hayward is located in a zone of high seismic activity. A major seismic event may make roads impassable with damage so widespread that resources would not be available to meet all the anticipated needs. Buildings in this area need to be designed to ensure the maximum life safety of occupants and to minimize economic

loss as the region struggles to overcome the devastation that would follow after such a seismic event.

SUMMARY:

Local climatic conditions affect the acceleration, intensity, and size of fires in the community. Times of little or no rainfall, of low humidity and high temperatures, create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and fires involving buildings. During wildland and wood shake and shingle roof fires, winds can carry sparks and burning brands to other roofs, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fire back into buildings and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts.

Local geological and topographical conditions present fire frequency, magnitude, exposure, and accessibility problems and have a negative impact upon the response capability of the Fire Department. The quantity of Fire Department resources that can arrive within an effective time is limited. The time in which they can respond is extended due to lengthy travel distances and traffic congestion.

CONCLUSION.

Local climatic, geological, and topographic conditions have a definite impact upon the frequency, spread and acceleration, intensity, and size of fire involving buildings in Hayward. Furthermore, they have an adverse impact upon the number of Fire Department resources which can be brought to bear upon such fires within an expeditious period of time. Therefore, it is found to be reasonably necessary that the 2010 California Building Code be changed or modified to mitigate the effects of the above conditions.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the modifications or changes to the 2010 California Building Code, to be filed with the California Department of Housing and Community Development.

IN COUNCIL, HAYWARD, CALIFORNIA November 9, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR PRO TEMPORE: Zermeño

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None
MAYOR: Sweeney

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:
_____
City Attorney of the City of Hayward

ORDINANCE NO. 10-17

AN ORDINANCE TO BE KNOWN AND DESIGNATED AS THE ELECTRICAL CODE OF THE CITY OF HAYWARD; REGULATING THE INSTALLATION, ALTERATION, REPAIR, AND MAINTENANCE OF ELECTRICAL WIRING, ELECTRICAL FIXTURES, AND OTHER ELECTRICAL APPLIANCES AND EQUIPMENT; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-21 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-21, and all amendments thereto, is repealed and, in substitution thereof, a new Electrical Code for the City of Hayward is enacted to read as follows:

ELECTRICAL CODE
OF THE CITY OF HAYWARD

SECTION 1.00 CALIFORNIA ELECTRICAL CODE, ADOPTION BY REFERENCE

The 2010 California Electrical Code, Part 3, Title 24, California Code of Regulations (which is based upon the National Electrical Code, 2008 Edition, published by the National Fire Protection Association), as modified by the amendments, additions, and deletions set forth hereinafter, are hereby adopted by reference as the Electrical Code of the City of Hayward, regulating the installation, alteration, repair, and maintenance of electrical wiring, electrical fixtures, and other electrical appliances and equipment in the City of Hayward.

A copy of the California Electrical Code is on file in the office of the City Clerk, to which reference is hereby made for further particulars. Reference is also made to the State's Matrix Adoption Tables which identify local Building Official's responsibilities and enforce certain amendments.

SECTION 2.00 AMENDMENTS, ADDITIONS AND DELETIONS TO THE 2007 CALIFORNIA ELECTRICAL CODE. Set forth below are the local amendments, additions and deletions of the 2010 California Electrical Code. Chapter and section numbers used herein are those of the California Electrical Code.

SECTION 3.00 APPLICABILITY OF CALIFORNIA ELECTRICAL CODE ANNEX CHAPTERS. Wherever in the California Electrical Code reference is made to an annex chapter, the provisions of the said annex shall not apply unless specifically adopted by this code.

ANNEX CHAPTER H
ADMINISTRATION AND ENFORCEMENT

Annex H "Administration", is hereby adopted as the administrative chapter for the "Hayward Electrical Code" with amendments as follows:

For administrative requirements not covered in this Chapter, the 2010 California Building Code, Appendix Chapter 1, Division II, as amended by the City of Hayward shall be applied.

SECTION 80.15 ELECTRICAL BOARD

Section 80.15 is hereby deleted and is replaced by Section 112 of Appendix Chapter 1 of the 2010 California Building Code, Board of Appeals.

SECTION 80.19 PERMITS AND APPROVALS.

A new Section 80-19.1 is hereby added to read as follows:

(a) Permits may only be issued to a person holding a valid State of California Electrical Contractors license except when otherwise provided in this section.

(b) Any permit required by this code may be issued to any person to do any work regulated by this code in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings provided that the applicant is the owner and resident in such buildings, accessory buildings, or quarters.

Section 80.19 (A) (2) is hereby deleted and a new section 80.19 (A) (2) is added to read as follows:

Work requiring a permit shall not be commenced until the permit holder or their agent shall have posted an inspection record card in a conspicuous place on the premises and in such position as to allow the authority having jurisdiction conveniently to make the required entries thereon regarding inspection of the work. This card shall be maintained in such position by the permit holder until final approval has been granted by the Building Official.

There shall be a final inspection and approval on all buildings and structures when completed and ready for occupancy or use.

Section 80.19 (D) Annual Permits is hereby deleted.

Section 80.19 (E) Fees is replaced to read as follows:

Section E.1 Plan Review Fees When a plan or other data is required to be submitted by subsection (b) of section 302 of this code and not otherwise included in the plan review of a new building or addition, a plan review fee shall be paid at the time of issuance of the permit. When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged based on project valuation at the rate established from time to time by applicable resolution of the City of Hayward.

Section E.2 Investigation Fees 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 this code. The minimum investigation fee shall be the same as the minimum fee established by City of Hayward ordinance for building code violations. 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.

Section E.3 Reinspection Fees To obtain a reinspection, the applicant shall pay the prescribed fee as set forth in the City Council resolution establishing fees. Payment shall be made prior to reinspection.

CALIFORNIA CHAPTER 1
GENERAL CODE PROVISIONS

SEC. 89.101.1 TITLE

Section 89.101.1 is revised to read as follows:

89.101.1 Title. The California Electrical Code as amended by this Chapter, shall be known as the Electrical Code of the City of Hayward. The provisions contained in this Chapter are adopted, and together with the amended CEC, are referred to hereafter as "these regulations" or "this code."

CHAPTER 1
GENERAL

ARTICLE 100 DEFINITIONS is hereby amended by the addition of the following words or phrases:

"CITY" or "THE CITY": The City of Hayward unless the context requires otherwise.

"CITY COUNCIL": The City Council of the City of Hayward.

"ELECTRICAL CONTRACTOR": A contractor in possession of a valid license issued in accordance with the provisions of the State of California Contractors License Law.

"ELECTRICAL INSPECTOR": The Building Official of the City of Hayward or his or her authorized representative.

"ELECTRICAL WORK": The installation, construction, maintenance, and repair of electrical equipment.

"EXPOSED WIRING": Electric wiring not rendered inaccessible by the structure or finish of the building. Open wiring within basements or under floors rendered accessible by means of doors or openings shall be considered as exposed wiring.

"H.E.C.": The Hayward Electrical Code.

"PERSON": A natural person, his or her heirs, executors, administrators, or assignees, and also includes a firm, partnership, or corporation, it's or their successors or assignees, or the agent of any of the aforesaid.

"SINGLE FAMILY DWELLING": A residential building containing one or two dwelling units.

CHAPTER 2
WIRING AND PROTECTION

ARTICLE 210 BRANCH CIRCUITS is hereby amended as follows:

SEC. 210.5 (C) UNGROUNDED CONDUCTORS OF MULTIWIRE BRANCH CIRCUITS IN RACEWAY. A second paragraph is hereby added to this section to read as follows:

In commercial or industrial occupancies ungrounded conductors of a multi-wire branch circuit shall each be of a color or other distinguishing marking to identify the feeder phase by which it is supplied and each conductor of the same identification shall be connected to the same feeder.

Required colors for identification are as follows:

120/240 volt 3 wire conductors: Black, Red
120/240 volt 4 wire conductors: Black, Orange, Red or Blue
120/208 volt 4 wire conductors: Black, Red, Blue
277/480 volt 4 wire conductors: Brown, Purple, Yellow

ARTICLE 230 SERVICES, SECTION VI SERVICE EQUIPMENT – DISCONNECTING MEANS is hereby amended as follows:

SEC. 230.70 (a) LOCATION is deleted and replaced as follows:

The service disconnecting means shall be installed on the exterior of any residential structure or within a cabinet or electrical equipment room with Fire Department access provided.

ARTICLE 250 GROUNDING AND BONDING, SEC. 250.66.SIZE OF ALTERNATING-CURRENT GROUNDING ELECTRODE CONDUCTOR is hereby amended as follows:

(A) Connection to Rod, Pipe, or Plate Electrodes is hereby deleted.
(B) Connection to Concrete Encased Electrodes is hereby deleted.

CHAPTER 3
WIRING METHODS AND MATERIALS

ARTICLE 300 Wiring Methods is hereby amended as follows:

SEC.300.11Securing and Supporting

A new sentence is added to the end of this section to read as follows:

Low voltage (50 volts and less) communications, alarm, signaling systems, and similar systems shall be supported as provided above at not to exceed 4-1/2 foot intervals within buildings.

EXCEPTION: In suspended ceilings, low voltage (50 volts and less) systems referred to above shall be supported at intervals not to exceed eight feet.

CHAPTER 7
SPECIAL CONDITIONS

ARTICLE 770 OPTICAL FIBER CABLE AND RACEWAYS is amended as follows:

SEC. 770-8 is added to read as follows:

Optical fiber cables shall be supported at intervals not to exceed 4-1/2 feet.

EXCEPTION: The ceiling support system shall be permitted to support wiring and equipment that have been tested as part of the fire-rated assembly.

Section 2. Severability. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 3. Effective Date. In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 9th day of November, by Council Member Henson.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the day of 16th, of November by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ATTEST: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

APPROVED: _____
Mayor of the City of Hayward

DATE: November 30, 2010

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

Daily Review

c/o Bay Area News Group-East Bay
22533 Foothill Blvd.
Hayward, CA 94541
Legal Advertising
(800) 595-9595 opt. 4

Legal No. **0003756079**

11/23/10 10:55 CLX

Hayward, City of/City Clerk
Miriam Lens,777 B St.
Hayward CA 94541

PROOF OF PUBLICATION

FILE NO. Ord 2010 Fire

In the matter of

Daily Review

The Daily Review

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Daily Review, a newspaper published in the English language in the City of Hayward, County of Alameda, State of California.

