

BUILDING STANDARDS COMMISSION

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



February 2, 2011

Mr. Brad Wungluck, Building Inspector II
Community Development Department
City of Manteca
1001 West Center Street
Manteca, California 95337

Dear Mr. Brad Wungluck:

This letter is to acknowledge receipt on December 23, 2010 of the City of Manteca submittal pertaining to Ordinance Nos. 1474, 1475, 1477, 1478 and 1479 with findings and is acceptable for filing. Per Health and Safety Code Section 17958.8 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



CITY OF MANTECA

COMMUNITY DEVELOPMENT
DEPARTMENT

December 21, 2010

Ms. Jane Taylor
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Re: Adopted Codes with Revisions and Findings

Jane,

Attached are the adopted ordinances for the 2010 California Building, Electrical, Mechanical, Plumbing, and Green Codes. The City of Manteca has made no new amendments to the Codes. All amendments to the codes due to our climatic and topographical conditions in our area will remain unchanged. The Codes were previously amended to reflect our location, our propensity for dense fog, and the multiple rail locations that divide our Fire Department from parts of the City.

Could you please place these documents in the Building Standards Commission files to indicate that they were submitted and received.

If you have any questions you may contact me at (209) 606-1399 or Lumen Arceo at (209) 456-8560.

Respectfully submitted,

Brad Wungluck
Building Inspector II
City of Manteca
1001 W Center Street
Manteca, CA 95337

2010 DEC 23 A 11:01
CITY OF MANTECA
BUILDING STANDARDS COMMISSION

ORDINANCE NO. 1479

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY; PROVIDING FOR THE ISSUANCE OF PERMIT AND FOR THE INSPECTION AND SETTING THE FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AMENDING CHAPTER 15.04, BUILDING CODE, OF THE MANTECA MUNICIPAL CODE, ADOPTING THE 2009 INTERNATIONAL BUILDING CODE WITH CALIFORNIA AMENDMENTS, ENTITLED THE 2010 CALIFORNIA BUILDING CODE

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

WHEREAS, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

WHEREAS, Health and Safety Code Section 17958 mandates that cities and counties adopt the model codes with state amendments no more than 180 days after the state adoption (which will occur on January 1, 2011), and

WHEREAS, the State of California has determined adoption of the 2009 International Building Code with state amendments, known as the 2010 California Building Code, is necessary to achieve necessary safety and hazard avoidance, and

WHEREAS, the State of California requires that all local building departments enforce the adopted 2010 California Building Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

WHEREAS, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

WHEREAS, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

Section I. AMENDMENT:

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Title 15 of the Manteca Municipal Code, specifically Chapter 15.04 is hereby amended to read:

Chapter 15.04 Building Code:

15.04.010 Adoption.

That certain document in book form entitled "2009 International Building Code" including Appendix Chapters A, C, F, H, I, J, K, U as amended by the State of California, published by the International Code Council, 4051 West Flossmoor Road, Country Hills, IL 60478, one copy of which is now on file in the office of the City Clerk of the City of Manteca, is adopted and enacted by the City Council except those portions of the 2009 edition which are amended specifically in this chapter. (Ord. 1376 § 1, 2007; Ord. 1228 § 1 (part), 2003)

15.04.020 Definitions.

Whenever the term "municipality" or "city" is used in the building code it means the City of Manteca. (Ord. 1228 § 1 (part), 2003)

15.04.030 Sewer connection allocation system.

No building permits shall be issued by the city which necessitate sewer connections or which, in the judgment of the Director of Public Works, would customarily require or necessitate a sewer connection except in accordance with the allocation guidelines set by the City Council by resolution. (Ord. 1228 § 1 (part), 2003)

15.04.040 Appendix Chapter 1, Section 112.1 amended—Board of appeals.

Section 113.1 of the International Building Code, is amended to read:

SECTION 112.1: BOARD OF APPEALS

Whenever the Building Official shall disapprove an application of refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued and wrongly interpreted, the applicant or any person directly and adversely affected thereby, or the authorized agent of either of said parties, may appeal from the decision of the Building Official to the Building Board of Appeals of the City of Manteca within thirty days from the date of said decision, and the said Board of Appeals may, after a hearing, affirm, reverse, or modify said decision of the Building Official.

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(Ord. 1376 § 2, 2007; Ord. 1228 § 1(part), 2003)

15.04.050 Appendix Chapter 1, Section 113.4 amended—Violation penalties.

Appendix Chapter 1, Section 114.4 of the International Building Code is amended to read:

SECTION 114.4: VIOLATIONS PENALTIES

Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificates or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City Council, Building Board of Appeals or 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 of not more than \$1000.00 or by imprisonment in the City Jail of the City of Manteca, or the County Jail of the County of San Joaquin for not more than six months or by both such fine and imprisonment. The imposition of one penalty for 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.

