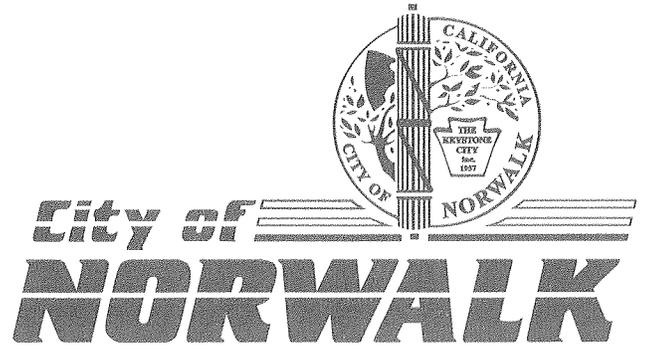




GORDON STEFENHAGEN  
Mayor  
JESSE M. LUERA  
Vice Mayor  
CHERI KELLEY  
Councilmember  
MICHAEL MENDEZ  
Councilmember  
RICK RAMIREZ  
Councilmember  
ERNIE V. GARCIA  
City Manager



12700 NORWALK BLVD., P.O. BOX 1030, NORWALK, CA 90651-1030 \* PHONE: 562/929-5700 \* FACSIMILE: 562/929-5773 \* WWW.CI.NORWALK.CA.US

November 19, 2010

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

RE: City of Norwalk, Building Codes Adoption Ordinance

Mr. Dave Walls:

The City of Norwalk has adopted the 2010 editions of the Building, Residential, Fire, Plumbing, Mechanical, Electrical, Green Building Standards and Existing Building Codes of the State of California.

The City of Norwalk has recommended changes and modifications to the Codes and have advised that certain said changes and modifications to the 2010 Editions of the California Building, Residential, Fire, Plumbing, Mechanical, Electrical, and Green Building Standards Codes are reasonably necessary due to local conditions in the City of Norwalk and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Code or are reasonably necessary to safeguard life and property within the City of Norwalk.

The enclosed City Ordinance and Resolution is for your files.

If additional information is desired please telephone this office at (562) 929-5739.

Sincerely,

Theresa Devoy  
City Clerk

NOV 22 P 1:37  
CALIFORNIA BUILDING STANDARDS COMMISSION

**RESOLUTION NO. 10-48**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORWALK MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO THE CALIFORNIA BUILDING, RESIDENTIAL, FIRE, PLUMBING, ELECTRICAL, MECHANICAL, EXISTING BUILDING, AND GREEN BUILDING STANDARDS CODES IN ORDINANCE NO. 10-1633 ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS**

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

**WHEREAS**, the State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent edition of the California Building Code, the California Residential Code, the California Fire Code, the California Plumbing Code, the California Electrical Code, the California Mechanical Code, the California Existing Building Code and the California Green Building Standards Code (hereinafter referred collectively as the "Codes"); and

**WHEREAS**, Health and Safety Code Section 17598.7(a) permits the City to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geographic or topographic conditions; and

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

**WHEREAS**, Ordinance No. 10-1633 of the City of Norwalk includes several modifications to the 2010 California Building Code, California Residential Code, California Fire Code, California Plumbing Code, California Electrical Code, California Mechanical Code, California Existing Building Code, and California Green Building Standards Code; and

**WHEREAS**, the Community Development Department recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to the 2010 Edition of the California Building Code, California Residential Code, California Fire Code, California Plumbing Code, California Electrical Code, California Mechanical Code, California Existing Building Code, and California Green Building Standards Code are reasonably necessary due to local conditions in the City of Norwalk.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORWALK  
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:**

**Section 1.** The City Council hereby finds that the following climatic conditions exist in the City of Norwalk:

- A. The City of Norwalk is located in a semi-arid Mediterranean type climate that predisposes all fuels, including wood shingles, to rapid ignition and spread of fire. Therefore, there exists a need for additional fire protection measures.
- B. The City of Norwalk is located in an area subject to hot “Santa Ana” conditions consisting of potentially high winds and low humidity. This combination of events creates an environment, which is conducive to rapidly spreading fires. Control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the current level of traffic congestion will greatly impact the response time to reach an incident scene.
- C. Untreated wood roofs cause or contribute to serious fire hazards and to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roofs become flying brands and are carried by the wind to other locations and thereby spread fire quickly. Recent Grand Jury Report findings support this concern.
- D. The City is subject to dry seasonal weather conditions followed by occasional heavy winter rains, which in combination with the density of the development throughout the City and the relatively flat terrain create substantive concerns regarding the quality of storm water runoff, and require the City to take steps to effectively reduce and control contributions to the storm water system.
- E. The warm, dry climate is conducive to swimming pools creating a higher probability of children drowning where pools are unprotected

**Section 2.** The City Council hereby finds that the following geological conditions exist in the City of Norwalk:

- A. The Los Angeles region is a densely populated area that has buildings constructed over and near a vast and complex network of faults that are believed to be capable of producing future earthquakes similar or greater in size than the 1994 Northridge, 1987 Whittier and 1933 Long Beach earthquakes. The State Department of Conservation, Division of Mines and Geology has identified that soils in the City of Norwalk are subject to liquefaction under certain conditions. Experts predict a major earthquake in our area within the next 30 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake.

- B. The City of Norwalk is located in the middle of a highly active seismic active area. The viability of the public water system would be questionable at best after a major seismic event. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above.

**Section 3.** The City Council hereby finds that the following topographic conditions exist in the City of Norwalk:

- A. Traffic and circulation congestion presently existing in the City of Norwalk often places fire department response time to fire occurrences at risk. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system may occur. This condition makes the need for additional on-site protection for property occupants necessary.
- B. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints due to recent revenue-limiting state legislation have made it difficult for the fire department to locate additional fire stations and provide manpower sufficient to concentrate fire companies and personnel to control fires in high density apartment or condominium buildings. These conditions create the need for built-in on-site fire protection systems to protect occupants and property until fire fighting apparatus and personnel arrive on the scene.

**Section 4.** Amendments related to fire and life-safety contained in Sections 403.4.7.2, 403.4.8.1, 504.2, 506.3, 506.4.1, 506.5.2, 717.3.2, 717.3.3, 717.4.3, Table 1505.1, Sections 1505.1.3, 1613.7, 1613.8, 1613.9, 1613.10, 1613.11, 1807.1.4, 2204.1.1, and 3109.4.4, of the 2010 Edition of the California Building Code, and the Amendments related to fire and life-safety contained in Tables R301.2(1), R602.3(1), R602.3(2), and Sections R305.1, R401.1, R401.3, R404.2, R503.2.4, R803.2.4, R902.1, R902.1.3, R902.2, and R902.1.5 of the 2010 Edition of the California Residential Code, and the Amendments related to fire and life-safety contained in Sections 101.1, 101.2, 101.3, and 3308.1 of the 2010 Edition of the California Fire Code, and the addition of Appendix Chapter M and the amendment to section 721.3 to the 2010 Edition of the California Plumbing Code and Articles 310.2(B) and 310.16 of the 2010 Edition of the California Electrical Code, and amendments to Section 202, and 4.304.1 of the Green Building Standards Code, as recommended by the Community Development Department are hereby found to be reasonably necessary due to the local climatic, geological or topographic conditions.

Amendments to the 2010 Editions of the California Building, Residential, Fire, Plumbing, Electrical, Mechanical, and Green Building Standards Codes are found reasonably necessary based on the climatic, geological or topographic conditions cited in Sections 1, 2 and/or 3 of this Resolution or are administrative in nature and are listed as follows:

<b>California Building Code Section</b>	<b>Findings (section-item)</b>
Chapter 1 Division II - Administration	Administrative
403.4.7.2 & 403.4.8.1	1-C, 2-B & 3-B
504.2, 506.3, 506.4.1 and 506.5.2	1-C, 2-A, 3-A & 3-B
717.3.2, 717.3.3	1-C, 2-A, 3-A & 3-B
717.4.3	1-C, 2-A, 3-A & 3-B
1505.1.3 and Table 1505.1	1-A, 1-D, 2-A & 3-A
1613.7 , 1613.8, 1613.9, and 1613.10	2-A
1613.11	2-A & Administrative
1807.1.4	2-A
2204.1.1	2-A
1908.1.17,1908.1.17.1,1908.1.17.2	2-A & Administrative
3109.4.4.1, 3109.4.4.2	1-B & Administrative

<b>California Residential Code Section</b>	<b>Findings</b>
Chapter 1 Division II - Administration	Administrative
Table R301.2.1	1-B, 1-D, 2-A & Administrative
R305.1	Administrative
R401.1, R403.1.3 and R404.2	2-A & 1-D
R503.2.4	2-A
R602.3(1) and R602.3(2)	2-A
R803.2.4	2-A
R902.1, R902.1.3 and R902.1.5	1-A, 1-D, 2-A & 3-A
R902.2	1-A, 1-D, 2-A & 3-A

<b>California Fire Code Section</b>	<b>Findings</b>
101.1 & 101.3	Administrative
101.2	1-A, 1-B, 2-B, 3-A & Administrative
3308.1	Administrative

<b>California Electrical Code Section</b>	<b>Findings</b>
Chapter 1 Administrative Provisions	Administrative
310.2(B), 310.16	1-A, 2-B & Administrative

<b>California Mechanical Code Section</b>	<b>Findings</b>
Chapter 1 Administrative Provisions	Administrative

<b>California Plumbing Code Section</b>	<b>Findings</b>
Chapter 1 Administrative Provisions	Administrative
Appendix Chapter M & 721.3	1-E, 3-A & Administrative

<b>California Green Building Standards Code Section</b>	<b>Findings</b>
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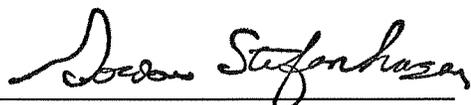
202	Administrative
4.304.1	1-D & Administrative

**Section 5.** Additional amendments have been made to the California Codes on the recommendation of the Community Development Department, such amendments are hereby found to be either administrative or procedural in nature or concern themselves with subjects not covered in such Codes. The changes made include provisions making each of said Codes compatible with other Codes enforced by the City. The aforementioned amendments have been incorporated in detail in Ordinance No. 10-1633.

**Section 6.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this resolution. The City Council of the City of Norwalk hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, causes or phrases be declared invalid.

**Section 7.** The City Clerk shall certify to the adoption of this resolution.

**APPROVED AND ADOPTED on this 16<sup>th</sup> day of November 2010.**

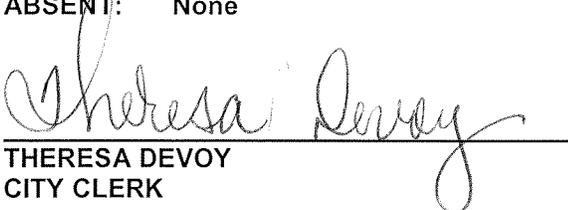

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**GORDON STEFENHAGEN**  
**MAYOR**

**ATTEST:**

I, **Theresa Devoy**, City Clerk of the City of Norwalk, California **DO HEREBY CERTIFY** that the foregoing Resolution, being **Resolution No. 10-48** has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the Norwalk City Council, held November 16, 2010 and that the same was approved and adopted by the following vote to wit:

**AYES:** Councilmembers Kelley, Mendez, and Ramirez, Vice Mayor Luera, and Mayor Stefenhagen  
**NOES:** None  
**ABSENT:** None


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**THERESA DEVOY**  
**CITY CLERK**

## ORDINANCE NO. 10-1633

**AN ORDINANCE OF THE CITY OF NORWALK ADOPTING BY REFERENCE THE 2010 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, FIRE, PLUMBING, ELECTRICAL, MECHANICAL, EXISTING BUILDING, AND GREEN BUILDING STANDARDS CODES AND RELATED MODEL CODES, WITH APPENDICES AND AMENDMENTS THERETO; AND AMENDING THE NORWALK MUNICIPAL CODE**

**THE CITY COUNCIL OF THE CITY OF NORWALK HEREBY ORDAINS AS FOLLOWS:**

**Section 1.** The index for Title 15 and Chapters 15.04, 15.08, 15.12, 15.16, 15.24, 15.28 and 15.32 of the Norwalk Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation thereof occurring prior to the effective date of this Ordinance. A new index for Title 15 and New Chapters 15.04, 15.06, 15.08, 15.12, 15.16, 15.24, 15.28, 15.30 and 15.32 are hereby added to read as shown in Exhibit "A," attached hereto and incorporated herein by this reference.

**Section 2.** Sections 15.20.020 and 15.20.175 of the Norwalk Municipal Code are hereby amended to read as shown in Exhibit "B," attached hereto and incorporated herein by this reference.

**Section 3** Section 15.36.020 of the Norwalk Municipal Code is hereby amended to read as shown in Exhibit "C," attached hereto and incorporated herein by this reference.

**Section 4** Section 8.36.060 of the Norwalk Municipal Code is hereby amended to read as shown in Exhibit "D," attached hereto and incorporated herein by this reference.

**Section 5.** All inconsistencies between building standards set forth in the Building Code, Residential Code, Fire Code, Plumbing Code, Electrical Code, Mechanical Code, Existing Building Code and Green Building Standards Code as adopted by this Ordinance and Parts 2, 2.5, 3, 4, 5, 9, 10 and 11 of Title 24 of the California Code of Regulations are changes, modifications, amendments, additions or deletions thereto authorized by California Health and Safety Code Sections 17958.5 and 17958.7

**Section 6.** The changes and modifications to the California Building Code, California Residential Code, California Fire Code, California Plumbing Code, California Electrical Code, California Mechanical Code, California Existing Building Code, and the California Green Building Standards Code that have been enacted by this Ordinance are reasonably necessary because of local climate, characterized by hot, dry summers,

followed by strong Santa Ana winds and heavy winter rains, the location in Southern California and the relatively flat terrain of the City subject to geologic instability.

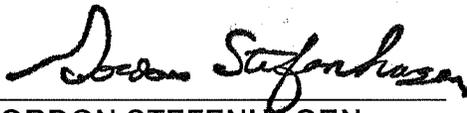
**Section 7.** To the extent the provisions of this Ordinance are substantially the same as previous provisions of the Norwalk Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments. Nothing in this Ordinance, nor the adoption of this Ordinance, shall excuse any violation of Title 15 of the Norwalk Municipal Code, occurring prior to the effective date hereof.

**Section 8.** This Ordinance shall be effective 30 days from the date of adoption, but the provisions shall not be operative until January 1, 2011.

**Section 9.** If any section, clause or phrase of this Ordinance is for any reason held to be unconstitutional, or otherwise invalid, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared unconstitutional.

**Section 10.** The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

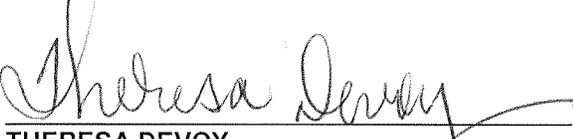
**PASSED, APPROVED AND ADOPTED on this 16th day of November 2010.**

  
GORDON STEFENHAGEN  
MAYOR

ATTEST:

I, Theresa Devoy, City Clerk of the City of Norwalk, **DO HEREBY CERTIFY** that the foregoing Ordinance was introduced at a regular meeting of the City Council held October 19, 2010 and adopted as **Ordinance No. 10-1633** of the City of Norwalk at a regular meeting of the City Council held on November 16, 2010, and said Ordinance has been duly signed by the Mayor and attested by the City Clerk and that the same was approved and adopted by the following vote to wit:

AYES: Councilmembers Kelley, Mendez, and Ramirez, Vice Mayor Luera and Mayor Stefenhagen  
NOES: None  
ABSENT: None

  
THERESA DEVOY  
CITY CLERK

**EXHIBIT "A"**

**TITLE 15**

**BUILDINGS AND CONSTRUCTION**

**Chapters:**

- 15.04 Building Code**
- 15.06 Residential Code**
- 15.08 Fire Code**
- 15.12 Plumbing Code**
- 15.16 Electrical Code**
- 15.20 Swimming Pool Code**
- 15.24 Mechanical Code**
- 15.28 Existing Building Code**
- 15.30 Green Building Standards Code**
- 15.32 Administrative Code**
- 15.36 House Numbering**
- 15.40 Street Dedication Requirements**
- 15.44 Art in Public Places Program**
- 15.48 Flood Plain Management**

## Chapter 15.04

### 15.04 BUILDING CODE

#### Sections:

15.04.010	Title.
15.04.020	Building Code adopted.
15.04.030	Definitions.
15.04.040	Amendments.
15.04.050	Fire retardant roof covering required for multiple dwellings.
15.04.060	Violations and penalties.
15.04.070	Recordation of violation.
15.04.080	Undergrounding of public utilities.

#### 15.04.010 Title.

This chapter shall be known as the Building Code of the City of Norwalk and shall be cited as the Building Code.

#### 15.04.020 Building Code adopted.

Except as hereinafter provided, the California Building Code, 2010 Edition, based on the 2009 International Building Code as published by the International Code Council, including Appendix Chapter I and Chapter J thereto, is adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Building Code of the City. A copy of the 2010 California Building Code has been deposited in the office of the Building Official and shall be, at all times, maintained by the Building Official for use and examination by the public.

#### 15.04.030 Definitions.

Notwithstanding the provisions of Section 15.04.020, whenever any of the following names or terms is used in the Building Code, each such name or term shall be deemed to have the meaning ascribed to it in this subsection, as follows:

*"Board of Appeals"* means the Building Rehabilitation Appeals Board established by Section 15.32.120 of the Administrative Code.

*"Building Department"* means the Building and Safety Division of the City of Norwalk Community Development Department.

*"Building Official"* means the Building and Safety Manager.

*"City"* means the City of Norwalk.

*"General Fund"* means the City Treasury of the City of Norwalk.

#### 15.04.040 Amendments.

Notwithstanding the provisions of Subsection 15.04.020 the California Building Code is hereby amended as follows:

- A. Division II (Scope and Administration) of Chapter 1 is deleted.
- B. Section 403.4.7.2 and 403.4.8.1 are modified by moving item 2. Ventilation and

automatic fire detection equipment for smokeproof enclosures from section 403.4.7.2 Standby Power Loads and placing it in 403.4.8.1 Emergency Power Loads. The revised sections are to read as follows:

**403.4.7.2 Standby power loads.** The following are classified as standby power loads:

1. Power and lighting for the fire command center required by Section 403.4.5; and
2. Standby power shall be provided for elevators in accordance with Sections 1007.4, 3003, 3007, and 3008.

**403.4.8.1 Emergency power loads.** The following are classified as emergency power loads:

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

C. Sections 504.2, 506.3, 506.4.1 and 506.5.2 are deleted in their entirety and replaced as follows:

**Sec. 504.2 Automatic sprinkler system increase.**

Where a building is equipped throughout with an approved automatic sprinkler system in accordance with Section 9.3.3.1.1, the value specified in Table 503 for maximum height is increased by 20 feet (6,096 mm) and the maximum number of stories is increased by one. These increases are permitted in addition to the area increase in accordance with Section 506.2.

Exceptions:

1. Fire areas with an occupancy in Group I-2 of Type 11B, III, IV and V construction.
2. Fire areas with an occupancy in Group H-1, H-2, H-3 or H-5.
3. Fire resistance rating substitution in accordance with Table 601, Note e.
4. [SFM] Fire areas with an occupancy in Group L.
5. [SFM] Fire areas with an occupancy in Licensed Group I-1 and R-4.

These increases are not permitted in addition to the area increase in accordance with 506.3.

For Group R-2 buildings of Type VA construction equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, the value specified in Table 503 for maximum height is increased by 20 feet (6,096 mm) and the maximum number of stories is increased by one, but shall not exceed 60 feet (18,288 mm) or four stories, respectively, these increases are permitted in addition to the area increase in accordance with Section 506.3.

**Sec. 506.3 Automatic sprinkler system increase.**

Where a building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, the area limitation in Table 503 is permitted to be increased by an additional 200 percent ( $I_s = 2$ ) for buildings with more than one story above grade plane and an additional 300 percent ( $I_s = 3$ ) for buildings with no more than one story above grade plane. These increases are not permitted in addition to the height and story increases in accordance with Section 504.2. For Group R-2 buildings of Type VA construction equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, these increases are permitted in addition to the height increase in accordance with Section 504.2.