I declare that the Daily Review is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's decree, dated March 2, 1950, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Daily Review as a Newspaper of General Circulation, case number 221938. Said decree states that "'The Daily Review' has been established, printed, and published daily in the City of Hayward, County of Alameda, State of California, for one year or more next preceding the date of the filing of said petition; that it is a newspaper published for the dissemination of local and telegraphic news and intelligence of a general character and has a bona fide subscription list of paying subscribers; ... [ ] [and] THEREFORE, ... 'The Daily Review' is hereby determined and declared to be a newspaper of general circulation [within the meaning of Government Code §§ 6000 et seq.]" Said decree has not been revoked, vacated or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/13/2010

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Public Notice Advertising Clerk

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A FIRE PREVENTION CODE FOR THE CITY OF HAYWARD; ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR PENALTIES FOR VIOLATION, AND REPEALING ORDINANCE NO. 07-19, AS AMENDED, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-19, and all amendments thereto, is hereby repealed and in substitution thereof a new fire code for the City of Hayward is hereby enacted to read as follows:

SEC. 1.	FIRE PREVENTION CODE OF THE CITY OF HAYWARD, ADOPTION OF CALIFORNIA FIRE CODE
SEC. 2.	ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION OFFICE
SEC. 3.	DEFINITIONS
SEC. 4.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN ABOVEGROUND TANKS IS TO BE PROHIBITED
SEC. 5.	ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED
SEC. 6.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED
SEC. 7.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED
SEC. 8.	AMENDMENTS MADE IN THE CALIFORNIA FIRE CODE

GENERAL
CHAPTER 1 - SCOPE AND ADMINISTRATION DIVISION II ADMINISTRATION
SECTION 104 - GENERAL AUTHORITY AND RESPONSIBILITIES

104.10	INVESTIGATIONS
104.10.1	ASSISTANCE FROM OTHER AGENCY
104.12	FIRE PROTECTION

SECTION 105 - PERMITS

105.2.2	INSPECTION REQUIRED
105.8	PERMIT FEES

SECTION 108 - BOARD OF APPEALS

108.1.	FIRE APPEALS BOARD ORGANIZATION

CHAPTER 2 - DEFINITIONS
SECTION 202 - GENERAL DEFINITIONS

CHAPTER 5 - FIRE SERVICE FEATURES
SECTION 503 - FIRE APPARATUS ACCESS ROADS

503.1	WHERE REQUIRED
503.1.4	FIRE LANES

SECTION 507 - FIRE PROTECTION WATER SUPPLIES

507.5	FIRE HYDRANT SYSTEMS
507.5.1	WHERE REQUIRED

CHAPTER 6 - BUILDING SERVICES AND SYSTEMS
SECTION 603 FUEL FIRED APPLIANCES

603.4.	PORTABLE UNVENTED HEATERS
605.11	SOLAR PHOTOVOLTAIC POWER SYSTEMS
605.11.1	MARKING
605.11.1.1	MATERIALS
605.11.1.2	GRAPHICS
605.11.1.3	MARKING LOCATION AND CONTENT
605.11.1.3.1	MARKING AND LABELING OF DISCONNECTING MEANS
605.11.1.3.2	MARKING OF DC CONDUIT, RACEWAYS, ENCLOSURES AND CABLE ASSEMBLIES
605.11.2	PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS
605.11.2.1	MAIN SERVICE DISCONNECTS
605.11.2.2	POWER DISCONNECTS
605.11.3	DC CONDUCTORS
605.11.3.1	CIRCUIT ROUTING
605.11.3.2	WIRING METHODS
605.11.3.3	WIRING
605.11.4	ROOF ACCESS AND PATHWAYS
605.11.4.1	ROOF ACCESS POINTS
605.11.4.2	RESIDENTIAL SYSTEMS FOR ONE-AND TWO FAMILY RESIDENTIAL DWELLINGS
605.11.4.2.1	RESIDENTIAL BUILDINGS WITH HIP ROOF LAYOUTS
605.11.4.2.2	RESIDENTIAL BUILDINGS WITH A SINGLE RIDGE
605.11.4.2.3	HIPS AND VALLEYS
605.11.4.2.4	SMOKE VENTILATION
605.11.4.3	ALL OTHERS OCCUPANCIES
605.11.4.3.1	ACCESS
605.11.4.3.2	PATHWAYS
605.11.4.3.3	SMOKE VENTILATION
605.11.5	NON-HABITABLE BUILDINGS OR STRUCTURES
605.11.6	GROUND MOUNTED PHOTOVOLTAIC ARRAYS

CHAPTER - 9 FIRE PROTECTION SYSTEMS
SECTION 901 - GENERAL

901.4	INSTALLATION
901.4.2	NON-REQUIRED FIRE PROTECTION SYSTEMS
901.4.5	FIRE SPRINKLER CONTRACTORS

SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS

903.2	WHERE REQUIRED
903.2.19	EXISTING BUILDINGS
903.2.20	HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE

903.3.1.1 NFPA 13 SPRINKLER SYSTEMS
SECTION 903.4.2 - ALARMS
SECTION 905 - STANDPIPES
905.1 GENERAL
905.3 REQUIRED INSTALLATIONS
905.4 LOCATION OF CLASS I STANDPIPE HOSE CONNECTIONS.
CHAPTER 14 - FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION
SECTION 1401 - GENERAL
1413 STANDPIPES.
1413.1 WHERE REQUIRED
CHAPTER 27 - HAZARDOUS MATERIALS - GENERAL PROVISIONS
SECTION 2703 - GENERAL REQUIREMENTS
SECTION 2703.1.5 - PROHIBITED LOCATION
CHAPTER 29 - COMBUSTIBLE FIBERS
SECTION 2905 - BALED STORAGE
2905.3 FIRE PROTECTION
CHAPTER 34 - FLAMMABLE AND COMBUSTIBLE LIQUIDS
SECTION 3401 - GENERAL
3401.4 PERMITS
3401.4.1 PLANS
SECTION 3403 - GENERAL REQUIREMENTS
SECTION 3403.1.4 - PROHIBITED LOCATION
SECTION 3404 - STORAGE
3404.1.1 APPLICABILITY
SECTION 3406 - SPECIAL OPERATIONS
3406.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES
3406.2.8 DISPENSING FROM TANK VEHICLES
CHAPTER 49 - WILDLAND-URBAN INTERFACE FIRE AREA
4901.3 WHERE REQUIRED
SECTION 4902 - DEFINITIONS
4905.2 CONSTRUCTION METHODS AND REQUIREMENTS.

SECTION 4906 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
SECTION 4907 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
APPENDIX B
FIRE-FLOW REQUIREMENTS FOR BUILDINGS
SECTION B105 - FIRE-FLOW REQUIREMENTS FOR BUILDINGS
B105.1 ONE- AND TWO-FAMILY DWELLINGS
B105.2 BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS

APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION
SEC. 9. APPEALS
SEC. 10. FEES
SEC. 11. PENALTIES
SEC. 12. REPEAL OF CONFLICTING ORDINANCES
SEC. 13. VALIDITY
SEC. 14. DATE OF EFFECT

Section 2. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A BUILDING CODE FOR THE CITY OF HAYWARD; REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-17, AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-17, and all amendments thereto, is hereby repealed and in substitution thereof a new Building Code for the City of Hayward is hereby enacted to read as follows:

BUILDING CODE OF THE CITY OF HAYWARD

SECTION 1.00 2010 CALIFORNIA BUILDING CODES, ADOPTION BY REFERENCE
SECTION 2.00 Applicability of CBC Appendix Chapters
APPENDIX CHAPTER I
ADMINISTRATIVE
SECTION 101 GENERAL
DIVISION II
SECTION101.1 TITLE
SECTION 101.4.4 PROPERTY MAINTENANCE
SECTION 102.4.3 ABSENCE OF REFERENCED STANDARDS
SECTION 103.1 CREATION OF ENFORCEMENT AGENCY
SECTION 104.11.3 PEER REVIEW
SECTION 105.1.1 ANNUAL PERMITS
SECTION 105.1.2 ANNUAL PERMIT RECORDS
SECTION 105.3 New section added.

SECTION 105.3.1 New section added.
SECTION105.5 EXPIRATION
SECTION 105.5.1 COMPLETION PERMITS
SECTION 107 SUBMITTAL DOCUMENTS
SECTION 107.2 CONSTRUCTION DOCUMENTS
SECTION107.3 EXAMINATION OF DOCUMENTS
SECTION 107.6 EXPIRATION OF PLAN REVIEW
SECTION 107.5 MAINTENANCE OF BUILDING PLANS
SECTION 109 FEES
SECTION 109.1.1 PLAN REVIEW FEES.
SECTION109.2 SCHEDULE OF PERMIT FEES
SECTION 109.6 FEE REFUNDS
SECTION 109.7 INVESTIGATION FEES; WORK WITHOUT A PERMIT
SECTION 109.8 FEES FOR COMPLETION PERMITS
SECTION 109.9 REINSPECTION FEES
SECTION 110.3.8.1 INSPECTIONS OF MOVED BUILDINGS
SECTION 110.3.9 SPECIAL INSPECTIONS
SECTION 110.5 INSPECTION REQUESTS
SECTION110.7 INSPECTION RECORD CARD
SECTION111.3 TEMPORARY OCCUPANCY
SECTION 111.5 ABANDONMENT OF LEGAL OCCUPANCY
SECTION 111.6 OCCUPANCY VIOLATIONS
CHAPTER 2 - DEFINITIONS AND ABBREVIATIONS
SECTION 202 DEFINITIONS
CHAPTER 4 - SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY
SECTION 412.4.6 FIRE SUPPRESSION
SECTION 414.1.4 HAZARDOUS MATERIALS
SECTION 415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS
CHAPTER 5 - GENERAL BUILDING LIMITATIONS
TABLE 508.2.5 INCIDENTAL ACCESSORY OCCUPANCIES
CHAPTER 9 - FIRE PROTECTION SYSTEMS
SECTION 901.2 FIRE PROTECTION SYSTEMS
SECTION 903 AUTOMATIC SPRINKLER SYSTEMS
SECTION 903.1 GENERAL
SECTION 903.1.2 NEW CONSTRUCTION
SECTION 903.1.3 EXISTING BUILDINGS
SECTION 905 STANDPIPE SYSTEMS
SECTION 905.1 GENERAL
SECTION 905.4 LOCATION OF CLASS I STANDPIPE AND HOSE CONNECTIONS.
CHAPTER 15 - ROOF ASSEMBLIES AND ROOFTOP STRUCTURES
CHAPTER 16 - STRUCTURAL ENGINEERING DESIGN PROVISIONS
SECTION 1614 MODIFICATIONS TO ASCE (AMERICAN SOCIETY OF CIVIL ENGINEERS) STANDARDS
SECTION 1614.1 GENERAL
SECTION 1614.1.3 ASCE 7, SECTION 12.8.1.1
SECTION 1614.1.7 REPLACE ASCE 7, SECTION 12.12.3.
CHAPTER 23 - WOOD
SECTION 2308.9.3 BRACING
CHAPTER 33 - SAFEGUARDS DURING CONSTRUCTION
SECTION 3311.1 WHERE REQUIRED

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A MECHANICAL CODE FOR THE CITY OF HAYWARD, REGULATING THE ALTERATION, CONSTRUCTION, INSTALLATION AND REPAIR OF VENTILATING, REFRIGERATION, AND HEAT PRODUCING EQUIPMENT (MECHANICAL EQUIPMENT); PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES AND PRESCRIBING PENALTIES FOR VIOLATION OF SAID MECHANICAL CODE; AND REPEALING ORDINANCE NO. 07-20 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-20, and all amendments thereto, is repealed and in substitution thereof a new Mechanical Code for the City of Hayward is hereby enacted to read as follows:

MECHANICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00 2010 MECHANICAL CODE ADOPTION BY REFERENCE
SECTION 2.00 AMENDMENTS, ADDITIONS, AND DELETIONS TO 2010 CALIFORNIA MECHANICAL CODE
APPENDIX CHAPTER I
TITLE AND SCOPE
APPENDIX CHAPTER 1 ADMINISTRATION
CALIFORNIA CHAPTER 1
GENERAL CODE PROVISIONS
DIVISION II
SECTION 101.0 TITLE
SECTION 114.1.1 TO WHOM PERMIT MAY BE ISSUED
CHAPTER II
DEFINITIONS

Introduced at a meeting of the Hayward City Council held November 9, 2010,

the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE TO BE KNOWN AND DESIGNATED AS THE ELECTRICAL CODE OF THE CITY OF HAYWARD; REGULATING THE INSTALLATION, ALTERATION, REPAIR, AND MAINTENANCE OF ELECTRICAL WIRING, ELECTRICAL FIXTURES, AND OTHER ELECTRICAL APPLIANCES AND EQUIPMENT; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-21 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-21, and all amendments thereto, is repealed and, in substitution thereof, a new Electrical Code for the City of Hayward is enacted to read as follows:

ELECTRICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00	CALIFORNIA ELECTRICAL CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE 2007 CALIFORNIA ELECTRICAL CODE
SECTION 3.00	APPLICABILITY OF CALIFORNIA ELECTRICAL CODE ANNEX CHAPTERS
ANNEX CHAPTER H - ADMINISTRATION AND ENFORCEMENT	
SECTION 80.15	ELECTRICAL BOARD
SECTION 80.19	PERMITS AND APPROVALS.
CALIFORNIA CHAPTER 1 - GENERAL CODE PROVISIONS	
SEC. 89.101.1	TITLE
CHAPTER 1 - GENERAL	
ARTICLE 100	DEFINITIONS
CHAPTER 2 - WIRING AND PROTECTION	
ARTICLE 210	BRANCH CIRCUITS
SEC. 210.5	(C) UNGROUNDED CONDUCTORS OF MULTIWIRE BRANCH CIRCUITS IN RACEWAY
ARTICLE 230	SERVICES, SECTION VI SERVICE EQUIPMENT - DISCONNECTING MEANS
SEC. 230.70 (a)	LOCATION
ARTICLE 250	GROUNDING AND BONDING, SEC. 250.66.SIZE OF ALTERNATING-CURRENT GROUNDING ELECTRODE CONDUCTOR
CHAPTER 3- WIRING METHODS AND MATERIALS	
ARTICLE 300	Wiring Methods is hereby amended
SEC.300.11	Securing and Supporting
CHAPTER 7- SPECIAL CONDITIONS	
ARTICLE 770	OPTICAL FIBER CABLE AND RACEWAYS

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE REPEALING ORDINANCE NO. 07-22 AND ALL AMENDMENTS THERETO, AND ESTABLISHING A PLUMBING CODE FOR THE CITY OF HAYWARD, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF PLUMBING; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-22, and all amendments thereto, is repealed and in substitution thereof a new Plumbing Code for the City of Hayward is hereby enacted to read as follows:

PLUMBING CODE OF THE CITY OF HAYWARD

SECTION 1.00	2010 CALIFORNIA PLUMBING CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE UNIFORM PLUMBING CODE
CHAPTER 1 - ADMINISTRATION	
DIVISION II	
SECTION 101.0	TITLE
SECTION 103.3	PERMIT ISSUANCE
SECTION 103.3.1.1	TO WHOM PERMIT MAY BE ISSUED
CHAPTER 2 - DEFINITIONS	
SECTION 203.0	DEFINITION OF TERMS
CHAPTER 3 - GENERAL REGULATIONS	
SECTION 301.1.3.1	STANDARDS
SECTION 316.1.1	THREADED JOINTS
SECTION 316.1.5	FLEXIBLE COMPRESSION FACTORY-FABRICATED JOINTS
SECTION 316.3	FLANGED FIXTURE CONNECTIONS
SECTION 316.3.1	

CHAPTER 6 - WATER SUPPLY AND DISTRIBUTION
SECTION 604.0 MATERIALS
SECTION 604.1
SECTION 609.3.2
CHAPTER 7 - SANITARY DRAINAGE
SECTION 701.0 MATERIALS
SECTION 701.1
Section 701.1.1
SECTION 701.1.2
SECTION 701.1.3
SECTION 701.2
SECTION 707.0 CLEANOUTS
SECTION 707.1
CHAPTER 9 - VENTS
SECTION 903 MATERIALS
SECTION 903.1
SECTION 903.1.2
CHAPTER 10 - TRAPS
SECTION 1003.1 TRAPS - DESCRIBED
CHAPTER 11 - STORMWATER DRAINAGE
SECTION 1101.0 GENERAL
Section 1101.1
SECTION 1102.0 MATERIALS
Section 1102.2 Roof Drainage-All Occupancy Groups

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING SECTION 10-22.140 (d) COMMERCIAL COVERED PROJECTS SECTION OF ORDINANCE 09-15 GREEN BUILDING REQUIREMENTS FOR PRIVATE DEVELOPMENT

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 10-22.140 (d): Commercial Covered Projects
Section 10-22.140 (d) is hereby deleted and a new section (d) is added.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

Dated: November 13, 2010
Miriam Lens, City Clerk
City of Hayward

DR #3756079; Nov. 13, 2010

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-171

Introduced by Council Member Henson

RESOLUTION FINDING AND DETERMINING THE NEED FOR CHANGES OR MODIFICATIONS TO THE 2010 CALIFORNIA ELECTRICAL CODE

WHEREAS, section 17958 of the California Health and Safety Code requires the adoption by the City of Hayward of regulations imposing the same requirements of certain National Industry Codes as specified in Health and Safety Code section 17922 and Housing and Community Development Commission regulations promulgated there under; and

WHEREAS, Health and Safety Code section 17958.5 permits a city to make changes or modifications to the National Industry Codes as deemed reasonably necessary.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby finds and determines that, in addition to administrative changes, there is a need to adopt the modifications of the following sections of the 2010 California Electrical Code, by reason of local climatic, geological, and topographical conditions.

1. ANNEX CHAPTER H ADMINISTRATIVE PROVISIONS. The 2010 California Electrical Code, as printed, includes detailed administrative provisions, however, they are mostly applicable to State agencies. The City of Hayward only uses these provisions where the local jurisdiction has authority for inspections covered by the State agency regulations. Annex Chapter H of the 2010 California Electrical Code contains certain administrative procedures which the City of Hayward has adopted and amended. These are supplemented by using the administrative procedures of Appendix Chapter 1 of the 2010 California Building Code as amended by the City of Hayward.

2. ARTICLE 210 BRANCH CIRCUITS. Many neutral conductors of multiwire branch circuits are overloaded due to improper phasing of conductors, splices, and connection of devices. Color coding of the ungrounded conductors of a multiwire branch circuit is a safety as well as a design consideration of safe and proper wiring. Many electrical installations are installed with the NEC minimum requirements as the only design criteria. Failure to connect the proper conductor to devices supplied by multiwire branch circuits can result in overloading of the unprotected neutral conductor to as much as three times its allowable ampacity or, in the case of two four-wire circuits, to as much as six times its allowable ampacity. The resultant over-heating of a neutral wire is no less a hazard than that of an ungrounded conductor.

The identification of ungrounded conductors of a multiwire branch circuit permits the electrician to install devices in a manner that will result in a balancing of the phase loadings and neutral load. Detection of improper phasing of a multiwire branch circuit by the inspecting authority is extremely difficult without conductor identification and virtually impossible when making a final inspection of work that is not energized, as is often the case. The proposal, as written, would offer a simple means for the electrician, inspector, and subsequent electricians to determine and maintain correct circuit phasing in industrial and commercial construction where this is likely to occur.

These amendments are enacted pursuant to earthquake vulnerability as a result of having a substantial portion of the residential, commercial, and industrial areas of the City of Hayward within the Alquist-Priolo Act Special Studies Zone, requiring special geologic studies prior to development. This fact increases the likelihood of seismic disturbances of substantial magnitude occurring and causing consequent damage.

3. ARTICLE 230 SERVICES. The need for this addition to the model code requirements is justified by safety considerations. The need to disconnect all current carrying conductors within a structure by occupants or Fire Department personnel in case of fire or other emergency, and the replacement of wire seals by locking rings on meter bases by Pacific Gas and Electric, make this requirement necessary.

4. ARTICLE 300 WIRING METHODS. The need for this addition to the model code is for the purpose of increasing safety within buildings in an active seismic area. By requiring that these systems be supported, the proposal as written, should increase safety in low voltage circuits and avoid the problem of cables falling through the ceiling in case of seismic activity. It should also provide easier response for emergency personnel as they conduct rescue operations through the building.

5. ARTICLE 770 OPTICAL FIBER CABLES. (See UPS). The proposal, as written, will bring it into conformity with Article 300 requirements, and should also provide the increased safety needed in an active seismic area as a result of these cables being supported.

BE IT FURTHER RESOLVED that the aforementioned amendments to the 2010 California Electrical Code, are based on local climatic, geological, or topographical conditions. The "Findings of Facts" contained herein address present local conditions which either singularly or in combination cause the aforementioned amendments to be adopted. The following local conditions have an adverse effect on the prevention and control of major loss fires, thereby making necessary the above changes or modifications in the National Electrical Code and the California Electrical Code in order to provide a reasonable degree of fire and life safety in this community.

CLIMATIC

a. Precipitation: Precipitation ranges from 15 to 24 inches per year with an average of approximately 17.58 inches per year. 95 percent falls during the months of October through April, and 5 percent from May through September.

b. Relative Humidity: Humidity remains in the middle range most of the time. It ranges from 41 percent to 68 percent during the year.

c. Temperatures: High temperatures have been recorded in the low 100's F. Average summer highs are in the 73 range with an average annual maximum temperature of 66 F.

d. Winds: Prevailing winds are from the West, Northwest (WNW). However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 14 mph to 23 mph range, gusting to 25 to 35 mph. Forty mile-per-hour winds are experienced occasionally and higher have been registered. During the winter season, strong, dry, and gusty winds from the north move through the areas for several days, creating extremely dry conditions.

e. Summary: These local climatic conditions affect the acceleration, intensity, and size of fires in the community. Times of little or no rainfall or of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and fires involving buildings. During wild land and wood shake and shingle roof fires, winds can carry sparks and burning brands to other roofs, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fire back into buildings and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts.

GEOLOGICAL AND TOPOGRAPHIC

a. Vegetation: Dry grass and brush are common in the hills and open-space areas adjacent to built-up locations during six to eight months of each year. Many of these areas frequently experience wild land fires which threaten nearby buildings, particularly those with wood roofs or sidings.

b. Hills, Creeks, Canals, Freeways, Railways, Housing Tracts, Large Buildings, Building Complexes, and the Airport: These entire surface features, both natural and man-made, have a major adverse effect upon the road and street layout in the City of Hayward, including major traffic routes. These conditions limit the number, and cause indirect routing, of major arterial streets for normal traffic as well as emergency vehicle response.

c. Terrain: Areas with buildings include level, sloping, and rolling terrain. This terrain is not dissimilar to terrain in other locations which have experienced major conflagrations. The City of Hayward is in an active seismic area and may be subject to ground shaking and surface rupture.

d. Roads and Streets: As noted above, the limited number and the indirect routing of roads and streets in the City of Hayward create heavy, slow traffic conditions and excessively long travel routes from point to point.

e. Population: The current and rapidly growing population in the City creates two fire protection problems:

1. The more people, the more emergency incidents requiring fire department response. The greater the frequency of alarms, the greater the chance there will be simultaneous emergency incidents requiring fire department response. This results in longer response times and/or few fire companies to respond to any emergency within this jurisdiction; and

2. The more people, the more traffic congestion during a greater part of the day. Such traffic congestion not only slows fire department response but often restricts access to fire scenes.

f. Buildings, Landscaping and Clearances: Many building complexes are of designs which greatly limit the approach to and accessibility by Fire Department and other emergency resources. Many houses and other buildings with wood roofs and/or sidings are close together and fire will readily spread from one to another by both radiation and convection of flying brands.

g. Summary: Essentially, the above local geological and topographical conditions present fire frequency, magnitude, exposure, and accessibility problems and have a negative impact upon the response capability of the Fire Department and other emergency response efforts. The quantity of emergency resources that can arrive within an effective time is limited. The time in which they can respond is extended due to lengthy travel distances and traffic congestion.

CONCLUSION.

Local climatic, geological and topographic conditions have a definite impact upon the frequency, spread and acceleration, intensity and size of fire and other structural threats involving buildings in Hayward. Furthermore, they have an adverse impact upon the number of Fire Department and other emergency resources which can be brought to bear in an expeditious period of time to resolve or reduce threats to life and property. Therefore, it is found to be reasonably necessary that the 2010 California Electrical Code as adopted by the City of Hayward be changed or modified to mitigate the effects of the above conditions.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the modifications or changes to the California Electrical Code, to be filed with the State Department of Housing and Community Development.