(Ord. 1376 § 3, 2007; Ord. 1228 § 1(part), 2003)

15.04.060 Permit fees.

A. Permit fees for each permit shall be paid as set forth in Resolution No. R2010-149 or by a determination by the Building Official of the estimated reasonable costs of service. In addition, in the case of permits for the erection or construction of a new dwelling unit, commercial structures or industrial structures, the following fees shall be assessed. "Dwelling unit, commercial structures or industrial structures," for purposes of permit fees and fire facility fees, means all that area covered by a common roof and, in the case of permitted detached structure, all the area covered by roofs.

Permit	Fees (Effective Jan. 1, 2007)
Government Building Facilities Use	
Very Low-Density Residential	\$3,800.00 per unit
Low-Density Residential	3,800.00 per unit
Medium-Density Residential	3,169.00 per unit
High-Density Residential	2,852.00 per unit
Commercial Mixed-Use	2,852.00 per unit
Major equipment purchase	350.00 per unit
Fire Facility Fee	
Residential	0.30 per sq. ft.
Commercial	0.13 per sq. ft.
Industrial	0.03 per sq. ft.

B. For all mobile home parks, modular buildings and campsites where building square footage of a structure is not available, the fire facility fee shall be six hundred dollars per unit. "Unit," as used in this subsection, means that space designed to be occupied by one self-contained (i.e., one mobile home, one modular building use or one campsite).

C. All fire facility fees are due and payable at the time the property which is subject to a building permit has been determined by the Building Official or designee as ready for occupancy.

D. The fire facility fee set forth in this section shall not apply to projects that hold valid vested tentative maps as of the effective date of Ordinance No. 1173 or persons who possess building permits issued prior to the effective date of Ordinance No. 1173; for these projects and permit holders, the fee in existence prior to this amendment shall remain in effect.

E. The government building facilities fee will remain at the above-noted fee through December 31, 2011. Effective January 1, 2012, the government building facilities fee will be adjusted to reflect the previous two years' changes of the Twenty-City U.S. Average Engineering News-Record (ENR) Official Construction Cost Index. Thus, the government building facilities fee that will become effective January 1, 2012 shall be the amount assessed effective January 1, 2007, plus the ENR increase from January 1, 2010 to January 1, 2011, and the ENR increase from January 1, 2011 to January 1, 2012. In each subsequent year thereafter, the adjustment shall reflect the change in the Construction Cost Index from January one year to January the following year, and developer shall pay those fees in place at time payment is due. In no event shall the fees be less than in any previous year. (Ord. 1417 § 1, 2008; amended during

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5/08 supplement; Ord. 1331 § 2, 2006; Ord. 1317 § 1, 2005; Ord. 1240 § 1, 2003; Ord. 1228 § 1(part), 2003)

15.04.070 Valuations.

The determination of value or valuation under any of the provisions of this code shall be made by the Building Official and shall be based on the latest building valuation data as printed in the building standards published bimonthly by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601. The valuation to be used in computing the permit and plan check fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent work or permanent equipment.

EXCEPTION: Other fees may be established by the Building Official or by the presentation to the Building Inspection Division of a bona fide contract signed by the licensed contractor. (Ord. 1228 § 1 (part), 2003)

15.04.080 Plan review fee.

Plan review fees shall be sixty-five percent of the building permit fee or by a determination of the estimated reasonable costs of service (as determined by the Building Official), except that for the following groups the percent fees shall be:

Group	Fee
Group U-1	25%
Group R-3 (Master plans)	25%

(Ord. 1228 § 1 (part), 2003)

15.04.090 Street improvement required.

A. The street area adjacent to all premises shall be improved at the expense of the property owner with curbs, gutters, sidewalk and street paving from gutter to existing paving or center of street, according to standards established by the City Council, before the building permit for new construction or remodeling is issued. Engineering improvement plans shall be submitted to the Public Works Department by the property owner and are subject to the approval by the city engineer.

B. Completion of the improvements required by section A of this section may be deferred to coincide with the new construction or remodeling if, prior to the issuance of the building permit, the property owner enters into an agreement with the city requiring

completion of said improvement prior to final inspection of the new construction or remodeling. Said agreement shall require the property owner to provide a performance bond in an amount equal to one hundred percent of the estimated cost of constructing such improvements. In lieu of such agreement, in the discretion of the City Engineer, the property owner may enter into an agreement requiring the property owner to immediately pay the city the estimated cost of design and installation of street improvement.

C. Notwithstanding any other provisions of this section, no property owner shall be required to install street improvement nor be required to enter into any agreement described where the City Engineer certifies in writing that such street improvements will be the subject of a city-funded public improvement project within twelve months of the issuance of the building permit. The exception created by this subsection shall be deemed applicable to any new construction or remodeling commenced after December 1, 1990.

