



City of Imperial Beach, California

OFFICE OF THE CITY CLERK

September 13, 2011

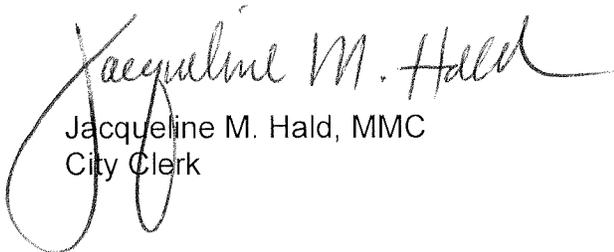
Mr. Dave Walls,
Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833-2936

Dear Mr. Walls:

Please be advised that the copy of Ordinance No. 2010-1113, "AN ORDINANCE OF THE CITY OF IMPERIAL BEACH AMENDING TITLES 8 AND 15 OF THE IMPERIAL BEACH MUNICIPAL CODE BY AMENDING CHAPTERS 8.50, 15.06, 15.16, 15.28, AND 15.32, ADDING CHAPTERS 15.02, 15.04, 15.38, AND 15.40 AND REPEALING CHAPTERS 8.88, 15.18, AND 15.36, ALL BY ADOPTING THE CALIFORNIA BUILDING STANDARDS CODE, 2010 EDITION, WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS, AND ADOPTING THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION" received by you on March 4, 2011 contained clerical errors. Please replace that copy with the corrected version attached and consider it our official filing with the California Building Standards Commission.

Please contact me should if you have any questions.

Sincerely,


Jacqueline M. Hald, MMC
City Clerk

Enc

cc: Rafael Adame, Building Official

2011 SEP 15 AM 11:35
CITY OF IMPERIAL BEACH
CITY CLERK'S OFFICE

ORDINANCE NO 2010-1113

AN ORDINANCE OF THE CITY OF IMPERIAL BEACH AMENDING TITLES 8 AND 15 OF THE IMPERIAL BEACH MUNICIPAL CODE BY AMENDING CHAPTERS 8.50, 15.06, 15.16, 15.28, AND 15.32, ADDING CHAPTERS 15.02, 15.04, 15.38, AND 15.40 AND REPEALING CHAPTERS 8.88, 15.18, AND 15.36, ALL BY ADOPTING THE CALIFORNIA BUILDING STANDARDS CODE, 2010 EDITION, WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS, AND ADOPTING THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION

WHEREAS, Health & Safety Code Section 17958 mandates that the City of Imperial Beach shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health & Safety Code Section 17922; and

WHEREAS, the State of California is mandated by Health & Safety Code Section 17922 to impose the same requirements as are contained in the 2010 California Building Standards Code, Title 24 of the California Code of Regulations; and

WHEREAS, the State of California is mandated by Health & Safety Code Section 17922 to impose the same requirements as are contained in the 2010 California Building Standards Code, together with the City of Imperial Beach amendments, which collectively shall be the City of Imperial Beach Building Code, for the purpose of prescribing regulations in the City of Imperial Beach; and

WHEREAS, local amendments adopted by the City of Imperial Beach shall take precedence over the 2010 California Building Standards Code; and

WHEREAS, Health & Safety Code Section 17958.5 permits the City of Imperial Beach to make such changes or modifications to the 2010 California Building Standards Code as are reasonably necessary because of local conditions; and

WHEREAS, Health & Safety Code Section 17958.7 requires that the City of Imperial Beach before making any changes or modifications to building standards pursuant to Section 17958.5 make express findings that such changes or modifications are needed due to climatic, geographic, or topographic conditions and files the same with the California Building Standards Commission; and

WHEREAS, the City Council of the City of Imperial Beach does herewith find that the city has certain climatic, geologic, and topographical features that can have a deleterious effect on the safety and fitness of property, buildings and structures; and

WHEREAS, the City of Imperial Beach finds that the modifications and changes to the 2010 California Building Standards Code are reasonably necessary because of the local climatic, geological, and topographical conditions as identified in each Attachment; and

WHEREAS, certain amendments to the 2010 California Building Standards Code serve to mitigate to the extent possible said deleterious effects; and

WHEREAS, Sections 50022.1 through 50022.10, inclusive, of the Government Code provide authority for the adoption by reference of codes, or portion of such codes; and

WHEREAS, if a city does not make changes then the California Building Standards Code becomes effective in such city 180 days after publication of the California Building Standards Code by the California Building Standards Commission; and

WHEREAS, amendments to provisions relating to civil, administrative, or criminal procedures and remedies available for enforcing violations do not require findings pursuant to Health & Safety Code Section 17958.7.

NOW THEREFORE, the City Council of the City of Imperial Beach does ordain as follows:

SECTION 1

That a certain document, one (1) copy of which is on file in the office of the Building Official of the City of Imperial Beach, being marked and designated as the 2010 California Building Standards Code, including Appendix Chapters, as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Imperial Beach, in the State of California regulating and governing the conditions and maintenance of all property, facilities, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City of Imperial Beach are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Sections 2-9 of this ordinance.

SECTION 2: Chapter 8.50 of the Imperial Beach Municipal Code is amended in its entirety to read as set forth in Attachment A.

SECTION 3: Chapter 15.02 is added to the Imperial Beach Municipal Code to read as set forth in Attachment B.

SECTION 4: Chapter 15.04 of the Imperial Beach Municipal Code is amended in its entirety to read as set forth in Attachment C.

SECTION 5: Chapter 15.06 of the Imperial Beach Municipal Code is amended in its entirety to read as set forth in Attachment D.

SECTION 6: Chapter 15.16 of the Imperial Beach Municipal Code is amended in its entirety to read as set forth in Attachment E.

SECTION 7: Chapter 15.28 of the Imperial Beach Municipal Code is amended in its entirety to read as set forth in Attachment F.

SECTION 8: Chapter 15.32 of the Imperial Beach Municipal Code is amended in its entirety to read as set forth in Attachment G.

SECTION 9: Chapter 15.38 is added to the Imperial Beach Municipal Code to read as set forth in Attachment H.

SECTION 10: Chapter 15.40 is added to the Imperial Beach Municipal Code to read as set forth in Attachment I.

SECTION 11: Chapter 8.88 of the Imperial Beach Municipal Code is hereby repealed in its entirety.

SECTION 12: Chapter 15.18 of the Imperial Beach Municipal Code is hereby repealed in its entirety.

SECTION 13: Chapter 15.36 of the Imperial Beach Municipal Code is hereby repealed in its entirety.

SECTION 14

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Imperial Beach hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 15

That nothing in this ordinance or in the Building Standards Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Sections 11, 12 and 13 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 16

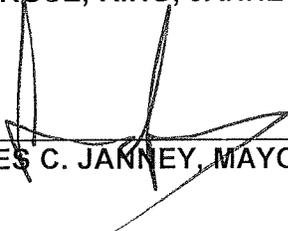
The City Clerk is directed to prepare and have published a summary of this ordinance no less than five days prior to the consideration of its adoption and again within 15 days following adoption indicating votes cast pursuant to the provisions of Government Code section 36933. Upon passage, the City Clerk shall transmit a copy of this Ordinance to the California Building Standards Commission pursuant to Health and Safety Code section 17958.7.

SECTION 17

That this ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect **30 days** from and after the date of its final passage and adoption.

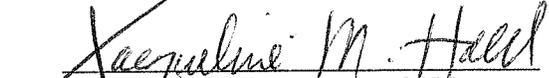
INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Imperial Beach, California, on the 17th day of November 2010; and **THEREAFTER ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 1st day of December 2010, by the following vote:

AYES: COUNCILMEMBERS: BRAGG, MCCOY, ROSE, KING, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE



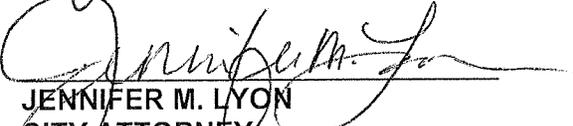
JAMES C. JANNEY, MAYOR

ATTEST:



JACQUELINE M. HALD, CMC
CITY CLERK

APPROVED AS TO FORM:



JENNIFER M. LYON
CITY ATTORNEY

ATTACHMENT A

Chapter 8.50. SUBSTANDARD BUILDINGS AND PROPERTY

8.50.010. Short title.

The ordinance codified in this chapter shall be known as the “substandard buildings ordinance” of the city.

8.50.020. Definitions generally.

For the purpose of this chapter, except as otherwise provided herein, certain words, phrases and terms, and their derivatives, shall be construed as specified in this chapter. Words, phrases and terms used in this chapter, but not specifically defined herein, shall have the meanings stated in the currently adopted regulatory codes of the city, including the Building Code, the Residential Code, the Uniform Housing Code, the Plumbing Code, the Mechanical Code, the Electrical Code, and the Fire Code. Where not defined in this chapter or in the foregoing codes, such words, phrases and terms shall have the meanings stated in Webster’s New International Dictionary of the English Language, Unabridged, Third Edition.

8.50.030. Defined.

For the purpose of this chapter, the definition of a dangerous building will be as stated in section 302 of the adopted Uniform Code for Abatement of Dangerous Buildings in chapter 15.40 of title 15.

8.50.040. Sanitation—Substandard buildings

For the purpose of this chapter, any building, structure or portion thereof, including any dwelling unit, guest room or suite of rooms, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public, or the occupants thereof, shall be deemed and is declared to be a substandard building:

- A. Inadequate Sanitation. Inadequate sanitation includes, but is not limited to the following:
1. Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit,
 2. Lack of or improper kitchen sink,
 3. Lack of hot and cold running water to plumbing fixtures in a dwelling unit,
 4. Lack of or improper operation of necessary ventilating equipment,
 5. Lack of reasonable amounts of natural light and ventilation,
 6. Room and space dimensions less than required by this code,

7. Lack of necessary electrical lighting,
8. Infestation of insects, vermin or rodents,
9. Lack of connection to required sewage disposal system;
- B. Structural Hazards. Structural hazards includes but is not limited to the following:
 1. Whenever the building, structure or any portion thereof, is likely to partially or completely collapse because of:
 - a. Dilapidation, deterioration or decay,
 - b. Faulty construction,
 - c. The removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building,
 - d. The deterioration, decay or inadequacy of its foundation, or
 - e. Any other cause,
 2. Whenever any building, structure or portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction,
 3. Whenever there is a structural hazard contained in a building or structure. Structural hazards shall include but not be limited to the following:
 - a. Deteriorated or inadequate foundations,
 - b. Defective or deteriorated flooring or floor supports,
 - c. Flooring or floor supports of insufficient size to carry imposed loads with safety,
 - d. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration,
 - e. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety,
 - f. Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration,
 - g. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety,

h. Fireplaces or chimneys which list, bulge or settle, due to defective material or deterioration,

i. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety,

4. Whenever the building, structure or portion thereof has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to:

a. Become an attractive nuisance to children,

b. Become a harbor for trespassers, or

c. Enable persons to resort thereto for the purpose of committing unlawful or immoral acts,