IN COUNCIL, HAYWARD, CALIFORNIA _November 9_, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR PRO TEMPORE: Zermeño

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None
MAYOR: Sweeney

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

ORDINANCE NO. 10-18

AN ORDINANCE REPEALING ORDINANCE NO. 07-22 AND ALL AMENDMENTS THERETO, AND ESTABLISHING A PLUMBING CODE FOR THE CITY OF HAYWARD, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF PLUMBING; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-22, and all amendments thereto, is repealed and in substitution thereof a new Plumbing Code for the City of Hayward is hereby enacted to read as follows:

PLUMBING CODE
OF THE CITY OF HAYWARD

SECTION 1.00 2010 CALIFORNIA PLUMBING CODE, ADOPTION BY REFERENCE. The 2010 California Plumbing Code, based the 2009 Uniform Plumbing Code, and Appendices thereto, published by the International Association of Plumbing and Mechanical Officials, as modified by the California Building Standards Commission and as further modified by the amendments, additions, and deletions set forth herein, is hereby adopted as the Plumbing Code of the City of Hayward.

A copy of such Plumbing Code is on file in the office of the City Clerk, to which reference is hereby made for further particulars. Reference is also made to the State's Matrix Adoption Tables which identify local Building Official's responsibilities to enforce certain amendments.

SECTION 2.00 AMENDMENTS, ADDITIONS AND DELETIONS TO THE UNIFORM PLUMBING CODE Set forth below are the local amendments, additions, and deletions to the 2010 California Plumbing Code. Chapter and section numbers used herein are those of the California Plumbing Code.

CHAPTER 1
ADMINISTRATION

Division II

SECTION 101.0 TITLE

The first sentence of Section 101.0 is hereby deleted and a new sentence is substituted to read as follows:

This ordinance may be cited and shall be known as the "Plumbing Code of the City of Hayward".

Chapter 1 Division II is hereby adopted as the administrative chapter for this code.

Reference is made to Appendix Chapter 1 Administration Division II of 2010 California Building Code, which is based on the 2009 International Building Code as published by the International Code Conference and amended by the City of Hayward. Where there is a conflict between administrative requirements of each code the administrative requirements of the Building Code shall prevail.

SECTION 103.3 PERMIT ISSUANCE

SECTION 103.3.1.1 TO WHOM PERMIT MAY BE ISSUED

A new Section 103.3.1.1 is hereby added to read as follows:

(a) Permits may only be issued to a person holding a valid State of California Plumbing Contractors license except when otherwise provided in this section.

(b) Any permit required by this code may be issued to any person to do any work regulated by this code in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided the applicant is the owner and resident in such buildings, accessory buildings, or quarters.

CHAPTER 2
DEFINITIONS

SECTION 203.0 DEFINITION OF TERMS

Section 203.0 a new definition is hereby added to read as follows:

ADMINISTRATIVE AUTHORITY shall mean the City Building Official of the City of Hayward or his or her duly authorized representative.

CHAPTER 3
GENERAL REGULATIONS

SECTION 301.1.3.1 STANDARDS

A new sentence is hereby added to the end of this section to read as follows:

ABS, PVC, CPVC, PEX, and PEX-AL-PEX shall not be considered as approved materials. The gas piping, water piping and piping for DWV shall be of approved materials.

SECTION 316.1.1 THREADED JOINTS

A new sentence is hereby added to the end of this section to read as follows:

Screwed fittings shall be cast iron, copper, copper alloy, malleable iron, steel, or other approved materials. Threads shall be tapped out of solid metal. ABS and PVC shall not be considered an approved material.

SECTION 316.1.5.FLEXIBLE COMPRESSION FACTORY-FABRICATED JOINTS

This section is hereby deleted.

SECTION 316.3 FLANGED FIXTURE CONNECTIONS

SECTION 316.3.1

This section is hereby replaced with new Section 316.3.1 to read as flows:

Fixture connections between drainage pipes and water closets, floor outlet service sinks, pedestal urinals, and earthenware trap standards shall be made by means of approved brass or iron flanges caulked, soldered, solvent cemented, or screwed to the drainage pipe. The connection shall be bolted with an approved gasket, washer, or setting compound between the earthenware and the connection. The bottom of the flange shall be set on an approved firm base. ABS and PVC shall not be considered an approved material.

CHAPTER 6
WATER SUPPLY AND DISTRIBUTION

SECTION 604.0 MATERIALS

TABLE 6-4

The following materials are hereby deleted from this table:

CVPC, PE, PE-AL-PE, PEX, PEX-AL-PEX, PVC

SECTION 604.1

After the first paragraph of this section two new sentences are added to read as follows:

Water pipe and fittings to supply potable water shall be of brass, copper, cast iron, galvanized malleable iron, galvanized wrought iron, galvanized steel, or other approved materials. CPVC, PB, PE, or PVC water pipe manufactured to recognized standards shall be limited to cold water irrigation systems outside a building.

SECTION 609.3.2

A new sentence is hereby added to the end of this section to read as follows:

Underground copper tubing installed within a building must be sleeved or double spiral wrapped with minimum 10 mil tape in an approved manner.

CHAPTER 7
SANITARY DRAINAGE

SECTION 701.0 MATERIALS

Table 7-1The following materials are hereby deleted from this table as approved materials: ABS, Co-extruded ABS, Co-extruded PVC and PVC

SECTION 701.1

Section 701.1.1 is hereby replaced with a new section 701.1.1 to read as follows:

Drainage piping shall be cast iron, galvanized steel, copper, brass, extra strength vitrified clay pipe, or other approved materials having a smooth and uniform bore. Schedule 40 ABS, DWV, schedule 40 PVC DWV are not approved materials.

SECTION 701.1.2

This section is hereby deleted.

SECTION 701.1.3

SECTION 701.2

Section 701.2 is hereby replaced with a new section 701.2 to read as follows:

Drainage fittings shall be of cast iron, malleable iron, brass, copper, vitrified clay, stainless steel 304 and 316L (304 shall not be installed underground and shall be kept at least 6 inches aboveground), or other approved materials having a smooth interior waterway of the same diameter as the piping served and all such fittings shall conform to the type of pipe used. ABS and PVC shall not be an approved material.

SECTION 707.0 CLEANOUTS

SECTION 707.1

This section is hereby amended to read as follows:

Each cleanout fitting for cast iron pipe shall consist of a cast iron or brass body, and an approved plug. Each cleanout for galvanized wrought iron, galvanized steel, copper, or brass pipe shall consist of a brass plug as specified in Table 7 6 or a standard weight brass cap, or other approved materials. Plugs shall have raised square heads or approved countersunk rectangular slots. Countersink heads shall be used where raised heads may cause a hazard. ABS and PVC shall not be considered an approved material.

CHAPTER 9
VENTS

SECTION 903 MATERIALS

SECTION 903.1

This section is hereby amended to read as follows:

Vent pipe and vent fittings shall be cast iron, galvanized steel, galvanized wrought iron, copper, brass, stainless steel 304 or 316L (stainless steel 304 pipe and fittings shall not be installed underground and shall be kept at least six inches aboveground) or other approved materials having a smooth and uniform bore. Schedule 40 ABS, DWV, schedule 40 PVC DWV are not approved materials.

SECTION 903.1.2

This section is hereby deleted.

CHAPTER 10
TRAPS

SECTION 1003.1 TRAPS - DESCRIBED

SECTION 1003.1

Section 1003.1 is hereby amended to read as follows:

Each trap, except one for an interceptor or similar device, shall be self cleaning. Traps for bathtubs, showers, lavatories, sinks, laundry tubs, floor drains, hoppers, urinals, drinking fountains, dental units, and similar fixtures shall be of standard design and weight and shall be of cast brass, cast iron, or other approved material. An exposed and readily accessible drawn brass tubing trap, not less than 17 B & S gauge (0.45") (1. 1 mm) may be used on fixtures discharging domestic sewage but shall exclude urinals. Each trap shall have the manufacturer's name stamped legibly in the metal of the trap and each tubing trap shall have the gauge of the tubing in addition to the manufacturer's name. Every trap shall have a smooth and uniform interior waterway.

CHAPTER 11
STORMWATER DRAINAGE

Section 1101.0 GENERAL

Section 1101.1 is hereby amended by the addition of the following paragraph:

All such water which could flow by gravity over the public right of way onto adjacent property shall be carried in approved conduits sufficient in size to convey accumulated water through the curb to the street gutter as required by City Standard Detail SD-118. Conduits under the sidewalk, when conducted through the curb shall be steel or cast iron piping or other approved material.

Section 1102.0 MATERIALS

Section 1102.1 is deleted and replaced with:

Conductors installed above ground shall be cast iron, galvanized steel, wrought iron, brass, copper or other approved material.

Section 1102.2 is deleted and replaced with:

Section 1102.2 Roof Drainage-All Occupancy Groups

1. Rainwater piping placed within the interior of a building or run within a vent or shaft shall be of cast iron, galvanized steel, wrought iron, brass, copper or other approved material.

2. Rainwater piping located on the exterior of a building shall not be less than 26 gauge galvanized sheet metal or other approved material.

3. Rainwater piping located underground within a building shall be of service weight cast iron soil pipe, type DWV copper tube or other approved material.

Section 2. Severability. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 3. Effective Date. In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 9th day of November, by Council Member Henson.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the day of 16th, of November by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ATTEST: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

APPROVED: _____
Mayor of the City of Hayward

DATE: November 30, 2010

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

Daily Review

c/o Bay Area News Group-East Bay
22533 Foothill Blvd.
Hayward, CA 94541
Legal Advertising
(800) 595-9595 opt. 4

Legal No. **0003756079**

11/29/10 10:55 CLK

Hayward, City of/City Clerk
Miriam Lens,777 B St.
Hayward CA 94541

PROOF OF PUBLICATION

FILE NO. Ord 2010 Fire

In the matter of

Daily Review

The Daily Review

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Daily Review, a newspaper published in the English language in the City of Hayward, County of Alameda, State of California.

I declare that the Daily Review is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's decree, dated March 2, 1950, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Daily Review as a Newspaper of General Circulation, case number 221938. Said decree states that "'The Daily Review' has been established, printed, and published daily in the City of Hayward, County of Alameda, State of California, for one year or more next preceding the date of the filing of said petition; that it is a newspaper published for the dissemination of local and telegraphic news and intelligence of a general character and has a bona fide subscription list of paying subscribers; ... [.].[and] THEREFORE, ... 'The Daily Review' is hereby determined and declared to be a newspaper of general circulation [within the meaning of Government Code §§ 6000 et seq.]" Said decree has not been revoked, vacated or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/13/2010

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Public Notice Advertising Clerk

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A FIRE PREVENTION CODE FOR THE CITY OF HAYWARD; ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR PENALTIES FOR VIOLATION, AND REPEALING ORDINANCE NO. 07-19, AS AMENDED, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-19, and all amendments thereto, is hereby repealed and in substitution thereof a new fire code for the City of Hayward is hereby enacted to read as follows:

SEC. 1.	FIRE PREVENTION CODE OF THE CITY OF HAYWARD, ADOPTION OF CALIFORNIA FIRE CODE
SEC. 2.	ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION OFFICE
SEC. 3.	DEFINITIONS
SEC. 4.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN ABOVEGROUND TANKS IS TO BE PROHIBITED
SEC. 5.	ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED
SEC. 6.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED
SEC. 7.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED
SEC. 8.	AMENDMENTS MADE IN THE CALIFORNIA FIRE CODE

GENERAL
CHAPTER 1 - SCOPE AND ADMINISTRATION DIVISION II ADMINISTRATION
SECTION 104 - GENERAL AUTHORITY AND RESPONSIBILITIES