In the event that the City Engineer determines that the installation of the improvements set forth in subsection A of this section should be deferred, then the following shall occur: prior to the issuance of a building permit, the city and the property owner shall enter into an agreement. The agreement shall provide, at the option of the city, that the property owner shall deposit cash with the city equal to the amount set by the city engineer as his or her estimate of the cost of design and installation of the deferred improvements, or the property owner shall grant a lien, in a form approved by the city, on the land subject to the property owner's development in an amount equal to the cost of design and installation of the deferred improvements. The lien granted by the property owner shall be in addition to any other lien provided by law. The agreement required by this section shall further provide that it shall be binding on the property owner's successors, heirs, beneficiaries, survivors and assigns.

D. Driveways shall be removed and curb and sidewalk installed at the expense of the property owner when buildings or other obstructions are constructed, demolished or removed causing abandonment of those driveways.

E. As used in this section, "new construction or remodeling" means laying of paving, sidewalk, construction of new structures, or renovation of existing structures where the cost thereof exceeds an amount equal to four times the cost of the required street improvements. (Ord. 1228 § 1(part), 2003)

15.04.100 Electrical, plumbing and mechanical fees.

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An electrical, plumbing and mechanical fee of forty percent of the permit fee (Section 15.04.060) shall be collected in lieu of the fees provided in other sections of this code. (Ord. 1228 § 1 (part), 2003)

15.04.110 Section 1910 amended—Minimum slab thickness.

Section 1910 of the International Building Code is amended by adding Section 1910.2 to read:

SECTION 1910.2: Reinforcement

Slabs for R occupancies shall be reinforced with six (6) inch by six (6) inch, No. 10 AWG welded wire fabric, or an approved alternate.

(Ord. 1376 §4, 2007: Ord. 1228 § 1(part), 2003)

15.04.120 Enforcement.

The building code shall be enforced by the building official. The building official can authorize the San Joaquin County Health Department as the city designated enforcement authority. (Ord. 1228 § 1 (part), 2003)

15.04.130 Section 3304.1.1 amended.

Section 3304.1.1 of the International Building Code is amended by adding Section 3304.1.1.1 to read as follows:

3304.1.1 Difference of Elevation exceeding 18". On adjacent lots where a difference in elevation of 18 inches or greater exists, a retaining wall of reinforced concrete or reinforced concrete block must be constructed between the lots.

(Ord. 1376 §5, 2007: Ord. 1228 § 1(part), 2003)

15.04.140 Section 105.2 amended—Work exempt from permit.

Section 105.2 (2) of the International Building Code is amended to read:

Section 105.2 (2)- Masonry and concrete fences under 3 feet high and all other fences not over 7 feet high are permitted to erected without a permit.

(Ord. 1376 § 6, 2007: Ord. 1228 § 1(part), 2003)

15.04.150 Section 111.2 amended.

Section 111.2 is amended by adding exception 1 to read as follows:

110.2 Exception 1 - The final inspection approval on the Inspection Record shall serve as the certificate of occupancy for R-3 and U occupancies.

(Ord. 1376 §7, 2007; Ord. 1228 § 1(part), 2003)

15.04.160 Findings.

The City Council finds that the location of the Manteca within seismic category D, basic wind speed of 85 mph, and the possibility of flooding require the modification of Sections 1910 and 3304.1.1 to mitigate those local geological and topographical conditions as provided in California Health and Safety Code Section 17958.5. (Ord. 1376 § 8, 2007; Ord. 1228 § 1(part), 2003)

Section II. EFFECTIVE DATE:

This Ordinance shall take effect and be in force on January 1, 2011 or 60 (sixty) days from the date of adoption, whichever is later.

Section III: PUBLICATION:

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

DATED: November 2, 2010

ROLL CALL:

AYES: Councilmembers DeBrum, Harris, Hernandez, Moorhead and Weatherford

NOES: None

ABSTAIN: None

ABSENT: None

ATTEST:


JOANN TILTON, MMC
CITY CLERK


WILLIE W. WEATHERFORD
MAYOR

CERTIFICATE

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1479 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 5th day of October, 2010, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 2nd day of November, 2010.