Exceptions:

1. The automatic sprinkler system increase shall not apply to buildings with an occupancy in Use Group H-1.
2. The automatic sprinkler system increase shall not apply to the floor area of an occupancy in use Group H-2 or H-3. For mixed use buildings containing such occupancies, the allowable area shall be calculated in accordance with Section 508.3.3.2, with the sprinkler increase applicable only to the portions of the building not classified as Use Group H-2 or H-3.
3. Fire-resistance rating substation in accordance with Table 60-1, note e.
4. [SFM] The automatic sprinkler system increase shall not apply to Group L occupancies.

**Sec. 506.4.1 Area determination.**

The maximum area of a building with more than one story above grade plane shall be determined by multiplying the allowable area of the first story ( $A_a$ ), as determined in Section 506.1, by the number of stories above grade plane as listed below:

1. For buildings with two or more stories above plane, multiply by (2);
2. No story shall exceed the allowable area per story ( $A_a$ ), as determined in Section 506.1, for the occupancies on the story.

Exception: Unlimited area buildings in accordance with Section 507.

**Sec. 506.5.2 More than one story above grade plane.**

For buildings with more than one story above grade plane and containing mixed occupancies, the allowable area per story ( $A_a$ ) shall be based on the most restrictive provisions for each occupancy when the mixed occupancies are treated according to Section 508.3. When the occupancies are treated according to Section 508.4 as separated occupancies, the maximum total building area shall be such that the sum of the ratios for each such area on all floors as calculated according to Section 508.4.2 shall comply with the following:

- 1. The sum shall not exceed 2 for two-story buildings or higher.
- D. Section 717.3.2 is amended by deletion of Exceptions 1 and 2.
- E. Section 717.3.3 is amended by deletion of Exceptions 1 and 2, and add a new exception to read as follows:

Exception: Where an automatic sprinkler system in accordance with Section 903.3.1.1 is installed, the area between draft stops may be 3,000 square feet (279 m<sup>2</sup>) and the greatest horizontal dimension may be 100 feet (30,480 mm).

- F. Section 717.4.3 is amended by deletion of Exceptions 1 and 2, and add a new exception to read as follows:

Exception: Where an automatic sprinkler system in accordance with Section 903.3.1.1 is installed, the area between draft stops may be 9,000 square feet (836 m<sup>2</sup>) and the greatest horizontal dimension may be 100 feet (30,480 mm).

- G. Table 1505.1 is hereby amended, by the deletion of Table 1505.1 and the addition of a new Table 1505.1 to read as follows:

**Table 1505.1**

**MINIMUM ROOF COVERING CLASSIFICATIONS  
TYPES OF CONSTRUCTION**

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

- H. Section 1505.1.3 is hereby amended, by the deletion of the entire section and the addition of a new section thereto, to read as follows:

**Sec. 1505.1.3 Roof coverings within all other areas.**

The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

I. Section 1613.6.7 Equation 16-44 is hereby amended to read as follows:

$$\delta_M = \frac{C_d \delta_{max}}{\quad} \quad \text{(Equation 16-44)}$$

where:

$C_d$  = Deflection amplification factor in Table 12.2-1 of ASCE 7.

$\delta_{max}$  = Maximum displacement defined in Section 12.8.4.3 of ASCE 7.

J. Section 1613.8 is added to read as follows:

**1613.8 ASCE 7, Table 12.8-2.** Modify ASCE 7 Table 12.8-2 by adding the following:

Structure Type	$C_t$	$\alpha$
Eccentrically braced steel frames and buckling-restrained braced frames	0.03 (0.0731) <sup>a</sup>	0.75

K. Section 1613.9 is added to Chapter 16 to read as follows:

**1613.9 ASCE 7, 12.2.3.1, Exception 3.** Modify ASCE 7 Section 12.2.3.1 Exception 3 to read as follows:

3. Detached one and two family dwellings up to two stories in height of light frame construction.

L. Section 1613.10 is added to Chapter 16 to read as follows:

**1613.10 ASCE 7, Section 12.8.7.** Modify ASCE 7 Section 12.8.7 by amending Equation 12.8-16 as follows:

$$\theta = \frac{P_x \Delta I}{V_x h_{sx} C_d} \quad (12.8-16)$$

M. Section 1613.11 is added to Chapter 16 to read as follows:

**1613.11 Suspended ceilings.** Minimum design and installation standards for suspended ceilings shall be determined in accordance with the requirements of Section 2506.2.1 of this Code and this subsection.

**1613.11.1 Scope.** This part contains special requirements for suspended ceilings and lighting systems. Provisions of Section 13.5.6 of ASCE 7 shall apply except as modified herein.

**1613.11.2 General.** The suspended ceilings and lighting systems shall be limited to 6 feet (1828 mm) below the structural deck unless the lateral bracing is designed by a licensed engineer or architect.

**1613.11.3 Design and installation requirements.**

**1613.11.3.1 Bracing at discontinuity.** Positive bracing to the structure shall be provided at changes in the ceiling plane elevation or at discontinuities in the ceiling grid system.

**1613.11.3.2 Support for appendages.** Cable trays, electrical conduits and piping shall be independently supported and independently braced from the structure.

**1613.11.3.3 Sprinkler heads.** All sprinkler heads (drops) except fire-resistance-rated floor/ceiling or roof/ceiling assemblies, shall be designed to allow for free movement of the sprinkler pipes with oversize rings, sleeves or adaptors through the ceiling tile, in accordance with Section 13.5.6.2.2 (e) of ASCE 7.

Sprinkler heads penetrating fire-resistance-rated floor/ceiling or roof/ceiling assemblies shall comply with Section 713 of this Code.

**1613.11.3.4 Perimeter members.** A minimum wall angle size of at least a two-inch (51 mm) horizontal leg shall be used at perimeter walls and interior full height partitions. The first ceiling tile shall maintain 3/4 inch (19 mm) clear from the finish wall surface. An equivalent alternative detail that will provide sufficient movement due to anticipated lateral building displacement may be used in lieu of the long leg angle subject to the approval of the Superintendent of Building.

**1613.11.4 Special requirements for means of egress.** Suspended ceiling assemblies located along means of egress serving an occupant load of 30 or more shall comply with the following provisions.

**1613.11.4.1 General.** Ceiling suspension systems shall be connected and braced with vertical hangers attached directly to the structural deck along the means of egress serving an occupant load of 30 or more and at lobbies accessory to Group A Occupancies. Spacing of vertical hangers shall not exceed 2 feet (610 mm) on center along the entire length of the suspended ceiling assembly located along the means of egress or at the lobby.

**1613.11.4.2 Assembly device.** All lay-in panels shall be secured to the suspension ceiling assembly with two hold-down clips minimum

for each tile within a 4-foot (1219 mm) radius of the exit lights and exit signs.

**1613.11.4.3 Emergency systems.** Independent supports and braces shall be provided for light fixtures required for exit illumination. Power supply for exit illumination shall comply with the requirements of Section 1006.3 of this Code.

**1613.11.4.4 Supports for appendage.** Separate support from the structural deck shall be provided for all appendages such as light fixtures, air diffusers, exit signs, and similar elements.

N. Section 1807.1.4 is hereby amended to read as follows:

**1807.1.4 Permanent wood foundation systems.** Permanent wood foundation systems shall be designed and installed in accordance with AF&PA PWF. Lumber and plywood shall be treated in accordance with AWPA U1 (Commodity Specification A, Use Category 4B and Section 5.2) and shall be identified in accordance with Section 2303.1.8.1. Permanent wood foundation systems shall not be used for structures assigned to Seismic Design Category D, E or F.

O. Section 2204.1.1 is hereby added to Chapter 22 to read as follows:

**2204.1.1 Consumables for welding.**

**2204.1.1.1 Seismic Force Resisting System (SFRS) welds.** All welds used in members and connections in the SFRS shall be made with filler metals meeting the requirements specified in AWS D1.8 Clause 6.3. AWS D1.8 Clauses 6.3.5, 6.3.6, 6.3.7 and 6.3.8 shall apply only to demand critical welds.

**2204.1.1.2 Demand critical welds.** Where welds are designated as demand critical, they shall be made with filler metals meeting the requirements specified in AWS D1.8 Clause 6.3.

P. Section 3109.4.4 is hereby amended to read as follows:

Amend Section 3109.4.4.1 by adding the following definition:

*“Private Pool”* is any constructed pool, permanent or portable, which is intended for non-commercial use as a swimming pool by not more than two owner families and their guests.

Amend Section 3109.4.4.2 by deleting the first paragraph in its entirety and a new paragraph is substituted to read as follows:

**Sec. 3109.4.4.2 Construction permits; safety features required.**

Commencing, January 1, 1998 except as provided in Section 3109.4.4.5, whenever a construction permit is issued for construction of a new private pool at a residence, it shall have an enclosure complying with 3109.4.4.3 and, it shall be equipped with at least one of the following safety features:

**15.04.050 Fire retardant roof covering required for multiple dwellings.**

Notwithstanding the provisions of Section 15.04.020, a new Subsection 1505.1.5 is hereby added to the California Building Code to read as follows:

**Sec. 1505.1.5 Fire retardant roof covering required for multiple dwellings.**

A. Declaration of Purposes and Intent. The purposes of this subsection are to require the use of fire-retardant roof coverings in all new construction of multiple family dwellings, apartment houses or condominium projects; and to require fire-retardant roof coverings to be installed wherever existing multiple family dwellings, apartment houses or condominium projects are reconstructed and the value of said reconstruction or rehabilitation work exceeds fifty (50%) percent of the valuation of the building; and to set the minimum standards for such fire-retardant roof coverings. This section is necessary to alleviate the danger of conflagration existing where structures with highly flammable roof coverings are located in close proximity to one another. This danger is especially grave where there is a high density of persons residing in those structures.

B. Multiple Dwellings, Condominium Redevelopments Fire Retardant Roof Covering.

1. All multiple dwellings, apartment houses, or condominium projects, hereafter erected, constructed or moved within or onto any property in the City zoned for such uses shall be covered with a fire-retardant roof covering that is at least Class A.

2. Whenever an existing multiple family dwelling, apartment house or condominium project is reconstructed or rehabilitated and the cost of such reconstruction or rehabilitation work exceeds fifty (50%) percent of the valuation of the building, then a fire-retardant roof covering that is at least Class A shall be constructed on the multiple family dwelling, apartment house or condominium project.

3. Fire-retardant roof coverings shall be constructed in accordance with Chapter 15 of the Building Code.

**15.04.060 Violations and penalties.**

Notwithstanding the provisions of Section 15.04.020, violations and penalties shall be as specified in Section 15.32.130 of Administrative Code.

**15.04.070 Recordation of violation.**

Notwithstanding the provisions of Section 15.04.020, the Building Official may record a notice with the county recorder's office that a property, building or structure, or any part thereof, is in violation of any provision of the Technical Codes or this Code in accordance with Section 15.32.130.3 of the Administrative Code.

**15.04.080 Undergrounding of public utilities.**

A. Notwithstanding any other provision of the Norwalk Municipal Code, no building permit shall be issued for any property which is subject to the provisions of this subsection, unless all public utility distribution lines, wires or cables, including but not limited to electric, communications, street lighting and cable television service, installed within the boundaries of such property and for the purposes of serving such property are placed underground. This subsection shall not apply to:

1. The development of a single family residence located in an area which is predominantly served by an overhead electrical distribution system; nor

2. Any building permit(s) which is (are) issued within any twelve (12) month period when the amount of the improvement is less than thirty-three and one-third (33 1/3%) percent of the assessed valuation of the improvements on the subject property.

B. The provisions of paragraph A. requiring that utility lines and facilities be installed underground shall not apply to the following types of facilities.

1. Poles without overhead wires used exclusively for police and fire alarm boxes, traffic control facilities or any similar municipal equipment installed under the supervision of and to the satisfaction of the City Engineer;

2. Poles used exclusively for street lighting;

3. An electric distribution system in excess of fifteen (15) kilovolts, unless the City Engineer determines that underground installation of such distribution system is feasible and practicable;

4. Surface mounted transformers, pedestal mounted terminal boxes and meter cabinets and concealed ducts in an underground system.

C. Special Exceptions. The City Council may waive or modify the requirements set forth in this subsection as topographical, soil or any other conditions make such underground installation impractical or if such would constitute an unnecessary hardship inconsistent with the purpose of this section. Any modification may be subject to such conditions as the City Council may deem proper.

## Chapter 15.06

### 15.06 RESIDENTIAL CODE

#### Sections:

15.06.010	Title.
15.06.020	Residential Code adopted.
15.06.030	Definitions.
15.06.040	Amendments.
15.06.050	Fire retardant roof covering.
15.06.060	Violations and penalties.
15.06.070	Recordation of violation.
15.06.080	Undergrounding of public utilities.

#### 15.06.010 Title.

This chapter shall be known as the Residential Code of the City of Norwalk and shall be cited as the Residential Code.

#### 15.06.20 Residential Code adopted.

Except as hereinafter provided, the California Residential Code, 2010 Edition, based on the 2009 International Residential Code as published by the International Code Council, including Appendix Chapter H thereto is adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Residential Code of the City. A copy of the 2010 California Residential Code has been deposited in the office of the Building Official and shall be, at all times, maintained by the Building Official for use and examination by the public.

#### 15.06.030 Definitions.

Notwithstanding the provisions of Section 15.06.020, whenever any of the following names or terms is used in the Residential Code, each such name or term shall be deemed to have the meaning ascribed to it in this subsection, as follows:

*"Board of Appeals"* means the Building Rehabilitation Appeals Board established by Section 15.32.160.6 of the Administrative Code.

*"Building Department"* means the Building and Safety Division of the City of Norwalk Community Development Department.

*"Building Official"* means the Building and Safety Manager.

*"City"* means the City of Norwalk.

*"General Fund"* means the City Treasury of the City of Norwalk.

#### 15.06.040 Amendments.

Notwithstanding the provisions of Subsection 15.06.020 The California Residential Code is hereby amended as follows:

- A. Division II (Scope and Application) of Chapter 1 is deleted.
- B. Table R301.2(1) is revised to read:

**TABLE R301.2 (1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY <sup>f</sup>	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP <sup>o</sup>	ICE BARRIER UNDERLAYMENT REQUIRED <sup>h</sup>	FLOOD HAZARDS <sup>g</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>
	Speed <sup>d</sup> (mph)	Topographic effects <sup>k</sup>		Weathering <sup>a</sup>	Frost line Depth <sup>b</sup>	Termite <sup>c</sup>					
Zero	85	No	D <sub>2</sub> or E	Negligible	12-24"	Very Heavy	40	No	See Ord. 08-1613 Adopted 8/5/08	0	63

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

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.

d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2( 4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.

e. Temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.

f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.

g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.

h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."

i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°)" at [www.ncdc.noaa.gov/fpsf.html](http://www.ncdc.noaa.gov/fpsf.html).

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at [www.ncdc.noaa.gov/fpsf.html](http://www.ncdc.noaa.gov/fpsf.html).

k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

C. Section R305.1 is hereby amended to read as follows:

R305.1 Minimum height. Habitable rooms shall have a ceiling height of not less than 7 feet 6 inches (2286 mm). Hallways, kitchens, bathrooms, laundry rooms, and storage rooms shall be permitted to have a ceiling height of 7 feet (2134mm).

Exceptions:

1. If any room in a building has a sloped ceiling, the prescribed ceiling height for the room is required in one-half of the area thereof. Any portion of the room measuring less than 5 feet (1524mm) from the finished floor to the ceiling shall not be included in any computation of the minimum floor area thereof.

2. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2032mm) at the center of the front clearance area for fixtures in accordance with the Plumbing Code. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2032mm) above a minimum area 30 inches (762mm) by 30 inches (762mm) at the showerhead. The ceiling height above any fixture shall be such that the fixture is capable of being used for its intended purpose.

D. Section R401.1 is amended to read as follows:

**R401.1 Application.** The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for all buildings. In addition to the provisions of this chapter, the design and construction of foundations in areas prone to flooding as established by Table R301.2 (1) shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AF&PA PWF.

**Exception:** The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof.
2. When interior basement and foundation walls are constructed at intervals not exceeding 50 feet (15 240 mm).

Wood foundations in Seismic Design Category D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub> shall not be permitted.

E. Section R403.1.3 is amended by deleting the exception for masonry stem walls:

In Seismic Design Categories D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub> masonry stem walls without solid grout and vertical reinforcing are not permitted.

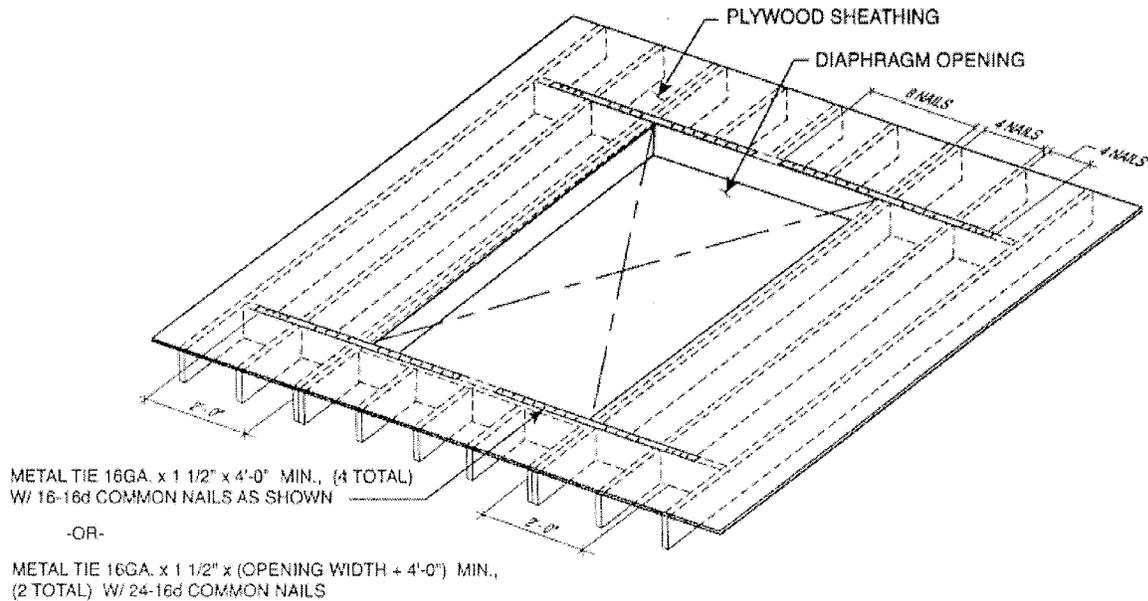
~~Exception: In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, plain concrete footings without longitudinal reinforcement supporting walls and isolated plain concrete footings supporting columns or pedestals are permitted.~~

F. Section R404.2 is amended to read as follows:

**R404.2 Wood foundation walls.** Wood foundation walls shall be constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with the details shown in Figures R403.1(2) and R403.2(3). Wood foundation walls shall not be used for structures located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub>.

G. Section R503.2.4 is added to Chapter 5 to read as follows:

**R503.2.4 Openings in horizontal diaphragms.** Openings in horizontal diaphragms with a dimension perpendicular to the joist that is greater than 4 feet (1.2 m) shall be constructed in accordance with Figure R503.2.4.



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- a. Blockings shall be provided beyond headers.
- b. Metal ties not less than 0.058 inch [1.47 mm (16 galvanized gage)] by 1.5 inches (38 mm) wide with eight 16d common nails on each side of the header-joist intersection. The metal ties shall have a minimum yield of 33,000 psi (227 MPa).
- c. Openings in diaphragms shall be further limited in accordance with Section R301.2.2.2.5.