104.10	INVESTIGATIONS
104.10.1	ASSISTANCE FROM OTHER AGENCY
104.12	FIRE PROTECTION

SECTION 105 - PERMITS

105.2.2	INSPECTION REQUIRED
105.8	PERMIT FEES

SECTION 108 - BOARD OF APPEALS

108.1.	FIRE APPEALS BOARD ORGANIZATION

CHAPTER 2 - DEFINITIONS
SECTION 202 - GENERAL DEFINITIONS

CHAPTER 5 - FIRE SERVICE FEATURES
SECTION 503 - FIRE APPARATUS ACCESS ROADS

503.1	WHERE REQUIRED
503.1.4	FIRE LANES

SECTION 507 - FIRE PROTECTION WATER SUPPLIES

507.5	FIRE HYDRANT SYSTEMS
507.5.1	WHERE REQUIRED

CHAPTER 6 - BUILDING SERVICES AND SYSTEMS
SECTION 603 FUEL FIRED APPLIANCES

603.4.	PORTABLE UNVENTED HEATERS
605.11	SOLAR PHOTOVOLTAIC POWER SYSTEMS
605.11.1	MARKING
605.11.1.1	MATERIALS
605.11.1.2	GRAPHICS
605.11.1.3	MARKING LOCATION AND CONTENT
605.11.1.3.1	MARKING AND LABELING OF DISCONNECTING MEANS
605.11.1.3.2	MARKING OF DC CONDUIT, RACEWAYS, ENCLOSURES AND CABLE ASSEMBLIES
605.11.2	PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS
605.11.2.1	MAIN SERVICE DISCONNECTS
605.11.2.2	POWER DISCONNECTS
605.11.3	DC CONDUCTORS
605.11.3.1	CIRCUIT ROUTING
605.11.3.2	WIRING METHODS
605.11.3.3	WIRING
605.11.4	ROOF ACCESS AND PATHWAYS
605.11.4.1	ROOF ACCESS POINTS
605.11.4.2	RESIDENTIAL SYSTEMS FOR ONE-AND TWO FAMILY RESIDENTIAL DWELLINGS
605.11.4.2.1	RESIDENTIAL BUILDINGS WITH HIP ROOF LAYOUTS
605.11.4.2.2	RESIDENTIAL BUILDINGS WITH A SINGLE RIDGE
605.11.4.2.3	HIPS AND VALLEYS
605.11.4.2.4	SMOKE VENTILATION
605.11.4.3	ALL OTHERS OCCUPANCIES
605.11.4.3.1	ACCESS
605.11.4.3.2	PATHWAYS
605.11.4.3.3	SMOKE VENTILATION
605.11.5	NON-HABITABLE BUILDINGS OR STRUCTURES
605.11.6	GROUND MOUNTED PHOTOVOLTAIC ARRAYS

CHAPTER - 9 FIRE PROTECTION SYSTEMS
SECTION 901 - GENERAL

901.4	INSTALLATION
901.4.2	NON-REQUIRED FIRE PROTECTION SYSTEMS
901.4.5	FIRE SPRINKLER CONTRACTORS

SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS

903.2	WHERE REQUIRED
903.2.19	EXISTING BUILDINGS
903.2.20	HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE

903.3.1.1 NFPA 13 SPRINKLER SYSTEMS
SECTION 903.4.2 - ALARMS
SECTION 905 - STANDPIPES
905.1 GENERAL.
905.3 REQUIRED INSTALLATIONS
905.4 LOCATION OF CLASS I STANDPIPE HOSE CONNECTIONS.
CHAPTER 14 - FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION
SECTION 1401 - GENERAL
1413 STANDPIPES.
1413.1 WHERE REQUIRED
CHAPTER 27 - HAZARDOUS MATERIALS - GENERAL PROVISIONS
SECTION 2703 - GENERAL REQUIREMENTS
SECTION 2703.1.5 - PROHIBITED LOCATION
CHAPTER 29 - COMBUSTIBLE FIBERS
SECTION 2905 - BALED STORAGE
2905.3 FIRE PROTECTION
CHAPTER 34 - FLAMMABLE AND COMBUSTIBLE LIQUIDS
SECTION 3401 - GENERAL
3401.4 PERMITS
3401.4.1 PLANS
SECTION 3403 - GENERAL REQUIREMENTS
SECTION 3403.1.4 - PROHIBITED LOCATION
SECTION 3404 - STORAGE
3404.1.1 APPLICABILITY
SECTION 3406 - SPECIAL OPERATIONS
3406.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES
3406.2.8 DISPENSING FROM TANK VEHICLES
CHAPTER 49 - WILDLAND-URBAN INTERFACE FIRE AREA
4901.3 WHERE REQUIRED
SECTION 4902 - DEFINITIONS
4905.2 CONSTRUCTION METHODS AND REQUIREMENTS.

SECTION 4906 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
SECTION 4907 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
APPENDIX B
FIRE-FLOW REQUIREMENTS FOR BUILDINGS
SECTION B105 - FIRE-FLOW REQUIREMENTS FOR BUILDINGS
B105.1 ONE- AND TWO-FAMILY DWELLINGS
B105.2 BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS

APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION
SEC. 9. APPEALS
SEC. 10. FEES
SEC. 11. PENALTIES
SEC. 12. REPEAL OF CONFLICTING ORDINANCES
SEC. 13. VALIDITY
SEC. 14. DATE OF EFFECT

Section 2. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A BUILDING CODE FOR THE CITY OF HAYWARD; REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-17, AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-17, and all amendments thereto, is hereby repealed and in substitution thereof a new Building Code for the City of Hayward is hereby enacted to read as follows:

BUILDING CODE OF THE CITY OF HAYWARD

SECTION.1.00 2010 CALIFORNIA BUILDING CODES, ADOPTION BY REFERENCE
SECTION 2.00 Applicability of CBC Appendix Chapters
APPENDIX CHAPTER I
ADMINISTRATIVE
SECTION 101 GENERAL
DIVISION II
SECTION101.1 TITLE
SECTION 101.4.4 PROPERTY MAINTENANCE
SECTION 102.4.3 ABSENCE OF REFERENCED STANDARDS
SECTION 103.1 CREATION OF ENFORCEMENT AGENCY
SECTION 104.11.3 PEER REVIEW
SECTION 105.1.1 ANNUAL PERMITS
SECTION 105.1.2 ANNUAL PERMIT RECORDS
SECTION 105.3 New section added.

SECTION 105.3.1 New section added.
SECTION105.5 EXPIRATION
SECTION 105.5.1 COMPLETION PERMITS
SECTION 107 SUBMITTAL DOCUMENTS
SECTION 107.2 CONSTRUCTION DOCUMENTS
SECTION107.3 EXAMINATION OF DOCUMENTS
SECTION 107.6 EXPIRATION OF PLAN REVIEW
SECTION 107.5 MAINTENANCE OF BUILDING PLANS
SECTION 109 FEES
SECTION 109.1.1 PLAN REVIEW FEES
SECTION109.2 SCHEDULE OF PERMIT FEES
SECTION 109.6 FEE REFUNDS
SECTION 109.7 INVESTIGATION FEES; WORK WITHOUT A PERMIT
SECTION 109.8 FEES FOR COMPLETION PERMITS
SECTION 109.9 REINSPECTION FEES
SECTION 110.3.8.1 INSPECTIONS OF MOVED BUILDINGS
SECTION 110.3.9 SPECIAL INSPECTIONS
SECTION 110.5 INSPECTION REQUESTS
SECTION110.7 INSPECTION RECORD CARD
SECTION111.3 TEMPORARY OCCUPANCY
SECTION 111.5 ABANDONMENT OF LEGAL OCCUPANCY
SECTION 111.6 OCCUPANCY VIOLATIONS
CHAPTER 2 - DEFINITIONS AND ABBREVIATIONS
SECTION 202 DEFINITIONS
CHAPTER 4 - SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY
SECTION 412.4.6 FIRE SUPPRESSION
SECTION 414.1.4 HAZARDOUS MATERIALS
SECTION 415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS
CHAPTER 5 - GENERAL BUILDING LIMITATIONS
TABLE 508.2.5 INCIDENTAL ACCESSORY OCCUPANCIES
CHAPTER 9 - FIRE PROTECTION SYSTEMS
SECTION 901.2 FIRE PROTECTION SYSTEMS
SECTION 903 AUTOMATIC SPRINKLER SYSTEMS
SECTION 903.1 GENERAL
SECTION 903.1.2 NEW CONSTRUCTION
SECTION 903.1.3 EXISTING BUILDINGS
SECTION 905 STANDPIPE SYSTEMS
SECTION 905.1 GENERAL
SECTION 905.4 LOCATION OF CLASS I STANDPIPE AND HOSE CONNECTIONS.
CHAPTER 15 - ROOF ASSEMBLIES AND ROOFTOP STRUCTURES
CHAPTER 16 - STRUCTURAL ENGINEERING DESIGN PROVISIONS
SECTION 1614 MODIFICATIONS TO ASCE (AMERICAN SOCIETY OF CIVIL ENGINEERS) STANDARDS
SECTION 1614.1 GENERAL
SECTION 1614.1.3 ASCE 7, SECTION 12.8.1.1
SECTION 1614.1.7 REPLACE ASCE 7, SECTION 12.12.3.
CHAPTER 23 - WOOD
SECTION 2308.9.3 BRACING
CHAPTER 33 - SAFEGUARDS DURING CONSTRUCTION
SECTION 3311.1 WHERE REQUIRED

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A MECHANICAL CODE FOR THE CITY OF HAYWARD, REGULATING THE ALTERATION, CONSTRUCTION, INSTALLATION AND REPAIR OF VENTILATING, REFRIGERATION, AND HEAT PRODUCING EQUIPMENT (MECHANICAL EQUIPMENT); PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES AND PRESCRIBING PENALTIES FOR VIOLATION OF SAID MECHANICAL CODE; AND REPEALING ORDINANCE NO. 07-20 AND ALL AMENDMENTS THERETO.

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-20, and all amendments thereto, is repealed and in substitution thereof a new Mechanical Code for the City of Hayward is hereby enacted to read as follows:

MECHANICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00 2010 MECHANICAL CODE ADOPTION BY REFERENCE
SECTION 2.00 AMENDMENTS, ADDITIONS, AND DELETIONS TO 2010 CALIFORNIA MECHANICAL CODE
APPENDIX CHAPTER I
TITLE AND SCOPE
APPENDIX CHAPTER 1 ADMINISTRATION
CALIFORNIA CHAPTER 1
GENERAL CODE PROVISIONS
DIVISION II
SECTION 101.0 TITLE
SECTION 114.1.1 TO WHOM PERMIT MAY BE ISSUED
CHAPTER II
DEFINITIONS

Introduced at a meeting of the Hayward City Council held November 9, 2010,

the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE TO BE KNOWN AND DESIGNATED AS THE ELECTRICAL CODE OF THE CITY OF HAYWARD; REGULATING THE INSTALLATION, ALTERATION, REPAIR, AND MAINTENANCE OF ELECTRICAL WIRING, ELECTRICAL FIXTURES, AND OTHER ELECTRICAL APPLIANCES AND EQUIPMENT; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-21 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-21, and all amendments thereto, is repealed and, in substitution thereof, a new Electrical Code for the City of Hayward is enacted to read as follows:

ELECTRICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00	CALIFORNIA ELECTRICAL CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE 2007 CALIFORNIA ELECTRICAL CODE
SECTION 3.00	APPLICABILITY OF CALIFORNIA ELECTRICAL CODE ANNEX CHAPTERS
ANNEX CHAPTER H - ADMINISTRATION AND ENFORCEMENT	
SECTION 80.15	ELECTRICAL BOARD
SECTION 80.19	PERMITS AND APPROVALS.
CALIFORNIA CHAPTER 1 - GENERAL CODE PROVISIONS	
SEC. 89.101.1	TITLE
CHAPTER 1 - GENERAL	
ARTICLE 100	DEFINITIONS
CHAPTER 2 - WIRING AND PROTECTION	
ARTICLE 210	BRANCH CIRCUITS
SEC. 210.5	(C) UNGROUNDED CONDUCTORS OF MULTIWIRE BRANCH CIRCUITS IN RACEWAY
ARTICLE 230	SERVICES, SECTION VI SERVICE EQUIPMENT - DISCONNECTING MEANS
SEC. 230.70 (a)	LOCATION
ARTICLE 250	GROUNDING AND BONDING, SEC. 250.66.SIZE OF ALTERNATING-CURRENT GROUNDING ELECTRODE CONDUCTOR
CHAPTER 3- WIRING METHODS AND MATERIALS	
ARTICLE 300	Wiring Methods is hereby amended
SEC.300.11	Securing and Supporting
CHAPTER 7- SPECIAL CONDITIONS	
ARTICLE 770	OPTICAL FIBER CABLE AND RACEWAYS