5. Whenever any building, structure or portion thereof has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by this code;

C. Hazardous Wiring. All wiring except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner;

D. Hazardous Plumbing. All plumbing except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and which is free of cross-connections and siphonage between fixtures;

E. Hazardous Mechanical Equipment. All mechanical equipment, including vents, except that which conformed with all applicable laws in effect at the time of installation, and which has been maintained in good and safe condition;

F. Inadequate Exits. All buildings, structure or portions thereof, not provided with adequate exit facilities as required by this chapter, except those buildings, structures or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and which have been adequately maintained and increased in relation to any increase in occupancy load, alteration or addition or any change in occupancy;

When an unsafe condition exists through lack of, or improper location of exits, additional exits may be required to be installed;

G. Inadequate Fire Protection or Firefighting Equipment. All buildings, structures or portions thereof which are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof which conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy;

H. Improper Occupancy. All buildings, structures or portions thereof occupied for any purpose other than that for which they were approved, including all buildings or portions thereof occupied for living, sleeping, cooking or dining purposes which were not designed or intended to be used for such occupancies;

I. Abandoned or Partial Buildings. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure, or whenever any building or structure is abandoned for a period in excess of six months, so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

8.50.050. Additional substandard conditions designated.

For the purpose of this chapter, any building, structure or portion thereof which has any one or more of the following conditions constitutes substandard property:

- A. Substandard buildings;
- B. Unpainted buildings or buildings with dry rot, warping and/or termite infestation;
- C. Broken windows constituting hazardous conditions and inviting trespassers and malicious mischief;
- D. Inoperable or abandoned motor vehicles, trailers, campers, boats and other mobile equipment stored for unreasonable periods on the premises;
- E. Attractive nuisances dangerous to children in the form of unattended, abandoned or broken equipment and neglected machinery;
- F. Clotheslines in front yard areas;
- G. Lack of adequate garbage and rubbish storage and removal facilities;
- H. Trash and garbage containers stored in front of side yards and visible from public streets, except when placed in areas of collection at times permitted in compliance with this code;
- I. Fences (including retaining walls) which are not constructed of new or suitable used material, do not conform with the methods of construction pursuant to the requirements of the Uniform Building Code as adopted by reference and modified by Chapter 15.04 of this code, or are not maintained in a state of good repair. Any dilapidated, dangerous or unsightly fence or retaining wall shall be repaired or removed. Temporary materials shall not be permitted as a fencing material;
- J. The parking or storage of four or more motorized or nonmotorized vehicles, motorcycles, trailers, campers, boats and other mobile equipment in the front yard area of property located in a residential zone (as defined in Section 19.04.650 of this code);

K. The parking or storage of any type of motorized or nonmotorized vehicle, motorcycle, or recreational vehicle off a paved driveway, on a lawn or on unpaved areas, on property located in a residential zone (as defined in Section 19.04.650 of this code);

L. Storage of machinery or parts thereof, or material or equipment associated with building, painting, plumbing and electrical contracting and services and similar activities, including implements or tools (other than what is stored and carried in a motor vehicle) having a power rating of greater than one horsepower, on property located in a residential zone (as defined in Section 19.04.650 of this code). "Equipment" includes any motor vehicle with a gross vehicle weight greater than ten-thousand pounds;

M. Maintenance of premises in such condition as to be detrimental to the public health, safety or general welfare or in such manner as to constitute a public nuisance;

N. Maintenance of premises so out of harmony or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use or property values of such adjacent properties;

O. All premises on which any abandoned underground storage tanks, cesspools, wells, pits, shafts or other dangerous excavations may exist;

P. All premises on which there are any "weeds," as described in Government Code Section 39561.5, rubbish or refuse found upon parkways, sidewalks, or private property within the city.

8.50.060. Enforcement of chapter.

The building official and the public safety director are authorized to enforce the provisions of this chapter. The city manager may delegate authority for the enforcement of the provisions on "dangerous conditions."

8.50.070. Inspections.

The building official, the city manager and the public safety director are authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

8.50.080. Public nuisances to be abated.

All buildings, structures, properties or portions thereof which are determined by the building official or the public safety director to be substandard are declared to be public nuisances, and may be abated by repair, rehabilitation, demolition, removal or clearing in accordance with the procedure specified in this chapter.

8.50.090. Commencement of proceedings to compel repairs or demolition.

A. Whenever the building official or the public safety director has inspected or caused to be inspected any building, structure, property or portion thereof, and has found and determined it to be substandard, the building official or the public safety director shall

commence proceedings to cause repair, rehabilitation, demolition or abatement of the violations of this chapter.

8.50.100. Notice and appeal—Housing violations—Notification of Franchise Tax Board.

A. The city manager and the city attorney are authorized to determine whether any rental housing within the city is in violation of state or local law. Following such determination, the property owner shall be notified by the building official and/or the city attorney that failure to correct substandard conditions on the property within six months will result in notification of the Franchise Tax Board.

B. If the conditions are not brought into compliance within six months, the building official may be directed to prepare and mail by certified mail, postage prepaid, return receipt requested, a notice of noncompliance to the affected property owner. Such notice shall reflect that substandard housing conditions have not been cured within the time prescribed by law and shall advise the property owner of a right to appeal.

1. The affected property owner may appeal the city manager or city attorney's determination by filing a written request with the city clerk within ten days of the date of the notice of noncompliance. The filing of such appeal shall stay notification of the State Franchise Tax Board until the council has acted on the appeal.

2. If no appeal is filed within ten days, the building official shall forward a copy of the notice of noncompliance to the State Franchise Tax Board. The council may also be requested by staff to approve any actions already taken with respect to such notification, including forwarding such notice to the Franchise Tax Board.

C. The city council shall review evidence submitted on appeal, and affirm, modify or reverse the determination with respect to the existence of state law or Municipal Code violations on the property.

1. If the council determines that a violation exists on the property, the building official shall be directed to forward a copy of the notice of noncompliance to the State Franchise Tax Board.

D. Upon appeal, the city council shall make written findings on the evidence and a copy of such findings shall be mailed by certified mail, postage prepaid, return receipt requested, to the affected property owner. Action by the city council on the appeal shall be final and conclusive.

8.50.110. Compliance with chapter—Penalty for violation.

No person, whether as owner, lessee, sublessee or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this chapter. Any person violating the provisions of this chapter is guilty of a misdemeanor for each day such violation continues. All violations of this chapter shall be subject to civil penalties in accordance with Chapter 1.12 of this code.

ATTACHMENT B

Chapter 15.02. Administrative Code

15.02.010. Adoption of Division II of Chapter 1 of Part 2 (2010 California Building Code) and Division II of Chapter 1 of Part 2.5 (2010 California Residential Code) of Title 24 of the California Code of Regulations.

Except as provided in this Chapter, Division II of Chapter 1 of Part 2 (2010 California Building Code) and Division II of Chapter 1 of Part 2.5 (2010 California Residential Code) of Title 24 of the California Code of Regulations are adopted, incorporated by reference and consolidated herein as the Administrative Code of the City of Imperial Beach.

15.02.020. Division II of Chapter 1 of Part 2 (2010 California Building Code) and Division II of Chapter 1 of Part 2.5 (2010 California Residential Code) are consolidated and amended to read as follows:

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the City of Imperial Beach's Administrative Regulations for Building and Housing Codes including the 2010 California Building Code, 2010 California Residential Code, 2010 California Green Building Code, 2010 California Electrical Code, 2010 California Plumbing Code, and 2010 California Mechanical Code, and shall be cited as such and will be referred to hereinafter as "this code."

101.2 Purpose. The purpose of this chapter is to provide for the administration and enforcement of the California Building Standard Code and other adopted codes of the City of Imperial Beach relating to building construction, property maintenance, housing standards, dangerous buildings, fire regulations and other codes as adopted by this jurisdiction within Title 15 of the Imperial Beach Municipal Code.

101.3.1 Scope. The provisions of this chapter shall serve as the administrative, organizational and enforcement rules and regulations for Title 15 of the Imperial Beach Municipal Code and shall apply to the construction, alteration, movement, enlargement, replacement, repair equipment, use and occupancy, location, removal and demolition of every building, structure or facilities serving such structures or any appurtenances connected or attached to such building or structures. These provisions will apply to codes contained within section 101.1 of this code.

Exemption for Pending Applications. The provisions of this chapter shall not apply to any building or structure for which a completed application was accepted by the building division for a construction or demolition permit prior to January 1, 2011. Such buildings or structures shall be erected, constructed, enlarged, altered or repaired in accordance with the provisions in effect at the date of said application.

Exception: Live/work units complying with the requirements of Section 419 of the California Building Code shall be permitted to be built as one- and two-family dwellings or townhouses. Fire suppression required by Section 419.5 of the International Building Code when constructed under

the California Residential Code for One- and Two-family Dwellings shall conform to Section 903.3.1.3 of the California Building Code.

101.3.2 Intent. The purpose of this code is to establish minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation, disabled access and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.9 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Gas. The provisions of the 2010 California Plumbing Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.2 Mechanical. The provisions of the 2010 California Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilation, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

101.4.3 Plumbing. The provisions of the 2010 California Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.4 Electrical. The provisions of the 2010 California Electrical Code shall apply to the installation, alteration, repair and replacement of electrical systems, including equipment, appliances, fixtures, fittings and appurtenances.

101.4.5 Fire prevention. The provisions of the 2010 California Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.6 Energy. The provisions of the 2010 California Energy Code, Title 24, Part 6 shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.7 Historical Buildings. The provisions of the 2010 California Historical Building Code shall apply to all matters governing the design, construction, repairs of designated Historical Buildings.

101.4.8 Green Building. The provisions of the 2010 California Green Building Code.

101.4.9 Property maintenance. The provisions of the International Property Maintenance Code 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.

101.5 One copy of the California Building Standards Code and each code mentioned in section 101.1 of the Imperial Beach Municipal Code is on file in the Office of the City Building Official, City of Imperial Beach, for the use and examination of the public, and each and every provision, section, table, diagram, illustration, figure, phrase and paragraph thereof, including all appendices, thereto, except as expressly deleted, added to, excepted, modified or amended by this chapter.

101.6 Definitions.

All defined terms as used in this code will be as defined in Chapter 11A, section 1107A.6-F and Chapter 11B, section 1102B of the 2010 California Building Code

**SECTION 102
APPLICABILITY**

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

102.1.1 Additional requirements. *[OSHPD 1, 2, 3, &4,] See Chapter 1, Division I, Section 1.1.7.*

102.1.2 When conflicting provisions or requirements occur between this code and chapters elsewhere in Title 15 of the Imperial Beach Municipal Code or other codes or laws, this code shall govern.