JOANN TILTON, MMC
CITY CLERK

ORDINANCE NO. 1474

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY; PROVIDING FOR THE ISSUANCE OF PERMIT AND FOR THE INSPECTION AND SETTING THE FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; ADDING CHAPTER 15.10 TO THE MANTECA MUNICIPAL CODE, ADOPTING THE 2009 INTERNATIONAL RESIDENTIAL CODE WITH CALIFORNIA AMENDMENTS, ENTITLED THE 2010 CALIFORNIA RESIDENTIAL CODE

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

WHEREAS, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

WHEREAS, Health and Safety Code Section 17958 mandates that cities and counties adopt the model codes with state amendments no more than 180 days after the state adoption (which will occur on January 1, 2011), and

WHEREAS, the State of California has determined adoption of the 2009 International Residential Code with state amendments, known as the 2010 California Residential Code, is necessary to achieve necessary safety and hazard avoidance, and

WHEREAS, the State of California requires that all local building departments enforce the adopted 2010 California Residential Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

WHEREAS, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

WHEREAS, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

Section I. ENACTMENT Title 15 of the Manteca Municipal Code, specifically Section 15.10 is hereby added to read:

Chapter 15.10 Residential Code:

15.10.010 Adoption.

That certain document in book form entitled "2009 International Residential Code" as amended by the State of California (Including Appendices H, K, and O), published by the International Code Council, 4051 West Flossmoor Road, Country Hills, IL 60478, one copy of which is now on file in the office of the City Clerk of the City of Manteca, is adopted and enacted by the City Council except those portions of the 2009 edition which are amended specifically in this chapter.

15.10.020 Definitions.

Whenever the term "municipality" or "city" is used in the building code it means the City of Manteca.

15.10.030 Enforcement.

The Residential Code shall be enforced by the Building Official. The Building Official can authorize the San Joaquin County health Department as the city designated enforcement authority.

15.10.040 Section 105.2 amended—Work exempt from permit.

Section 1.8.3.1 of the International Residential Code is amended by adding Section 1.8.3.1.1 to read:

Section 1.8.3.1.1 - Masonry and concrete fences less than 3 feet high and all other fences not over 7 feet high are permitted to be erected without a permit.

15.10.050 Section R110.3 amended.

Section R110.3 is amended by adding exception 1 to read as follows:

110.2 Exception 1 - The final inspection approval on the Inspection Record shall serve as the certificate of occupancy for R-3 and U occupancies.

15.10.060 Findings.

The City Council finds that the location of the Manteca within seismic Zone D (Zone 4) and the possibility of flooding require the modification of Sections 1910 and 3304.1.1 to mitigate those local geological and topographical conditions as provided in California Health and Safety Code Section 17958.5.

Section II. EFFECTIVE DATE:

This Ordinance shall take effect and be in force on January 1, 2011 or 60 (sixty) days from the date of adoption, whichever is later.

Section III: PUBLICATION:

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

DATED: November 2, 2010

ROLL CALL:

**AYES: Councilmembers DeBrum, Harris, Hernandez, Moorhead
and Weatherford**

NOES: None

ABSTAIN: None

ABSENT: None

ATTEST:


JOANN TILTON, MMC
CITY CLERK


WILLIE W. WEATHERFORD
MAYOR

CERTIFICATE

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1474 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 5th day of October, 2010, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 2nd day of November, 2010.


JOANN TILTON, MMC
CITY CLERK

ORDINANCE NO. 1478

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY; PROVIDING FOR THE ISSUANCE OF PERMIT AND FOR THE INSPECTION AND SETTING THE FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AMENDING CHAPTER 15.20, ELECTRICAL CODE, OF THE MANTECA MUNICIPAL CODE, ADOPTING THE 2008 NATIONAL ELECTRICAL CODE WITH CALIFORNIA AMENDMENTS, ENTITLED THE 2010 CALIFORNIA ELECTRICAL CODE

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

WHEREAS, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

WHEREAS, Health and Safety Code Section 17958 mandates that cities and counties adopt the model codes with state amendments no more than 180 days after the state adoption (which will occur on January 1, 2011), and

WHEREAS, the State of California has determined adoption of the 2008 National Electrical Code with state amendments, known as the 2010 California Electrical Code, is necessary to achieve necessary safety and hazard avoidance, and

WHEREAS, the State of California requires that all local building departments enforce the adopted 2010 California Electrical Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

WHEREAS, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

WHEREAS, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

Section I. AMENDMENT:

Title 15 of the Manteca Municipal Code, specifically Chapter 15.12 is hereby amended to read:

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Chapter 15.20 Electrical Code:

15.20.010 National Electrical Code—Adoption.

That certain document in book form entitled “National Electrical Code, 2008 Edition,” as published by the National Fire Protection Association, including Annex A, B, C, D, E, F, G, and H (80.1-80.23, 80.29-80.33), as well as the 2010 California Amendments, hereafter known as the NEC, one copy of which is now on file in the office of the City Clerk, is adopted and enacted by the City Council except as certain portions are hereinafter specifically added thereto. (Ord. 1379 § 1, 2007; Ord. 1226 § 1(part), 2003)

15.20.020 Section 203 amended—Board of appeals.

Section 80.15 of Annex H of the 2008 National Electrical Code is amended to read:

Whenever the Building Official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant or any person directly or adversely affected thereby, or the authorized agent of either of said parties, may appeal the decision of the Building Official to the Building Board of Appeals of the City of Manteca within thirty days from the date of said decision of the Building Official. The decision of said Board shall be final. (Ord. 1226 § 1 (part), 2003)

15.20.030 Paragraphs added to Article 100—Definitions.

Article 100, Definitions, of the NEC is amended by adding definitions to read as follows:

Building Inspector or Building Official: The City Building Official of City of Manteca in charge of the City Building Safety Division or his or her authorized agent.