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE REPEALING ORDINANCE NO. 07-22 AND ALL AMENDMENTS THERETO, AND ESTABLISHING A PLUMBING CODE FOR THE CITY OF HAYWARD, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF PLUMBING; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-22, and all amendments thereto, is repealed and in substitution thereof a new Plumbing Code for the City of Hayward is hereby enacted to read as follows:

PLUMBING CODE OF THE CITY OF HAYWARD

SECTION 1.00	2010 CALIFORNIA PLUMBING CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE UNIFORM PLUMBING CODE
CHAPTER 1 - ADMINISTRATION	
DIVISION II	
SECTION 101.0	TITLE
SECTION 103.3	PERMIT ISSUANCE
SECTION 103.3.1.1	TO WHOM PERMIT MAY BE ISSUED
CHAPTER 2 - DEFINITIONS	
SECTION 203.0	DEFINITION OF TERMS
CHAPTER 3 - GENERAL REGULATIONS	
SECTION 301.1.3.1	STANDARDS
SECTION 316.1.1	THREADED JOINTS
SECTION 316.1.5	FLEXIBLE COMPRESSION FACTORY-FABRICATED JOINTS
SECTION 316.3	FLANGED FIXTURE CONNECTIONS
SECTION 316.3.1	

CHAPTER 6 - WATER SUPPLY AND DISTRIBUTION
SECTION 604.0 MATERIALS
SECTION 604.1
SECTION 609.3.2
CHAPTER 7 - SANITARY DRAINAGE
SECTION 701.0 MATERIALS
SECTION 701.1
Section 701.1.1
SECTION 701.1.2
SECTION 701.1.3
SECTION 701.2
SECTION 707.0 CLEANOUTS
SECTION 707.1
CHAPTER 9 - VENTS
SECTION 903 MATERIALS
SECTION 903.1
SECTION 903.1.2
CHAPTER 10 - TRAPS
SECTION 1003.1 TRAPS - DESCRIBED
CHAPTER 11 - STORMWATER DRAINAGE
SECTION 1101.0 GENERAL
Section 1101.1
SECTION 1102.0 MATERIALS
Section 1102.2 Roof Drainage-All Occupancy Groups

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING SECTION 10-22.140 (d) COMMERCIAL COVERED PROJECTS SECTION OF ORDINANCE 09-15 GREEN BUILDING REQUIREMENTS FOR PRIVATE DEVELOPMENT

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 10-22.140 (d): Commercial Covered Projects
Section 10-22.140 (d) is hereby deleted and a new section (d) is added.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

Dated: November 13, 2010
Miriam Lens, City Clerk
City of Hayward

DR #3756079; Nov. 13, 2010

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-172

Introduced by Council Member Henson

RESOLUTION FINDING AND DETERMINING THE NEED FOR CHANGES OR MODIFICATIONS TO THE 2010 CALIFORNIA PLUMBING CODE

WHEREAS, section 17958 of the California Health and Safety Code requires the adoption by the City of Hayward of regulations imposing the same requirements of certain uniform industry codes as specified in Health and Safety Code section 17922 and California Housing and Community Development Commission regulations promulgated hereunder; and

WHEREAS, said Health and Safety Code section 17958.5 permits a city to make changes or modifications to the uniform industry code as deemed reasonably necessary because of local conditions; and

WHEREAS, pursuant to section 17958.7 of the Health and Safety Code, local substantive amendments shall be based upon findings of local climatic, geological, or topographical conditions, but such findings are not necessary for merely administrative changes, or changes unrelated to apartment houses, hotels, motels, and dwellings.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby finds and determines the need to adopt the administrative, commercial, or industrial changes or modifications to the following sections of the 2010 California Plumbing Code, by reason of local conditions:

1. ADMINISTRATIVE PROVISIONS. Certain administrative provisions in Section 1 and in Section 2 have been amended to conform to the provisions of the City Charter and other City ordinances; such changes are not technical in nature, but are administrative only. The City Council finds pursuant to California Code of Regulations Title 25, Section 52, that enforcement procedures of local ordinances are equivalent to those provided by the State for abatement of violations of this code.

2. CHAPTER 3 GENERAL REGULATIONS. ABS, PVC, CPVC, PEX and PEX-Al-PEX shall not be considered as approved materials.

3. CHAPTER 6 WATER SUPPLY AND DISTRIBUTION. Certain provisions of this chapter have been amended to require additional protection for water supply piping installed underground and also at the joints of such piping.

Table 6-4 all plastic materials are deleted from this table.

4. CHAPTER 7 SANITARY DRAINAGE.

Sections 701.1, 701.1.2, 701.2 and 707.1 are deleted.

5. CHAPTER 9 VENTS.

Sections 903.1 and 903.1.2 are amended to disallow the use of ABS and PVC plastic piping as approved materials.

6. CHAPTER 10 TRAPS.

Section 1003.1 is amended to disallow the use of ABS and PVC piping as approved materials.

7. CHAPTER 11 STORM DRAINAGE

Section 1101.1 is hereby amended by the addition of the following paragraph:

All such water which could flow by gravity over the public right of way or onto adjacent property shall be carried in approved conduits sufficient in size to convey bnaccumulated water, through the curb to the street gutter, as required by City Standard Detail SD-118. Conduits under the sidewalk, when conducted though the curb, shall be steel or cast iron piping, or other approved material.

Section 1102.1 amended to disallow the use of plastic piping as approved materials for conducting storm water drainage.

Section 1102.2.1 deleted and replaced with:

Roof Drainage – All Occupancy Groups, is hereby added to read as follows:

1. Rainwater piping placed within interior of a building or run within a vent or shaft shall be of cast iron, galvanized steel, wrought iron, brass, copper, or other approved materials.

1.1 Rainwater piping located on the exterior building shall be not less than 26 gauge galvanized sheet metal or other approved material.

1.2 Rainwater piping located underground within a building shall be of service weight cast iron soil pipe, Type DWV copper tube, or other approved materials.

Local amendments are necessary in order to lessen the threat to life, safety and property presented by certain local climatic, geological and topographical conditions existing in the City of Hayward. The local amendments are enacted pursuant to the authority of Section 17958.5 of the California Health and Safety Code for the purpose of addressing conditions which are more specifically described as follows:

CLIMATIC

a. Precipitation: Precipitation ranges from 15 to 24 inches per year with an average of approximately 17.58 inches per year. 95 percent falls during the months of October through April, and 5 percent from May through September.

b. Relative Humidity: Humidity remains in the middle range most of the time. It ranges from 41 percent to 68 percent during the year.

c. Temperatures: High temperatures have been recorded in the low 100's F. Average summer highs are in the 73 range with an average annual maximum temperature of 66 F.

d. Winds: Prevailing winds are from the West, Northwest (WNW). However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 14 mph to 23 mph range, gusting to 25 to 35 mph. Forty mile-per-hour winds are experienced occasionally and higher have been registered. During the winter season, strong, dry, and gusty winds from the north move through the areas for several days, creating extremely dry conditions.

TOPOGRAPHICAL

a. Vegetation: Dry grass and brush are common in the hills and open-space areas adjacent to built-up locations during six to eight months of each year. Many of these areas frequently experience wild land fires which threaten nearby buildings, particularly those with wood roofs or sidings.

b. Hills, Creeks, Canals, Freeways, Railways, Housing Tracts, Large Buildings, Building Complexes, and the Airport: All of these surface features, both natural and man-made, have a major adverse effect upon the road and street layout in the City, including major traffic routes. These conditions limit the number and cause indirect routing of major arterial streets for normal traffic as well as emergency vehicle response.

c. Terrain: Areas with buildings include level, sloping, and rolling terrain. This terrain is not dissimilar to terrain in other locations which have experienced major conflagrations.

d. Roads and Streets: As noted above, the limited number and the indirect routing of roads and streets in the City create heavy, slow traffic conditions and excessively long travel routes from point to point.

e. Population: The current and rapidly growing population in the City creates two fire protection problems:

1. The more people, the more emergency incidents requiring Fire Department response. The greater the frequency of alarms, the greater the chance there will be simultaneous emergency incidents requiring Fire Department response. This results in longer response times or fewer fire companies to respond to any emergency within the City; and

2. The more people, the more traffic congestion during a greater part of the day. Such traffic congestion not only slows Fire Department response but often restricts access to fire scenes.

f. Buildings, Landscaping and Clearances: Many building complexes are of designs which greatly limit the approach to and accessibility by Fire Department resources. Many houses and other buildings with wood roofs or sidings are close together and fire will readily spread from one to another by both radiation and convection of flying brands.

GEOLOGICAL

a. Seismic Activity: The City of Hayward is located in a zone of high seismic activity. A major seismic event may make roads impassable with damage so widespread that resources would not be available to meet all the anticipated needs. Buildings in this area need to be designed to ensure the maximum life safety of occupants and to minimize economic loss as the region struggles to overcome the devastation that would follow after such a seismic event.

FINDINGS:

a. The Hayward fault lies within the City of Hayward and in fact, a substantial portion of the residential area of the City lies within the Alquist-Priolo Act Special Studies Zone, requiring special geologic studies prior to development. This fact increases the likelihood of seismic disturbances of substantial magnitude occurring and causing consequent damage. Such damage is often accompanied by structural fire. Because ABS, PVC and PEX plastic piping is combustible, emits toxic gases and acids, and generates large amounts of smoke, its presence in interior water distribution systems would increase the threat to life and property in the event of a seismic disturbance; and

b. The travel time to a fire or other emergency within Hayward may be impeded by the following conditions:

1. Three major railway lines, the elevated BART line, two major freeways, and natural creeks divide the City into numerous sections, and equipment responding to emergencies face potential delays and obstruction of access in crossing these barriers.

2. The City of Hayward contains five major water reservoirs which, upon failure, would inundate a large portion of the City, further delaying the response to a fire or other emergency.

3. The major north-south and east-west emergency response routes aside from the freeways are dependent upon bridges and grade separations. Failure of these structures would isolate a heavily populated section of the City.

4. In the event of a fire, toxic gases and acid emitted by plastic pipe and the smoke generated by plastic pipe represent and increased life hazard, and since most loss of life in fires is from asphyxiation, a rapid response by emergency equipment becomes more critical.

c. All drain and waste pipes flow into the City of Hayward Waste Water Treatment Plant. Any chemical reaction between the plastic pipe and the waste flowing through it, may produce contaminants, threatening the biological process of the treatment Plant itself and in turn thereby threatening the marine life in the San Francisco Bay. Extensive use presents an unacceptable threat.

d. High wind conditions normally exist in the hillside and shoreline areas of the City, increasing the potential for fire spread. The presence of plastic pipe increases the life hazard.

e. Prevailing temperatures in the City of Hayward periodically reaches levels that may cause excessive expansion of plastic pipe resulting in its failure.

f. A substantial portion of the residential area of Hayward is the natural habitat of various species of animals and rodents. Plastic pipe has been known to be damaged by such animals and rodents.

g. Prevailing soil conditions within the City of Hayward have been found to be highly acidic and corrosive to both ferrous and non-ferrous piping. Without protection these piping systems have shown failure on an accelerated rate. A high rate of failure in unprotected under slab copper tubing has been found to occur due to electrolysis. The use of plastic piping for the pressurized potable water systems within structures constitutes a possible hazard to such structures in case of joint failure and pipe breakage, As the City of Hayward sits astride the Hayward fault which is considered a major California fault system, the likelihood of a high magnitude earthquake is predicted by geologists to be highly likely within the next thirty years. Metal piping with threaded or soldered joints has by the nature of the material considerably greater strength to resist breakage and is considered by the Building Official to be necessary to reduce possible structural damage to buildings in the case of a major seismic event

CONCLUSION

Local climatic, geological and topographic conditions have a definite impact upon the frequency, spread and acceleration, intensity and size of fire and other structural threats involving buildings in Hayward. Furthermore, they have an adverse impact upon the number of Fire Department and other emergency resources which can be brought to bear in an expeditious period of time to resolve or reduce threats to life and property. Therefore, it is found to be reasonably necessary that the 2010 California Plumbing Code as adopted by the City of Hayward be changed or modified to mitigate the effects of the above conditions.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the modifications or changes to the 2010 California Plumbing Code to be filed with the California Department of Housing and Community Development.