**FIGURE R503.2.4**  
**OPENINGS IN HORIZONTAL DIAPHRAGMS**

H. Table R602.3(1) is hereby amended in Lines 34 thru 37 to read as follows:

Other wall sheathing <sup>h</sup>				
34	1/2" structural cellulosic 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 cellulosic fiberboard sheathing	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 <sup>d</sup>	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 <sup>d</sup>	3/4" galvanized roofing nail; staple galvanized, 1 5/8" long; 1 5/8" screws, Type W or S	7	7

I. Table R602.3(2) is hereby amended to read as follows:

Wood structural panels subfloor, roof and wall sheathing to framing and particleboard wall sheathing to framing <sup>f</sup>			
up to $\frac{1}{2}$	<del>Staple 15 ga. <math>1\frac{3}{4}</math></del>	<del>4</del>	<del>8</del>
	0.097 - 0.099 Nail $2\frac{1}{4}$	3	6
	<del>Staple 16 ga. <math>1\frac{3}{4}</math></del>	<del>3</del>	<del>6</del>
$\frac{19}{32}$ and $\frac{5}{8}$	0.113 Nail 2	3	6
	<del>Staple 15 and 16 ga. 2</del>	<del>4</del>	<del>8</del>
	0.097 - 0.099 Nail $2\frac{1}{4}$	4	8
$\frac{23}{32}$ and $\frac{3}{4}$	<del>Staple 14 ga. 2</del>	<del>4</del>	<del>8</del>
	<del>Staple 15 ga. <math>1\frac{3}{4}</math></del>	<del>3</del>	<del>6</del>
	0.097 - 0.099 Nail $2\frac{1}{4}$	4	8
	<del>Staple 16 ga. 2</del>	<del>4</del>	<del>8</del>
1	<del>Staple 14 ga. <math>2\frac{1}{4}</math></del>	<del>4</del>	<del>8</del>
	0.113 Nail $2\frac{1}{4}$	3	6
	<del>Staple 15 ga. <math>2\frac{1}{4}</math></del>	<del>4</del>	<del>8</del>
Floor underlayment: plywood-hardboard-particleboard <sup>f</sup>			
Plywood			
$\frac{1}{4}$ and $\frac{5}{16}$	$1\frac{1}{4}$ ring or screw shank nail-minimum $12\frac{1}{2}$ ga. (0.099") shank diameter	3	6
	<del>Staple 18 ga. <math>\frac{7}{8}</math> - <math>\frac{3}{16}</math> crown width</del>	<del>2</del>	<del>5</del>
$\frac{11}{32}$ , $\frac{3}{8}$ , $\frac{15}{32}$ , and $\frac{1}{2}$	$1\frac{1}{4}$ ring or screw shank nail-minimum $12\frac{1}{2}$ ga. (0.099") shank diameter	6	8 <sup>e</sup>
$\frac{19}{32}$ , $\frac{5}{8}$ , $\frac{23}{32}$ and $\frac{3}{4}$	$1\frac{1}{2}$ ring or screw shank nail-minimum $12\frac{1}{2}$ ga. (0.099") shank diameter	6	8
	<del>Staple 16 ga. <math>1\frac{1}{2}</math></del>	<del>6</del>	<del>8</del>

J. Section R803.2.4 is added to Chapter 8 to read as follows:

**R803.2.4 Openings in horizontal diaphragms.** Openings in horizontal diaphragms shall conform with Section R503.2.4.

K. Section R902.1 is amended by revising it to allow only class A or B roofs as follows:

**R902.1 Roofing covering materials.** Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A or B roofing shall be installed in areas designated by this section. Classes A or B roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

**Exceptions:**

1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.

2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

L. Section R902.1.3 is amended by revising it to require a minimum Class B roof as follows:

**R902.1.3 Roof coverings within all other areas.** The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

M. Section R902.2, first paragraph is amended by revising it to allow only Class A or B treated wood roofs as follows:

**R902.2 Fire-retardant-treated shingles and shakes.** Fire-retardant-treated wood shakes and shingles are wood shakes and shingles complying with UBC Standard 15-3 or 15-4 which are impregnated by the full-cell vacuum-pressure process with fire-retardant chemicals, and which have been qualified by UBC Standard 15-2 for use on Class A or B roofs.

**15.06.050 Fire retardant roof covering required for multiple dwellings.**

Notwithstanding the provisions of Section 15.06.020, a new Subsection 902.1.5 is hereby added to the California Residential Code to read as follows:

**Sec. 902.1.5 Fire retardant roof covering required for multiple dwellings.**

A. Declaration of Purposes and Intent. The purposes of this subsection are to require the use of fire retardant roof coverings in all new construction of multiple family dwellings, apartment houses or condominium projects; and to require fire retardant roof coverings to be installed wherever existing multiple family dwellings, apartment houses or condominium projects are reconstructed and the value of said reconstruction or rehabilitation work exceeds fifty (50%) percent of the valuation of the building; and to set the minimum standards for such fire retardant roof coverings. This section is necessary to alleviate the danger of conflagration existing where structures with highly flammable roof coverings are located in close proximity to one another. This danger is especially grave where there is a high density of persons residing in those structures.

B. Multiple Dwellings, Condominium Redevelopments Fire Retardant Roof Covering.

1. All multiple dwellings, apartment houses, or condominium projects, hereafter erected, constructed or moved within or onto any property in the City zones for such uses shall be covered with a fire retardant roof covering that is at least Class A.

2. Whenever an existing multiple family dwelling, apartment house or condominium project is reconstructed or rehabilitated and the cost of such reconstruction or rehabilitation work exceeds fifty (50%) percent of the valuation of the building, then a fire retardant roof covering that is at least Class A shall be constructed on the multiple family dwelling, apartment house or condominium project.

3. Fire retardant roof coverings shall be constructed in accordance with Chapter 9 of the Residential Code.

**15.06.060 Violations and penalties.**

Notwithstanding the provisions of Section 15.06.020, violations and penalties shall be as specified in Section 15.32.130 of Administrative Code.

**15.06.070 Recordation of violation.**

Notwithstanding the provisions of Section 15.06.020, the Building Official may record a notice with the county recorder's office that a property, building or structure, or any part thereof, is in violation of any provision of the Technical Codes or this Code in accordance with Section 15.32.130.3 of the Administrative Code.

**15.06.080 Undergrounding of public utilities.**

A. Notwithstanding any other provision of the Norwalk Municipal Code, no building permit shall be issued for any property which is subject to the provisions of this subsection, unless all public utility distribution lines, wires or cables, including but not limited to electric, communications, street lighting and cable television service, installed within the boundaries of such property and for the purposes of serving such property are placed underground. This subsection shall not apply to:

1. The development of a single family residence located in an area which is predominantly served by an overhead electrical distribution system; nor

2. Any building permit(s) which is (are) issued within any twelve (12) month period when the amount of the improvement is less than thirty-three and one-third (33 1/3%) percent of the assessed valuation of the improvements on the subject property.

B. The provisions of paragraph A requiring that utility lines and facilities be installed underground shall not apply to the following types of facilities.

1. Poles without overhead wires used exclusively for police and fire alarm boxes, traffic control facilities or any similar municipal equipment installed under the supervision of and to the satisfaction of the City Engineer;

2. Poles used exclusively for street lighting;

3. An electric distribution system in excess of fifteen (15) kilovolts, unless the City Engineer determines that underground installation of such distribution system is feasible and practicable;

4. Surface mounted transformers, pedestal mounted terminal boxes and meter cabinets and concealed ducts in an underground system.

C. Special Exceptions. The City Council may waive or modify the requirements set forth in this subsection as topographical, soil or any other conditions make such underground installation impractical or if such would constitute an unnecessary hardship inconsistent with the purpose of this section. Any modification may be subject to such conditions as the City Council may deem proper.

## CHAPTER 15.08

### FIRE CODE

#### Sections:

- 15.08.010 Title.
- 15.08.020 Fire Code adopted.
- 15.08.030 Amendments.
- 15.08.040 Previously issued permits.
- 15.08.050 Violations and penalties.

**15.08.010 Title.** This chapter shall be known as the Fire Code of the City of Norwalk and shall be cited as the Fire Code.

#### **15.08.020 Fire Code adopted.**

Except as hereinafter provided, the California Fire Code, 2010 Edition, based on the 2009 International Fire Code as published by the International Code Council, including Appendix Chapter B and through J thereto, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Fire Code of the City. A copy of the 2010 California Fire Code has been deposited in the office of the Building Official and shall be, at all times, maintained by the Building Official for use and examination by the public.

**15.08.030 Amendments.** Notwithstanding the provisions of Subsection 15.08.020, the Fire Code is hereby amended as follows:

A. Section 101.1 is hereby amended to read as follows:

#### **101.1 Title.**

These regulations shall be known as the Fire Code of the City of Norwalk, hereinafter referred to as "this code."

B. Section 101.2 is hereby amended to add subsection 6 as follows:

6. Requirements of this code relating to fire hydrant systems, water supply, fire equipment access, posting of fire equipment access, parking, lot identification, weed abatement, and combustible brush and vegetation on a or common area that represents an imminent fire hazard, debris abatement, combustible storage abatement including flammable liquid storage, hazardous material storage and use, open flame and open burning, and burglar bars shall apply at State regulated mobile home and special occupancy parks within the jurisdiction of the City of Norwalk as per California Health and Safety Code Section 18691 and Section 18873.5.

C. Section 101.3 is hereby amended to add the following paragraph to the end of this section:

Consistent with this purpose, the provisions of this code are intended, and have always been intended, to confer a benefit on the community as a whole and are not intended to establish a duty of care toward any particular person.

This code shall not be construed to hold the city or county, or any fire protection district, or any officer, employee or agent thereof responsible for any damage to persons or property by reason of any inspection authorized herein or by reason of the issuance or non-issuance of any permit authorized herein, and/or for any action or omission in connection with the application and/or enforcement of this code. By adopting the provisions of this code, the city or county, or any fire protection district, does not intend to impose on itself, its employees or agents any mandatory duties of care toward persons and property within its jurisdiction so as to provide a basis of civil liability for damages.

This section is declaratory of existing law and is not to be construed as suggesting that such was not the purpose and intent of previous code adoptions.

D. Section 3308.1 is amended by adding the following language to read as follows:

Nothing in this Code shall prohibit the possession or sale of "safe and sane fireworks," so classified by the State Fire Marshal, provided that the person or persons possessing or selling the same shall do so in strict compliance with a valid and unrevoked permit allowing the same, issued by the City pursuant to Section 5.36 of the Norwalk Municipal Code, regulating the possession, sale and use of such fireworks, nor shall anything in this Code prohibit the possession, discharge, firing, setting off, or use of such "safe and sane fireworks" nor the causing or permitting of the same in a manner allowed by Section 5.36 of the Norwalk Municipal Code, regulating the possession, sale and use of fireworks.

#### **15.08.040 Previously issued permits.**

Any permit heretofore issued by the City or County pursuant to the Fire Code of the City of Norwalk for work within the territorial limits of the City shall remain in full force and effect according to its terms.

#### **15.08.050 Violations and penalties.**

A. Any person violating any provision of the Fire Code shall be deemed guilty of a misdemeanor, unless such violation is otherwise declared to be an infraction by the Fire Chief, and each such person shall be deemed guilty of a separate offense for each and every day, or portion thereof, during which any violation of any provision of the Fire Code is committed, continued or permitted, and upon conviction for any such violation such person shall be punishable as provided for in Title 1 of this Code. For the purposes of this section, a forfeiture of bail shall be equivalent to a violation.

B. Any person who personally or through another willfully, negligently, or in violation of law sets a fire, allows a fire to be set, allows a fire kindled or attended by such person to escape from his or her control, allows any hazardous material to be handled, stored or transported in a manner not in accordance with the Fire Code or with nationally recognized standards, allows any hazardous material to escape from his or her control, neglects to properly comply with any written notice of the Fire Chief, or willfully or negligently allows the continuation of a violation of the Fire Code shall be liable for the expense of fighting the fire, or for all costs associated with the control and mitigation of a hazardous materials incident, or for the expenses incurred while obtaining compliance with the written order of the Fire Chief, or for the expenses incurred in obtaining

compliance with the continuing violation of the Fire Code, and such expenses shall be a charge against that person.

No person shall park or store a vehicle on, or in any manner obstruct, any private street, road, lane, alley or way which provides the principal vehicular access from a public street to one or more buildings or dwellings abutting on or adjacent to such private street, road, lane, alley or way, where the effect thereof is to reduce the width of such vehicular access to less than 14 feet in any case, or to less than 18 feet if such private street, road, lane, alley or way provides such access for more than 10 dwelling units, or where the effect would be to substantially interfere with the use of such private street, road, lane, alley or way by any firefighting equipment.

## CHAPTER 15.12

### PLUMBING CODE

#### Sections:

<b>15.12.010</b>	<b>Title.</b>
<b>15.12.020</b>	<b>Plumbing Code adopted.</b>
<b>15.12.030</b>	<b>Definitions.</b>
<b>15.12.040</b>	<b>Amendments.</b>
<b>15.12.050</b>	<b>Fees.</b>
<b>15.12.060</b>	<b>Violations and penalties</b>

#### **15.12.010 Title.**

This chapter shall be known as the Plumbing Code of the City of Norwalk and shall be cited as the Plumbing Code.

#### **15.12.020 Plumbing Code adopted.**

Except as hereinafter provided, the California Plumbing Code, 2010 Edition, based on the 2009 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, including the appendices thereto, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Plumbing Code of the City. A copy of the 2010 California Plumbing Code has been deposited in the office of the Building Official and shall be, at all times, maintained by the Building Official for use and examination by the public.

#### **15.12.030 Definitions.**

Notwithstanding the provisions of Section 15.12.020, whenever any of the following names or terms is used in the Plumbing Code, each such name or term shall be deemed to have the meaning ascribed to it in this subsection, as follows:

“Administrative Authority,” “Chief Plumbing Inspector” or “Plumbing Inspector” means the Building Official of the City of Norwalk or his or her designee.

“Board of Examiners of Plumbers,” “Gas Fitters” and “Sewerage Contractors” or “Board of Examiners” means the Board of Examiners of Plumbers, Gas Fitters, and Sewerage Contractors of the City of Los Angeles or County of Los Angeles.

“City” means the City of Norwalk.

“Gas Fitting Contractor,” “Journeyman Gas Fitter,” “Journeyman Plumber,” “Plumbing Contractor” or “Sewerage Contractor” means a person holding a valid Certificate of Registration issued by the City of Los Angeles or County of Los Angeles.

#### **15.12.040 Amendments.**

A. Notwithstanding the provisions of Section 15.12.020, Section 721 of the Plumbing Code is amended by adding a new Subsection 721.3 to read as follows:

#### **Section 721.3**

The drainage system of each new building and new drainage work installed in an existing building shall be separate and independent of that of any other building and every building in which plumbing is installed shall have an independent connection with a public or private sewer or with a private sewage disposal system.

Exceptions:

(1) Where one building stands in the rear of another building on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining court, yard, or driveway, the building drain from the front building may be extended to the rear building.

(2) Where the City approves a common drainage system and sewer connection, Conditions, Covenants and Restriction (CC&R's) shall be executed and recorded against the property at the time of the recordation of the final map. The CC&R's shall set forth the responsible parties and mechanism for maintaining the drainage facilities and sewer system; shall provide for the indemnification of the City from any claims filed as a result of common usage and maintenance of said system; and shall prohibit modification of the CC&R's without prior approval of the City.

B. Notwithstanding the provisions of Section 15.12.020, a new Appendix Chapter M is hereby added to the California Plumbing Code:

Appendix Chapter M  
Swimming Pool Discharge

**M1 Approval required.** Swimming pool wastewater shall be disposed of as herein after set forth in this Section and the type of disposal provided shall be approved by the Administrative Authority prior to the commencement of any work. A means of disposal of the total contents of the pool (periodic emptying) without surface runoff shall be established to the satisfaction of the Administrative Authority.

**M2 Disposal.** The following are legal methods of swimming pool waste water disposal:

1. To a public sewer.
2. On the property if the property is large enough to ensure that runoff will not encroach on abutting property or onto the storm water system.
3. In the case where connection to the public sewer is not available within 200 feet from the property, alternate disposal acceptable to the State Regional Water Quality Control Board (SRWQCB) may be used. Prior to discharge the swimming pool must be tested by the owner to insure that it is within all water quality standards established by the SRWCQB. Contact Los Angeles County Department of Public Works, Environmental Programs Division for information.

**M3 Connections.** No Direct connection shall be made between any storm drain, sewer, drainage system, drywell or subsoil irrigation line and any line connected to a swimming pool.

**M4 Trap.** Wastewater from any filter, scum gutter overflow, pool emptying line or similar apparatus of appurtenance when discharging to any part of a drainage system, shall be provided with a three (3) inch trap.

**M5 Air gap.** Except as provided in paragraph M6, the discharge outlet terminal from any pool or filter shall be protected from backflow by an air gap at least six (6) inches above the flood rim of the receptor.

**M6 Clearance.** No scum gutter drain, overflow drain, backwash discharge drain, or pool emptying line shall enter any receptor below the rim unless the pool piping at its deepest point, the bottom of the filters, and bottom of the scum gutter drain trough or overflow inlets are at least six (6) inches above the overflow rim of the receptor.

**M7 Water supply.** A positive point of potable water supply to each swimming pool shall be established and shall be installed as required by Chapter 6 of this Code.

**M8 Health department approval.** Plans for other than private swimming pools shall be approved by the Health Officer before any water supply or waste discharge permit is issued.

#### **15.12.050 Fees.**

Notwithstanding the provisions of Section 15.12.020, all fees pursuant to the Plumbing Code shall be established by Resolution of the City Council.

#### **15.12.060 Violations and penalties.**

Notwithstanding the provisions of Section 15.04.020, violations and penalties shall be as specified in Section 15.32.130 of Administrative Code.

**CHAPTER 15.16**  
**ELECTRICAL CODE**

**Sections:**

<b>15.16.010</b>	<b>Title.</b>
<b>15.16.020</b>	<b>Electrical Code adopted.</b>
<b>15.16.030</b>	<b>Purpose.</b>
<b>15.16.040</b>	<b>Validity.</b>
<b>15.16.050</b>	<b>Amendments</b>
<b>15.16.060</b>	<b>Definitions.</b>
<b>15.16.070</b>	<b>General.</b>
<b>15.16.080</b>	<b>Permits required.</b>
<b>15.16.090</b>	<b>Work requiring a permit.</b>
<b>15.16.100</b>	<b>Plans and permits.</b>
<b>15.16.110</b>	<b>Plans.</b>
<b>15.16.120</b>	<b>Permit issuance.</b>
<b>15.16.130</b>	<b>Application for electrical permits.</b>
<b>15.16.140</b>	<b>Fees.</b>
<b>15.16.150</b>	<b>Inspection.</b>
<b>15.16.160</b>	<b>Time limit.</b>
<b>15.16.170</b>	<b>Records and retention of plans.</b>
<b>15.16.180</b>	<b>Right of entry.</b>
<b>15.16.190</b>	<b>Reinspection.</b>
<b>15.16.200</b>	<b>Authority to disconnect.</b>
<b>15.16.210</b>	<b>Stop orders.</b>
<b>15.16.220</b>	<b>Violations and penalties.</b>

**15.16.010 Title.**

This chapter shall be known as the Electrical Code of the City of Norwalk and shall be cited as the Electrical Code.

**15.16.020 Electrical Code adopted.**

Except as hereinafter provided, the California Electrical Code, 2010 Edition, based on the 2008 National Electrical Code as published by the National Fire Protection Association is hereby adopted by reference and is incorporated herein as though fully set forth herein and shall constitute the Electrical Code of the City. A copy of the California Electrical Code, 2010 Edition, has been deposited in the office of the Building Official and shall be, at all times, maintained by the Building Official for use and examination by the public.

**15.60.030 Purpose.**

The purpose of this Code is to provide minimum standards to safeguard the public's safety and welfare by regulating the design, construction, installation, quality of materials, use, location, operation and maintenance of electrical systems, equipment

and appliances as specifically set forth herein. Consistent with this purpose, the provisions of this Code are intended and always have been intended to confer a benefit on the community as a whole and are not intended to establish a duty of care toward any particular person.

This Code shall not be construed to hold the City or any officer, employee or agent thereof responsible for any damage to persons or property by reason of any inspection authorized herein or by reason of the issuance or non-issuance of any permit authorized herein, and/or for any action or omission in connection with the application and/or enforcement of this Code. By adopting the provisions of this Code, the City does not intend to impose on itself, its employees or agents any mandatory duties of care toward persons and property within its jurisdiction so as to provide a basis of civil liability for damages.

This section is declaratory of existing law and is not to be construed as suggesting that such was not the purpose and intent of previous Code adoptions.

**15.60.040 Validity.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Norwalk 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 invalid.

**15.16.050 Amendments.**

Notwithstanding the provisions of Subsection 15.16.020, the Electrical Code is hereby amended as follows:

- A. Sections 89.108.4 through 89.108.10 are hereby deleted.
- B. Section 310.2(B) is hereby amended, by the addition of a second paragraph, to read as follows:

"Copper wire shall be used for wiring No. 6 and smaller in all installations. Consideration for use of aluminum wiring can be made by the Building Official for feeder lines only on an individual basis where adequate safety measures can be ensured."