Enforcing Agency: Enforcing Agency means the Community Development Department, Building Safety Division of the City of Manteca.

Person: Person means and includes any individual, firm, partnership, joint venture, association, concern, corporation, estate trust, business trust, receiver, syndicate or any other group or combination acting as a unit. (Ord. 1379 § 2, 2007; Ord. 1226 § 1(part), 2003)

15.20.040 Connection of wiring to supply.

A. It is unlawful for any person, firm or corporation to energize or permit to be energized any electrical wiring coming under the provisions of this chapter until such wiring shall have been inspected and approved by the Building Official. The Building Official may give written temporary permission to furnish electric current to, or the use of electric current through, any electric wiring for a reasonable length of time, if it appears to the building official that such electrical wiring may be used safely and that there exists an urgent necessity for such use.

B. Any utility company furnishing electrical current, under such temporary permit, shall be requested to disconnect such electrical service within five days of written notice from the Building Official that such electrical wiring cannot be approved.

C. Unless written approval is obtained from the city Building Official, all occupied residential buildings shall have an approved, operating connection to the local electrical utility. (Ord. 1226 § 1 (part), 2003)

15.20.050 Article 230.70(A)(1) amended—Exterior means of disconnection.

Article 230.70(A)(1) of the NEC is amended to read as follows:

Location. The service disconnecting means shall be installed at a readily accessible location outside of a building or structure or the installation thereof shall be approved by the Building Official and the Fire Chief. (Ord. 1379 § 3, 2007; Ord. 1226 § 1(part), 2003)

15.20.060 Paragraph added to Article 300.4—Protection against physical damage.

Article 300.4, Protection Against Physical Damage, of the NEC, is amended by adding paragraph (H) to read as follows:

(G) Exposed Wiring. Low voltage control wiring exposed to the weather and physical damage shall be installed in raceways approved for exterior use. (Ord. 1379 §4, 2007; Ord. 1226 § 1(part), 2003)

15.20.070 Section 300.24 added—Wiring methods, general requirements.

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Article 300, Wiring Methods, General Requirements, of the NEC is amended by adding Section 300.24 to read as follows:

300.24. Raceways and Wireways on Roof Tops. Raceways and wireways on roofs shall have a minimum of one inch (1") clearance above the roof surface, and shall be installed in a manner acceptable to the inspector. Raceways and Conduits on rooftops shall also utilize the ASHRAE Handbook – *Fundamentals* (Sacramento being the closest City) to determine the Temperature Adjustment in accordance with 310.15 (B)(2)(c). (Ord. 1379 §5, 2007; Ord. 1226 § 1(part), 2003)

15.20.080 Section 334.12(A)(11) added—Nonmetallic sheathed cable.

Article 334.12(A)(11) Nonmetallic sheathed cable is amended by adding Section 334.12(A)(11) as follows:

334.12(A)(11) Commercial and industrial uses. Types NM, NMC or NMS cable shall not be installed in buildings used for industrial or commercial purposes. (Ord. 1379 § 6, 2007; Ord. 1226 § 1(part), 2003)

15.20.090 Section 334.16 added—Exposed work, residential garages.

Article 334 is amended by adding Section 334.16 as follows:

334.16 Exposed work, Residential garages. Exposed work below the plate line in residential garages shall be in an approved raceway. Where a cable or cables pierce a required fire protection wall, the cable or cables shall be protected by enclosing the cable or cables on the garage side with a metal or equivalent raceway extending five (5) feet beyond the protective wall. (Ord. 1379 §7, 2007; Ord. 1226 § 1(part), 2003)

15.20.100 Paragraph (b) added to Section 204—Violations—Uniform Administrative Code Provisions.

Section 80.23(B) of Annex H is amended by adding paragraph (B) as follows:

(B) Any person who shall violate any of the provisions of the National Electrical Code hereby adopted or fails to comply therewith, or who shall violate or fail to comply with any order made thereunder, or shall build in violation of any detailed statement-of specifications or plans submitted and approved thereunder, or any certificates or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City Council or a court of competent jurisdiction, within the time fixed

herein, shall severally for each and every violation and noncompliance respectfully, be guilty of a misdemeanor, punishable by a fine of not more than \$1000.00 or by imprisonment in the county jail for not more than six months or by both such fine and imprisonment. The imposition of one penalty for 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.