IN COUNCIL, HAYWARD, CALIFORNIA November 9, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR PRO TEMPORE: Zermeño

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None
MAYOR: Sweeney

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

ORDINANCE NO. 10-16

AN ORDINANCE ESTABLISHING A MECHANICAL CODE FOR THE CITY OF HAYWARD, REGULATING THE ALTERATION, CONSTRUCTION, INSTALLATION AND REPAIR OF VENTILATING, REFRIGERATION, AND HEAT PRODUCING EQUIPMENT (MECHANICAL EQUIPMENT); PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES AND PRESCRIBING PENALTIES FOR VIOLATION OF SAID MECHANICAL CODE; AND REPEALING ORDINANCE NO. 07-20 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-20, and all amendments thereto, is repealed and in substitution thereof a new Mechanical Code for the City of Hayward is hereby enacted to read as follows:

MECHANICAL CODE
OF THE CITY OF HAYWARD

SECTION 1.00 2010 MECHANICAL CODE ADOPTION BY REFERENCE The 2010 California Mechanical Code, which is based on the 2009 Uniform Mechanical Code and Appendices thereto, published by International Association of Plumbing and Mechanical Officials as amended by the State pursuant to Health and Safety Code Section 17922, and as further modified by these amendments, additions, alterations and deletions set forth hereinafter, is hereby adopted by reference as the Mechanical Code of the City of Hayward.

A printed copy of such Mechanical Code is on file in the office of the City Clerk to which reference is hereby made for further particulars.

Reference is also made to the State's Matrix Adoption Tables which identify local Building Official's responsibility to enforce certain amendments.

SECTION 2.00 AMENDMENTS, ADDITIONS, AND DELETIONS TO 2010 CALIFORNIA MECHANICAL CODE. Set forth below are the local amendments, additions, and deletions to the 2010 California Mechanical Code. Chapter and section numbers used herein are those of the California Mechanical Code.

APPENDIX CHAPTER I
TITLE AND SCOPE

APPENDIX CHAPTER 1 ADMINISTRATION

Appendix Chapter 1 Division I and Division II are hereby adopted as the administrative chapter for this code.

Reference is made to Appendix Chapter 1, Division II Administration of 2010 California Building Code, which is based on the 2009 International Building Code as published by the International Code Conference and amended by the City of Hayward. Where there is a conflict between administrative requirements of each code, the administrative requirements of the Building Code shall prevail.

CALIFORNIA CHAPTER 1
GENERAL CODE PROVISIONS

Division II

SECTION 101.0 TITLE

The first sentence of Section 101.0 is hereby deleted and a new sentence is substituted to read as follows:

This ordinance may be cited and shall be known as the "Mechanical Code of the City of Hayward."

SECTION 114.1.1 TO WHOM PERMIT MAY BE ISSUED

A new Section 114.1.1 To Whom Permit May be Issued is hereby added to read as follows:

Permits may only be issued to a person holding a valid State of California Mechanical License except when otherwise provided in this section.

Any permit required by this code may be issued to any person to do any work regulated by this code in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided the applicant is the owner and resident of such buildings, accessory buildings, or quarters.

CHAPTER II
DEFINITIONS

SECTION 205.0-C

Two new definitions shall be added to Section 205.0 to read as follows:

"CITY OF" or "THE CITY" shall mean the City of Hayward as the text may require.

"CITY COUNCIL" shall mean the City Council of the City of Hayward.

Section 2. Severability. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 3. Effective Date. In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 9th day of November, by Council Member Henson.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the day of 16th, of November by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ATTEST: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

APPROVED: _____
Mayor of the City of Hayward

DATE: November 30, 2010

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

Daily Review

c/o Bay Area News Group-East Bay
22533 Foothill Blvd.
Hayward, CA 94541
Legal Advertising
(800) 595-9595 opt. 4

Legal No. **0003756079**

Hayward, City of/City Clerk
Miriam Lens,777 B St.
Hayward CA 94541

PROOF OF PUBLICATION

FILE NO. Ord 2010 Fire

In the matter of

Daily Review

The Daily Review

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Daily Review, a newspaper published in the English language in the City of Hayward, County of Alameda, State of California.

I declare that the Daily Review is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's decree, dated March 2, 1950, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Daily Review as a Newspaper of General Circulation, case number 221938. Said decree states that "'The Daily Review' has been established, printed, and published daily in the City of Hayward, County of Alameda, State of California, for one year or more next preceding the date of the filing of said petition; that it is a newspaper published for the dissemination of local and telegraphic news and intelligence of a general character and has a bona fide subscription list of paying subscribers; ... [·] [and] THEREFORE, ... 'The Daily Review' is hereby determined and declared to be a newspaper of general circulation [within the meaning of Government Code §§ 6000 et seq.]" Said decree has not been revoked, vacated or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/13/2010

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Public Notice Advertising Clerk

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A FIRE PREVENTION CODE FOR THE CITY OF HAYWARD; ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR PENALTIES FOR VIOLATION, AND REPEALING ORDINANCE NO. 07-19, AS AMENDED, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-19, and all amendments thereto, is hereby repealed and in substitution thereof a new fire code for the City of Hayward is hereby enacted to read as follows:

SEC. 1.	FIRE PREVENTION CODE OF THE CITY OF HAYWARD, ADOPTION OF CALIFORNIA FIRE CODE
SEC. 2.	ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION OFFICE
SEC. 3.	DEFINITIONS
SEC. 4.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN ABOVE-GROUND TANKS IS TO BE PROHIBITED
SEC. 5.	ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED
SEC. 6.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED
SEC. 7.	ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED
SEC. 8.	AMENDMENTS MADE IN THE CALIFORNIA FIRE CODE

GENERAL
CHAPTER 1 - SCOPE AND ADMINISTRATION DIVISION II ADMINISTRATION
SECTION 104 - GENERAL AUTHORITY AND RESPONSIBILITIES

104.10	INVESTIGATIONS
104.10.1	ASSISTANCE FROM OTHER AGENCY
104.12	FIRE PROTECTION

SECTION 105 - PERMITS

105.2.2	INSPECTION REQUIRED
105.8	PERMIT FEES

SECTION 108 - BOARD OF APPEALS

108.1.	FIRE APPEALS BOARD ORGANIZATION

CHAPTER 2 - DEFINITIONS
SECTION 202 - GENERAL DEFINITIONS

CHAPTER 5 - FIRE SERVICE FEATURES
SECTION 503 - FIRE APPARATUS ACCESS ROADS

503.1	WHERE REQUIRED
503.1.4	FIRE LANES

SECTION 507 - FIRE PROTECTION WATER SUPPLIES

507.5	FIRE HYDRANT SYSTEMS
507.5.1	WHERE REQUIRED

CHAPTER 6 - BUILDING SERVICES AND SYSTEMS
SECTION 603 FUEL FIRED APPLIANCES

603.4.	PORTABLE UNVENTED HEATERS
605.11	SOLAR PHOTOVOLTAIC POWER SYSTEMS
605.11.1	MARKING
605.11.1.1	MATERIALS
605.11.1.2	GRAPHICS
605.11.1.3	MARKING LOCATION AND CONTENT
605.11.1.3.1	MARKING AND LABELING OF DISCONNECTING MEANS
605.11.1.3.2	MARKING OF DC CONDUIT, RACEWAYS, ENCLOSURES AND CABLE ASSEMBLIES
605.11.2	PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS
605.11.2.1	MAIN SERVICE DISCONNECTS
605.11.2.2	POWER DISCONNECTS
605.11.3	DC CONDUCTORS
605.11.3.1	CIRCUIT ROUTING
605.11.3.2	WIRING METHODS
605.11.3.3	WIRING
605.11.4	ROOF ACCESS AND PATHWAYS
605.11.4.1	ROOF ACCESS POINTS
605.11.4.2	RESIDENTIAL SYSTEMS FOR ONE-AND TWO FAMILY RESIDENTIAL DWELLINGS
605.11.4.2.1	RESIDENTIAL BUILDINGS WITH HIP ROOF LAYOUTS
605.11.4.2.2	RESIDENTIAL BUILDINGS WITH A SINGLE RIDGE
605.11.4.2.3	HIPS AND VALLEYS
605.11.4.2.4	SMOKE VENTILATION
605.11.4.3	ALL OTHERS OCCUPANCIES
605.11.4.3.1	ACCESS
605.11.4.3.2	PATHWAYS
605.11.4.3.3	SMOKE VENTILATION
605.11.5	NON-HABITABLE BUILDINGS OR STRUCTURES
605.11.6	GROUND MOUNTED PHOTOVOLTAIC ARRAYS

CHAPTER - 9 FIRE PROTECTION SYSTEMS
SECTION 901 - GENERAL

901.4	INSTALLATION
901.4.2	NON-REQUIRED FIRE PROTECTION SYSTEMS
901.4.5	FIRE SPRINKLER CONTRACTORS

SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS

903.2	WHERE REQUIRED
903.2.19	EXISTING BUILDINGS
903.2.20	HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE

903.3.1.1 NFPA 13 SPRINKLER SYSTEMS
SECTION 903.4.2 - ALARMS
SECTION 905 - STANDPIPES
905.1 GENERAL
905.3 REQUIRED INSTALLATIONS
905.4 LOCATION OF CLASS I STANDPIPE HOSE CONNECTIONS.
CHAPTER 14 - FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION
SECTION 1401 - GENERAL
1413 STANDPIPES.
1413.1 WHERE REQUIRED
CHAPTER 27 - HAZARDOUS MATERIALS - GENERAL PROVISIONS
SECTION 2703 - GENERAL REQUIREMENTS
SECTION 2703.1.5 - PROHIBITED LOCATION
CHAPTER 29 - COMBUSTIBLE FIBERS
SECTION 2905 - BALED STORAGE
2905.3 FIRE PROTECTION
CHAPTER 34 - FLAMMABLE AND COMBUSTIBLE LIQUIDS
SECTION 3401 - GENERAL
3401.4 PERMITS
3401.4.1 PLANS
SECTION 3403 - GENERAL REQUIREMENTS
SECTION 3403.1.4 - PROHIBITED LOCATION
SECTION 3404 - STORAGE
3404.1.1 APPLICABILITY
SECTION 3406 - SPECIAL OPERATIONS
3406.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES
3406.2.8 DISPENSING FROM TANK VEHICLES
CHAPTER 49 - WILDLAND-URBAN INTERFACE FIRE AREA
4901.3 WHERE REQUIRED
SECTION 4902 - DEFINITIONS
4905.2 CONSTRUCTION METHODS AND REQUIREMENTS.