102.1.3 When conflicts occur between specific provisions of this code and administrative provisions elsewhere in Title 15 of the Imperial Beach Municipal Code, which is applicable within this jurisdiction, the provisions of this chapter shall prevail.

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

102.4.1 Code References. All reference to International Codes or other similar codes in referenced standards shall be replaced by equivalent provisions in the California Building Standard Codes.

102.4.2 Reference in Standards. All references listed in reference standards shall be replaced by referenced standards listed in Chapter 35 of the California Building Code, where applicable, and shall include all amendments to the reference standards in this code.

102.5 Appendices. Provisions in the appendices shall not apply unless specifically referenced in the adopting ordinance.

102.6 Partial invalidity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.7 Existing structures. The legal occupancy of any structure existing legally on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in the California Building Standards Code, the International Property Maintenance Code or the California Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

102.7.1 Additions, alterations or repairs. Additions, alterations or repairs to any structure or facilities shall conform to the requirements for a new structure without requiring the existing structure to comply with all of the requirements of this code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure or facilities to become unsafe or adversely affect the performance of the building.

102.7.2 Additions or alterations shall not be made to existing building, facilities or building service equipment in violation of the provisions of Title 15 of the Imperial Beach Municipal Code nor shall such additions or alterations cause the existing building or building service equipment to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the Building Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance; will cause building service equipment to become overloaded or exceed rated capacities; will create a health hazard or will otherwise create conditions dangerous to human life. A building plus new additions shall not exceed the height, number of stories and area specified by the California Building Code for new buildings.

102.7.3 Existing Installations. Building service equipment lawfully in existence at the time of the adoption of Title 8 of the Imperial Beach Municipal Code may have such use, maintenance or repair continued if such use, maintenance or repair is in accordance with the original design and a hazard to life, health or property has not been created by such building service equipment.

102.7.4 Existing Occupancy. Buildings in existence on December 31, 2010, may have an existing use or occupancy continued if such use or occupancy was erected prior to July 27, 1956 or one for which a legal building permit has been issued prior to the adoption of this code, and provided continued use is not dangerous to life, health and safety.

102.7.4 Maintenance. Building, structures, facilities and its building service equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in conformance with the Imperial Beach Municipal Code when installed. The owner or the owner's designated agent shall be responsible for

the maintenance of buildings, structures and their building service equipment. To determine compliance with this section, the Building Official may cause a structure to be re-inspected.

SECTION 103 DEPARTMENT OF BUILDING SAFETY

103.1 Creation of enforcement agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the building official.

103.2 Appointment. Whenever the term or title "Administrative Authority," "Responsible Official," "Building Official," "Chief Inspector," "Code Enforcement Officer," or other similar designation is used herein or in Title 15 of the Imperial Beach Municipal Code, it shall be construed to mean the Building Official designated by the chief appointing authority of this jurisdiction.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. For such purposes, the Building Official and his appointed deputies under this section shall have powers of a law enforcement officer. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection and alteration of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.3 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with this code.

104.4 Inspections. The building official is authorized to make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible individual of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.5 Identification. The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official or designee is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

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

104.8 Liability. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling a building, structure or building service equipment therein for damages to persons or property caused by defects, nor shall the Code Enforcement Agency or its parent jurisdiction be held as assuming such liability by reason of the inspections authorized by this code or permits or certificates issued under this chapter.

104.9 Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

104.9.1 Used materials and equipment. Used materials, equipment and devices shall not be reused unless approved by the building official.

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements or structural. The details of action granting modifications shall be recorded and entered in the files of the Building Division.

104.10.1 Areas prone to flooding. The building official shall not grant modifications to any provision related to areas prone to flooding unless authorized by Chapter 15.50 of the Flood Damage Prevention Ordinance in Title 15 of the Imperial Beach Municipal Code.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code with regards to suitability, strength, effectiveness, fire resistance, durability, safety and sanitation. Compliance with the specific performance-based provisions of the International Codes in lieu of specific requirements of this code shall also be permitted as an alternate.

104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

SECTION 105 PERMITS

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building structure, or facilities or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

105.1.1 Annual permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application there for to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit.

105.1.2 Annual permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.

105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory buildings to one- and two-family dwellings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²) and a five (5') foot set back from property lines and other structures is maintained.
2. Fences not over 6 feet (1829 mm) high. Masonry block fences not over 3 feet above grade.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A Liquids.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways not more than thirty (30") inches (762 mm) above grade and not over any basement or story below and are not part of an accessible route.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment accessory to detached one and two family dwellings.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. No fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
11. Residential decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.
12. Roof repairs. Replacement, repair or overlay of less than 101 square feet of an existing roof within any twelve (12) month period.

Electrical:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the California Electrical Code.
2. Repair or replacement of current-carrying parts of any switch, conductor or control device
3. Listed cord-and-plug connected temporary decorative lighting.
4. Reinstallation of attachment plug receptacles, but not the outlets thereof.
5. Replacement of branch circuit overcurrent devices of the required capacity in the same location.

6. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
7. Taping joints.
8. Removal of non-functioning electrical wiring.
9. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
10. Low-energy power, control and signal circuits of Class II and Class III as defined in the California Electrical Code.
11. Installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.
12. Temporary testing systems. Installation of any temporary system required for the testing or servicing of electrical equipment.
13. Repairs and Maintenance. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
14. Radio and television transmitting stations. The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installation of towers and antennas.
15. Temporary testing systems. Installation of any temporary system required for the testing or servicing of electrical equipment.
16. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

Plumbing:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
4. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

5. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
6. The replacement of the following existing fixtures or equipment: p-traps, garbage disposals, water faucets, bibs, sinks, lavatories, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, fixture or removal of wall finish membranes.

Mechanical:

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

105.2.2 Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements, not shall ordinary repairs include addition to, alteration of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

105.2.3 Public service agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right.

105.3 Application for permit. To obtain a permit, the applicant shall first file an application thereof in writing on a form furnished by the department of building safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by *construction documents* and other information as required in Section 107.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the *building official*.

105.3.1 Action on application. The *building official* shall examine or cause to be examined applications for *permits* and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the *building official* shall reject such application in writing, stating the reasons therefore. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefore as soon as possible.

105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. For applications for reconstruction, rehabilitation, *addition* or other improvement of existing buildings or structures located in an area prone to flooding as established by Table R301.2(1), the *building official* shall examine or cause to be examined the *construction documents* and shall prepare a finding with regard to the value of the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its pre-damaged condition. If the *building official* finds that the value of proposed work equals or exceeds 50 percent of the market value of the building or structure before the damage has occurred or the improvement is started. Applications determined by the board of appeals to constitute substantial improvement or substantial damage shall require all existing portions of the entire building or structure to meet the requirements of Section R322 and all requirements of Chapter 15.50 of Title 15 of the Imperial Beach Municipal Code.

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned or expired 180 days after the date of filing, unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. An application shall not be extended if this chapter or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

105.4 Validity of permit. The issuance or granting of a *permit* shall not be construed to be a *permit* for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a *permit* based on *construction documents* and other data shall not prevent the *building official* from requiring the correction of errors in the

construction documents and other data. The *building official* is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

105.5 Expiration. Every permit issued by the Building Official under the provisions of Title 15 shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.

105.5.1 Expired permits. Before work can be recommenced, a new permit shall be first obtained to do so, and a fee equal to the established hourly rate for City staff to complete all work shall be paid, provided no changes have been made or will be made in the original plans and specifications for such work. Permits shall not be extended more than once, except that, the Building Official may approve a maximum of one additional extension of 180 days when the applicant demonstrates that special unusual circumstances exist. All expired permits not acted on after receipt of 30 day notification from the building official will become a violation of this code if not acted upon during the 30 day period and will become subject to a code lien on the property to insure new property owners are advised of pending violations on the property.

105.6 Suspension or revocation. The *building official* is authorized to suspend or revoke a *permit* issued under the provisions of this code wherever the *permit* is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

105.7 Placement of permit. The building permit or copy thereof shall be kept on the site of the work until the completion of the project at a visible location from the public way.

105.8 Responsibility. It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, to comply with this code.

105.9 Preliminary inspection. Before issuing a *permit*, the *building official* is authorized to examine or cause to be examined buildings, structure, and sites for which an application has been filed.

SECTION 106 CONSTRUCTION DOCUMENTS

106.1 Submittal documents. Submittal documents consisting of construction documents, and other data shall be submitted in two or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

106.2 Construction documents. *Construction documents* shall be in accordance with Sections 106.2.1 through 106.2.10.

106.2.1 Information on construction documents. Construction documents shall be drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents 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 relevant laws, ordinances, rules and regulations, as determined by the building official. Where required by the building official, all braced wall lines, shall be identified on the construction documents and all pertinent information including, but not limited to, bracing methods, location and length of braced wall panels, foundation requirements of braced wall panels at top and bottom shall be provided.

106.2.2 Manufacturer's installation instructions. Manufacturer's installation instructions, as required by this code, shall be provided during plan check.

106.2.3 Information for construction in flood hazard areas. For buildings and structures located in whole or in part in flood hazard areas as established by Table R301.2(1), construction documents shall show compliance with Chapter 15.50 of Title 15 of the Imperial Beach Municipal Code.

and include:

1. Delineation of flood hazard area, floodway boundaries and flood zones and the design flood elevation, as appropriate;
2. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO Zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade;
3. The elevation of the bottom of the lowest horizontal structural member in coastal high hazard areas (V Zone); and
4. If the design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the building official and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.

106.2.4 Design flood elevation elevations. Where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1. and with Chapter 15.50 of Title 15 of the Imperial Beach Municipal Code.

106.2.5 Site Plan The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new constructions and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case

of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

106.2.6 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance to this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the references installation standards in Chapter 9.

106.2.7 Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

106.2.8 Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

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

106.2.10 Disabled Access Disabled accessibility plans for commercial applications will be required identifying all disabled access feature requirements for project and site facilities.

106.3 Examination of documents. The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

106.3.1 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved in writing or by a stamp which states "REVIEWED FOR CODE COMPLIANCE." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his or her authorized representative.

106.3.2 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned or expired.

106.3.3 Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

106.3.4 Design Professional in responsible charge.

106.3.4.1 General. When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

106.3.4.2 Deferred submittals. For the purpose of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the building official.

106.4 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

106.5 Retention of plans. One set of approved plans, specifications and computations shall be retained by the building official for the life of the building or as required by state law. One set of approved plans and

specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

SECTION 107 TEMPORARY STRUCTURES AND USES

107.1 General. The building official is authorized is issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated above or compliance with this code under a new permit must be issued.

107.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

107.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.

107.4 Termination of approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 108 FEES

108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

108.2 Schedule of permit fees. On buildings, structures or facilities, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as adopted in the schedule of fees established by City Council.

SECTION 109 INSPECTIONS

109.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official not the jurisdictions shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

109.1.1 Survey A survey of the lot may be required by the Building Official to verify that the structure is located in accordance with the approved plans.

109.1.2 Duty to inspect. All inspections specified herein shall be at the discretion of the Building Official and nothing in the California Building Code or in this code shall be construed as requiring the City to conduct such inspection, nor shall any actual inspection made imply a duty to conduct any other inspection. Furthermore, neither the California Building Code, nor this code shall be construed to hold the City or any officer, employee or representative of the City, responsible for any damage to persons or property by reason of making inadequate or negligent inspection or by reason of any failure to make an inspection or re-inspection.

109.1.2 Inspection record card. Work requiring a permit shall not be commenced until the permit holder or the agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the Building Official to conveniently make the required entries thereon regarding inspection of the work. Residential permit Inspection cards issued for work must be posted in a conspicuous location, visible from the public way, private drive or main access to the area of construction. At location where a structure does not yet exist or the site is vacant, the inspection record card shall be maintained and made readily available by the permit holder until final approval has been granted by the Building Official.

109.2 Types of inspections. For onsite construction, from time to time the building official, upon notification from the permit holder or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with this code. The enforcing agency upon notification of the permit holder or their agent shall within a reasonable time make the inspections set forth in Sections 109.2.1 through 109.2.11

Note: Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the enforcing agency.

109.2.1 Foundation inspection. Inspection of the foundation and footings shall be made after poles or piers are set or trenches or basement areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The foundation or footing inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations. Materials for the foundation shall be on the job site except where concrete is ready-mixed in accordance with ASTM C94. Under this circumstance concrete is not required to be

109.2.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduits, piping or other ancillary building trade products or equipment are installed, but before any concrete is placed or floor sheathing is installed, including the subfloor.

109.2.3 Floodplain inspections. For construction in areas prone to flooding as established by Table R301.2(1), upon placement of the lowest floor, including basement, and prior to further vertical construction, the building official shall require submission of documentation, prepared and

sealed by a registered design professional, of the elevation of the lowest floor, including basement, required in Section R322 and CBC section 1612.5.

109.2.4 Plumbing, mechanical, gas and electrical systems inspection. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

Exception: Back-filling of ground-source heat pump loop systems tested in accordance with Section M2105.1 prior to inspection shall be permitted.

109.2.5 Frame and masonry inspection. Inspection of framing and masonry construction shall be made after the roof, masonry, all framing, fire stopping, draft stopping and bracing are in place and after chimneys and vents to be concealed are completed and the rough electrical, plumbing, heating wires, pipes and ducts are approved. Protection of joints and penetrations in fire-resistive assemblies shall not be concealed from view until inspected and approved. All hardware, anchors, connectors, straps etc. must not be concealed and inspected prior to a frame inspection.

109.2.6 Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

109.2.7 Fire and smoke-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, *smoke barriers* and smoke partitions shall not be concealed from view until inspected and *approved*.

109.2.8 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation *R*- and *U*-values, fenestration *U*-value, duct system *R*-value, and HVAC and water-heating equipment efficiency.

109.2.9 Other inspections. In addition to the called inspections above, the building official may make or require any other inspections to ascertain compliance with this code and other laws enforced by the building official.

109.2.10 Special Inspections. For special inspections, see California Building Code, section 1704.

109.2.11 Final inspection. Final inspection shall be made after the permitted work is complete and prior to occupancy.

109.3 Inspection agencies. The building official is authorized to accept reports of approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

109.4 Inspections requests. It shall be the duty of the permit holder or their agent to notify the building official that such work is ready for inspection. 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.

109.5 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official upon notification shall make the requested inspections and shall either indicate the portion of the construction that is

satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

109.5.1 Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring re-inspection fee the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. The fee will be equal to the established hourly rate for the time needed to complete the inspection.

SECTION 110 CERTIFICATE OF OCCUPANCY

110 .1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy thereof as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

Exceptions:

1. Certificates of occupancy are not required for work exempt from permits under Section R105.2
2. Accessory buildings or structures.

110.2 Change in use. Changes in the character or use of an existing structure shall not be made except as specified in Sections 3406 and 3407 of the California Building Code.

110.3 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of constructions as defined in Chapter 6.

10. The design occupant load.

11. If an automatic sprinkler system is provided and whether the sprinkler system is required.

12. Any special stipulations and conditions of the building permit.

Note: one- and two-family *dwellings* or townhouses do not require item 8 and 9 above.

110.4 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

110.5 Revocation. The building official is authorized to, in writing suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

110.5.1 Occupancy Violations. When a building or structure or building service equipment therein regulated by Title 15 of the Imperial Beach Municipal Code is being used contrary to the provisions of such codes, the Building Official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the Building Official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of such codes.

SECTION 111 SERVICE UTILITIES

111.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until approved by the building official.

111.2 Temporary connection. The building official shall have the authority to authorize and approve the temporary connection of the building or system to the utility, source of energy, fuel or power.

111.3 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connections has been made without the approval required by Section 111.1 or 111.2. The building official shall notify the serving utility and whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action if not notified prior to disconnection. The owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

111.3.1 Connection after order to disconnect. No person shall make or suffer the connection from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

111.3.2 Authority to condemn building service equipment. When the Building Official ascertains that building service equipment regulated in code has become hazardous to life, health or property, or has become unsanitary, the Building Official shall order, in writing, that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. Defective building service equipment shall not be maintained after receiving such notice.

SECTION 112 BOARD OF APPEALS

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals hereafter known also as the Local Appeals Board. The building official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. Appeals to the Local Appeals Board shall be processed in accordance with the provisions and procedures contained in Chapter 5, Chapter 6, and Chapter 7 of the 1997 edition of the "Abatement of Dangerous Building Code" as adopted by reference in Chapter 15.40 of Title 15 of the Imperial Beach Municipal Code.

112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to interpret the administrative provisions of this code, nor shall the Board be empowered to waive requirements of this code.

112.3 Qualifications. The "Local Appeals Board", consisting of members qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the City.

112.3 Appeals. Any person, firm or corporation may register an appeal with the Local Appeals Board for review of any decision of the Building Official about this code, provided that the appeal is made in writing within thirty (30) days of receipt of notice and is accompanied with the administrative fee specified in the City's fee schedule for an appeal. All appeals where notices declaring structures or equipment "Dangerous" must be submitted within ten (10) days of receipt of notice.

112.3.1 Conditions. Any person shall be permitted to appeal a decision of the Building Official or Fire Chief to the Local Appeals Board when it is claimed that any one or more of the following conditions exists.

- i. The true intent of this Title as described in those codes has been incorrectly interpreted;
- ii. A provision in this code do not apply;
- iii. A decision is arbitrary as it applies to alternatives, new materials or interpretations of this Title.

112.4 Request for Appeals Action Ratification. For the purposes of this chapter, "Request for Ratification" shall mean actions required under Section 1.9.1.5 of the California Building Code. A written request by the Building Official that the Board approve a proposed solution based upon a finding of "unreasonable hardship" as that term is used in Title 24 of the California Code of Regulations.

112.4.1 Request. The Board must have approved a Request for Ratification, prior to the approval of plans or issuance of a permit, which requires a finding of unreasonable hardship from an appeal to the Building Official.

112.4.2 Agenda. The Building Official shall place any appeal consisting of a request for ratification to determine an unreasonable hardship on the Board's Agenda in compliance with provisions contained in this section.

112.5 Decisions. The Board shall not render any decision allowing a proposed design solution unless, after the hearing, it finds on the basis of substantial evidence that:

- i. The proposed design is satisfactory and complies with the intent of this chapter;
- ii. The proposed design meets the requirements of Title 24;
- iii. Board decisions overruling the Building Official's decisions shall require four (4) votes. Board decisions ratifying the Building Official's requests for ratification shall require three (3) votes; and
- iv. Should the Board render a decision contrary to that of the Building Official, then the decision of the Board shall be deemed the decision of the Building Official.

112.5.1 Decisions Findings and Order.

- i. The decision of the Board shall be final and conclusive.
- ii. The findings and order of the Board shall include the following notice:
- iii. Notice to Parties. The time within which judicial review must be sought to review this decision is governed by the provisions of California Code of Civil Procedure Section 1094.6.

112.5 Administration. The building official shall take immediate action in accordance with the decision of the board.

SECTION 113 VIOLATIONS

113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

113.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolitions or occupancy of a building, structure or facilities in violation of the provisions of this code, or in violation of a detail statement or a plan approved there under, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

113.3 Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the jurisdiction to institute and appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to required the removal or termination of the unlawful occupancy of the building, structure or facilities in violation of the provisions of this code or of the order or direction made pursuant thereto.

113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building, structure or facilities in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as set forth in Title 1, Chapter 1.22 of the Imperial Beach Municipal Code and other remedies prescribed by law.

SECTION 114 STOP WORK ORDER

114.1 Notice to owner. Upon notice from the building official that work on any building or structure is being performed contrary to the provisions of this code or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent or to the person doing the work and shall state the conditions under which work will be permitted to resume.

114.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

114.3 Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 115 UNSAFE STRUCTURES AND EQUIPMENT

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

115.2 Record. The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

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

115.4 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

115.5 Restoration. The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2 and Chapter 34.

115.6 Abatement. Unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in Chapter 8.50 of Title 8 of the Imperial Beach Municipal Code or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

SECTION 116 FLOOR AND ROOF DESIGN LOADS

116.1 Live loads posted. Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m²), such design live loads shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

116.1.1 Snow Load Posting. [OSHDP 1, 2, 3 & 4, DSA-SS & DSA-SS/CC] Snow loads used in design shall be posted as for live loads.

116.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

116.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

ATTACHMENT C

Chapter 15.04. Residential Code

15.04.010. Adoption of the 2010 California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations).

Except as provided in this Chapter and Chapter 15.02, the 2010 California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations) is adopted and incorporated by reference as the Residential Code of the City of Imperial Beach.

15.04.020. Amendments and Additions of Provisions of the 2010 California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations).

(1) 2010 California Residential Code Appendix H, Patio Covers, is adopted.

(2) Chapter 4 (FOUNDATIONS) of the 2010 California Residential Code: Amendments.

Section R403.1.3 of Chapter 4 of the 2010 California Residential Code is hereby amended to read as follows:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design categories D_0 , D_1 and D_2 , as established in Table R301.2(1), shall have minimum reinforcement. Top and Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the top of stem wall and 3 inches (76 mm) from the bottom of the footing.

In Seismic Design categories D_0 , D_1 and D_2 , where construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at no more than 4 feet (1219mm) on center. The vertical bar shall extend to 3 inches (76mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357mm) into the stem wall.