(Ord. 1226 § 1 (part), 2003)

15.20.110 Section 80.19(E) of Annex H — Fees.

Section 80.19(E) of Annex H is amended to read as follows:

80.19 (B) Fees. Where not otherwise covered by section 15.04.100 of the Manteca Municipal Code, the fee for each electrical permit shall be as set forth in table no. 3-A or by a determination of the estimated reasonable costs of service. (Ord. 1226 § 1 (part), 2003)

15.20.120 Findings.

The City Council finds that severe fog and railroad tracks that bisect the city cause delays in fire response times that necessitate the modification of Articles 230.70(A)(1), 300.4, 300, 334.12, and 334 to provide quicker access to buildings and to slow the spread of fire. Modifications to Articles 203.70, 300.4, 300, 334.12 and 334 are done in accordance with California Health and Safety Code Section 17958.5 to mitigate local climatic and topographical conditions. (Ord. 1379 § 8, 2007; Ord. 1226 § 1 (part), 2003)

Section II. EFFECTIVE DATE:

This Ordinance shall take effect and be in force on January 1, 2011 or 60 (sixty) days from the date of adoption, whichever is later.

Section III: PUBLICATION:

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

ORDINANCE NO. 1478

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DATED:

ROLL CALL:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:


JOANN TILTON, MMC
CITY CLERK


WILLIE W. WEATHERFORD
MAYOR

CERTIFICATE

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1478 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 5th day of October, 2010, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 2nd day of November, 2010.


JOANN TILTON, MMC
CITY CLERK

ORDINANCE NO. 1477

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY; PROVIDING FOR THE ISSUANCE OF PERMIT AND FOR THE INSPECTION AND SETTING THE FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AMENDING CHAPTER 15.16, MECHANICAL CODE, OF THE MANTECA MUNICIPAL CODE, ADOPTING THE 2009 UNIFORM MECHANICAL CODE WITH CALIFORNIA AMENDMENTS, ENTITLED THE 2010 CALIFORNIA MECHANICAL CODE

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

WHEREAS, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

WHEREAS, Health and Safety Code Section 17958 mandates that cities and counties adopt the model codes with state amendments no more than 180 days after the state adoption (which will occur on January 1, 2011), and

WHEREAS, the State of California has determined adoption of the 2009 Uniform Mechanical Code with state amendments, known as the 2010 California Mechanical Code, is necessary to achieve necessary safety and hazard avoidance, and

WHEREAS, the State of California requires that all local building departments enforce the adopted 2010 California Mechanical Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

WHEREAS, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

WHEREAS, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

Section I. AMENDMENT:

Title 15 of the Manteca Municipal Code, specifically Chapter 15.16 is hereby amended to read:

Chapter 15.16 Mechanical Code

15.16.010 Adoption.

That certain document in book form entitled "2009 Uniform Mechanical Code," as adopted and amended by the state of California, including the appendices thereof, published by the International Association of Plumbing and Mechanical Officials, 5001 E. Philadelphia, Ontario, CA 91761-2816, one copy of which is on file at the office of the City Clerk, is adopted and enacted by the City Council as the Mechanical Code of the City of Manteca, except those certain portions of the 2009 edition which are amended specifically by this chapter. (Ord. 1378 § 1, 2007; Ord. 1227 § 1(part), 2003)

15.16.020 Chapter 1, Section 108.1 amended—Organization and enforcement.

Chapter 1, Section 108.1 of the Uniform Mechanical Code is amended to read:

General: The City of Manteca Building Safety Division and the City of Manteca Building Official and such inspectors assigned to the division as he or she may designate shall enforce the provisions of this ordinance, and shall have all the duties and rights of the Building Official as provided in the Uniform Mechanical Code as amended hereinafter.

The Building Official shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

(Ord. 1378 § 2, 2007; Ord. 1227 § 1(part), 2003)

15.16.030 Permit fees.

The cost of the permit fee shall be as prescribed in the edition of the Uniform Mechanical Code which has been adopted by the city or by a determination of the reasonable estimated cost of service. (Ord. 1227 § 1 (part), 2003)

15.16.040 Chapter 1, Section 110.1 amended—Board of appeals.

Chapter 1, Section 110.1 is amended to read:

General. Whenever the Building Official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued and wrongly interpreted, the applicant or any person directly or adversely affected thereby or the authorized agent of either of said parties may appeal from the decision of the Building Official to the Building Board of Appeals of the City of Manteca within thirty days from the date of said decision, and said Board of Appeals may, after a hearing, affirm, reverse, or modify said decision of the Building Official.

(Ord. 1378 § 3, 2007; Ord. 1227 § 1(part), 2003)

15.16.050 Chapter 1, Section 111.0 amended—Violations—Penalty.

Chapter 1, Section 111.0 is amended to read:

A. Any person violating any of the provision of the Uniform Mechanical Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed one thousand dollars or by imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment. Each separate day or portion thereof during which any violation of the Uniform Mechanical Code occurs or continues shall be deemed to constitute a separate offense and upon conviction thereof shall be punishable as provided in this chapter.

B. The issuance or granting of a permit or approval of plans and specifications shall not be deemed to be a permit for, or an approval of, any violation of any of the provisions of state law. No permit presuming to give authority to violate or cancel the provisions of the Uniform Mechanical Code shall be valid, except insofar as work or use which it authorized is lawful.

C. The issuance of a permit upon plans and specifications shall not prevent the City Building Official from thereafter requiring the correction of errors in the plans and specifications or from preventing construction operations being carried on there under when in violation of the Uniform Mechanical Code, this code or any other applicable provision of state law.

(Ord. 1378 §4, 2007; Ord. 1227 § 1(part), 2003)

Section II. EFFECTIVE DATE:

This Ordinance shall take effect and be in force on January 1, 2011 or 60 (sixty) days from the date of adoption, whichever is later.

Section III: PUBLICATION:

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

DATED: November 2, 2010

ROLL CALL:

AYES: Councilmembers DeBrum, Harris, Hernandez, Moorhead and Weatherford

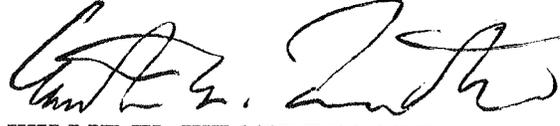
NOES: None

ABSTAIN: None

ABSENT: None

ATTEST:


JOANN TILTON, MMC
CITY CLERK


WILLIE W. WEATHERFORD
MAYOR

CERTIFICATE

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1477 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 5th day of October, 2010, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the _____ day of _____, 2010.


JOANN TILTON, MMC
CITY CLERK

ORDINANCE NO. 1475

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY; PROVIDING FOR THE ISSUANCE OF PERMIT AND FOR THE INSPECTION AND SETTING THE FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AMENDING CHAPTER 15.12, PLUMBING CODE, OF THE MANTECA MUNICIPAL CODE, ADOPTING THE 2009 UNIFORM PLUMBING CODE WITH CALIFORNIA AMENDMENTS, ENTITLED THE 2010 CALIFORNIA PLUMBING CODE

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

WHEREAS, Health and Safety Code Section 17958 mandates that the City of Manteca shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50002, and

WHEREAS, Health and Safety Code Section 17958 mandates that cities and counties adopt the model codes with state amendments no more than 180 days after the state adoption (which will occur on January 1, 2011), and

WHEREAS, the State of California has determined adoption of the 2009 Uniform Plumbing Code with state amendments, known as the 2010 California Plumbing Code, is necessary to achieve necessary safety and hazard avoidance, and

WHEREAS, the State of California requires that all local building departments enforce the adopted 2010 California Plumbing Code pursuant to Public Resources Code Section 25402.1 (g)(1), and

WHEREAS, the Health and Safety Code Sections 18941.5 and 17958 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions, and

WHEREAS, the Health and Safety Code Sections 18941.5, 17958.5, and 17958.7 make express findings that such changes or modifications are needed to due to climatic, geographic, or topographic conditions.

Section I. AMENDMENT:

Title 15 of the Manteca Municipal Code, specifically Chapter 15.12 is hereby amended to read:

Chapter 15.12 Plumbing Code

15.12.010 Adoption.

That certain document in book form entitled "2009 Uniform Plumbing Code" as adopted and amended by the State of California, including Appendices A, B, D, E, F, I, K, and L and Chapter 1 thereof, published by the International Association of Plumbing and Mechanical Officials, 5001 E. Philadelphia, Ontario, CA 91761-2816, one copy of which is on file at the office of the City Clerk, is adopted and enacted by the City Council as the Plumbing Code of the City of Manteca, except those certain portions of the 2009 edition which are amended specifically by this chapter. (Ord. 1377 § 1, 2007; Ord. 1229 § 1(part), 2003)

15.12.020 Administration—Jurisdiction.

The city Building Official and such inspectors assigned to his or her division as he or she may designate shall enforce the provisions of this chapter, and shall have all of the duties and rights of the administrative authority as provided in the Uniform Plumbing Code as amended in this chapter. (Ord. 1229 § 1 (part), 2003)

15.12.030 Dangerous and insanitary construction—Nuisance.

A. Any portion of a plumbing system found by the administrative authority to be insanitary as defined in the Uniform Plumbing Code is declared to be a nuisance.