- C. Article 310 is amended, by addition of a new Section 310.16, to read as follows:

"310.16 Continuous inspection of aluminum wiring.

Aluminum conductors of No. six (6) or smaller used for branch circuits shall require continuous inspection by an independent testing agency approved by the Building Official for proper torque of connections at their termination point."

**15.16.060 Definitions.**

Notwithstanding the provisions of Section 15.16.060, whenever the following terms are used in the Electrical Code or this Section, each term shall be deemed and construed to have the following meaning:

*"Approved"* means acceptable to the Building Official.

*"City"* means the City of Norwalk.

*"Building Department"* means the Building and Safety Division.

*"Maintenance Electrician"* means a person holding a valid Certificate of Registration as Maintenance Electrician issued by the City of Los Angeles or County of Los Angeles.

*"Special Inspector"* means a person holding a valid Certificate of Registration as Special Inspector issued by the City of Los Angeles or County of Los Angeles or other recognized accreditation agency.

*"Special Permission"* is the written consent of the Building Official.

#### **15.16.070 General.**

The Building Official shall administer and enforce the provisions of this Code in a manner consistent with the intent thereof.

#### **15.16.080 Permits required.**

A person, whether acting as principal, servant, agent or employee, shall not do or cause or permit to be done any electrical work regulated by this Code without first securing a permit authorizing such work.

#### **15.16.090 Work requiring a permit.**

No person shall install, alter, reconstruct or repair any electrical wiring, devices, appliances, apparatus, or equipment, within or on any building, structure or premises without first obtaining a permit therefore from the Building Official, except as follows:

(a) Minor repair works such as the replacement of lamps, switches, receptacle devices, sockets, or the connection of portable motor and appliances to suitable receptacles that have been permanently installed under a previous permit.

(b) The wiring for temporary theater, motion picture or television stage sets.

(c) The repair of fixed motors, transformers, apparatus, or appliances in existing approved equipment.

(d) Electrical wiring, devices, appliances, apparatus, or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

(e) Low-energy power, control, and signal circuits that are not an integral part of an appliance and in which the power is limited from a source having a rated output of not more than 30 volts and 1,000 volt-amperes.

(f) Temporary Christmas decorative lighting not to exceed 90 days.

(g) The installation of temporary wiring for testing or experimental purposes within suitable facilities.

(h) Replacement of over-current devices of the same type and the same rating.

(i) Portable generators, motors, appliances, tools, power outlets, and other portable equipment connected by means of a cord or cable having an attachment plug.

(j) Private telephone, intercom, sound and communication systems, provided, however, that a permit shall be obtained for the power supplies required by the above systems.

Notwithstanding the foregoing, all electrical wiring and equipment shall comply with the provisions of this Code.

**15.16.100 Plans and permits.**

The Building Official may require the submission of plans and specifications, drawings, descriptions, and diagrams as, in the judgment of the Building Official, is necessary to show clearly the character, kind and extent of electrical work covered by an application for a permit. When the Building Official is satisfied that the plans submitted comply with the provisions of the Code and that the required fees have been paid, the applicant shall be issued the appropriate permit.

**15.16.110 Plans.**

Each application for electrical permit shall be accompanied by plans, specifications, diagrams or calculations, as required by the Building Official. When a plan checking fee or other fees are required by this or any related ordinance or statute, such fees shall be collected at the time plans are filed. Plans may be filed by a registered electrical engineer, licensed contractor, maintenance electrician, government representative, or authorized owner's representative.

**15.16.120 Permit issuance.**

The application, plans and specifications filed as required, shall be checked by the Building Official, and if found to be in conformity with the requirements of this Code and all other laws or ordinances applicable thereto, the Building Official shall, upon receipt of the required fee, issue a permit therefore.

The issuance or granting of a permit or approval of plans and specifications 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 laws or ordinances. No permit presuming to give authority to violate or cancel the provisions of this Code or any other laws or ordinances shall be valid.

The issuance of a permit based on plans and specifications shall not prevent the Building Official from thereafter requiring the correction of errors in said plans and specifications, or from preventing construction being carried on thereunder when in violation of this Code or of any other laws and ordinances.

**15.16.130 Application for electrical permits.**

Application for an electrical permit shall describe the work to be performed on the form provided, and shall give the location either by street and house number, by lot, block and tract, or similar description that will readily identify and definitely locate the proposed work. A separate application shall be required for each building or structure.

The applicant for electrical permits for work exceeding two hundred dollars (\$200) in value shall be a licensed contractor, registered maintenance electrician, homeowner or authorized government representative.

Exception: If the Building Official determines that there is an urgent necessity, he may, in his discretion, consider an application electrical permit prepared by persons other than those specified above. The Building Official may refuse to issue a permit for temporary or permanent service when there is no apparent legally permitted use for the service. In determining whether a proposed use is legally permitted, the Building Official may consider not just the provisions of the Electrical Code but all applicable statutes, ordinances, rules and regulations.

(a) Licensed Contractor. A licensed contractor is a person who is engaged in the business of installing or repairing electrical wiring or equipment or who does, or who holds himself out as willing to do personally or through his employees any work or services in connection with the installation, alteration or repair of any electrical wiring or equipment or part thereof, and who possesses an appropriate contractor's license pursuant to Chapter 9, Division 3 of the Business and Professions Code of the State of California when such license includes within its classification limitations the activities set forth on the application for permit and entitles the licensee to perform personally or through his employees all such activities without personal local qualifications or registration.

A permit may be issued to a firm, partnership or corporation, any officer or member of which is a licensed contractor, in the event that all construction or work is done under the direct personal supervision of such officer or member.

(b) Registered Maintenance Electrician. A Registered Maintenance Electrician is a person possessing a valid Certificate of Registration issued by the County of Los Angeles.

(c) Homeowner. A homeowner is the owner of a single-family residence, including common accessory and minor poultry, animal or agricultural buildings. A permit may be issued to such homeowner for his principal place of residence and appurtenances thereto, provided that work authorized under any such permit shall be done by the person to whom the permit is issued, or by a member of his immediate family.

Should any provision of subsections (a), (b) or (c) be violated, the permit shall be subject to immediate cancellation. This permit cancellation is in addition to any other enforcement provisions or penalties provided for in this Code.

(d) Government Representative. A government representative is a person who is employed by and who has been authorized by a government agency to supervise or control electrical work on the premises of such agency.

(e) Special Permission. When there appears to the Building Official an urgent necessity, an electrical permit may be issued to other persons by special permission.

Expiration. Applications for permits for which no permit is issued within 180 days of application shall expire by limitation. Plans and specifications previously submitted may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days beyond the initial 180 day limit upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken and upon the payment of an extension fee equal to 25 percent of the plan check fee. No permit application shall be extended more than once.

Once an application and any extension thereof have expired, the applicant shall resubmit plans and specifications and pay a new plan checking or review fee.

**15.16.140 Fees.**

The fees to be paid as a condition of the issuance of any permit authorized under the provisions of this Section shall be those which the Norwalk City Council may from time to time adopt by resolution.

**15.16.150 Inspection.**

All construction or work for which a permit is required by this Code shall be subject to inspection and approval by the Building Official.

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 other laws. Inspections presuming to give authority to violate or cancel the provisions of this Code or other laws shall not be valid, except insofar as the work therein is lawful.

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 nor the City of Norwalk shall be liable for any expense entailed in the removal or replacement of any material required to allow inspection.

**15.16.160 Time limit.**

Every permit issued under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced, for a period of 180 days or more. Before such work can be commenced or recommenced, a new permit shall first be obtained and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications of such work; and provided, further, that the new permit is obtained no later than one year from the date of the expired permit, or the duration of suspension or abandonment has not exceeded one year.

Any permittee holding an unexpired permit may apply for an extension of time within which work may commence under that permit. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request and payment of a fee equal to 25 percent of the original permit fee. No permit shall be extended more than twice.

In order to renew a permit after expiration, except as provided for above, the permittee shall pay a new full permit fee.

**15.16.170 Records and retention of plans.**

The Building Official shall keep records of all the essential transactions of the office of the Building Official. One set of approved plans shall be retained by the Building Official for a period of not less than 90 days from date of completion of the work covered therein on residential construction. Plans and inspection records for all other electrical work shall be retained for the life of the building or structure, or as otherwise

required by state law. Fees for the retention of such records shall be as established by resolution of the City Council.

**15.16.180 Right of entry.**

A. Whenever it is necessary to make an inspection to enforce any of the provisions of or perform any duty imposed by this Code or other applicable law, or whenever the Building Official or an authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises hazardous, unsafe or dangerous for any of the reasons specified in this Code or other similar law, the Building Official or an authorized representative hereby is authorized to enter such property at any reasonable time and to inspect the same and perform any duty imposed upon the Building Official by this Code or other applicable law, provided that:

a. If such property is occupied, the Building Official shall first present proper credentials to the occupant and request entry explaining the reasons thereof; and

b. If such property is unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the property and request entry, explaining the reasons therefore.

c. If such entry cannot be obtained because the owner or other person having charge or control of the property cannot be found after due diligence, or if entry is refused, the Building Official or an authorized representative shall have recourse to every remedy provided by law to secure lawful entry and inspect the property.

B. Notwithstanding the foregoing, if the Building Official or an authorized representative has reasonable cause to believe that the building or premises is so hazardous, unsafe, or dangerous as to require immediate inspection to safeguard the public health or safety, the Building Official shall have the right to immediately enter and inspect such property, and may use any reasonable means required to effect such entry and make such inspection, whether such property is occupied or unoccupied and whether or not permission to inspect has been obtained. If the property is occupied, the Building Official shall first present credentials to the occupant and demand entry, explaining the reasons therefore and the purpose of the inspection.

C. No person shall fail or refuse, after proper demand has been made upon such person as provided in this subsection, to promptly permit the Building Official or an authorized representative to make any inspection provided for by Subdivision (b) of this subsection. Any person violating this subdivision shall be guilty of a misdemeanor.

**15.16.190 Reinspection.**

The Building Official is hereby authorized and empowered to make, at such times and as often as in his discretion it may seem necessary, thorough reinspection of the installation in or on any building, structure or premises of all electrical wiring, electrical devices and electrical material now installed or that may thereafter be installed.

When the installation of any such wiring, device or material is found to be in violation of this Code, the person, firm, corporation or governmental agency owning, using or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place such wiring, device or material in compliance with this Code and to have such work completed within a period of ten days after such

notice, or within such other reasonable period specified by the Building Official in said notice, and shall pay such fees as are required by this Code.

**15.16.200 Authority to disconnect.**

The Building Official is hereby empowered to disconnect or to order in writing the discontinuance of electrical service to wiring, devices or materials found to be dangerous and a hazard to life, health and property until the installation of such wiring device or material has been made safe as directed by the Building Official.

Any person, firm, corporation, public utility, political subdivision or governmental agency ordered to discontinue such electrical service shall do so within 24 hours after the receipt of such written notice, and shall not reconnect such service or allow or cause the same to be reconnected until notified to do so by the Building Official. Refusal or failure or neglect to comply with any such notice or order shall be considered by the Building Official a violation of this Code. The Building Official may then institute any appropriate action or proceeding to prevent, restrain, correct or abate the refusal to comply with any such notice or order.

**15.16.210 Stop orders.**

Whenever any work regulated by this Code is being done contrary to the provisions thereof, or other pertinent laws or ordinances, the Building Official may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

**15.16.220 Violations and penalties.**

A. It shall be unlawful for any person, firm or corporation to violate any of the provisions of the Electrical Code. Each person, firm or corporation violating any of the provisions of the Electrical Code shall be deemed guilty of a separate offense for each day or portion thereof during which such violation is committed, continued or permitted and each such offense shall be punishable by a fine of not to exceed one thousand (\$1,000) dollars or by imprisonment in the County Jail for a period of not more than six (6) months or by both such fine and imprisonment.

B. In addition to the penalty set forth in paragraph A. of this Section any person who shall commence any electrical work for which a permit is required without first having obtained a permit therefore shall, if subsequently permitted to obtain a permit, pay double the permit cost fixed by Resolution of the City Council for such work. This provision (Double Fee) shall not apply to emergency work when it shall be proved to the satisfaction of the Building Official that such work was urgently necessary and that it was not practical to obtain a permit therefore before the commencement of work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such a permit, a double permit fee as herein provided shall be charged.

## Chapter 15.24

### MECHANICAL CODE

#### Sections:

<b>15.24.010</b>	<b>Title.</b>
<b>15.24.020</b>	<b>Mechanical Code adopted.</b>
<b>15.24.030</b>	<b>Definitions.</b>
<b>15.24.040</b>	<b>Fees.</b>
<b>15.24.050</b>	<b>Violations and penalties.</b>

#### **15.24.010 Title.**

This chapter shall be known as the Mechanical Code of the City of Norwalk and shall be cited as the Mechanical Code.

#### **15.24.020 Mechanical Code adopted.**

Except as hereinafter provided, California Mechanical Code, 2010 Edition, based on the 2009 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials; including the appendices thereto, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Mechanical Code of the City. A copy of the 2010 California Mechanical Code has been deposited in the office of the Building Official and shall be, at all times, maintained by the Building Official for use and examination by the public.

#### **15.24.030 Definitions.**

Notwithstanding the provisions of Section 15.24.020, whenever any of the following names or terms is used in the Mechanical Code, each such name or term shall be deemed to have the meaning ascribed to it in this subsection, as follows:

*"Board of Appeals"* or *"Board of Examiners of Plumbers"* means the Property Maintenance and Building Rehabilitation Appeals Board established by Section 15.32.120 of the Administrative Code.

*"Building Code"* or *"International Building Code"* means the Building Code of the City of Norwalk.

*"Building Department"* means the Building Division of the City of Norwalk.

*"Building Official"* or *"Chief Mechanical Inspector"* means the Building Official of the City of Norwalk.

*"City"* means the City of Norwalk.

*"Electrical Code"* means the Electrical Code of the City of Norwalk.

*"Fire Code"* or *"Los Angeles County Fire Code"* means the Fire Code of the City of Norwalk.

*"Health Code"* means the Los Angeles County Health Code.

*"Plumbing Code"* means the Plumbing Code of the City of Norwalk.

#### **15.24.040 Fees.**

Notwithstanding the provisions of Section 15.24.020, all fees pursuant to the Mechanical Code shall be established by resolution of the City Council.

**15.24.050 Violations and penalties.**

It shall be unlawful for any person, firm, or corporation to erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, comfort cooling, or refrigeration equipment in the jurisdiction, or cause the same to be done, contrary to or in violation of any of the provisions of the Mechanical Code. Maintenance of equipment which was unlawful at the time it was installed and which would be unlawful under said Mechanical Code shall constitute a continuing violation of said Mechanical Code.

Notwithstanding the provisions of Section 15.04.020, violations and penalties shall be as specified in Section 15.32.130 of Administrative Code.

## CHAPTER 15.28

### EXISTING BUILDING CODE.

#### Sections:

<b>15.28.010</b>	<b>Title.</b>
<b>15.28.020</b>	<b>Existing Building Code adopted.</b>
<b>15.28.030</b>	<b>Fees.</b>
<b>15.28.040</b>	<b>Violations.</b>
<b>15.28.050</b>	<b>Amendments.</b>

#### **15.28.010 Title.**

This chapter shall be known as Existing Building Code of the City of Norwalk and shall be cited as the Existing Building Code.

#### **15.28.020 Existing Building Code adopted.**

Except as provided in this Chapter, Appendix A-1 of the California Existing Building Code, 2010 Edition, as published by the International Code Council shall become the Existing Building Code of the City for regulating existing buildings in the City. A copy of the 2010 California Existing Building Code has been deposited in the office of the Building Official and shall be, at all times, maintained by the Building Official for use and examination by the public.

#### **15.28.030 Fees.**

Notwithstanding the provisions of Section 15.28.020, all fees pursuant to the Existing Building Code shall be established by resolution of the City Council.

#### **15.28.040 Violations.**

Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of Appendix 1 of the Building Conservation Code is committed, continued or permitted by any such person, and he/she shall be punishable as herein provided. Notwithstanding the provisions of Section 15.04.020, violations and penalties shall be as specified in Section 15.32.130 of Administrative Code.

#### **15.28.050 Amendments.**

All Sections of the Existing Building Code are deleted except Appendix A-1, which is hereby adopted without amendments.

## CHAPTER 15.30

### GREEN BUILDING STANDARDS CODE

#### Sections:

<b>15.30.010</b>	<b>Title.</b>
<b>15.30.020</b>	<b>Green Building Standards Code adopted.</b>
<b>15.30.030</b>	<b>Fees.</b>
<b>15.30.040</b>	<b>Violations.</b>
<b>15.30.050</b>	<b>Amendments.</b>

#### **15.30.010 Title.**

This chapter shall be known as Green Building Standards Code of the City of Norwalk and shall be cited as the Green Building Code.

#### **15.30.020 Green Building Standards Code adopted.**

Except as hereinafter provided, California Green Building Standards Code, 2010 Edition, as published by the International Code Council, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Green Building Standards Code of the City. A copy of the 2010 California Green Building Standards Code has been deposited in the office of the Building Official and shall be, at all times, maintained by the Building Official for use and examination by the public.

#### **15.30.030 Fees.**

Notwithstanding the provisions of Section 15.30.020, all fees pursuant to the Green Building Code shall be established by resolution of the City Council.

#### **15.30.040 Violations.**

Notwithstanding the provisions of Section 15.04.020, violations and penalties shall be as specified in Section 15.32.130 of Administrative Code.

#### **15.30.50 Amendments.**

A. Section 202 is hereby amended to read as follows:

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

B. Section 4.304.1 is hereby amended to read as follows:

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

1. Controllers shall be weather- or soil moisture-based irrigation controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.

2. Weather-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-based controllers are

not required to have rain sensor input.

## Chapter 15.32

### ADMINISTRATIVE CODE

#### Sections:

15.32.010	Title.
15.32.020	General.
15.32.030	Building & Safety division.
15.32.040	Duties and powers of Building Official.
15.32.050	Permits.
15.32.060	Construction documents.
15.32.070	Temporary structures and uses.
15.32.080	Fees.
15.32.090	Inspections.
15.32.100	Certificate of occupancy.
15.32.110	Service utilities.
15.32.120	Board of appeals.
15.32.130	Violations and penalties.
15.32.140	Stop work order.
15.32.150	Unsafe buildings and fire hazards.
15.32.160	Building and property rehabilitation.
15.32.170	Unoccupied buildings and structures.

#### 15.32.010 Title.

This chapter shall be known as the Norwalk Administrative Code, hereinafter referred to as "this Code."

#### 15.32.010.1 Scope.

The provisions of this Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

#### 15.32.010.2 Appendices.

Provisions in the appendices to the referenced codes shall not apply unless specifically adopted.

#### 15.32.010.3 Intent.

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

#### **15.32.010.4 Referenced codes.**

The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference.

##### **15.32.010.4.1 Electrical.**

The provisions of the California Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

##### **15.32.010.4.2 Gas.**

The provisions of the 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.

##### **15.32.010.4.3 Mechanical.**

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

##### **15.32.010.4.4 Plumbing.**

The provisions of the 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. The provisions of the California Plumbing Code shall apply to private sewage disposal systems.

##### **15.32.010.4.5 Property maintenance.**

The provisions of Section 15.32.160 and Section 8.36 of the Norwalk Municipal 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.

##### **15.32.010.4.6 Fire prevention.**

The provisions of the 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.

#### **15.32.010.4.7 Energy.**

The provisions of the California Energy Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

#### **15.32.020 General.**

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

##### **15.32.020.1 Other laws.**

The provisions of this Code shall not be deemed to nullify any provisions of local, state or federal law.

##### **15.32.020.2 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.

##### **15.32.020.3 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.

##### **15.32.020.4 Partial invalidity.**

In the event that 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.

##### **15.32.020.5 Existing structures.**

The legal occupancy of any structure existing on the date of adoption of this Code shall be permitted to continue without change, except as is specifically covered in this Code, the California Building Code, California Residential 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.

##### **15.32.020.6 Reconstruction.**

If the value of the reconstruction (or renovations) of a building is equal to or exceeds 75 percent of the value of the building, the entire building shall comply with the Code provisions for new construction. The value of the reconstruction (or renovation) for a property shall include the value of all construction stemming from construction-related permits issued within the last two years.

**15.32.030 Building & Safety division.**

The Building & Safety Division shall be responsible for the enforcement of the Building Codes and the official in charge thereof shall be known as the Building Official. Where references in this Code or State Codes or other regulations refer to the Department of Building Safety, the term shall mean the Building & Safety Division of the City of Norwalk, as applicable to this jurisdiction.

**15.32.030.1 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 the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the Building Official.

**15.32.040 Duties and powers of Building Official.**

**15.32.040.1 General.**

The Building Official is hereby authorized and directed to enforce the provisions of this Code. 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.

**15.32.040.2 Applications and permits.**

The Building Official shall receive applications, review construction documents and issue permits for the erection, construction, enlargement, addition, improvement, alteration, demolition and moving of buildings and structures, installation and repair or replacement of building service equipment and inspect the premises for which such permits have been issued and enforce compliance with the provisions of this Code, or other Technical Codes as applicable.

**15.32.040.3 Notices and orders.**

The Building Official shall issue all necessary notices or orders to ensure compliance with this Code, or other Technical Codes as applicable.

**15.32.040.4 Inspections.**

The Building Official shall 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 officer 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.

**15.32.040.5 Identification.**

The Building Official shall carry proper identification when inspecting structures or premises in the performance of duties under this Code.

**15.32.040.6 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 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 is 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.

**15.32.040.7 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 retention of public records.

**15.32.040.8 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.

**15.32.040.9 Approved materials and equipment.**

Materials, equipment and devices approved by the Building Official shall be constructed and installed in accordance with such approval.

**15.32.040.10 Used materials and equipment.**

The installation of used materials that meet the requirements of this Code for new materials is permitted. Used equipment and devices shall not be installed unless approved by the Building Official.

**15.32.040.11 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, upon application of the owner or owner's representative, 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, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Building & Safety Division.

**15.32.040.12 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 in quality, strength, effectiveness, fire resistance, durability and safety.

**15.32.040.12.1 Evaluation 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 evaluation reports from approved sources.

**15.32.040.12.2 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.

**15.32.050 Permits**

Any owner or authorized agent who intends to construct, enlarge, alter, repair, improve, move, demolish, or change the use or occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or perform any grading, or install 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.

**15.32.050.1 Work exempt from permit.**

Exemptions 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. Permits shall not be required for the following:

**Building:**

1. One-story detached accessory structures to an R-3 occupancy less than 12 feet in height, used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11m').
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1,219 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, or within 30 inches from a property line.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 1.5:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below, or within 30 inches from a property line, and are not part of an accessible route.
7. Painting, papering, carpeting and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 36 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
10. Swings and other playground equipment accessory to detached one-and two-family dwellings.
11. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support on Group R-3 and U occupancies.
12. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet, 9 inches (1,753 mm) in height.
13. Other incidental structures or improvements of a minor nature may be exempt from the permit provisions of this Code upon the determination of the Building Official.

**Electrical:**

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. 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 installations of towers and antennas.

3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

4. The wiring for temporary theater, motion picture or television stage sets.

5. The repair of fixed motors, transformers, apparatus, or appliances.

6. Temporary Christmas or other holiday decorative lighting installed for less than 90 days.

7. Private telephone, intercom, sound and communication systems, provided, however, that a permit shall be obtained for the power supplies required by the above systems.

Gas:

1. Portable heating appliances.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating, ventilation, cooling or evaporative cooler equipment.

2. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this Code.

3. Replacement of any part that does not alter its approval or make it unsafe.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this Code.

2. 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.

#### **15.32.050.2 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.

#### **15.32.050.2.1 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; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, 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.

**15.32.050.2.2 Public service agencies.**

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

**15.32.050.3 Application for permit.**

To obtain a permit, the applicant shall first file an application in writing on a form furnished by the Building & Safety division 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 15.32.060.
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.

**15.32.050.3.1 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 practicable.

**15.32.050.3.2 Time limitation of application.**

An application for a permit for any proposed work shall be deemed to have been abandoned 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 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**15.32.050.4 Permit Issuance.**

The application, plans, specifications, computations, and other data filed by an applicant for a permit shall be reviewed by the Building Official. Such plans may be reviewed by other City Departments to verify compliance with any applicable laws and ordinances under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this Code and other pertinent laws and ordinances, and

that the fees specified in Section 15.32.080 have been paid, a permit shall be issued therefore to the applicant.

When the Building Official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorization from the Building Official, and all work regulated by this Code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of the building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his own risk without assurance that the permit for the entire building or structure will be granted.

No permit shall be issued for the erection or construction of any building, or for any structural alteration or addition, upon any lot or parcel which is not a legal building site, as defined in the Zoning Ordinance, (Chapter 17 of the Norwalk Municipal Code), or if the proposed work would be in conflict with the terms, provisions of requirements of any ordinance, resolution, regulation or law.

#### **15.32.050.5 Retention of plans.**

One set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than 90 days from date of completion of the work covered therein, or as specified in the City's record retention plan, and one set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

#### **15.32.050.6 Validity of permit.**

The issuance or granting of a permit or approval of plans, specifications, and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions this Code or of any other ordinance of the City. Permits presuming to give authority to violate or cancel the provisions of this Code or other ordinances of the City shall not be valid.

The issuance of a permit based upon plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on there under when in violation of this Code or of any other ordinances of the City.

#### **15.32.050.7 Expiration.**

Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not 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. Before such work can be commenced or recommenced, a permit shall first be renewed or reissued.

**15.32.050.7.1 Requesting extension of an unexpired permit.**

Any permittee holding an unexpired permit may apply for an extension of time within which permittee may commence work under that permit when he is unable to commence or recommence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. Permits extended in this manner will not require additional permit fees and will not be subject to new regulations adopted after issuance of the permit.

**15.32.050.7.2 Requesting renewal of a permit that has been expired for less than 180 days.**

Any permittee holding a permit that has been expired for less than 180 days may apply for a renewal of permit. Permit renewal fee shall be based on the current value of the work remaining to be completed.

**15.32.050.7.3 Requesting reissuance of a permit that has been expired for 180 days or more.**

Any permittee holding a permit that has been expired for 180 days or more may apply for reissuance of the permit subject to compliance with current regulations and payment of full plan check and permit fees. Plans must be resubmitted for plan check. Portions of the structure which have been approved under the expired permit will not be subject to current regulations. For the purpose of permit extension, renewal, and reissuance, multiple permits of the same structure such as building, foundation, retaining wall, plumbing, mechanical, and electrical permits shall be considered as one permit. Each separate permit with work completed entirely prior to suspension or abandonment will not be subject to renewal or reissuance.

**15.32.050.8 Change of contractor or of ownership.**

A permit issued hereunder shall become void upon a change of ownership or a change of contractor regarding the building, structure or grading for which said permit was issued if the work thereon has not been completed, and a new permit shall be required for the completion of the work. If the provisions of section 15.32.050.7 above are not applicable and if no changes have been made to the plans and specifications last submitted to the Building Official, no charge, other than the permit issuance fee, shall be made for the issuance of the new permit under such circumstances. If, however, changes have been made to the plans and specifications last submitted to the Building Official, a permit fee based upon the valuation of the work to be completed as provided for in section 15.32.080 shall be charged to the permit applicant.

**15.32.050.9 Suspension or revocation.**

The Building Official may, in writing, suspend or revoke a permit issued under provisions of this Code whenever the permit is issued in error or on the basis of

incorrect information supplied or in violation of any ordinance or regulation or any of the provisions of this Code.

**15.32.050.10 Placement of permit.**

The building permit or copy shall be kept on the site of the work until the completion of the project.

**15.32.060 Construction documents**

Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. 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 review of construction documents is not necessary to obtain compliance with this Code.

**15.32.060.1 Information on construction documents.**

Construction documents shall be dimensioned and 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.

**15.32.060.1.1 Structural elements.**

The construction documents shall show in sufficient detail the foundation, floor, ceiling, roof, and wall elements pertinent to the support and structural integrity of the structure. Additional connection details and sections shall be provided as necessary to show in detail that it will conform to the provisions of this Code.

**15.32.060.1.2 Fire protection system shop drawings.**

Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with 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 referenced installation standards in Chapter 9 of the Building Code.

**15.32.060.1.3 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.

#### **15.32.060.1.4 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.

#### **15.32.060.2 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 construction 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.

#### **15.32.060.3 Examination of documents.**

The Building Official shall examine or cause to be examined the accompanying construction 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.

##### **15.32.060.3.1 Approval of construction documents.**

When the Building Official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents 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 a duly authorized representative.

##### **15.32.060.3.2 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.

##### **15.32.060.3.3 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 a 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.

**15.32.060.3.4 Design professional in responsible charge.**

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.

Where structural observation is required by Building Code Section 1709, the statement of special inspections shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also duties specified in Section 1704).

**15.32.060.3.4.1 Deferred submittals.**

For the purposes 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 design and submittal documents have been approved by the Building Official.

**15.32.060.4 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.

**15.32.060.5 Number of construction documents.**

One set of approved construction documents shall be retained by the Building Official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

**15.32.070 Temporary structures and uses**

The Building Official is authorized to 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.

Permits for temporary Group A, Division 5 structures shall be valid for a period not exceeding 30 days.

**15.32.070.1 Conformance.**

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

**15.32.070.2 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 the California Electrical Code.

**15.32.070.3 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.

**15.32.080 Fees**

A fee as established by resolution of the City Council shall be paid for each permit application at time of processing.

**15.32.080.1 Permit fees.**

The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official, based on the cost per square foot as established by the City Council. The valuation 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 equipment.

Failure to pay fees and obtain a permit before commencing work shall be deemed a violation of this Code, except when it can be proven to the satisfaction of the Building Official that an emergency existed which made it impractical to first obtain the permit. A violation shall result in an assessment of investigation fees for work done prior to permit issuance. Payment of investigation fees shall not relieve any person from fully

complying with the requirements of this Code nor from any other penalties prescribed herein.

**15.32.080.2 Investigation.**

Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

**15.32.080.2.1 Investigation fee.**

An investigation fee, equal to the amount of the permit fee or as established by Resolution of the City Council, shall be assessed by the Building Official whenever work for which a permit is required by this Code has been commenced without first obtaining said permit. This fee shall be paid and the investigation shall be made prior to the issuance of any permit for said work. An investigation fee may be charged for any investigation of a building, structure, work reports, certification or any other related work requested by an owner or authorized agent of such owner. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Code nor from any penalty prescribed by law.

**15.32.080.3 Non-compliance fees.**

If the Building Official in the course of enforcing the provisions of this Code or any state law issues an order to a person and that person fails to comply with the order within 15 days following the due date for compliance specified in the order, including any extensions thereof, then the Building Official shall have the authority to collect a non-compliance fee. The non-compliance fee shall not be imposed unless the order states that a failure to comply will result in the fee being imposed.

**15.32.080.4 Plan review fees.**

When a plan or other data is required to be submitted by subsection 15.32.060, a plan-checking fee shall be paid to the Building Official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be established by the City Council.

**15.32.080.5 Expiration of plan review.**

Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken.

No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**15.32.080.6 Fee Refunds.**

The Building Official may authorize refunding of any fee paid hereunder, which was erroneously paid or collected. The Building Official may authorize refunding of the permit fee paid minus \$65.00 when no work has been done under a permit issued in accordance with this Code, no refund will be made for issuance fees, record retention fees, Building Standards Administration fees, or Strong-Motion Instrumentation Fees. The Building Official may authorize refunding of the plan review fee paid minus \$65.00 when an application for a permit for which a plan review fee that has been paid is withdrawn or canceled before any plan reviewing is done. The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

Permit and plan check fees will be refunded in their entirety when inadvertently paid for a project outside the jurisdiction of the City of Norwalk or as duplicate fees, except that no refund will be made if one year has elapsed from the date of payment.

#### **15.32.080.7 Additional plan review fees.**

Where plans are incomplete or changed so as to require additional plan checking, an additional plan-checking fee shall be paid to the Building Official based upon the value of construction of the proposed change or redesign. In establishing said fee, no allowance for a decreased valuation shall be permitted due to the replacement, omission or lessening of any member or portion of the building shown in the original plans. Where the value cannot be reasonably established, the fee shall be the applicable hourly rate or cost to the City. Said fee may be waived when in the opinion of the Building Official the additional fee is not warranted. No additional fees shall be charged for checking corrections required by the Building Official where a responsible effort to correct the documents has been made.

#### **15.32.090 Inspections.**

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 nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

##### **15.32.090.1 Preliminary inspection.**

Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

##### **15.32.090.2 Required inspections.**

The Building Official, upon notification that the work is ready, shall make the inspections set forth in Sections 15.32.090.3 through 15.32.090.3.10.

### **15.32.090.3 Footing and foundation inspection.**

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel, anchor bolts and structural hardware is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

#### **15.32.090.3.1 Concrete slab.**

Concrete slab inspections shall be made after in-slab reinforcing steel and/or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place and approved, but before any concrete is placed.

#### **15.32.090.3.2 Under-floor inspection.**

Under-floor inspections shall be made after building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any floor sheathing installed, including the sub-floor.

#### **15.32.090.3.3 Floor and/or roof sheathing inspection.**

Floor and roof sheathing nailing shall be made after all nailing and shear transfer connections are in place but before subsequent walls or roof covering materials are commenced. For floor sheathing, each subsequent floor or level shall be inspected. For roof sheathing the inspection shall be made after materials have been loaded on the roof but prior to start of roofing activities.

#### **15.32.090.3.4 Frame inspection.**

Framing inspections shall be made after the roof covering, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete, and the rough electrical, plumbing, heating wires, pipes and ducts are approved. The inspector may perform a combination inspection of the building framing, electrical wiring, plumbing and mechanical installations at the same time.

#### **15.32.090.3.5 Energy efficiency inspections.**

Inspections shall be made to determine compliance with state energy regulations 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.

#### **15.32.090.3.6 Fire-resistant penetrations.**

Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

#### **15.32.090.3.7 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,

**15.32.090.3.8 Other inspections.**

In addition to the inspections specified above, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this Code and other laws that are enforced by the Building Official. No work shall be concealed until approved by the Building official or an authorized representative.

**15.32.090.3.9 Special inspections.**

For special inspections, see Section 1704,

**15.32.090.3.10 Final inspection.**

The final inspection shall be made after all work required by the building permit is completed. Legally issued permits shall not be considered valid and complete without final inspection.

**15.32.090.4 Inspection agencies.**

The Building Official is authorized to accept reports from accredited or approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

**15.32.090.5 Inspection requests.**

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Building Official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this Code.

**15.32.090.6 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 notify the permit holder or his or her agent 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.

**15.32.100 Certificate Of 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 therefore 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.

Exception: Group R-3 and U occupancies.

**15.32.100.1 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 that contains 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 construction as defined in Chapter 6.
10. Any special stipulations and conditions of the building permit.

**15.32.100.2 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.

**15.32.100.3 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.

**15.32.110 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 released by the Building Official.

**15.32.110.1 Temporary connection.**

The Building Official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

**15.32.110.2 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 codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall notify the serving utility, and wherever 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 disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

**15.32.120 Board of appeals.**

In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the Building Codes, there shall be and is hereby created a Board of Appeals. The Property Maintenance and Building Rehabilitation Appeals Board of the City of Norwalk shall be the Board of Appeals and may be referred to herein as the “Board of Appeals”, the “Appeals Board” or the “Board”. The members of the Board shall be appointed by and hold office at the pleasure of the City Council and may recommend such new legislation as deemed necessary. The Board shall adopt reasonable rules and regulations for conducting its investigations. The Building Official shall be an ex officio nonvoting member and act as secretary. The Building Official shall keep a record of all proceedings and notify all parties concerned of the findings and decisions of the Board.

**15.32.120.1 Limitations on authority.**

The Board of Appeals shall have no authority relative to interpretation of the administrative provisions of this Code nor shall the Board be empowered to waive requirements of the Building Codes or other Technical Codes.

**15.32.120.2 Application.**

A written appeal, outlining the Building or other Technical Code provision from which relief is sought and the alternate method or material to achieve compliance or remedy proposed shall be submitted to the City of Norwalk within 10 calendar days of notification of violation. Such applicant shall file with the Director of Community Development a request, in writing, for a deviation from such requirements of the adopted codes. The request shall be accompanied by an application fee in such amount as shall be determined by Resolution of the City Council. The request shall set forth:

1. The identity of the property for which an alternate method or material is sought;
  2. The requirements imposed by the Code upon the applicant;
  3. The nature of the work in progress or proposed and measures which the applicant would need to undertake to meet those requirements;
  4. The fire flow or other fire protection measures available to the property;
- and
5. The nature and degree of hardship being imposed upon the applicant by the requirements of the Code.

**15.32.120.3 Hearing.**

A. Within ten (10) days after receipt of an application for hearing before the Property Maintenance and Building Rehabilitation Appeals Board, the Director of Community Development shall set the matter for hearing before the Board, at a meeting for which proper notice can be given.

B. Notice of the time and place of the public hearing shall include a general description of the matter to be considered and the location of the project and shall be given at least ten (10) days prior to the hearing, in the following manner:

1. By posting the notice in at least three (3) public places in the City, including at least one notice in the affected area;

2. By mail or by delivery of the notice to the project proponent and to all persons, including businesses, corporations, or other public or private entities shown on the last equalized assessment role as owning real property contiguous with the property in question; and

3. By giving such other additional notice as deemed appropriate by the Property Maintenance and Building Rehabilitation Appeals Board.

If there is another noticed hearing before the Board relative to the property, the hearings may be combined.

#### **15.32.120.4 Decision of the Board.**

A. At the conclusion of the public hearing, the Board shall consider all relevant evidence and may authorize alternate methods or materials where all of the following findings are made:

1. That the granting of an alternate method or material is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions.

2. There are exceptional or extraordinary circumstances or conditions applicable to the property generally not applicable to other property;

3. An unreasonable hardship would result to the applicant from not granting the alternate method or material, and the alternate method or material will permit the use of the property to the same level as other property and shall not constitute a special privilege to the applicant not enjoyed by the owners of other property; and

4. The granting of the alternate method or material will not be materially detrimental to the public welfare or injurious to property and improvements in the vicinity of the property.

B. The Property Maintenance and Building Rehabilitation Appeals Board may, from time to time, continue the item on its agenda, but shall render a decision within forty-five (45) days of the date the matter was submitted to it. The decision of the Board shall be final, unless that decision is appealed to the City Council. Any person, including the applicant, may appeal the decision of the Property Maintenance and Building Rehabilitation Appeals Board to the City Council, provided that such appeal is filed with the City Clerk within ten (10) days after the decision by the Board, and that the appeal is accompanied by a fee in such amount as shall be determined by resolution of the City Council. In the event of such an appeal, the City Council shall conduct a public hearing, shall give the notice required by subsection 15.32.120.3, and, upon the conclusion of the hearing, make the findings required and take such actions as it deems appropriate. In that case, the decision of the City Council shall be final and conclusive.

#### **15.32.130 Violations and penalties.**

It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, extend, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure, or equipment, or perform any grading, in the City of Norwalk, or cause or permit the same to be done, contrary to or in violation of any of the provisions of the Building Codes, Technical Codes or this Code.

Any person, firm, corporation violating any of the provisions of the Building Codes, Technical Codes or this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of said Codes is committed, continued, or permitted, and upon conviction of any such violation each such offense shall be punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or both such fine and imprisonment.

**15.32.130.1 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, demolition, use or occupancy of a building or structure in violation of the provisions of this code, 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.

**15.32.130.2 Prosecution of violation.**

If the notice of violation is not complied with promptly, the Building Official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

**15.32.130.3 Recordation.**

If (1) the Building Official determines that any property, building or structure, or any part thereof is in violation of any provision of this Code; and if (2) the Building Official gives written notice as specified below of said violation; and if (3) within 45 days of said notice, the property, buildings, or structures thereon are not brought into compliance with this Code, then the Building Official may, in his sole discretion, at any time thereafter record with the county recorder's office a notice that the property and/or any building or structure located thereon is in violation of this Code.

**15.32.130.3.1 Notice.**

The written notice given pursuant to this section shall indicate:

1. The nature of the violation(s); and
2. That if the violation is not remedied to the satisfaction of the Building Official within 45 days the Building Official may, at any time thereafter, record with the county recorder's office a notice that the property and/or any building or structure located thereon is in violation of this Code.