SECTION 4906 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
SECTION 4907 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES
APPENDIX B
FIRE-FLOW REQUIREMENTS FOR BUILDINGS
SECTION B105 - FIRE-FLOW REQUIREMENTS FOR BUILDINGS
B105.1 ONE- AND TWO-FAMILY DWELLINGS
B105.2 BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS

APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION
SEC. 9. APPEALS
SEC. 10. FEES
SEC. 11. PENALTIES
SEC. 12. REPEAL OF CONFLICTING ORDINANCES
SEC. 13. VALIDITY
SEC. 14. DATE OF EFFECT

Section 2. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A BUILDING CODE FOR THE CITY OF HAYWARD; REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-17, AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-17, and all amendments thereto, is hereby repealed and in substitution thereof a new Building Code for the City of Hayward is hereby enacted to read as follows:

BUILDING CODE OF THE CITY OF HAYWARD

SECTION 1.00 2010 CALIFORNIA BUILDING CODES, ADOPTION BY REFERENCE
SECTION 2.00 Applicability of CBC Appendix Chapters
APPENDIX CHAPTER I
ADMINISTRATIVE
SECTION 101 GENERAL
DIVISION II
SECTION101.1 TITLE
SECTION 101.4.4 PROPERTY MAINTENANCE
SECTION 102.4.3 ABSENCE OF REFERENCED STANDARDS
SECTION 103.1 CREATION OF ENFORCEMENT AGENCY
SECTION 104.11.3 PEER REVIEW
SECTION 105.1.1 ANNUAL PERMITS
SECTION 105.1.2 ANNUAL PERMIT RECORDS
SECTION 105.3 New section added.

SECTION 105.3.1 New section added.
SECTION105.5 EXPIRATION
SECTION 105.5.1 COMPLETION PERMITS
SECTION 107 SUBMITTAL DOCUMENTS
SECTION 107.2 CONSTRUCTION DOCUMENTS
SECTION107.3 EXAMINATION OF DOCUMENTS
SECTION 107.6 EXPIRATION OF PLAN REVIEW
SECTION 107.5 MAINTENANCE OF BUILDING PLANS
SECTION 109 FEES
SECTION 109.1.1 PLAN REVIEW FEES.
SECTION109.2 SCHEDULE OF PERMIT FEES
SECTION 109.6 FEE REFUNDS
SECTION 109.7 INVESTIGATION FEES; WORK WITHOUT A PERMIT
SECTION 109.8 FEES FOR COMPLETION PERMITS
SECTION 109.9 REINSPECTION FEES
SECTION 110.3.8.1 INSPECTIONS OF MOVED BUILDINGS
SECTION 110.3.9 SPECIAL INSPECTIONS
SECTION 110.5 INSPECTION REQUESTS
SECTION110.7 INSPECTION RECORD CARD
SECTION111.3 TEMPORARY OCCUPANCY
SECTION 111.5 ABANDONMENT OF LEGAL OCCUPANCY
SECTION 111.6 OCCUPANCY VIOLATIONS
CHAPTER 2 - DEFINITIONS AND ABBREVIATIONS
SECTION 202 DEFINITIONS
CHAPTER 4 - SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY
SECTION 412.4.6 FIRE SUPPRESSION
SECTION 414.1.4 HAZARDOUS MATERIALS
SECTION 415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS
CHAPTER 5 - GENERAL BUILDING LIMITATIONS
TABLE 508.2.5 INCIDENTAL ACCESSORY OCCUPANCIES
CHAPTER 9 - FIRE PROTECTION SYSTEMS
SECTION 901.2 FIRE PROTECTION SYSTEMS
SECTION 903 AUTOMATIC SPRINKLER SYSTEMS
SECTION 903.1 GENERAL
SECTION 903.1.2 NEW CONSTRUCTION
SECTION 903.1.3 EXISTING BUILDINGS
SECTION 905 STANDPIPE SYSTEMS
SECTION 905.1 GENERAL
SECTION 905.4 LOCATION OF CLASS I STANDPIPE AND HOSE CONNECTIONS.
CHAPTER 15 - ROOF ASSEMBLIES AND ROOFTOP STRUCTURES
CHAPTER 16 - STRUCTURAL ENGINEERING DESIGN PROVISIONS
SECTION 1614 MODIFICATIONS TO ASCE (AMERICAN SOCIETY OF CIVIL ENGINEERS) STANDARDS
SECTION 1614.1 GENERAL
SECTION 1614.1.3 ASCE 7, SECTION 12.8.1.1
SECTION 1614.1.7 REPLACE ASCE 7, SECTION 12.12.3.
CHAPTER 23 - WOOD
SECTION 2308.9.3 BRACING
CHAPTER 33 - SAFEGUARDS DURING CONSTRUCTION
SECTION 3311.1 WHERE REQUIRED

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A MECHANICAL CODE FOR THE CITY OF HAYWARD, REGULATING THE ALTERATION, CONSTRUCTION, INSTALLATION AND REPAIR OF VENTILATING, REFRIGERATION, AND HEAT PRODUCING EQUIPMENT (MECHANICAL EQUIPMENT); PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES AND PRESCRIBING PENALTIES FOR VIOLATION OF SAID MECHANICAL CODE; AND REPEALING ORDINANCE NO. 07-20 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-20, and all amendments thereto, is repealed and in substitution thereof a new Mechanical Code for the City of Hayward is hereby enacted to read as follows:

MECHANICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00 2010 MECHANICAL CODE ADOPTION BY REFERENCE
SECTION 2.00 AMENDMENTS, ADDITIONS, AND DELETIONS TO 2010 CALIFORNIA MECHANICAL CODE
APPENDIX CHAPTER I
TITLE AND SCOPE
APPENDIX CHAPTER 1 ADMINISTRATION
CALIFORNIA CHAPTER 1
GENERAL CODE PROVISIONS
DIVISION II
SECTION 101.0 TITLE
SECTION 114.1.1 TO WHOM PERMIT MAY BE ISSUED
CHAPTER II
DEFINITIONS

Introduced at a meeting of the Hayward City Council held November 9, 2010,

the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE TO BE KNOWN AND DESIGNATED AS THE ELECTRICAL CODE OF THE CITY OF HAYWARD; REGULATING THE INSTALLATION, ALTERATION, REPAIR, AND MAINTENANCE OF ELECTRICAL WIRING, ELECTRICAL FIXTURES, AND OTHER ELECTRICAL APPLIANCES AND EQUIPMENT; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 07-21 AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-21, and all amendments thereto, is repealed and, in substitution thereof, a new Electrical Code for the City of Hayward is enacted to read as follows:

ELECTRICAL CODE OF THE CITY OF HAYWARD

SECTION 1.00	CALIFORNIA ELECTRICAL CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE 2007 CALIFORNIA ELECTRICAL CODE
SECTION 3.00	APPLICABILITY OF CALIFORNIA ELECTRICAL CODE ANNEX CHAPTERS
ANNEX CHAPTER H - ADMINISTRATION AND ENFORCEMENT	
SECTION 80.15	ELECTRICAL BOARD
SECTION 80.19	PERMITS AND APPROVALS.
CALIFORNIA CHAPTER 1 - GENERAL CODE PROVISIONS	
SEC. 89.101.1	TITLE
CHAPTER 1 - GENERAL	
ARTICLE 100	DEFINITIONS
CHAPTER 2 - WIRING AND PROTECTION	
ARTICLE 210	BRANCH CIRCUITS
SEC. 210.5	(C) UNGROUNDED CONDUCTORS OF MULTIWIRE BRANCH CIRCUITS IN RACEWAY
ARTICLE 230	SERVICES, SECTION VI SERVICE EQUIPMENT - DISCONNECTING MEANS
SEC. 230.70 (a)	LOCATION
ARTICLE 250	GROUNDING AND BONDING, SEC. 250.66.SIZE OF ALTERNATING-CURRENT GROUNDING ELECTRODE CONDUCTOR
CHAPTER 3- WIRING METHODS AND MATERIALS	
ARTICLE 300	Wiring Methods is hereby amended
SEC.300.11	Securing and Supporting
CHAPTER 7- SPECIAL CONDITIONS	
ARTICLE 770	OPTICAL FIBER CABLE AND RACEWAYS

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE REPEALING ORDINANCE NO. 07-22 AND ALL AMENDMENTS THERETO, AND ESTABLISHING A PLUMBING CODE FOR THE CITY OF HAYWARD, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF PLUMBING; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-22, and all amendments thereto, is repealed and in substitution thereof a new Plumbing Code for the City of Hayward is hereby enacted to read as follows:

PLUMBING CODE OF THE CITY OF HAYWARD

SECTION 1.00	2010 CALIFORNIA PLUMBING CODE, ADOPTION BY REFERENCE
SECTION 2.00	AMENDMENTS, ADDITIONS AND DELETIONS TO THE UNIFORM PLUMBING CODE
CHAPTER 1 - ADMINISTRATION	
DIVISION II	
SECTION 101.0	TITLE
SECTION 103.3	PERMIT ISSUANCE
SECTION 103.3.1.1	TO WHOM PERMIT MAY BE ISSUED
CHAPTER 2 - DEFINITIONS	
SECTION 203.0	DEFINITION OF TERMS
CHAPTER 3 - GENERAL REGULATIONS	
SECTION 301.1.3.1	STANDARDS
SECTION 316.1.1	THREADED JOINTS
SECTION 316.1.5	FLEXIBLE COMPRESSION FACTORY-FABRICATED JOINTS
SECTION 316.3	FLANGED FIXTURE CONNECTIONS
SECTION 316.3.1	

CHAPTER 6 - WATER SUPPLY AND DISTRIBUTION
SECTION 604.0 MATERIALS
SECTION 604.1
SECTION 609.3.2
CHAPTER 7 - SANITARY DRAINAGE
SECTION 701.0 MATERIALS
SECTION 701.1
Section 701.1.1
SECTION 701.1.2
SECTION 701.1.3
SECTION 701.2
SECTION 707.0 CLEANOUTS
SECTION 707.1
CHAPTER 9 - VENTS
SECTION 903 MATERIALS
SECTION 903.1
SECTION 903.1.2
CHAPTER 10 - TRAPS
SECTION 1003.1 TRAPS - DESCRIBED
CHAPTER 11 - STORMWATER DRAINAGE
SECTION 1101.0 GENERAL
Section 1101.1
SECTION 1102.0 MATERIALS
Section 1102.2 Roof Drainage-All Occupancy Groups

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING SECTION 10-22.140 (d) COMMERCIAL COVERED PROJECTS SECTION OF ORDINANCE 09-15 GREEN BUILDING REQUIREMENTS FOR PRIVATE DEVELOPMENT

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 10-22.140 (d): Commercial Covered Projects
Section 10-22.140 (d) is hereby deleted and a new section (d) is added.

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

Dated: November 13, 2010
Miriam Lens, City Clerk
City of Hayward

DR #3756079; Nov. 13, 2010

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-170

Introduced by Council Member Henson

RESOLUTION FINDING AND DETERMINING THE NEED FOR CHANGES OR MODIFICATIONS TO THE 2010 CALIFORNIA MECHANICAL CODE

WHEREAS, section 17958 of the California Health and Safety Code requires the adoption by the City of Hayward of regulations imposing the same requirements of certain uniform industry codes as specified in Health and Safety Code section 17922 and California Housing and Community Development Commission regulations promulgated hereunder; and

WHEREAS, said Health and Safety Code section 17958.5 permits a city to make changes or modifications to the uniform industry code as deemed reasonably necessary because of local conditions; and

WHEREAS, pursuant to section 17958.7 of the Health and Safety Code, local substantive amendments shall be based upon findings of local climatic, geological, or topographical conditions, but such findings are not necessary for merely administrative changes, or changes unrelated to apartment houses, hotels, motels, and dwellings.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby finds and determines the need to adopt the administrative, commercial, or industrial changes or modifications to the following sections of the 2010 California Mechanical Code by reason of local conditions:

ADMINISTRATIVE PROVISIONS

Certain administrative provisions in Appendix Chapter 1 and in Chapter 2 have been amended to conform to the provisions of the City Charter and other City ordinances; such changes are not technical in nature, but are administrative only. The City Council finds pursuant to California Code of Regulations Title 25, Section 52, that enforcement procedures of local ordinances are equivalent to those provided by the State for abatement of violations of this code.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the modifications or changes to the Uniform Mechanical Code, to be filed with the California Department of Housing and Community Development.

IN COUNCIL, HAYWARD, CALIFORNIA _November 9_, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR PRO TEMPORE: Zermeño

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None
MAYOR: Sweeney

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward