

**BUILDING STANDARDS COMMISSION**

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



February 15, 2011

David A. Saldana, Director  
Planning and Building Department  
City of San Marino  
2200 Huntington Drive  
San Marino, CA 91108-2639

Dear Mr. Saldana:

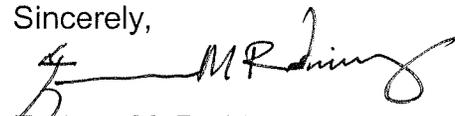
This letter is to acknowledge receipt on January 14, 2011 of the City of San Marino submittal pertaining to Ordinance No. O-10-1246 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

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

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

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

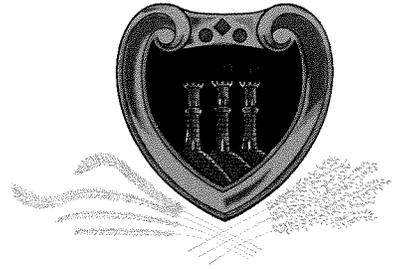
Sincerely,

  
Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

# City of San Marino

Planning & Building Department



January 11, 2011

Dave Walls  
California Building Standards Commission  
2525 Natomas Park Dr., Suite 130  
Sacramento, California 95833-2936

**SUBJECT: CITY OF SAN MARINO, BUILDING CODE ADOPTION ORDINANCE**

Dear Mr. Walls:

Please accept this letter in place of the one sent by the City of San Marino which was dated December 27, 2010. The December 27<sup>th</sup> letter did not include the resolution of findings with the proposed amendments.

The City of San Marino has adopted the current Building, Residential, Green Building Standards, Plumbing, Mechanical, Electrical and Fire Codes of the State of California.

The City of San Marino 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, Electrical, Plumbing and Fire Codes are reasonably necessary due to local conditions in the City of San Marino 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 San Marino.

The enclosed City Ordinance and Resolution are for your files. If additional information is desired please do not hesitate to contact me at (626) 300-0711.

Sincerely,

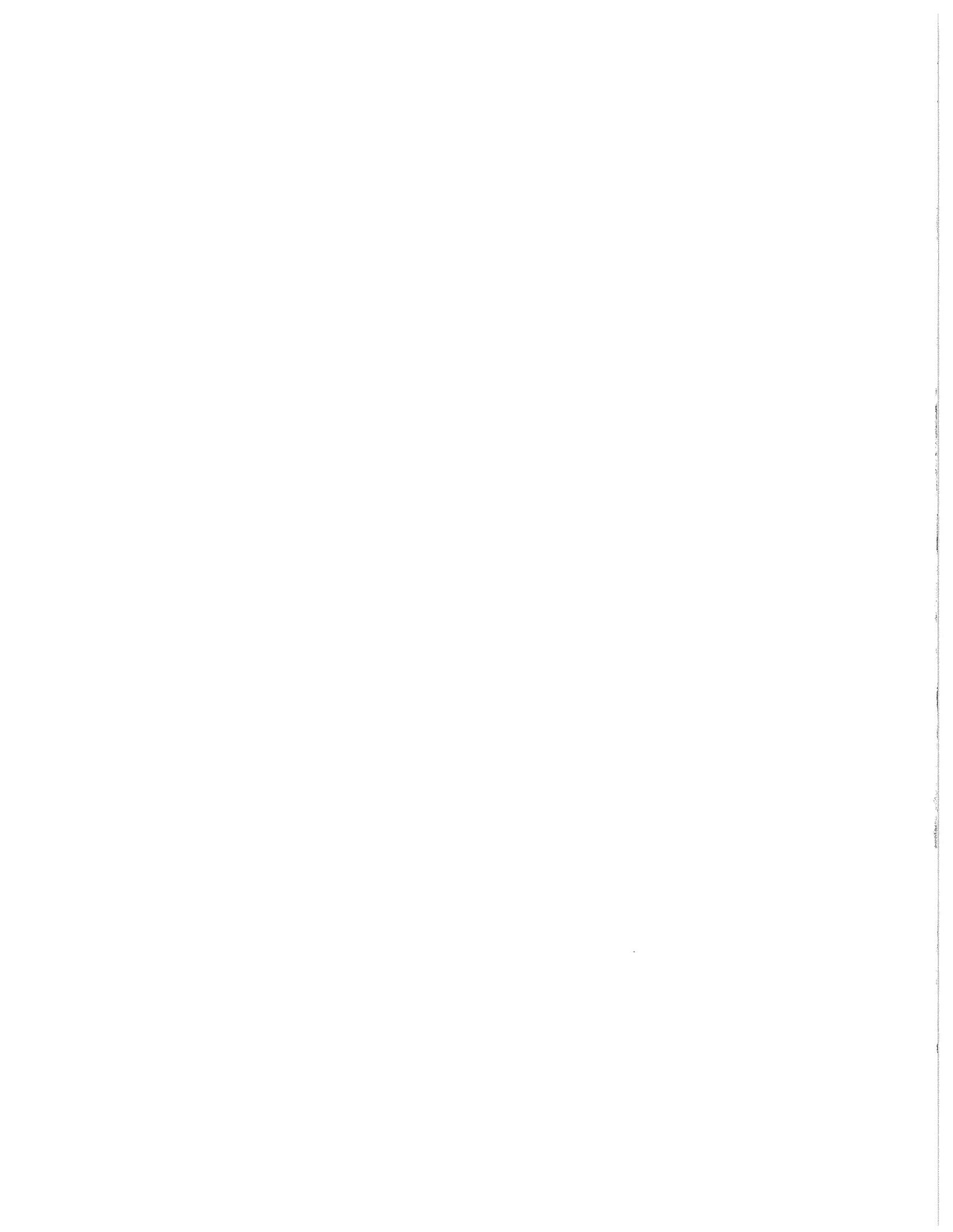
A handwritten signature in black ink, appearing to read "David A. Saldaña".