B. 1. Whenever brought to the attention of the department having jurisdiction that any insanitary conditions exist or that any construction or work regulated by this code is dangerous, unsafe, insanitary, a nuisance or a menace to life, health or property or otherwise in violation of this code, the department may request an investigation by the administrative authority who, upon determining such information to be fact, shall order any person, firm or corporation using or maintaining any such condition or responsible for the use of maintenance thereof to discontinue the use or maintenance thereof or to repair, alter, change, remove or demolish same for the proper protection of life, health or property and in the case of any gas piping or gas appliance may order any person, firm or corporation supplying gas to such piping or appliance to discontinue supplying gas thereto until such piping or appliance is made safe to life, health or property.

2. Every such order shall be in writing, addressed to the owner, agent or person responsible for the premises in which such condition exists and shall specify the date or time for compliance with such order.

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C. Refusal, failure or neglect to comply with any such notice or order shall be considered a violation of this code.

D. When any plumbing system is maintained in violation of this code and in violation of any notice issued pursuant to the provisions of this section or where a nuisance exists in any building or on a lot on which a building is situated, the administrative authority may institute any appropriate action or proceeding in any court of competent jurisdiction to prevent, restrain, correct or abate the violation or nuisance. (Ord. 1229 § 1 (part), 2003)

15.12.040 Appendix Chapter 1, Section 103.4.1 amended—Fees.

Chapter 1, Section 103.4.1 is amended to read:

Where not otherwise covered by section 15.04.100 of the Manteca Municipal Code, the fee for each plumbing permit shall be by a determination of the estimated reasonable costs of service.

Exception. The following named owners of proposed installations shall be required to secure a permit if the provisions of this chapter apply to such installations, but they shall be exempt from the requirements for the payment of any fee for the permit for such installation: The federal, state, or county governments, a municipality, school district, or other publicly created district or agency or jurisdiction.

(Ord. 1377 § 2, 2007; Ord. 1229 § 1(part), 2003)

15.12.050 Board of appeals.

Whenever the Building Official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued and wrongly interpreted, the applicant or any person directly and adversely affected thereby, or the authorized agent of either of said parties, may appeal from the decision of the Building Official to the Building Board of Appeals of the City of Manteca within thirty days from the date of said decision, and the said board of appeals may, after a hearing, affirm, reverse, or modify said decision of the Building Official.

The Building Board of Appeals shall have no authority relative to the interpretation of the administrative provisions of the Uniform Plumbing Code nor shall the board be empowered to waive any requirements of the Uniform Plumbing Code.

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The appeal shall be made in writing and the appellant or his or her representative may appeal in person and may introduce evidence to support his or her claim(s). (Ord. 1229 § 1 (part), 2003)

15.12.060 Appendix Chapter 1, Section 102.3 amended—Violations and penalties.

Chapter 1, Section 102.3 of the Uniform Plumbing Code is amended to read:

SECTION 102.3 VIOLATIONS AND PENALTIES

A. It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificates or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City Council, Building Board of Appeals or 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 of not more than \$1000.00 or by imprisonment in the City Jail of the City of Manteca, or the County Jail of the County of San Joaquin for not more than six months or by both such fine and imprisonment. The imposition of one penalty for 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.

B. The issuance or granting of a permit or approval of plans and specifications shall not be deemed to be a permit for, or an approval of, any violation of any of the provisions of this code, or any applicable provision of state law. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as work or use which it authorizes is lawful.

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C. The issuance of a permit upon plans and specifications shall not prevent the City Building Official from thereafter requiring the correction of errors in the plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code, or any other applicable provision of state law.

(Ord. 1377 § 3, 2007; Ord. 1229 § 1(part), 2003)

Section II. EFFECTIVE DATE:

This Ordinance shall take effect and be in force on January 1, 2011 or 60 (sixty) days from the date of adoption, whichever is later.

Section III: PUBLICATION:

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

Section II: EFFECTIVE DATE:

This ordinance shall become effective thirty (60) days from the date of adoption, but no sooner than January 1, 2011.

Section III: PUBLICATION:

Within fifteen (15) days after adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption at the title of this Ordinance.

DATED: November 2, 2010

ROLL CALL:

AYES: Councilmembers DeBrum, Harris, Hernandez, Moorhead and Weatherford

NOES: None

ABSTAIN: None

ORDINANCE NO. 1475

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ABSENT: None

ATTEST:


JOANN TILTON, MMC
CITY CLERK


WILLIE W. WEATHERFORD
MAYOR

CERTIFICATE

I, **JOANN TILTON**, City Clerk of the City of Manteca, do hereby certify that Ordinance No. 1475 was **INTRODUCED** at the regular meeting of the Manteca City Council held the 5th day of October, 2010, and was thereafter **PASSED, ADOPTED AND ORDERED TO PRINT** at the regular meeting of the Manteca City Council held the 2nd day of November, 2010.


JOANN TILTON, MMC
CITY CLERK