The notice shall be posted on the property and shall be mailed to the owner of the property as indicated on the last equalized county assessment roll. The mailed notice may be by registered, certified or first class mail. The 45-day period for achieving compliance with this Code shall run from the date the property is posted or from the date of the mailing of the notice, whichever is later.

**15.32.130.3.2 Rescission.**

Any person who desires to have recorded a notice rescinding the Notice of Violation may present evidence of compliance to the Building Official. If the Building Official determines that the violation has been satisfactorily cured, and that any pending enforcement costs have been paid, the Building Official shall record a notice rescinding the prior notice of violation.

Following the recordation of the Notice of Violation the Building Official is not required to make any inspection or review of the premises to determine the continued existence of the cited violation. It is the responsibility of the property owner, occupant or other similarly interested private party to present evidence of compliance to the Building Official.

**15.32.130.4 Investigation fees.**

Pursuant to California Health and Safety Code Section 17951, and any successor statute thereto, responsible persons, as identified in Section 8.36.030 of this Chapter, who cause, allow or maintain a violation in, or upon, residential structures and associated real property, shall be charged investigation fees by the City to defray its costs of investigation and enforcement actions. Such fees shall not exceed the amount reasonably required to achieve this objective and are chargeable whether the City's actions occur in the absence of formal administrative or judicial proceedings, as well as prior to, during, or subsequent to, the initiation of such proceedings.

**15.32.130.5 Non-compliance fees.**

If the Building Official in the course of enforcing the provisions of this Code or any state law issues an order to a person and that person fails to comply with the order within 15 days following the due date for compliance specified in the order, including any extensions thereof, then the Building Official shall have the authority to collect a non-compliance fee. The non-compliance fee shall not be imposed unless the order states that a failure to comply will result in the fee being imposed

**15.32.130.6 Fee amounts.**

The amount of such fees for City Officials' time and other resources that are used for investigation actions and non-compliance fines shall be established, and may thereafter be amended, by resolution by the City Council.

**15.32.130.7 Fees imposed.**

The fees imposed pursuant to this section shall be in addition to any other fees or charges that responsible persons may owe pursuant to Chapter 15.04, or in accordance with any other provisions of, or that are adopted by, the Norwalk Municipal Code, or that are imposed pursuant to County or State laws. Investigation fees shall be

recoverable in conjunction with any civil, administrative or criminal action to abate, cause the abatement, or cessation of, or otherwise remove a violation.

**15.32.130.8 Collection of fees.**

Failure to pay investigation and/or non-compliance fees shall constitute a debt that is collectible in any manner allowed by law.

**15.32.140 Stop work order.**

Whenever the Building Official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the Building Official is authorized to issue a stop work order.

**15.32.140.1 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.

**15.32.140.2 Unlawful continuance.**

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law, in addition to the fees as described in section 15.32.080.

**15.32.150 Unsafe buildings and fire hazards.**

(a) Unsafe buildings. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage, or abandonment, as specified in this Code or in any other effective ordinance or statute, are, for the purpose of this section, unsafe buildings and constitute an unsafe condition. All such unsafe buildings or conditions are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, improvement, removal, or demolition, in whole or part, in accordance with the procedures specified in this section.

(b) Fire hazard. No person, including but not limited to the State and its political subdivisions, operating any occupancy subject to these regulations shall permit any fire hazard, as defined in this section, to exist on premises under their control, or fail to take immediate action to abate a fire hazard when requested to do so by the enforcing agency. Note: "Fire hazard" as used in these regulations means any condition, arrangement or act which will increase, or may cause an increase of the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing or extinguishing fire; or which may obstruct, delay or hinder, or may become the cause of obstruction, delay or hindrance to the prevention, suppression extinguishing of fire.

(c) Inspection. The Building Official shall examine or cause to be examined every building or structure or portion thereof or other condition reported as unsafe, dangerous, damaged, or otherwise constituting a hazard as set forth in Subsection (a) of this section. Said examination shall be conducted in accordance with the provisions of this Code, other applicable statutes, and the ordinances, rules, and regulations of the City of Norwalk.

(d) Notice of defects. In any case where this section is made applicable by reference or if any building, structure, or part thereof is found to be an unsafe building as defined in this section, the Building Official shall give notice, setting forth the defects found, to the owner, other responsible person, or authorized representative, hereinafter referred to as "owner," of such building or structure. The notice shall also set forth the requirements of commencement and completion of work and the effect of failure to so do as set forth in subsections (g) and (h) of this section.

(e) Whenever the Building Official intends to cause the work to be done by City personnel or contract agents to eliminate a hazard or to remove an unsafe condition or take any action that would result in a cost assessment against the property, the written notice shall contain language informing the concerned parties of their right of a hearing before the Building Rehabilitation Appeals Board per Section 15.32.160.17.1

Any person entitled to service of the notice under subsection (d) above, or any other person with a legal interest in the property or building, may appeal the notice and order by filing with the director of Community Development a written appeal containing:

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

The appeal shall be filed within ten (10) days from the date of the service of such order or action of the Building Official: provided, however, that if the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or adjacent property and is ordered vacated and is posted in accordance with subsection (j), such appeal shall be filed within ten days from the date of the service of the notice and order of the Building Official.

(1) The Board shall consider the information provided by the appellant and the statements of the Building Official and other evidence that may be presented to determine whether such defects are subject to repair, rehabilitation, or improvement, or

whether they are of such a nature as to require removal or demolition of a part of or the whole of any such building or structure, and he shall order such repairs, rehabilitation, improvements, or demolition as is considered necessary in the case.

(2) The determination and order may be made orally at the hearing and shall be written and transmitted to the owner within a reasonable time; the determination and order shall become final within five days, excluding Saturday, Sunday, and holidays, from the time it is first rendered, or in the event that the owner was not present at the hearing, within five days of the mailing of the order to the last known address of said owner, responsible party, or representative, whichever first occurs.

(f) Commencement and completion of work. The owner shall, upon the expiration of five days, excluding Saturday, Sunday, and holidays, following the finality of the determination and order of the Board of Appeals (or, if appealed, the determination and order to the City Council) commence the repairs, rehabilitation, improvements, removal, or demolition ordered, and such work shall be completed within the time specified by the hearing officer.

(g) Failure of commencement of work. If the owner neglects or fails to commence, within the time provided therefore, activity and the corrective work deemed necessary and as ordered, the Building Official may cause the ordered repairs, rehabilitation, or improvements to be performed forthwith and any cost thereof shall be a charge and expense against the owner personally and collectible by an action at law.

(h) Right to demolish. In case the owner shall fail, neglect, or refuse to comply with the notice or order to remove or demolish said building or structure or portion thereof, the City Council of the City of Norwalk may order the Building Official to proceed with the work specified in the notice or order. The cost of such work shall be levied as a special assessment against the property. The Building Official may apply to the City Council for an order under this subsection to proceed with the work specified in Subsection (h) above where such work is not deemed by him to require emergency action.

(i) Costs incurred under Subsections (g) and (h) of this section shall be charged to the owner of the premises involved. The Building Official shall keep an accounting of costs incurred, to be levied as a special assessment against the property and collected in the manner provided for special assessments.

(j) Vacation of premises, posting of signs. If necessary, the notice shall require the building or structure or portion thereof or other site to be vacated forthwith, and within the time specified, in the interest of immediate public safety pending the finality of any determination and order.

The Building Official shall cause to be posted at each entrance to such building a notice to prohibit occupancy. Such notices shall remain posted until the corrected conditions, required repairs, rehabilitation, improvements, removal or demolition are completed and a certificate of occupancy is issued as set forth in this Code. Such posted notices shall not be removed without written permission of the Building Official, and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building. The notice required by this section may be served either:

(1) By delivering a copy to the owner or authorized representative as designated on papers, applications, or permits on file with the Building Official, personally; or

(2) If either or both be absent from his place of residence and from his usual or designated place of business, by leaving a copy with some person of suitable age and discretion at either place, and sending a copy of certified mail, receipt requested, addressed to the owner or authorized representative at his place of residence; or

(3) If such place of residence and business cannot be ascertained, or a person of suitable age or discretion there cannot be found, then by affixing a copy in a conspicuous place on the property, building structure, and also delivering a copy to a person there residing, if any; to the person in charge, if any; and also sending a copy by certified mail, return receipt requested, addressed to the owner at the place where the property, building, or structure is situated, or to the owner at his last known or designated address, or both.

### **15.32.160 Building and property rehabilitation.**

#### **15.32.160.1 Scope**

**15.32.160.1.1 General.** The provisions of this Section shall apply to all substandard buildings, substandard structures and substandard property. It is unlawful for any person owning, leasing, occupying, using or having charge or possession of any building, structure or property to maintain it in such a manner that it is determined by the City or an appropriate agency of the City to be in a substandard condition.

**15.32.160.1.2 Existing buildings.** Occupancies in existing buildings may be continued as provided in this Code, the California Building Code, California Residential Code or the California Fire Code, except in such structures as are found to be substandard as defined in this Section and ordered vacated or as are found to be unsafe as defined in the Norwalk Municipal Code Section 15.32.150.

**15.32.160.2 Definitions.** For the purposes of this Section, and in addition to the definitions set forth in the previous chapters of this Code, certain terms, phrases and words and their derivatives shall be defined as set out in this Section. Words used in the singular include the plural and vice versa.

#### **15.32.160.2.1 As used in this Section:**

“Abandoned structure” means a building or other structure that is vacant and is maintained in a condition of disrepair or deterioration, as discernible from a public right-of-way or adjoining real property. Factors that may also be considered in a determination of an abandoned structure include, without limitation: present operability and functional utility; the presence of non-functional, broken or missing doors or windows, such that entry therein by unauthorized persons is not deterred; the existence of real property tax delinquencies for the land upon which the structure is located; age and degree of obsolescence of the structure, and the cost of rehabilitation or repair versus its market value.

“Abandoned personal property” means and refers to any item, object, thing, material or substance that, by its condition of damage, deterioration, disrepair, nonuse, obsolescence or location on public real property or on private real property, causes a reasonable person to conclude that the owner has permanently relinquished all right, title, claim and possession thereto, or that the object, thing, material or substance cannot be used for its intended or designed purpose. Abandoned personal property may include junk and vehicles.

“Attractive nuisance” means any condition, device, equipment, instrument, item or machine that is unsafe, unprotected and may prove detrimental to minors whether in a structure or in outdoor areas of developed or undeveloped real property. This includes, without limitation, any abandoned or open and accessible wells, shafts, basements or excavations; any abandoned refrigerators and abandoned or inoperable motor vehicles; any structurally unsound fences or structures; or, any lumber, trash, fences, debris or vegetation which may prove hazardous or dangerous to inquisitive minors. An attractive nuisance shall also include pools, standing water or excavations containing water, that are unfenced or otherwise lack an adequate barrier thereby creating a risk of drowning, or which are hazardous or unsafe due to the existence of any condition rendering such water to be clouded, unclear or injurious to health due to, without limitation, any of the following: bacterial growth, infectious or toxic agents, algae, insect remains, animal remains, rubbish, refuse, debris, or waste of any kind.

“Board” is the Property Maintenance and Building Rehabilitation Appeals Board as set forth in Section 15.32.160.6.

“Building” means any structure having, or originally designed to have, a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or property.

“Building Code” means the Building Code or Residential Building Code of the City of Norwalk; the latest adopted edition of the California Building Code together with all adopted appendices and amendments as specified in Chapter 15.04 and 15.06 of the Norwalk Municipal Code.

“City” means the City of Norwalk.

“City Manager” means the City Manager or his or her duly authorized representative(s).

“Code” or “Codes” refers to the Norwalk Municipal Code and laws incorporated therein by reference and any adopted and uncodified ordinances.

“Code Enforcement Officer” means any individual employed by the City with primary enforcement authority for City Codes, or his or her duly authorized representative(s).

“Inoperable vehicle” means and includes, without limitation, any vehicle that is immobilized or mechanically incapable of being driven on a highway. Factors that may be used to determine this condition include, without limitation, vehicles lacking a current registration, a working engine, transmission, wheels, inflated tires, doors, windshield or any other part or equipment necessary for its legal and safe operation on a highway or any other public right-of-way.

“Junk” includes, but is not limited to, any cast-off, damaged, discarded, junked, obsolete, salvaged, scrapped, unusable, worn-out or wrecked appliance, device, equipment, furniture, fixture, furnishing, object, material, substance, tire, or thing of any

kind or composition. Junk may include abandoned personal property, as well as any form of debris, refuse, rubbish, trash or waste. Factors that may be considered in a determination that personal property is junk include, without limitation, its:

- (a) Condition of damage, deterioration, disrepair or nonuse.
- (b) Approximate age and degree of obsolescence.
- (c) Location.
- (d) Present operability, functional utility and status of registration or licensing, where applicable.
- (e) Cost of rehabilitation or repair versus its market value.

“Junkyard” means real property of any zoning classification on which junk is kept, maintained, placed or stored to such a degree that it constitutes a principal use or condition on said premises. The existence of a junkyard is not a nuisance when it is an expressly permitted use in the applicable zone and the premises are in full compliance with all provisions of the City’s Zoning Laws, and all other applicable provisions of the City’s Municipal Code, as well as all future amendments and additions thereto.

“Owner” means and includes any person having legal title to, or who leases, rents, occupies or has charge, control or possession of, any real property in the City, including all persons shown as owners on the last equalized assessment roll of the Los Angeles County Assessor’s Office. Owners include persons with powers of attorney, executors of estates, trustees, or who are court-appointed administrators, conservators, guardians or receivers. An owner of personal property shall be any person who has legal title, charge, control, or possession of, such property.

“Person” as used in this Section, means and includes any individual, partnership of any kind, corporation, limited liability company, association, joint venture or other organization or entity, however formed, as well as trustees, heirs, executors, administrators, or assigns, or any combination of such persons. “Person” also includes any public entity or agency that acts as an owner in the City.

“Property” or “premises” means any privately-owned real property, or improvements thereon, or portions thereof, as the case may be. “Property” includes any parkway or unimproved public easement abutting such real property.

“Personal property” means property that is not real property, and includes, without limitation, any appliance, article, device, equipment, item, material, product, substance or vehicle.

“Public nuisance” means anything which is, or likely to become, injurious or detrimental to health, safety or welfare, or is offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any public park, square, street or highway. All conditions hereafter enumerated in this Section, or that otherwise violate or are contrary to any provision of the City’s Municipal Code, are public nuisances by definition and declaration, and said enumerated conditions shall not, in any manner, be construed to be exclusive or exhaustive. A public nuisance shall also exist when a person fails to comply with any condition of a City approval, entitlement, license or permit or when an activity on, or use of, real property violates, or is contrary to, any provision or requirement of the City’s Municipal Code.

“Hearing officer” means the City employee or representative appointed by the City Manager, or a designee thereof, to hear all timely appeals from a Notice of Public Nuisance and Intent to Abate with City Forces or Agents.

“Responsible person” means any person, whether as an owner as defined in this Section, or otherwise, that allows, causes, creates, maintains, or permits a public nuisance, or any violation of the City’s Municipal Code or county or state law, or regulation thereof, to exist or continue, by any act or the omission of any act or duty. The actions or inactions of a responsible person’s agent, employee, representative or contractor may be attributed to that responsible person.

“Structure” means that which is built or constructed, an edifice, wall, fence, or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. For purposes of this Chapter, this definition shall supersede any other definition of this term in the City’s Municipal Code.

“Technical Code” means a construction code such as the Building Code, the Fire Code, the Electrical Code, the Plumbing Code, the Mechanical Code, a Fuel Gas Code, or other related codes.

“Vehicle” means any device, by which any person or property may be propelled, moved, or drawn upon a highway or other public right of way, and includes all vehicles as defined by the California Vehicle Code and all future amendments thereto. “Vehicle” does not include devices (i) that are propelled exclusively by human power such as bicycles and wheelchairs, or (ii) those that are used exclusively upon stationary rails or tracks.

**15.32.160.2.2 Completion.** Where a building is found to be substandard due to having been under construction for an unreasonable time, as defined in Section 15.32.160.3.2, the terms “demolition, improvement, removal, repair or rehabilitation,” as used in this Section shall include “completion.”

**15.32.160.2.3 Demolition.** Whenever the word “demolish” or “demolishment” is used in this Section it shall include the removal of the resulting debris from such demolition and the protection by filing of excavations exposed by such demolition and abandonment of sewer or other waste disposal facilities as may be required by this Code or other Ordinances or laws.

**15.32.160.2.4 Party concerned.** As used in this Section “party concerned” means the person if any, in real or apparent charge and control of the premises involved, the record owner, the holder of any mortgage, trust deed or other lien or encumbrance of record, the owner or holder of any lease of record, the record holder of any other estate or interest in or to the building or structure or the land upon which it is located. As used in this paragraph all reference to “record” means matters of record in the Department of Registrar-Recorder of the County of Los Angeles which definitely and specifically describes the premises involved.

**15.32.160.3 Definition of substandard building.**

**15.32.160.3.1** Any building or structure or portion thereof, or the premises on which the same is located, in which there exists any of the conditions listed in Section 15.32.160.4 to an extent that endangers the life, limb, health, property, safety or welfare of the public or occupants thereof, shall be deemed and hereby is declared to be a substandard building.

**15.32.160.3.2** Any unfinished building or structure or portions thereof, that are partially constructed or destroyed or allowed to remain in a state of partial construction or destruction for an unreasonable period of time or that has been in the course of construction an unreasonable time, and where the appearance and other conditions of said unfinished building or structure are such that the unfinished structure substantially detracts from the appearance of the immediate neighborhood or reduces the value of property in the immediate neighborhood, or is otherwise a nuisance, shall be deemed and hereby is declared to be a substandard building. As used herein, an “unreasonable” period shall mean any portion of time exceeding the period given to a responsible person by the City for the complete abatement of this nuisance condition with all required City approvals, permits and inspections. Factors that may be used by the City to establish a reasonable period for the complete abatement of this nuisance include, but are not limited to, the following:

- (a) The degree of partial construction or destruction and the cause therefore.
- (b) Whether or not this condition constitutes an attractive nuisance or if it otherwise poses or promotes a health or safety hazard to occupants of the premises, or to others.
- (c) The degree of visibility, if any, of this condition from public or adjoining private real property.
- (d) The scope and type of work that is needed to abate this nuisance.
- (e) The promptness with which a responsible person has applied for and obtained all required City approvals and permits in order to lawfully commence the nuisance abatement actions.
- (f) Whether or not a responsible person has complied with other required technical code requirements, including requesting and passing required inspections in a timely manner, while completing nuisance abatement actions.
- (g) Whether or not a responsible person has applied for extensions to a technical code permit or renewed an expired permit, as well as the number of extensions and renewals that a responsible person has previously sought or obtained from the City.
- (h) Whether or not a responsible person has made substantial progress, as determined by the City, in performing nuisance abatement actions under a technical code permit that has expired, or is about to expire.
- (j) Whether delays in completing nuisance abatement actions under a technical code permit have occurred and the reason(s) for such delays.

**15.32.160.4 Substandard conditions.** Substandard building conditions shall include but are not limited to the following:

**15.32.160.4.1 Inadequate sanitation.**

1. Lack of hot and cold running water to plumbing fixtures in a hotel or dwelling unit.
2. Lack of the minimum amounts of required natural light and ventilation.
3. Room and space dimensions less than required by the Building Code.
4. Dampness of habitable rooms.
5. Infestation of insects, vermin, or rodents.
6. Violation of any applicable provision of the Health Code, as adopted by Section 8.04.010 of the Norwalk Municipal Code.

**15.32.160.4.2 Structural hazards.**

1. Deteriorated or inadequate foundations.
2. Defective, deteriorated or inadequate size flooring and/or floor supports.
3. Defective, deteriorated or inadequate size members of walls, partitions or other vertical supports.
4. Defective, deteriorated or inadequate size ceiling, roof or other horizontal supports.
5. Inadequate structural resistance to horizontal forces.
6. Defective, damaged or inadequately constructed fireplace or chimney.

**15.32.160.4.2.1** Interior portions of buildings or structures (including, but not limited to attics, ceilings, walls floors, basements, mezzanines, and common areas) that are maintained in a condition of dilapidation, deterioration or disrepair to such an extent as to result in, or tend to result in, a diminution in property values, or where such condition otherwise violates, or is contrary to, the Health Code, where applicable, or the State Housing Code, where applicable, or other provisions of the Norwalk Municipal Code, or State law.