In Seismic Design categories D_0 , D_1 and D_2 , where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at no more than 4 feet (1219mm) on center. The vertical bar shall extend to 3 inches (76mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design categories D_0 , D_1 and D_2 , masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one-and two family dwellings located in Seismic Design Category A, B or C which are three stories or less in height and constructed with stud bearing walls, plain concrete footings without longitudinal reinforcement supporting walls and isolated plain concrete footings supporting columns or pedestals are permitted.

(3) Chapter 6 (WALL CONSTRUCTION) of the 2010 California Residential Code: Amendments.

Table R602.3(1) of Chapter 6 of the California Residential Code is hereby amended to read as follows:

TABLE R602.3(1)—continued
FASTENER SCHEDULE FOR STRUCTURAL MEMBERS

ITEM	DESCRIPTION OF BUILDING MATERIALS	DESCRIPTION OF FASTENER ^{b, c, e}	SPACING OF FASTENERS	
			Edges (inches) ⁱ	Intermediate supports ^{b, e} (inches)
Wood structural panels, subfloor, roof and interior wall sheathing to framing and particleboard wall sheathing to framing				
30	3/8" - 1/2"	6d common (2" x 0.113") nail (subfloor wall) ^j 8d common (2 1/2" x 0.131") nail (roof)	6	12 ^g
31	5/16" - 1/2"	6d common (2" x 0.113") nail (subfloor, wall) 8d common (2 1/2" x 0.131") nail (roof) ^f	6	12 ^g
32	19/32" - 1"	8d common nail (2 1/2" x 0.131")	6	12 ^g
33	1 1/8" - 1 1/4"	10d common (3" x 0.148") nail or 8d (2 1/2" x 0.131") deformed nail	6	12
Other wall sheathing^h				
34	1/2" structural cellulose fiberboard sheathing	1/2" galvanized roofing nail, 7/16" crown or 1" crown staple 16 ga., 1 1/4" long	3	6
35	25/32" structural cellulose fiberboard sheathing	1 3/4" galvanized roofing nail, 7/16" crown or 1" crown staple 16 ga., 1 1/2" long	3	6
36	1/2" gypsum sheathing ^d	1 1/2" galvanized roofing nail; staple galvanized, 1 1/2" long; 1 1/4" screws, Type W or S	7	7
37	5/8" gypsum sheathing ^d	1 3/4" galvanized roofing nail; staple galvanized, 1 5/8" long; 1 5/8" screws, Type W or S	7	7
Wood structural panels, combination subfloor underlayment to framing				
38	3/4" and less	6d deformed (2" x 0.120") nail or 8d common (2 1/2" x 0.131") nail	6	12
39	7/8" - 1"	8d common (2 1/2" x 0.131") nail or 8d deformed (2 1/2" x 0.120") nail	6	12
40	1 1/8" - 1 1/4"	10d common (3" x 0.148") nail or 8d deformed (2 1/2" x 0.120") nail	6	12

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s; 1 ksi = 6.895 MPa.

- a. All nails are smooth-common, box or deformed shanks except where otherwise stated. Nails used for framing and sheathing connections shall have minimum average bending yield strengths as shown: 80 ksi for shank diameter of 0.192 inch (20d common nail), 90 ksi for shank diameters larger than 0.142 inch but not larger than 0.177 inch, and 100 ksi for shank diameters of 0.142 inch or less.
- b. Staples are 16 gage wire and have a minimum 7/16-inch on diameter crown width.
- c. Nails shall be spaced at not more than 6 inches on center at all supports where spans are 48 inches or greater.
- d. Four-foot-by-8-foot or 4-foot-by-9-foot panels shall be applied vertically.
- e. Spacing of fasteners not included in this table shall be based on Table R602.3(2).
- f. For regions having basic wind speed of 110 mph or greater, 8d deformed (2 1/2" x 0.120) nails shall be used for attaching plywood and wood structural panel roof sheathing to framing within minimum 48-inch distance from gable end walls, if mean roof height is more than 25 feet, up to 35 feet maximum.
- g. For regions having basic wind speed of 100 mph or less, nails for attaching wood structural panel roof sheathing to gable end wall framing shall be spaced 6 inches on center. When basic wind speed is greater than 100 mph, nails for attaching panel roof sheathing to intermediate supports shall be spaced 6 inches on center for minimum 48-inch distance from ridges, eaves and gable end walls; and 4 inches on center to gable end wall framing.
- h. Gypsum sheathing shall conform to ASTM C 1396 and shall be installed in accordance with GA 253. Fiberboard sheathing shall conform to ASTM C 208.
- i. Spacing of fasteners on floor sheathing panel edges applies to panel edges supported by framing members and required blocking and at all floor perimeters only. Spacing of fasteners on roof sheathing panel edges applies to panel edges supported by framing members and required blocking. Blocking of roof or floor sheathing panel edges perpendicular to the framing members need not be provided except as required by other provisions of this code. Floor perimeter shall be supported by framing members or solid blocking.

Wood structural panel diaphragms or shear walls fastened with staples shall not be used to resist seismic forces in structures assigned to Seismic design category D, E or F.

Exception: Staples may be used for wood structural panel diaphragms when the allowable shear values are substantiated by cyclic testing and approved by the building official.

Table R602.3(2) of Chapter 6 of the 2010 California Residential Code is hereby amended to read as follows:

**TABLE R602.3(2)
ALTERNATE ATTACHMENTS**

NOMINAL MATERIAL THICKNESS (inches)	DESCRIPTION ^{a, b} OF FASTENER AND LENGTH (inches)	SPACING ^c OF FASTENERS	
		Edges (inches)	Intermediate supports (inches)
Wood structural panels subfloor, roof and wall sheathing to framing and particleboard wall sheathing to framing^f			
up to 1/2	Staple 15 ga. 1 3/4	4	8
	0.097 - 0.099 Nail 2 1/4	3	6
	Staple 16 ga. 1 3/4	3	6
19/32 and 5/8	0.113 Nail 2	3	6
	Staple 15 and 16 ga. 2	4	8
	0.097 - 0.099 Nail 2 1/4	4	8
23/32 and 3/4	Staple 14 ga. 2	4	8
	Staple 15 ga. 1 3/4	3	6
	0.097 - 0.099 Nail 2 1/4	4	8
	Staple 16 ga. 2	4	8
1	Staple 14 ga. 2 1/4	4	8
	0.113 Nail 2 1/4	3	6
	Staple 15 ga. 2 1/4	4	8
	0.097 - 0.099 Nail 2 1/2	4	8
NOMINAL MATERIAL THICKNESS (inches)	DESCRIPTION ^{a, b} OF FASTENER AND LENGTH (inches)	SPACING ^c OF FASTENERS	
		Edges (inches)	Body of panel ^d (inches)
Floor underlayment; plywood-hardboard-particleboard^f			
Plywood			
1/4 and 5/16	1 1/4 ring or screw shank nail—minimum 12 1/2 ga. (0.099") shank diameter	3	6
	Staple 18 ga., 7/8, 3/16 crown width	2	5
11/32, 3/8, 15/32, and 1/2	1 1/4 ring or screw shank nail—minimum 12 1/2 ga. (0.099") shank diameter	6	8 ^e
19/32, 5/8, 23/32 and 3/4	1 1/2 ring or screw shank nail—minimum 12 1/2 ga. (0.099") shank diameter	6	8
	Staple 16 ga. 1 1/2	6	8
Hardboard^f			
0.200	1 1/2 long ring-grooved underlayment nail	6	6
	4d cement-coated sinker nail	6	6
	Staple 18 ga., 7/8 long (plastic coated)	3	6
Particleboard			
1/4	4d ring-grooved underlayment nail	3	6
	Staple 18 ga., 7/8 long, 3/16 crown	3	6
3/8	6d ring-grooved underlayment nail	6	10
	Staple 16 ga., 1 1/8 long, 3/8 crown	3	6
1/2, 5/8	6d ring-grooved underlayment nail	6	10
	Staple 16 ga., 1 5/8 long, 3/8 crown	3	6

For SI: 1 inch = 25.4 mm.

a. Nail is a general description and may be T-head, modified round head or round head.

b. Staples shall have a minimum crown width of 7/16-inch on diameter except as noted.

c. Nails or staples shall be spaced at not more than 6 inches on center at all supports where spans are 48 inches or greater. Nails or staples shall be spaced at not more than 12 inches on center at intermediate supports for floors.

d. Fasteners shall be placed in a grid pattern throughout the body of the panel.

e. For 5-ply panels, intermediate nails shall be spaced not more than 12 inches on center each way.

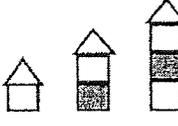
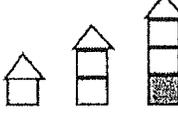
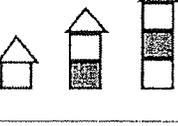
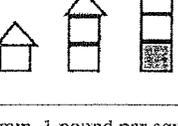
f. Hardboard underlayment shall conform to ANSI/AHA A135.4.

Wood structural panel diaphragms or shear walls fastened with staples shall not be used to resist seismic forces in structures assigned to Seismic design category D, E or F.

Exception: Staples may be used for wood structural panel diaphragms when the allowable shear values are substantiated by cyclic testing and approved by the building official.

Table R602.10.1.2(2) of Chapter 6 of the 2010 California Residential Code is hereby amended to read as follows:

TABLE R602.10.1.2(2)^{a, b, c}—continued
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY
(AS A FUNCTION OF BRACED WALL LINE LENGTH)

SOIL CLASS D ^a WALL HEIGHT = 10 FT 10 PSF FLOOR DEAD LOAD 15 PSF ROOFCEILING DEAD LOAD BRACED WALL LINE SPACING ≤ 25 FT			MINIMUM TOTAL LENGTH (feet) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE			
Seismic Design Category (SDC)	Story Location	Braced Wall Line Length	Method LIB	METHODS DWB, SFB, GB, PBS, PCP, HPS	Method WSP	Continuous Sheathing
SDC D ₀ or D ₁		10	NP	3.0	2.0	1.7
		20	NP	6.0	4.0	3.4
		30	NP	9.0	6.0	5.1
		40	NP	12.0	8.0	6.8
		50	NP	15.0	10.0	8.5
		10	NP	6.0	4.5	3.8
		20	NP	12.0	9.0	7.7
		30	NP	18.0	13.5	11.5
		40	NP	24.0	18.0	15.3
		50	NP	30.0	22.5	19.1
		10	NP	8.5	6.0	5.1
		20	NP	17.0	12.0	10.2
		30	NP	25.5	18.0	15.3
		40	NP	34.0	24.0	20.4
		50	NP	42.5	30.0	25.5
SDC D ₂		10	NP	4.0	2.5	2.1
		20	NP	8.0	5.0	4.3
		30	NP	12.0	7.5	6.4
		40	NP	16.0	10.0	8.5
		50	NP	20.0	12.5	10.6
		10	NP	7.5	5.5	4.7
		20	NP	15.0	11.0	9.4
		30	NP	22.5	16.5	14.0
		40	NP	30.0	22.0	18.7
		50	NP	37.5	27.5	23.4
		10	NP	NP	NP	NP
		20	NP	NP	NP	NP
		30	NP	NP	NP	NP
		40	NP	NP	NP	NP
		50	NP	NP	NP	NP

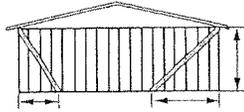
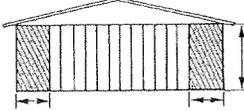
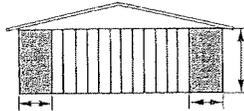
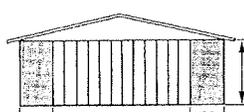
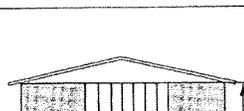
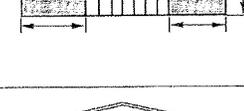
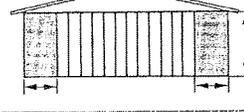
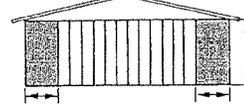
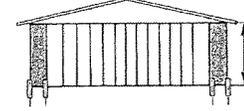
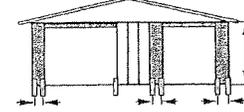
For SI: 1 foot = 304.8 mm, 1 pound per square foot = 47.89 Pa.