**15.32.160.4.2.2** Exterior portions of buildings or structures (including, but not limited to, roofs, balconies, decks, fences, stairs, stairways, walls, signs and fixtures), as well as sidewalks, driveways and parking areas, that are maintained in a condition of dilapidation, deterioration or disrepair to such an extent as to result in, or tend to result in, a diminution in property values, or where such condition otherwise violates, or is contrary to, the Health Code, where applicable, or the State Housing Code, where applicable, or other provisions of the Norwalk Municipal Code, or State law.

**15.32.160.4.3 Inadequate or hazardous wiring.**

1. Lack of required electrical lighting or convenience outlets. In existing residential occupancies, every habitable room is required to contain at least two supplied electric convenience outlets or one such convenience outlet and one supplied electric fixture. Every water closet compartment, bathroom, laundry room, furnace room and public hallway in such occupancies is required to contain at least one supplied electric fixture.
2. All wiring except that conformed to all applicable laws in effect at the time of installation and that has been maintained in good condition and is being used in a safe manner.

**15.32.160.4.4 Inadequate or faulty plumbing.**

1. Lack of plumbing fixtures required elsewhere in this Code.
2. 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.
3. Lack of connection to an approved sewage disposal system.

**15.32.160.4.5 Inadequate or faulty mechanical equipment.**

1. Lack of safe, adequate heating facilities in a dwelling, apartment house or hotel.
2. Lack of, or improper operation of, required ventilating equipment.
3. 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.

**15.32.160.4.6 Faulty weather protection.**

1. Lack of a sound and effective roof covering.
2. Lack of a sound and effective exterior wall covering including deteriorated, crumbling, or loose plaster.
3. Broken windows and doors.
4. Deteriorated or ineffective waterproofing of foundation walls or floor.

**15.32.160.4.7 Faulty materials of construction.** Any material of construction except those which are allowed or approved by the Building Code and which have been adequately maintained in good and safe condition.

**15.32.160.4.7.1** Maintenance of any tarp or similar covering on, or over, any roof of any structure, except during periods of active rainfall, or when specifically permitted under an active roofing or building permit.

**15.32.160.4.8 Hazardous or unsanitary premises.** Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, and similar materials or conditions which constitute undue fire, health or safety hazards.

**15.32.160.4.8.1** Items or materials that cause, create, or tend to contribute to, an offensive odor.

**15.32.160.4.9 Hazardous buildings.** Any building or portion thereof, which is determined to be an unsafe building as defined in Section 15.32.150 of this Code.

**15.32.160.4.10 Inadequate exits, light, and ventilation.** All buildings or portions thereof not provided with exit facilities, and/or light, and ventilation as required by the Building Code except those buildings or portions thereof whose exit facilities conformed

with all applicable laws at the time of their construction and provide adequate safe exits for the building occupants.

**15.32.160.4.10.1.** Obstructions of any kind, cause or form that interfere with light or ventilation for a building, or that interfere with, or hinder ingress and egress there from.

**15.32.160.4.11 Fire hazard.** Any building or portion thereof, device, apparatus, equipment, combustible waste or vegetation which is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

**15.32.160.4.12 Inadequate fire protection or firefighting equipment.** All buildings or portions thereof which are not provided with the fire-resistive construction or fire-extinguishing system or equipment required by the Building Code, except those buildings or portions thereof which conform with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems and equipment provide adequate fire safety.

**15.32.160.4.13 Improper occupancy.** All buildings or portions thereof occupied or used for any purpose for which they were not designed or intended to be used.

**15.32.160.4.14 Abandoned buildings.** All buildings or portions thereof which are abandoned, open or vandalized or both.

**15.32.160.5 Substandard property.**

Any one or more of the following conditions shall constitute substandard property:

**15.32.160.5.1** Substandard buildings;

**15.32.160.5.2** Unpainted buildings causing dry rot, warping and termite infestation;

**15.32.160.5.3** Broken windows constituting hazardous conditions and inviting trespassers and malicious mischief;

**15.32.160.5.4** Overgrown vegetation causing detriment to neighboring properties or property values.

**15.32.160.5.5** Dead trees, weeds and debris:

1. Constituting unsightly appearance, or
2. Dangerous to public safety and welfare, or
3. Detrimental to nearby property or property values.

**15.32.160.5.6** Trailers, campers, boats and other mobile equipment stored for unreasonable periods in yard areas contiguous to streets or highways and causing depreciation of nearby property values;

**15.32.160.5.7 Vehicles** exceeding the permissible gross vehicle weight for the streets or public property upon which they are located, as well as construction equipment, or machinery of any type or description that is kept, parked, placed or stored on public or private real property except when such items are being used during excavation, construction or demolition operations pursuant to an active building or other technical code permit.

**15.32.160.5.8** Inoperable or abandoned motor vehicles stored for unreasonable periods on the premises and causing depreciation of nearby property values;

**15.32.160.5.9** Attractive nuisances dangerous to children in the form of:

1. Abandoned and/or broken equipment, or
2. Neglected machinery.

**15.32.160.5.10** Broken or discarded furniture and household equipment in yard areas for unreasonable periods;

**15.32.160.5.11** Clothesline in front yard areas;

**15.32.160.5.12** Garbage cans stored in front or side yards and visible from a public street except when placed in places of collection at the times permitted and in full compliance with NMC Section 8.48.480.

**15.32.160.5.13** Packing boxes and other debris stored in yards and visible from public streets for unreasonable periods.

**15.32.160.5.14** Neglect of premises:

1. To spite neighbors, or
2. To influence zone changes, granting of exceptions or special-use permits, or
3. To cause detrimental effect upon nearby property or property values;

**15.32.160.5.15** 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 as defined by Civil Code Section 3480.

**15.32.160.5.16** Property, including, but not limited to, building exteriors which are maintained in such condition as to become so defective, unsightly, or in such condition of deterioration or disrepair that the same causes appreciable diminution of the property values of surrounding property or is materially detrimental to proximal

properties and improvements. This includes, but is not limited to, the keeping or disposing of or the scattering over the property or premises of any of the following:

1. Lumber, junk, trash or debris;
2. Abandoned, discarded or unused objects of equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers;
3. Stagnant water, or excavations; or
4. Any device, decoration, design, fence, structure, clothesline or vegetation that is unsightly by reason of its condition or its inappropriate location.

**15.32.160.5.16.1 Unsanitary**, polluted or unhealthful pools, ponds, standing water or excavations containing water, whether or not they are attractive nuisances but which are nevertheless likely to harbor mosquitoes, insects or other vectors. The likelihood of insect harborage is evidenced by any of the following conditions: water which is unclear, murky, clouded or green; water containing bacterial growth, algae, insect larvae, insect remains, or animal remains; or, bodies of water which are abandoned, neglected, unfiltered or otherwise improperly maintained.

**15.32.160.5.17** 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.

**15.32.160.5.18** Property maintained (in violation of the rights of others) so as to establish a prevalence of depreciated values, impaired investments, and social and economic maladjustments to such an extent that the capacity to pay taxes is reduced and tax receipts from such particular area are inadequate for the cost of public services rendered therein.

**15.32.160.5.19** Land, the topography, geology or configuration of which whether in natural state or as a result of the grading operations, excavation or fill, causes erosion, subsidence, or surface water drainage problems of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare, or to adjacent properties.

**15.32.160.5.19.1** Grading which does not meet the minimum standards set forth in Appendix J of the Building Code or which is done in violation of this Code, or any other County or State law regulating grading.

**15.32.160.5.20** Any personal property or structure that obstructs or encroaches on any public property, including, but not limited to, any public alley, highway, land, sidewalk, street or other right-of-way.

**15.32.160.5.21** Storage of hazardous or toxic materials or substances on real property, as so classified by any local, state or federal laws or regulations, in such a manner as to be injurious, or potentially injurious or hazardous, to the public health,

safety or welfare, or to adjacent properties, or that otherwise violates local, state or federal laws or regulations.

**15.32.160.5.21** Any discharge of any substance or material, other than stormwater, which enters, or could possibly enter, the City's storm sewer system in violation of the Norwalk Municipal Code.

**15.32.160.6 Building Rehabilitation Appeals Board.** In order to hear appeals provided for in the in Section 15.32.170 and in this Section, there shall be and is hereby created a Building Rehabilitation Appeals Board and shall be known as the Property Maintenance and Building Rehabilitation Appeals Board as provided for in Section 15.32.120.

**15.32.160.7 Alternates.** The City Council may choose to appoint an ex officio alternate member of the Property Maintenance and Building Rehabilitation Appeals Board to serve in the place and stead of any regular member of the Rehabilitation Appeals Board who is scheduled to be absent from any meeting and, at such meeting, shall be deemed to be a regular member of the Board.

**15.32.160.8 Determination by Building Official.** Whenever the Building Official determines by inspection that any existing building or portion thereof is substandard or any lot or other premises is substandard, or both, as defined in this Section, such building or premises, or both, are hereby declared a public nuisance, and the Building Official shall order the abatement of the nuisance by demolition, repair or rehabilitation of the substandard building or portion thereof or, at the option of the party concerned, by demolition or demolishment thereof. The order also may require that the building be vacated. If the premises are substandard the Building Official also may order that the substandard conditions be removed.

**15.32.160.9 Informal notice.** When the Building Official has so found, in addition to any notices hereafter required by this Section, the Building Official may give to the occupants of the substandard property, and to any other person whom he or she deems should be so notified, information concerning the provisions of this Section, any violation thereof, how the person notified may comply and any other information deemed expedient. The Building Official may post such information on the substandard property or on the substandard building.

**15.32.160.10 Notice of substandard building.** If, in the opinion of the Building Official, a building is found to be substandard as defined in this Section, the Building Official shall give to the party concerned written notice stating the defects thereof.

The notice may require the owner or person in charge of the building or premises to complete the required repairs, improvements, demolition or removal of the building or portions thereof within 30 days, or such other time limit as the Building Official may stipulate. Such notice may also require the building, or portion thereof, to be vacated and not reoccupied until the required repairs and improvements are completed, inspected, and approved by the Building Official. A person notified to vacate a

substandard building by the Building Official shall vacate within the time specified in the order.

The written notice shall contain language informing the concerned parties of their right of a hearing before the Property Maintenance and Building Rehabilitation Appeals Board per Section 15.32.160.17.1 whenever the Building Official takes or intends to take any one of the following actions:

1. Issue an order to vacate a substandard premises
2. Cause work to be done by City personnel or contract agents to eliminate a hazard or to remove a substandard condition or take any action that would result in a cost assessment against the property
3. File a Declaration of Substandard Building and/or Substandard Property with the Department of Registrar-Recorder.

Such written notice of the right of a hearing shall not be construed as a stay on (1) an order to vacate, (2) the filing of a declaration of substandard building and/or property with the Department of Registrar-Recorder, or an abatement or demolition performed by City personnel or contract agents when such abatement or demolition is done pursuant to the emergency procedures permitted by Section 15.32.160. 27.2 of this Code

Exception: Whenever any building or structure or portion thereof constitutes an immediate hazard to life or property, and in the opinion of the Building Official the conditions are such that repairs or demolition or other work necessary to abate the hazard must be undertaken sooner than provided by the procedures set forth in this Section, the Building Official may make such alterations or repairs, or cause such other work to be done to the extent necessary to abate the hazard or demolish the building or structure or portions thereof as are necessary to protect life or property, or both, after giving such notice to the parties concerned as the circumstances will permit or without any notice whatever, when, in the opinion of the Building Official, immediate action is necessary.

**15.32.160.11 Notice of substandard property.** If, in the opinion of the Building Official, property is found to be substandard property as defined in this Section, the Building Official shall give to the party concerned written notice stating the conditions which make the property substandard.

The notice may require the owner or person in charge of the premises to remove within 30 days, or other time limit which the Building Official may stipulate, the conditions which cause the property to be substandard. If, in order to comply with such notice, it is necessary to remove any vehicle or any part thereof, such notice shall include a description of such vehicle and the correct identification number and license number, if available at the site.

Such written notice shall contain language pertaining to the right of a hearing specified in Section 15.32.160.10.

**15.32.160.12 Combining notices.** A notice of substandard property and of a substandard building on such property may be combined into one notice.

**15.32.160.13 Service of notice.** Proper service of a notice provided for in Sections 15.32.160.10, 15.32.160.11 and 15.32.160.12 shall be by personal service or by first class mail upon every party concerned, by posting on the substandard building, if any, and upon the substandard property, if any, a copy of the notice. It shall be deemed a reasonable effort has been made to serve such notice when letters have been mailed to the address of the interested party as shown on the official record. Notice to a property owner or interested party concerning the imposition of an assessment for costs of abating a property nuisance shall be by certified mail. When an address is not so listed or contact cannot be made at the listed address, the service shall be by posting on the substandard building, if any, otherwise upon the substandard property, a copy of the notice.

The designated period within which the owner or person in charge is required to comply with such notice shall begin as of the date the owner or person in charge receives such notice by personal service or registered or certified mail. If such notice is by posting, the designated period shall begin ten days following the date of posting.

Failure of any owner, party concerned or other person to receive such notice shall not affect the validity of any proceedings taken hereunder.

**15.32.160.14 Other interested parties.** If the Notice of Substandard Building or Property requires the repair or demolition of any building and if the demolition or other work necessary to remove the substandard conditions set forth in such notice is not completed within the time specified in such notice and the Building Official intends to directly proceed to demolish the substandard building or portions thereof, or cause such other work to be done to the extent necessary to eliminate the hazard or other substandard conditions which have been found to exist and, by a document recorded in the office of the Department of Registrar-Recorder prior to the recordation of the Declaration of Substandard Building or Property, whether such document describes the property or not, it appears that a person other than a party concerned has any right, title, lien or interest in the property or any portion thereof, and such person has not previously been notified of the substandard building or property conditions or previously been served a copy of the Notice of Substandard Building or Property and the address of such person is known to the Building Official or can be ascertained by the exercise of due diligence, the Building Official shall serve a copy of the Notice of Substandard Building or Property on such person as provided in this Section. Such person may request a hearing before the Building Rehabilitation Appeals Board. The request must be made in writing to the Board within ten days of the receipt of the copy of the notice of substandard building or property. If a Notice of Substandard Property does not require the repair or demolition of any building, no notice need be given to any person other than a party concerned.

**15.32.160.15 Declaration of substandard building or property.** The Building Official may file with the Department of Registrar-Recorder a declaration that a substandard building or substandard property or both have been inspected and found to be such, as defined in this Section, and that all parties concerned have been or will be so notified. The costs incurred by the Building Official in the investigation of such properties and the processing of the declaration and notification of concerned parties

shall be adopted by resolution of the City Council. After the Building Official finds that the public nuisance had been abated and either that such abatement has been accomplished at no cost to the City, or that such costs have been placed upon the tax rolls as a special assessment pursuant to Section 25845 of the Government Code, the Building Official shall record in the Department of Registrar-Recorder a document terminating the above declaration.

**15.32.160.16 Posting of signs.** The Building Official may cause to be posted at such substandard building or property a notice of substandard building or property and/or a sign to read: SUBSTANDARD-BUILDING, DO NOT ENTER OR DAMAGE, BY ORDER OF THE COMMUNITY DEVELOPMENT DEPARTMENT, BUILDING AND SAFETY DIVISION, CITY OF NORWALK. Such sign may contain such additional information and warnings as in the opinion of the Building Official are expedient. Such notice or sign shall remain posted until the required repairs, demolition, removal, barricading or property cleanup are completed. Such notice or sign shall not be removed without permission of the Building Official and if the substandard building has been ordered vacated, no person shall enter except for the purpose of making the required repairs or of demolishing the substandard building.

**15.32.160.17 Right of Hearing.**

**15.32.160.17.1 Hearing.** Any person having any right, title, lien or interest in the property or any part thereof, or the Building Official, may request a hearing regarding the substandard condition of a building or property after the building or property is posted when the notice: (1) indicates that the City has filed or intends to file a declaration of substandard building and/or property with the Department of Registrar-Recorder, (2) includes an order to vacate, or (3) the City seeks to abate a public nuisance by City Personnel or contract agents. A request by any person other than the Building Official shall be made in writing to the Building Rehabilitation Appeals Board within 10 days after the building or property is posted. All persons who desire to be heard may appear before the Building Rehabilitation Appeals Board to show that the building or property is or is not substandard or to show cause why the building, even if substandard, should not be ordered barricaded, demolished, repaired, rehabilitated or vacated.

**15.32.160.17.2** All persons described in subsection 15.32.160.17.1 above are entitled to a hearing before the Board. However, if they do not request in writing a hearing before the Building Rehabilitation Appeals Board within 10 days of notification, or if they fail to appear at such a hearing which they have requested, they will be deemed to have waived their right to a hearing before the Building Rehabilitation Appeals Board. No such right shall exist when the City does not (1) file or intend to file a declaration of substandard building and/or property with the Department of Registrar-Recorder, (2) issue an order to vacate, or (3) seek to abate a public nuisance by City Personnel or contract agents.

**15.32.160.18 Hearing by Property Maintenance and Building Rehabilitation Appeals Board.** The Property Maintenance and Building Rehabilitation Appeals Board shall hold a hearing and consider all competent evidence offered by any person pertaining to the matters set forth in the report of the Building Official.

The Board shall make written findings of fact as to whether or not the building or property is a substandard building or substandard property as defined in this Section.

**15.32.160.19 Hearing not requested.** If neither the Building Official nor any other person requests a hearing and the substandard condition as set forth in the Notice of Substandard Building or Property is not completed within the time specified in such notice, the Building Official may demolish such portions of the structures, or may cause such other work to be done to the extent necessary to eliminate the hazards and other substandard conditions which had been found to exist.

**15.32.160.20 Notice of hearing.** If either the Building Official, or any other person, requests a hearing within the proper time as provided in Section 15.32.160.17 of this Code, the Property Maintenance and Building Rehabilitation Appeals Board shall hold such hearing. Not less than ten days prior to the hearing the Building Official shall serve or cause to be served either in the manner required by law for the service of summons or by first class mail, postage prepaid, a copy of the Notice of Hearing upon every person to whom this Chapter requires that the Notice of Substandard Building or Substandard Property be served.

**15.32.160.21 Form and contents of notice.** The notice of hearing shall state:

1. The street address and a legal description sufficient for identification of the premises which is substandard or upon which the building is located.
2. The conditions because of which the Building Official believed that the building or property is substandard.
3. The date, hour and place of the hearing.

**15.32.160.22 Posting of Notice.** The Building Official shall post one copy of the notice of hearing in a conspicuous place on the substandard building involved, if any, otherwise on the substandard property, not less than ten days prior to the hearing.

#### **15.32.160.23 Board order-substandard building**

**15.32.160.23.1** When the Property Maintenance and Building Rehabilitation Appeals Board finds that the building is a substandard building, it is hereby declared a public nuisance and, based on its findings, the said Board shall order the abatement of this nuisance by barricading, demolition, repair or rehabilitation of the substandard building or portion thereof or at the option of the party concerned, by the demolition or demodolishment thereof. The order also may require that the substandard building be vacated.

The order shall state a reasonable time within which the work shall be completed which shall not be less than ten days after the service of this order. The Board, for good cause, may extend the time for completion in writing.

**15.32.23.2** The Building Official, after determining that conditions warrant reconsideration may bring any matter before the Board for rehearing. At such a rehearing, the Board will consider all evidence submitted and after such reconsideration may find that further postponement is unwarranted and so order, or may find that a new order for abatement and/or postponement of City action is warranted and order any abatement work considered necessary to be performed by a specified date, after which date the Building Official shall cause such work to be performed or completed without further notice.

**15.32.160.24 Order-substandard property.**

**15.32.160.24.1** When the Board finds that any property is substandard property, it is hereby declared a public nuisance and, based on its findings, the Board shall order the abatement of the nuisance by such means as the Board deems most feasible. If such means include the removal of any vehicle or any part thereof, such order shall include a description of such vehicle and the correct identification number and license number, if available at the site.

**15.32.160.24.2** The Building Official, after determining that conditions warrant reconsideration, may bring any matter before the Board for rehearing. At such a rehearing, the Board will consider all evidence submitted and after such reconsideration may find that further postponement is unwarranted and so order, or may find that a new order for abatement and/or postponement of City action is warranted and order any abatement work considered necessary to be performed by a specified date, after which date the Building Official shall cause such work to be performed or completed without further notice.

**15.32.160.25 Appeal to City Council.** Any person aggrieved may appeal from the decision of the Board by filing at the Office of the City Clerk, within five days after the date of such decision, a written, dated appeal containing:

1. A brief statement setting forth the legal interest of the appellant in the property involved in the abatement order;
2. A statement in ordinary and concise language of the specific order or action protested, together with any material facts supporting the contentions of the appellant;
3. The signatures of all persons named as appellants and their official mailing addresses; and
4. The verification of at least one appellant as to the truth of the matters stated in the appeal.

Any member of the City Council may request a review by requesting at the meeting at which the Council receives the resolution and report of the Property

Maintenance and Building Rehabilitation Appeals Board that the decision be formally reviewed by the Council.

As soon as practicable after receiving the appeal, the City Clerk shall set a date for hearing of the appeal by the City Council, which date shall be not more than twenty days from the date the appeal was filed. Written notice of the time and place of the hearing shall be given at least ten days prior to the date of the hearing to each appellant by the City Clerk, either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof by first class mail, postage prepaid. Service in a similar manner shall also be made upon all other parties concerned who appeared at the hearing before the Board or have corresponded with the Building Official concerning this case.

Upon the conclusion of the hearing on such appeal, the City Council shall, by resolution, either:

1. Terminate the proceedings;
2. Confirm the action and decision of the Board; or
3. Modify such decision based upon evidence presented at said hearing.

Where the proceedings are not terminated, the resolution shall declare the property to be a property nuisance, and order the abatement of the conditions constituting the nuisance within such time as is determined appropriate and in no event less than five or more than thirty days thereafter by having such conditions abated, repaired or cured in the manner and means specifically set forth in said resolution.

**15.32.160.26 Work by private party.** Any person having the legal right to do so may repair or demolish a substandard building or do any other work required to remove the substandard conditions at any time prior to the time when the City does so, but if such person does such work after the time specified in the Notice of Substandard Building or Substandard Property if no hearing was requested, otherwise, after the time specified in the last order of the Property Maintenance and Building Rehabilitation Appeals Board, all costs incurred by the City in preparation for the doing of such work are chargeable to the property and shall be collected as provided in Section 15.32.160.28 and Section 15.32.160.29.

If such work is completed after the Building Official or purchasing agent has awarded a contract for such work, the contractor shall receive the Contract Cancellation Fee for the Building Official's overhead and incidental expenses, unless specifically excluded by contract, and said fee plus the amount specified by Resolution of the City Council shall be the costs incurred by the City. If such work is completed before the Building Official or purchasing agent has awarded a contract, the amount specified in Section 15.32.160.27 shall be the costs incurred by the City.

#### **15.32.160.160.27 Work by City**

**Sec. 15.32.160.27.1 Procedures.** If the order of the Property Maintenance and Building Rehabilitation Appeals Board requires the repair or demolition of any building, and the order of the Board is not complied with within the period designated by the Board and the public records show that there is any person who has any right, title or interest in the property or any part thereof by virtue of a

document duly recorded prior to the recordation of the Declaration of Substandard Building or Property, whether such document describes such property or part thereof, or not, and such person has not been previously notified of the action of the Board during the processing of the case, the Building Official shall serve upon such person as provided in Section 15.32.160.20 a notice of the action of the Board which notice also shall contain a statement that the City will demolish the building or take such other action as may be necessary to remove the substandard conditions unless such person, within ten days, requests, in writing, a hearing. If such person requests such a hearing, the Board shall hold such hearing as provided in this Chapter at which hearing the Board shall re-determine the facts and make a new order as provided in Section 15.32.160.23 and the former order shall cease to be of any force or effect. If any Board order made pursuant to Section 15.32.160.23 or 15.32.160.24 and not superseded, or any order made pursuant to this Section is not complied with within the period designated, the Building Official may then demolish the substandard building or portions thereof or may cause such other work to be done to the extent necessary to eliminate the hazard and other substandard conditions determined to exist by the Board. If the order of the Board does not require the repair or demolition of any building, no notice of such order need be given to any person other than the party concerned.

**15.32.160.27.2 Emergency procedures.** When in the opinion of the Building Official a substandard structure or portion thereof is an immediate hazard to life and property, and the abatement of such hazard requires action pursuant to the exception in Section 15.32.160.10, the Building Official may then demolish the substandard building, or portion thereof, or may cause such other work to be done to the extent necessary to eliminate the hazard.

**15.32.160.28 Costs.** The costs involved in the demolition or other work by the Building Official, including, in addition to other costs, the applicable processing costs as set by the City Council, shall become a special assessment against the property.

**15.32.160.29 Notification of costs.** The Building Official shall notify, in writing, all parties concerned and all persons notified pursuant to Section 15.32.160.14, 15.32.160.17, or 15.32.160.26 of the amount of such assessment resulting from such work.

Within five days of the receipt of such notice any such party concerned and any other person having any right, title, or interest in the property or part thereof may file with the Building Official a written request for a hearing on the correctness or reasonableness, or both, of such assessment.

Any such person who did not receive a notice pursuant to Section 15.32.160.10, Section 15.32.160.11, Section 15.32.160.14 or Section 15.32.160.26, and who has not had a hearing on the necessity of the demolition or other work, in such request for hearing also may ask that such necessity be reviewed. The Property Maintenance and Building Rehabilitation Appeals Board thereupon shall set the matter for hearing, give such person notice thereof as provided in Section 15.32.160.14, hold such hearing and determine the reasonableness or correctness of the assessment, or both, and if

requested, the necessity of the demolition or other work. The Board shall notify all such persons of its decision in writing.

If the total assessment determined as provided for in this Section is not paid in full within ten days after mailing of such notice by the Building Official, the Building Official shall place such charge as a special assessment on the tax bill for the property pursuant to Section 25845 of the Government Code.

**15.32.160.30 Collection.** The assessment shall be collected at the time and in the same manner as ordinary County taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary County taxes. All laws applicable to the levy, collection and enforcement of County taxes shall be applicable to such special assessment.

**15.32.160.31 Salvage.** If a building is demolished or necessary work done by the City pursuant to the provisions of this Chapter, the value of any salvage resulting from such demolition or other work may be applied to the cost of such work as follows:

1. If the City enters into a contract with a private contractor, the City may provide in such contract that as a part of the consideration for the services rendered, the contractor shall take title to such salvage.

2. If the contract does not so provide or if the City does the work without such a contract, the City may take title to such salvage and credit the reasonable value thereof on the costs incurred by the City. In any hearing pursuant to this Section to determine the reasonable cost of doing the work, the Appeals Board also may determine the reasonable value, if any, of such salvage.

This Section is permissive only and does not require that the value of such salvage be applied to the cost of the work.

**15.32.160.32 Interference prohibited.** A person shall not obstruct, impede or interfere with the Building Official or any representative of the Building Official, or with any person who owns or holds any interest or estate in a substandard building which has been ordered by the Building Official or by the Property Maintenance and Building Rehabilitation Appeals Board to be barricaded, repaired, vacated and repaired or vacated and demolished or removed, or in any substandard property whenever the Building Official or such owner is engaged in barricading, repairing, vacating and repairing, or demolishing any such substandard building or removing any substandard conditions, pursuant to this Section, or in the performance of any necessary act preliminary to or incidental to such work, or authorized or directed pursuant hereto.

**15.32.160.33 Prosecution.** In case the owner shall fail, neglect or refuse to comply with the directions in the Notice of Substandard Building or Substandard Property (if neither the owner nor any other person requests a hearing) or with any order of the Property Maintenance and Building Rehabilitation Appeals Board, the owner shall be guilty of a misdemeanor and the Building Official may cause such owner of the building or property to be prosecuted as a violator of this Code.

**15.32.160.33.1.** Each person shall be guilty of a separate offense for each and every day, or part thereof, during which a violation of this Section, or of any law or regulation referenced on this Section, is allowed, committed, continued, maintained or permitted by such person, and shall be punishable accordingly.

**15.32.160.34 Other abatement procedures.** The provisions of this Section shall not in any manner limit or restrict the City or the City Attorney from enforcing City Ordinances or abating public nuisances in any other manner provided by law.

**15.32.160.35 Vehicles.**

**15.32.160.35.1 Adoption by reference of Section 22661 of Vehicle Code.** All of the provisions of this Section relating to the abatement and removal, as public nuisances, of abandoned, wrecked, dismantled or inoperative vehicles or parts thereof from private property are enacted pursuant to Vehicle Code Section 22661. All of the provisions of Section 22661 of the Vehicle Code are hereby adopted by reference as a part of this Section. In the case of any conflict between the provisions of this Section and the provisions of said Section 22661, the provisions of said Section 22661 shall prevail.

**15.32.160.35.2 Notification of Department of Motor Vehicles.** Within five days after the City or any officer thereof removes, pursuant to this Section, any vehicle or a part thereof, the Building Official shall so notify the Department of Motor Vehicles identifying the vehicle or part thereof.

**15.32.160.35.3 Notification of Highway Patrol.** Not less than ten days before the hearing provided for in Section 15.32.160.20 the Building Official shall notify the California Highway Patrol thereof identifying the vehicle or part to be removed.

**15.32.160.35.4 Not to be reconstructed.** A person shall not reconstruct or make operable any vehicle which has been removed by the City pursuant to this Section.

**15.32.160.35.5 Exceptions.** A vehicle or any part thereof shall not be removed pursuant to this Section if such vehicle or part is:

1. Completely enclosed within a building in a lawful manner where it is not visible from the street, highway or other public or private property, or
2. Stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler; licensed vehicle dealer or junkyard. This exception does not authorize the maintenance of a public or private nuisance.

**15.32.160.35.6 Registration of vehicle.** If any vehicle is removed pursuant to this Section, the Building Official shall forward to the Department of Motor Vehicles any evidence of registration available, including registration certificates, certificates of title and license plates.

**15.32.160.35.7 Proof of nonresponsibility.** The owner of any land upon which a vehicle has been removed was located may appear in person at any hearing provided for in this Section or present a written statement in time for consideration at such hearing and deny responsibility for the presence of the vehicle on the land with reasons for such denial. If it is determined at the hearing that the vehicle was placed on the land without the consent of the land owner and that the land owner has not subsequently acquiesced in its presence, then the City shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle was located or otherwise attempt to collect such costs from such owner.

**15.32.170 Unoccupied buildings and structures**

**15.32.170.1 Notice to secure building or structure.**

When any unoccupied building or structure is not properly secured, locked or closed and is accessible to juveniles, transients and unauthorized persons and is a health and/or safety hazard to the adjacent community, and the Building Official so finds, the Building Official shall serve the record owner and (if not the owner) the person having control of such building or structure with a notice to secure or close the same forthwith so as to prevent unauthorized persons from gaining access thereto.

**15.32.170.2 Contents of notice.**

The notice provided for in Section 15.32.170.1 shall inform the record owner and (if not the owner) the persons having control of such building or structure that:

**15.32.170.2.1** They must forthwith secure or close such building or structure so as to prevent unauthorized persons from gaining access thereto.

The written notice shall contain language informing the concerned parties of their right of a hearing before the Property Maintenance and Building Rehabilitation Appeals Board per Section 15.32.170.2.2 whenever the Building Official secures or intends to secure the building or structure by use of City personnel or contract agents.

Such written notice of the right of a hearing shall not be construed to preclude the Building Official from securing the building pursuant to the emergency procedures permitted by Section Sec. 15.32.170.13 of this Code.

**15.32.170.2.2** If, in their opinion, the building or structure is sufficiently secure and closed, or for any other reason they cannot be required to comply with Section 15.32.170.2.1, within 10 days after receipt of the notice, they may request a hearing by filing with, or mailing to, the Building Official a demand for such hearing. No such right shall exist when the City does not seek to secure or close the same to by City Personnel or contract agents.

**15.32.170.2.3** If the required work is not performed within ten days after service of notice and if a timely demand for hearing is not made, the City may perform the work at the expense of the said owner.

**15.32.170.3 Notification to other persons.**

The Building Official may, but is not required to, send copies of any notice provided for in Section 15.32.170.1 to the holder of any mortgage, trust deed or other liens or encumbrance, the holder or owner of any lease, or the holder of any other estate or interest in or to the building or structure or the land upon which it is located.

**15.32.170.4 Posting.**

A copy of the notice shall be posted in a conspicuous place on the building or structure that is the subject of the notice. Further, the Building Official may cause to be posted on such building a sign or signs to read: VACATED BUILDING, DO NOT ENTER OR DAMAGE BY ORDER OF THE COMMUNITY DEVELOPMENT DEPARTMENT, BUILDING SAFETY DIVISION, CITY OF NORWALK.

Such sign may contain additional information and warnings as, in the opinion of the Building Official are expedient. Such notice shall remain posted until the building again is lawfully occupied. A person shall not remove such notice without the written permission of the Building Official. A person, other than a person having the right of occupancy, shall not enter the building.

**15.32.170.5 Service.**

Proper service of any notice required by this Section shall be by personal service or by first class mail upon the record owner and (if not the owner) the person having control of such building or structures.

In the event the Building Official is unable to serve any notice on any person as specified above, proper service on such person shall be by posting the notice in a conspicuous place on the building or structure.

The failure of any owner or other person to receive a notice shall not affect in any manner the validity of any proceedings under this Section.

**15.32.170.6 Request for hearing.**

Within ten days after service upon the record owner of a notice pursuant to Section 15.32.170.1, the said record owner or any other person deeming himself or herself aggrieved may request a hearing.

**15.32.170.7 Notice of hearing.**

Upon receiving a request for hearing, the Building Official shall set the matter for hearing before the Property Maintenance and Building Rehabilitation Appeals Board and shall serve notice not less than ten (10) days prior thereto upon the person requesting such hearing and upon every person upon whom the notice provided for in Section 15.32.170.1 was served.

**15.32.170.8 Procedure.**

Except as inconsistent with any other provisions of this Section, all procedures taken shall be, and the Board and the City shall proceed and collect costs, as provided in this Section in the case of substandard and unsafe buildings.

**15.32.170.9 Securing structures by City.**

If a person is properly served a notice pursuant to Section 15.32.170.1 to secure or close a building so as to prevent unauthorized persons from gaining access thereto and neither that person nor any other persons request a hearing, or, after a hearing the Board determines that such person is obliged to so secure or close such building, if such building is not so secured or closed within ten days after service of notice, if no hearing is requested, or within the time specified by the Board, the City may perform the work as provided in this Section in the case of substandard or unsafe buildings.

**15.32.170.10 Internal services.**

The Building Official shall secure or close any building or structure subject to the provisions of Section 15.32.170.9 so as to limit unauthorized access thereto. The Building Official shall keep an accurate record of the cost of such work.

**15.32.170.11 Building Official.**

Nothing in this Section shall be deemed to preclude, prohibit or restrict the Building Official from securing the prompt demolition or repair of buildings found to be substandard or unsafe under other provisions of the Code.

**15.32.170.12 Emergency procedures.**

Whenever in the opinion of the Building Official the conditions described in Section 15.32.170.1 constitute such an immediate hazard that access to the building or structure must be limited or closed forthwith or within less than the designated period, or either the Sheriff, Public Safety Director, or Chief of the Fire Department so finds and so notifies the Building Official, he or she shall limit access to such building after giving such notice to the record owner or the person in charge, or both as the circumstances will permit or without any notice whatever when, in the opinion of the Building Official, Sheriff, Public Safety Director, or the Chief of the Fire Department, immediate action is necessary.

**15.32.170.13 Hearing as to necessity and cost.**

The provisions of this Section providing for hearings shall apply to any person having any right, title or interest in any building secured pursuant to Section 15.32.170.12. Such person may request a hearing as to the necessity and reasonable cost of the work performed pursuant to Section 15.32.170.12 within ten days after the building is secured or within ten days after receiving notice of such work.

## EXHIBIT "B"

- A. Section 15.20.020 is hereby amended to add the following definitions:
- "*Barrier*" means a fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.
- "*Spa, Portable*" means a nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.
- B. Section 15.20.175 of the Norwalk Municipal Code is hereby amended to read as follows:

### **15.20.175 Swimming Pool Enclosures and Safety Devices.**

#### **15.20.175.1 Public swimming pools.**

Public swimming pools shall be completely enclosed by a fence at least 5 feet (1,613 mm) in height or a screen enclosure. Openings in the fence shall not permit the passage of a 4-inch-diameter (102 mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates. For additional requirements on public swimming pools, see Building Code Chapter 31B.

#### **15.20.175.2 Private swimming pools.**

Private swimming pools shall be completely enclosed by a fence at least 5 feet (1,613 mm) in height and shall comply with Sections **15.20.175.3**, except that where Section **15.20.175.3.8** provides for the requirements for gates within the pool enclosure, double gates and/or driveway gates are not permitted to be part of the pool enclosure. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools.

**15.20.175.3 Outdoor swimming pool.** An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub, spa, or other body of water more than 18 inches deep shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 60 inches (1524 mm) above *grade* measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade; such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1-3/4 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1-3/4 inches (44 mm) in width.

5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1-3/4 inches (44 mm) in width.

6. Maximum mesh size for chain link fences shall be a 2-1/4 inch (57 mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1-3/4 inches (44 mm).

7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1-3/4 inches (44 mm).

8. Access gates shall comply with the requirements of Section 15.20.175.3, Items 1 through 7, and shall be equipped to accommodate a locking device. Access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Double gates and/or driveway gates are not permitted to be part of the pool enclosure. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate; and

8.2. The gate and barrier shall have no opening larger than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

9. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:

9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or

9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switch shall be located at least 54 inches (1372 mm) above the threshold of the door; or

9.3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the Building Official, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.

10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps:

10.1. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section 15.20.175.3, Items 1 through 9.

**15.20.175.4 Indoor swimming pool.** Walls surrounding an indoor swimming pool shall comply with Section **15.20.175.3**, Item 9.

**15.20.175.5 Prohibited locations.** Barriers shall be located to prohibit permanent structures, equipment or similar objects from being used to climb them.

## **EXHIBIT "C"**

Section 15.36.020 of the Norwalk Municipal Code is hereby amended to read as follows:

The assigned number of a building shall be placed in the immediate area of the main door or entrance to the building. If the number is not visible from the street frontage, a separate street posting of the number shall be made. Each figure of the number shall be at least four inches in height, excepting fractional figures which may be no less than one-third of such size. Numbers shall contrast to the background on which they are located and the visibility of said numbers shall not be impaired with shrubbery or other obstructions.

## EXHIBIT "D"

Section 8.36.60 of the Norwalk Municipal Code is hereby amended to read as follows:

A. The City may use the procedures set forth in Chapter 15.32 of the Norwalk Municipal Code, to abate or cause the abatement of property nuisances.

B. When Section 15.32.160 provides for certified mail as one form of proper service of a notice pursuant to that chapter, the City may instead, in such instances, serve a notice by first class mail. Notices to a property owner concerning imposition of an assessment for the costs of abating a property nuisance shall be by certified mail.

C. The compliance periods for any notice that the City issues to a responsible person by first class mail shall, notwithstanding any provision of Chapter 15.32 to the contrary, begin from the date the notice is deposited with the U.S. Postal Service, and not from the date the notice is received.

D. Proper service of a notice provided for in Sections 15.32.160 .10, 15.32.160 .11 and 15.32.160 .12 shall be by first class mail. Notices to a property owner concerning imposition of an assessment for the costs of abating a property nuisance shall be by personal service or by registered or certified mail upon every party concerned, by posting on the substandard building, if any, and upon the substandard property, if any, a copy of the notice. It shall be deemed a reasonable effort has been made to serve such notice when first class, registered or certified letters have been mailed to the address of the interested party as shown on the official record. When an address is not so listed or contact cannot be made at the listed address, the service shall be by posting on the substandard building, if any, otherwise upon the substandard property, a copy of the notice.

The designated period within which the owner or person in charge is required to comply with such notice shall begin as of the date the owner or person in charge receives such notice by personal service or registered or certified mail. If such notice is by posting, the designated period shall begin ten (10) days following the date of posting. Service by first class mail shall be deemed to have been completed at the time of deposit in the Post Office.

Failure of any owner, party concerned or other person to receive such notice shall not affect the validity of any proceedings taken hereunder.