- a. Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the S_{ds} values associated with the seismic design categories shall be permitted when a site-specific S_{ds} value is determined in accordance with Section 1613.5 of the *California Building Code*.
- b. Foundation cripple wall panels shall be braced in accordance with Section R602.10.9.
- c. Methods of bracing shall be as described in Sections R602.10.2, R602.10.4 and R602.10.5.

Methods GB & PCP shall not be used to resist seismic forces in structures assigned to Seismic design category D, E or F.

Table R602.10.2 of Chapter 6 of the 2010 California Residential Code is hereby amended to read as follows:

**TABLE R602.10.2
INTERMITTENT BRACING METHODS**

METHOD	MATERIAL	MINIMUM THICKNESS	FIGURE	CONNECTION CRITERIA
LIB	Let-in-bracing	1 × 4 wood or approved metal straps at 45° to 60° angles for maximum 16" stud spacing		Wood: 2-8d nails per stud including top and bottom plate metal: per manufacturer
DWB	Diagonal wood boards	$\frac{3}{4}$ " (1" nominal) for maximum 24" stud spacing		2-8d ($2\frac{1}{2}$ " × 0.113") nails or 2 staples, $1\frac{3}{4}$ " per stud
WSP	Wood structural panel (see Section R604)	$\frac{3}{8}$ "		For exterior sheathing see Table R602.3(3) For interior sheathing see Table R602.3(1)
SFB	Structural fiberboard sheathing	$\frac{1}{2}$ " or $\frac{25}{32}$ " for maximum 16" stud spacing		$1\frac{1}{2}$ " galvanized roofing nails or 8d common ($2\frac{1}{2}$ " × 0.131) nails at 3" spacing (panel edges) at 6" spacing (intermediate supports)
GB	Gypsum board	$\frac{1}{2}$ "		Nails or screws at 7" spacing at panel edges including top and bottom plates; for all braced wall panel locations for exterior sheathing nail or screw size, see Table R602.3(1); for interior gypsum board nail or screw size, see Table R702.3.5
PBS	Particleboard sheathing (see Section R605)	$\frac{3}{8}$ " or $\frac{1}{2}$ " for maximum 16" stud spacing		$1\frac{1}{2}$ " galvanized roofing nails or 8d common ($2\frac{1}{2}$ " × 0.131) nails at 3" spacing (panel edges) at 6" spacing (intermediate supports)
PCP	Portland cement plaster	See Section R703.6 For maximum 16" stud spacing		$1\frac{1}{2}$ ", 11 gage, $\frac{7}{16}$ " head nails at 6" spacing or $\frac{7}{8}$ ", 16 gage staples at 6" spacing
HPS	Hardboard panel siding	$\frac{7}{16}$ " For maximum 16" stud spacing		0.092" dia., 0.225" head nails with length to accommodate $1\frac{1}{2}$ " penetration into studs at 4" spacing (panel edges), at 8" spacing (intermediate supports)
ABW	Alternate braced wall	See Section R602.10.3.2		See Section R602.10.3.2
PFH	Intermittent portal frame	See Section R602.10.3.3		See Section R602.10.3.3
PFG	Intermittent portal frame at garage	See Section R602.10.3.4		See Section R602.10.3.4

Methods GB & PCP shall not be used to resist seismic forces in structures assigned to Seismic design category D, E or F.

ATTACHMENT B – 1

FINDINGS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 17958.7

A. Chapter 4 (FOUNDATIONS) of the 2010 California Residential Code: Findings.

The amendments to Chapter 4 of the California Residential Code are reasonably necessary because of the following local geological, topographical and climatic conditions:

I. Local Geological Conditions. The City of Imperial Beach is located in San Diego County, which is densely populated and located in area of high seismic activities. Although the City of Imperial Beach has not faults running through it, there are a number of faults in close proximity which are active and able to produce earthquake between 7.5 and 7.8 on the Richter scale. The City of Imperial Beach is also located geographically within an area where sandy soil conditions are commonly found in the region increasing the likelihood of liquefaction during a seismic event causing widespread damage to both public, private buildings and infrastructure. Recent earthquake activity, including the 1989 Loma Prieta and the 1994 Northridge earthquakes have indicated the lack of adequate design and detailing as contributing factors to damages that reduce the protection of building occupants.

a) The proposed modification to require minimum reinforcement to address the problem of poor performance of plain or under-reinforced footings during a seismic event and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with objectives of the California Building Codes.

Amendments. CRC Section R403.1.3 of the 2010 Edition of the California Residential Code is hereby amended to read as follows:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design categories D0, D1 and D2, as established in Table R301.2(1), shall have minimum reinforcement. Top and Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the top of stem wall and 3 inches (76 mm) from the bottom of the footing.

In Seismic Design categories D0, D1 and D2, where construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at no more than 4 feet (1219mm) on center. The vertical bar shall extend to 3 inches (76mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357mm) into the stem wall.

In Seismic Design categories D0, D1 and D2, where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at no more than 4 feet (1219mm) on center. The vertical bar shall extend to 3 inches (76mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design categories D0, D1 and D2, masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one-and two family dwellings located in Seismic Design Category A, B or C which are three stories or less in height and constructed with stud bearing

walls, plain concrete footings without longitudinal reinforcement supporting walls and isolated plain concrete footings supporting columns or pedestals are permitted.

B. Chapter 6 (WALL CONSTRUCTION) of the 2010 California Residential Code: Findings.

The amendments to Chapter 6 of the California Residential Code are reasonably necessary because of the following local geological, topographical and climatic conditions:

I. Local Geological Conditions. The City of Imperial Beach is located in San Diego County, which is densely populated and located in area of high seismic activities. Although the City of Imperial Beach has not faults running through it, there are a number of faults in close proximity which are active and able to produce earthquake between 7.5 and 7.8 on the Richter scale. The City of Imperial Beach is also located geographically within an area where sandy soil conditions are commonly found in the region increasing the likelihood of liquefaction during a seismic event causing widespread damage to both public, private buildings and infrastructure. Recent earthquake activity, including the 1989 Loma Prieta and the 1994 Northridge earthquakes have indicated the lack of adequate design and detailing as contributing factors to damages that reduce the protection of building occupants.

a) In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing.

b) Due to the high geologic activities in the California and the expected higher level of performance on buildings and structures, this local amendment will not allow shear walls sheathed with lath, plaster, gypsum board or portland cement. The poor performance of such shear walls sheathed with these materials in the 1994 Northridge Earthquake was investigated by the Structural Engineers Association of Southern California (SEAOSC).

ATTACHMENT D

Chapter 15.06. Building Code

15.06.010. Adoption of the 2010 California Building Code (Part 2 of Title 24 of the California Code of Regulations).

Except as provided in this Chapter and Chapter 15.02, the 2010 California Building Code (Part 2 of Title 24 of the California Code of Regulations) is adopted and incorporated by reference as the Building Code of the City of Imperial Beach.

15.06.020. Amendments and Additions of Provisions of the 2010 California Building Code (Part 2 of Title 24 of the California Code of Regulations).

(1) 2010 California Building Code Appendix I, Patio Covers, is adopted.

(2) Chapter 9 (Fire Protection) of the 2010 California Building Code: Amendments.

Section 903 Automatic Sprinkler Systems of the 2010 California Building Code shall be adopted as modified and adopted by City of Imperial Beach of the 2010 California Fire Code in the City of Imperial Beach Fire Code, Chapter 15.20 of this Municipal Code.

Section 907.2.11.6 is added to Chapter 9 of the 2010 California Building Code to read as follows:

907.2.11.6. Additions, alterations or repairs to Group R occupancies. When the valuation of an addition, alteration, or repair to Group R occupancy exceeds \$1,000 and a permit is required, or when one or more sleeping rooms are added or created in existing Group R occupancies, smoke alarms shall be installed in accordance with Section 907.2.11.

(3) Chapter 19 (CONCRETE) of the 2010 California Building Code: Amendments.

Section 1908.1.8 of Chapter 19 of the 2010 California Building Code is hereby amended to read as follows:

1908.1.8 ACI 318, Section 22.10. Delete ACI 318, Section 22.10, and replace with the following:

22.10 – Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

22.10.1 – Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

- a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.
- b) Plain concrete footings supporting walls are permitted provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4

and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception:

In detached one- and two-family dwellings three stories or less in height and constructed with stud-bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

(4) Chapter 23 (WOOD) of the 2010 California Building Code: Amendments.

Section 2306.2.1 of Chapter 23 of the 2010 California Building Code is hereby amended to read as follows:

2306.2.1 Wood structural panel diaphragms. Wood structural panel diaphragms shall be designed and constructed in accordance with AF&PA SDPWS. Wood structural panel diaphragms are permitted to resist horizontal forces using the allowable shear capacities set forth in Table 2306.2.1(1) or 2306.2.1(2). The allowable shear capacities in Table 2306.2.1(1) or 2306.2.1(2) are permitted to be increased 40 percent for wind design. Wood structural panel diaphragms fastened with staples shall not be used to resist seismic forces in structures assigned to Seismic design category D, E or F.

Exception: Staples may be used for wood structural panel diaphragms when the allowable shear values are substantiated by cyclic testing and approved by the building official.

Section 2306.7 of Chapter 23 of the California 2010 Building Code is hereby amended to read as follows:

2306.7 Shear walls sheathed with other materials. Shear walls sheathed with Portland cement plaster, gypsum lath, gypsum sheathing or gypsum board shall be designed and constructed in accordance with AF&PA SDPWS. Shear walls sheathed with these materials are permitted to resist horizontal forces using the allowable shear capacities set forth in Table 2306.7. Shear walls sheathed with Portland cement plaster, gypsum lath, gypsum sheathing or gypsum board shall not be used to resist seismic forces in structures assigned to Seismic Design Category D, E or F.

ATTACHMENT C – 1
FINDINGS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 17958.7

A. Findings. The amendments to Chapter 9 of the 2010 California Building Code are reasonably necessary because of the following local geological, topographical and climatic conditions:

- I. The City of Imperial Beach is geographically located at the most south west portion of San Diego County along the coast of the Pacific Ocean, served by major (2) two east and west arteries (1) one Highway 75 and (1) one Imperial Beach Boulevard, many of the remaining small streets and alleys are arranged in a dense manner to make timely fire department vehicle access and assistance from additionally responding agencies difficult.;
- II. Imperial Beach is characterized by a sub-tropical climate with very dry summers and rain occurring during the winter season. The City of Imperial Beach is subject to daily land and sea breezes. The sea breeze commences 2 to 4 hours after sunrise and is experienced as a westerly wind with an average speed of 10 knots. The City of Imperial Beach is comprised of many existing buildings and structures arranged in a dense manner with limited property line setbacks. This arrangement in conjunction with a predominant westerly wind increases the difficulty for fire suppression personnel to limit exposure of neighboring structures or buildings from fire by direct transmission, radiation, or convection;
- III. The city of Imperial Beach is located geographically within an active seismic zone. The sandy soil conditions commonly found in the region increases the likelihood of liquefaction during a seismic event causing widespread damage to both public and private buildings, structures, utilities, and surface streets making travel for both locally responding agencies and assistance from additionally responding agencies burdensome or impossible, preventing rapid access and orderly evacuation;
- IV. The predominantly flat topography specific to the City of Imperial Beach and its location directly bordering Pacific Ocean in conjunction with its elevation relative to sea level increases the cities susceptibility to damage by tsunamis. An event such as a tsunami is likely to cause widespread damage to both public and private buildings, structures, utilities, and surface streets making travel for locally responding agencies and assistance from additionally responding agencies burdensome or impossible, preventing rapid access and orderly evacuation.

B. Findings. The amendments to Chapter 19 of the 2010 California Building Code are reasonably necessary because of the following local geological, topographical and climatic conditions:

- I. Local Geological Conditions. The City of Imperial Beach is located in San Diego County, which is densely populated and located in area of high seismic activities. Although the City of Imperial Beach has not faults running through it, there are a number of faults in close proximity which are active and able to produce earthquake between 7.5 and 7.8 on the Richter scale. The City of Imperial Beach is also located geographically within an area where sandy soil conditions are commonly found in the region increasing the likelihood of liquefaction during a seismic event causing widespread damage to both

public, private buildings and infrastructure. Recent earthquake activity, including the 1989 Loma Prieta and the 1994 Northridge earthquakes have indicated the lack of adequate design and detailing as contributing factors to damages that reduce the protection of building occupants.

The proposed modification to require minimum reinforcement to address the problem of poor performance of plain or under-reinforced footings during a seismic event and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with objectives of the California Building Codes.

C. Findings. The amendments to Chapter 23 of the 2010 California Building Code are reasonably necessary because of the following local geological, topographical and climatic conditions:

I. Local Geological Conditions. The City of Imperial Beach is located in San Diego County, which is densely populated and located in area of high seismic activities. Although the City of Imperial Beach has not faults running through it, there are a number of faults in close proximity which are active and able to produce earthquake between 7.5 and 7.8 on the Richter scale. The City of Imperial Beach is also located geographically within an area where sandy soil conditions are commonly found in the region increasing the likelihood of liquefaction during a seismic event causing widespread damage to both public, private buildings and infrastructure. Recent earthquake activity, including the 1989 Loma Prieta and the 1994 Northridge earthquakes have indicated the lack of adequate design and detailing as contributing factors to damages that reduce the protection of building occupants.

a) In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing.

b) Due to the high geologic activities in the California and the expected higher level of performance on buildings and structures, this local amendment will not allow shear walls sheathed with lath, plaster, gypsum board or portland cement. The poor performance of such shear walls sheathed with these materials in the 1994 Northridge Earthquake was investigated by the Structural Engineers Association of Southern California (SEAOSC).

ATTACHMENT E

Chapter 15.16. Electrical Code

15.16.010. Adoption of the 2010 California Electrical Code (Part 3 of Title 24 of the California Code of Regulations).

The 2010 California Electrical Code (Part 3 of Title 24 of the California Code of Regulations) is adopted and incorporated by reference as the Electrical Code of the City of Imperial Beach.

ATTACHMENT F

Chapter 15.28. Mechanical Code

15.28.010. Adoption of the 2010 California Mechanical Code (Part 4 of Title 24 of the California Code of Regulations).

Except as provided in this Chapter, the 2010 California Mechanical Code (Part 4 of Title 24 of the California Code of Regulations) is adopted and incorporated by reference as the Mechanical Code of the City of Imperial Beach.

15.28.020. Amendments of Provisions of the 2010 California Mechanical Code (Part 4 of Title 24 of the California Code of Regulations).

2010 California Mechanical Code Appendix A, Uniform Mechanical Code standard No. 6-2, is adopted.

ATTACHMENT G

Chapter 15.32. Plumbing Code

15.32.010. Adoption of the 2010 California Plumbing Code (Part 5 of Title 24 of the California Code of Regulations).

The 2010 California Plumbing Code (Part 5 of Title 24 of the California Code of Regulations) is adopted and incorporated by reference as the Plumbing Code of the City of Imperial Beach.

ATTACHMENT H

Chapter 15.38. Green Building Code

15.38.010. Adoption of the 2010 California Green Building Code (Part 11 of Title 24 of the California Code of Regulations).

The 2010 California Green Building Code (Part 11 of Title 24 of the California Code of Regulations) is adopted and incorporated by reference as the Green Building Code of the City of Imperial Beach.



City of Imperial Beach, California

OFFICE OF THE CITY CLERK

March 2, 2011

Dave Walls
Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833-2936

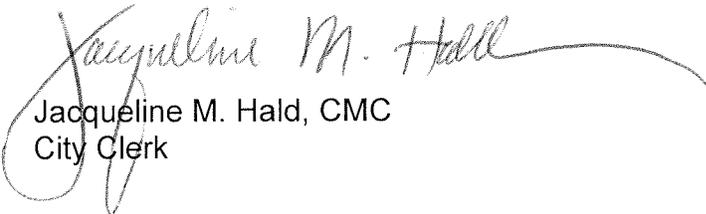
Dear Mr. Walls:

At the 6:00 p.m. meeting held on December 1, 2010 in the Council Chambers located at 825 Imperial Beach Boulevard, Imperial Beach, California, the Imperial Beach City Council took action to adopt Ordinance No. 2010-1114, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING CHAPTER 5.20 OF THE IMPERIAL BEACH MUNICIPAL CODE BY ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION, AND 2009 INTERNATIONAL FIRE CODE WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS. A copy of the approved ordinance is enclosed for your files.

Please consider this correspondence as our official filing of this ordinance with the California Building Standards Commission.

Please contact me should if you have any questions.

Sincerely,


Jacqueline M. Hald, CMC
City Clerk

Enc

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CALIFORNIA BUILDING STANDARDS COMMISSION

ORDINANCE NO 2010-1114

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING CHAPTER 5.20 OF THE IMPERIAL BEACH MUNICIPAL CODE BY ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION, AND 2009 INTERNATIONAL FIRE CODE WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS

WHEREAS, Health & Safety Code Section 17958 mandates that the City of Imperial Beach shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health & Safety Code Section 17922; and

WHEREAS, the State of California is mandated by Health & Safety Code Section 17922 to impose the same requirements as are contained in the 2010 California Fire Code, hereinafter referred to collectively as the Fire Code; and

WHEREAS, the State of California is mandated by Health & Safety Code section 17922 to impose the same requirements as are contained in the 2010 California Fire Code, together with the City of Imperial Beach amendments, which collectively shall be the City of Imperial Beach Fire Code, for the purpose of prescribing regulations in the City of Imperial Beach and

WHEREAS, code amendments adopted by the State of California shall take precedence over the 2010 California Fire Code language. The 2010 California Fire Code amendments language shall be used for those code sections not adopted by the State; and

WHEREAS, local amendments adopted by the City of Imperial Beach shall take precedence over both 2010 California Fire Code and 2009 International Fire Code; and

WHEREAS, Health & Safety Code Section 17958.5 permits the City of Imperial Beach to make such changes or modifications to the Codes as are reasonably necessary because of local conditions; and

WHEREAS, Health & Safety Code Section 17958.7 requires that the City of Imperial Beach before making any changes or modifications pursuant to Section 17958.5 make express findings that such changes or modifications are needed due to climatic, geographic, or topographic conditions; and

WHEREAS, the City Council of the City of Imperial Beach does herewith find that the city has certain climatic, geologic, and topographical features that can have a deleterious effect on emergency services such as fire protection and emergency medical services; and

WHEREAS, the City of Imperial Beach finds that the modifications and changes to the 2010 California Fire Code are reasonably necessary because of the following local climatic, geological, and topographical conditions as identified in Attachment A; and

WHEREAS, certain amendments to the 2010 California Fire Code serve to mitigate to the extent possible said deleterious effects, and

WHEREAS, Sections 50022.1 through 50022.10, inclusive, of the Government Code provide authority for the adoption by reference of codes, or portion of such codes.

NOW THEREFORE, the City Council of the City of Imperial Beach does ordain as follows:

SECTION 1: Ordinance No. 2002-995 of the City of Imperial Beach is hereby repealed.

SECTION 2: Section 15.20.010 of Chapter 15.20 of the Imperial Beach Municipal Code is amended in its entirety to read as follows:

15.20.010. Adoption.

That a certain document, three (3) copies of which are on file in the Imperial Beach Fire Department Fire Prevention Bureau, being marked and designated as the 2010 California Fire Code, including Appendix Chapters, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Imperial Beach, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use, and maintenance of buildings and structures, including that providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the Imperial Beach Fire Department Fire Prevention Bureau are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 15.20.020.

SECTION 3: Section 15.20.020 of Chapter 15.20 of the Imperial Beach Municipal Code is amended in its entirety to read as follows:

15.20.020. Amendments.

That the following sections are hereby amended:

Chapter 1 Administration is hereby added (A), revised (R) or deleted (D) to the Building/Fire Code portion of the California Building Standards Code to read as follows:

(R) Section 101.5 City of Imperial Beach Validity

The City of Imperial Beach hereby declares that should any section, paragraph, sentence or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the City of Imperial Beach that it would have passed all other portions of this ordinance independently of the elimination here from of any such portion as may be declared invalid.

Chapter 1 - Section 102.13 Repeal of Conflicting Ordinances, Resolutions or motions is hereby added (A), revised (R) or deleted (D) to the Building/Fire Code portion of the California Building Standards Code to read as follows:

(A) Section 102.13 REPEAL OF CONFLICTING ORDINANCES, RESOLUTIONS OR MOTIONS All former ordinances, resolutions or motions, or parts thereof, conflicting or inconsistent with the provisions of this Ordinance or of the Code or standards hereby adopted are hereby repealed.

(R) Chapter 1 Administration - Section 109.3. Violation penalties - Any person who shall violate any of the provisions of this code or standards hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made there under, or who shall build in violation of any detailed statement or specification or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the attorney for the City of Imperial Beach or by a court of competent jurisdiction within the time fixed herein, shall severally for each and every violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine not exceeding \$1000.00 or by imprisonment in County Jail not exceeding six (6) months, or both. The imposition of one penalty of any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Chapter 1 Administration - Section 111.4 Failure to Comply is hereby added (A), revised (R) or deleted (D) to the Building/Fire Code portion of the California Building Standards Code to read as follows:

(R) Section 111.4 Failure to comply – Any person, who shall continue any work having been served with a stop work order, except such work as that the person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than the amounts as established for administrative citations pursuant to Chapter 1.22 of the City of Imperial Beach Municipal Code.

Chapter 2 Definitions - Section 202 is hereby added (A), revised (R) or deleted (D) to the Building/Fire Code portion of the California Building Standards Code to read as follows:

(A) MID-RISE BUILDING A building four stories or more in height, 75 feet or more in height and not defined as a high-rise building by section 202 of the California Building Code. Measurements shall be made from the midpoint of the highest portion of the roof or floor above the topmost space that may be occupied to the lowest fire department connection.

Chapter 3 General Precautions Against Fire - Section 319 is hereby added (A), revised (R) or deleted (D) to the Building/Fire Code portion of the California Building Standards Code to read as follows:

Section 319 is added to the California Fire Code to read:

**SECTION 319
MID-RISE BUILDINGS**

Sec 319.1 General All newly constructed mid-rise buildings or any mid-rise building which undergoes a complete renovation that requires the complete vacancy of the building to complete the renovation shall comply with this section.

Exceptions:

1. Buildings used exclusively as an open parking garage.
2. Buildings where all floors above the fourth floor level are used exclusively as an open parking garage.
3. Buildings such as a power plant, lookout tower, steeple, grain house, and other similar structures.

Sec. 319.1.1 Automatic fire sprinkler systems and standpipes. Mid-rise buildings shall have an automatic fire sprinkler system designed and installed in conformance with the latest edition of NFPA 13 and in accordance with the following:

1. A shut-off valve and a water flow alarm shall be provided for each floor. Each shut-off valve and water flow alarm shall be electronically supervised.
2. Mid-rise buildings shall be provided with a class I standpipe system that is interconnected with the automatic fire sprinkler system. The system shall consist of 2½-inch hose valves located in each stair enclosure on every floor level. Two hose outlets shall be located on the roof outside of each stair enclosure which penetrates the roof. The standpipe system shall be designed, installed and tested in accordance with the edition of NFPA 14 as recognized in Chapter 47 Referenced Standards.
3. Fire department standpipe connections and valves serving the floor shall be within the vestibule and located in a manner so as not to obstruct ingress and egress when hose lines are connected and charged.

Chapter 5 Fire Service Features - Section 503 is hereby added (A), revised (R) or deleted (D) to the Building/Fire Code portion of the California Building Standards Code to read as follows:

(A)Sec. 503.3.1 Fire lane designation Where the fire code official determines that it is necessary to ensure adequate fire access, the fire code official may designate existing roadways as fire access roadways as provided by Vehicle Code section 22500.1.

(A)Sec. 503.4.1 Roadway design features. Roadway design features (speed bumps, speed humps, speed control dips, etc.) which may interfere with emergency apparatus responses shall not be installed on fire access roadways, unless they meet design criteria approved by the Fire Code Official.

Chapter 5 Fire Service Features - Section 505 is hereby added (A), revised (R) or deleted (D) to the Building/Fire Code portion of the California Building Standards Code to read as follows:

(R) Section 505.1 ADDRESS NUMBERS. Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: 4" high with a 1/2 " stroke for residential buildings, 8" high with a 1/2" stroke for commercial, multi-residential and industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Code Official, such as rear access doors, building corners, and entrances to commercial centers.

SECTION 4: Sections 15.20.030, 15.20.040, 15.20.050, and 15.20.060 of Chapter 15.20 of the Imperial Beach Municipal Code are deleted in their entirety.

SECTION 5

That Ordinance Number 2002-995 of the City of Imperial Beach, which Adopts the Uniform Fire Code, 2000 Edition, with Certain Amendments, and National Fire Protection Association Standards and all other ordinances or parts of ordinances in conflict herewith is hereby repealed.

SECTION 6

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Imperial Beach hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 7

That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 5 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 8

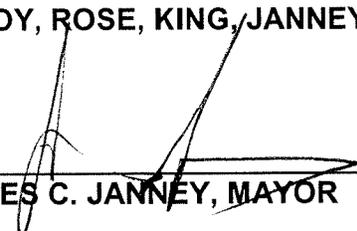
The City Clerk is directed to prepare and have published a summary of this ordinance no less than five days prior to the consideration of its adoption and again within 15 days following adoption indicating votes cast pursuant to the provisions of Government Code section 36933. Upon passage, the City Clerk shall transmit a copy of this Ordinance to the California Building Standards Commission pursuant to Health and Safety Code section 17958.7.

SECTION 9

That this ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect **30 days** from and after the date of its final passage and adoption.

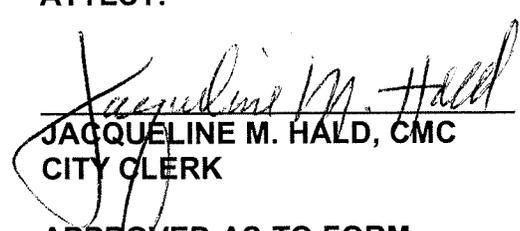
INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Imperial Beach, California, on the 17th day of November 2010; and **THEREAFTER ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 1st day of December 2010, by the following vote:

AYES:	COUNCILMEMBERS:	BRAGG, MCCOY, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE



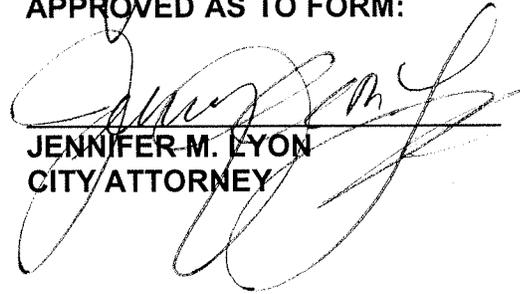
JAMES C. JANNEY, MAYOR

ATTEST:



JACQUELINE M. HALD, CMC
CITY CLERK

APPROVED AS TO FORM:



JENNIFER M. LYON
CITY ATTORNEY

FINDINGS

FOR REVISION OF THE CITY OF IMPERIAL BEACH
AMENDMENTS TO THE 2010 CALIFORNIA FIRE CODE OF THE CALIFORNIA CODE
OF REGULATIONS TITLE 24, PART 9

As required by Health and Safety Code section 17958 the City of Imperial Beach does herewith make express findings that amendments to the California Building Standards Code are necessary for the protection of the public health, safety, and welfare due to certain climatic, topographic, or geological features existing in the County of San Diego.

The following matrix lists the City of Imperial Beach amendments and the corresponding express findings. Minor editorial changes or typographical corrections to the Fire Code are not shown in these findings. The full text of the proposed City of Imperial Beach amendments are shown in City of Imperial Beach Fire Code.

MATRIX OF FINDINGS		
2010 California Fire Code Amendments		
Chapters and Sections	PAGE NUMBER	FINDING NUMBER(S)
Chapter 2 Definitions	4	ALL
Chapter 3 General Precautions Against fire		
Section 319.1.1 General Precautions Against fire	5	ALL
Chapter 5 Fire Service Features		
Section 503.3.1 Marking of Fire Apparatus Access Roads	5	ALL
Section 503.4.1 Roadway Design Features	5	1, 3, 4
Section 505.1 Street Numbers	6	1, 3, 4
Appendix Chapter 1 Administration		
Section 101.5 Validity	2	ALL
Section 111.4 Failure to Comply	4	ALL
Section 102.10 Repeal Conflicting Ordinance	3	ALL
Section 104.12.1 Cost Recovery	3	ALL
Section 104.12.2 Reimbursement	3	ALL
Section 105.3.9 Expense Recovery	3	ALL

Findings for the Fire Code

In accordance with California Health and Safety Code section 17958 the City of Imperial Beach does herewith make express findings that amendment of the California Code of Regulations, Title 24 Part 9 the California Fire Code is necessary for the protection of the public health, safety, and welfare due to climatic, topographic, and geographical features found within the limits of and applicable to the City of Imperial Beach.

Finding 1

The City of Imperial Beach is geographically located at the most south west portion of San Diego County along the coast of the Pacific Ocean, served by two (2) major east and west arteries, one (1) highway (Highway 75), and one (1) boulevard (Imperial Beach Boulevard), many of the remaining small streets and alleys are arranged in a dense manner to make timely fire department vehicle access and assistance from additionally responding agencies difficult.

Finding 2

Imperial Beach is characterized by a sub-tropical climate with very dry summers and rain occurring during the winter season. The City of Imperial Beach is subject to daily land and sea breezes. The sea breeze commences 2 to 4 hours after sunrise and is experienced as a westerly wind with an average speed of 10 knots.

The City of Imperial Beach is comprised of many existing buildings and structures arranged in a dense manner with limited property line setbacks. This arrangement in conjunction with a predominant westerly wind increases the difficulty for fire suppression personnel to limit exposure of neighboring structures or buildings from fire by direct transmission, radiation, or convection.

Finding 3

The City of Imperial Beach is located geographically within an active seismic zone. The sandy soil conditions commonly found in the region increases the likelihood of liquefaction during a seismic event causing widespread damage to both public and private buildings, structures, utilities, and surface streets making travel for both locally responding agencies and assistance from additionally responding agencies burdensome or impossible, preventing rapid access and orderly evacuation.

Finding 4

The predominantly flat topography specific to the City of Imperial Beach and its location directly bordering Pacific Ocean in conjunction with its elevation relative to sea level increases the City's susceptibility to damage by tsunami. An event such as a tsunami is likely to cause widespread damage to both public and private buildings, structures, utilities, and surface streets making travel for locally responding agencies and assistance from additionally responding agencies burdensome or impossible, preventing rapid access and orderly evacuation.