DAVID A. SALDAÑA, AICP  
Director, Planning and Building Department

DAS/act

Attachment: Ordinance O-10-1246  
Resolution R-10-31

RECEIVED  
CALIFORNIA BUILDING  
STANDARDS COMMISSION  
JAN 14 12:53  
SACRAMENTO, CA



**ORDINANCE NO. O-10-1246**

**AN ORDINANCE OF THE CITY OF SAN MARINO ADOPTING BY REFERENCE THE 2010 EDITIONS OF THE CALIFORNIA ADMINISTRATIVE, BUILDING, MECHANICAL, PLUMBING, ELECTRICAL, RESIDENTIAL, FIRE, ENERGY, GREEN BUILDING STANDARDS, AND REFERENCED STANDARDS CODE, WITH CERTAIN AMENDMENTS, DELETIONS AND ADDITIONS, AND AMENDING CHAPTER 25 OF THE SAN MARINO CITY CODE**

THE CITY COUNCIL OF THE CITY OF SAN MARINO DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1.** Articles 02 through 06 and Article 09 of Chapter 25, the “Uniform Codes” of the San Marino City Code, adopting by reference the 2007 Editions of the California Building, Mechanical, Plumbing, Electrical, Energy and Fire Code, and amendments thereto, are hereby repealed; provided, however, that such repeal shall not affect or excuse any violation of any of said codes occurring prior to the effective date of this ordinance.

**SECTION 2.** New Article 02 Building Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

**Article 02**

**BUILDING CODE**

**SECTION:**

- 25.02.01 Building Code Adopted**
- 25.02.02 Amendment of Section 114.1**
- 25.02.03 Amendment of Section 113.1**
- 25.02.04 Amendment of Sections 109.2 and 109.6**
- 25.02.05 Additions of Sections 110.3.3.1, 110.3.9.1, 110.3.11**
- 25.02.06 Amendment of Section 111.1**
- 25.02.07 Amendment of Section 302.1**
- 25.02.08 Addition of Section 312.2**
- 25.02.09 Addition of Section 312.3**
- 25.02.10 Amendment of Section 1501.1**
- 25.02.11 Amendment of Section 1505.1.3**
- 25.02.12 Addition of Section 1507.2.5.1**
- 25.02.13 Addition of Section 1613.11**
- 25.02.14 Amendment of Section 1704.8**
- 25.02.15 Amendment of Section 1704.9**
- 25.02.16 Amendment of Section 1807.1.6**
- 25.02.17 Amendment of Section 1908.1 and Addition of Sections 1908.1.11 - 1908.1.14**
- 25.02.18 Amendment of Section 1908.1.2**
- 25.02.19 Amendment of Section 1908.1.3**
- 25.02.20 Amendment of Section 2113.A.1**
- 25.02.21 Amendment of Section 2204.1.1**

- 25.02.22**      **Amendment of Section 2205.4**
- 25.02.23**      **Amendment of Section 2308.3.4**
- 23.02.24**      **Amendment of Sections 2308.12.2 and 2308.12.4 and Table 2308.12.4**
- 23.02.25**      **Amendment of Section 2507.3**
- 23.02.26**      **Amendment of Section 3202.2**
- 23.02.27**      **Amendment of Section 3109.4.1**

**25.02.01: BUILDING CODE ADOPTED:**

A.      **CODE ADOPTED:** The California Building Code, 2010 Edition, based on the 2009 International Building Code as published by the International Code Council, including all appendices, is hereby adopted by reference, and together with certain amendments and deletions, shall constitute the Building Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained for use and examination by the public.

B.      **BUILDING OFFICIAL DEFINED:** For the purpose of this Code, the Planning and Building Director shall be the Building Official.

**25.02.02: AMENDMENT OF SECTION 114.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 114.1 of the Building Code is amended to read as follows:

**114.1 Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building, structure or equipment or cause or permit the same to be done in violation of the Building Code.

It is hereby declared that any violation of the Building Code constitutes a public nuisance, and in addition to any other remedies provided by the Building Code for its enforcement, the City Council may bring civil suit to enjoin the violation of any provisions of this Building Code.

Any person, firm or corporation violating any of the provisions of the Building Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in Section 01.04.03A of this Code. Each separate day or any portion thereof during which violation of the Building Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

**25.02.03: AMENDMENT OF SECTION 113.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 113.1 of the Building Code is amended to read as follows:

**113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals consisting of the members of the City Council. The Building Official shall be an ex officio member and shall act as Secretary to said Board but shall have no vote on any matter before the Board. The Board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings, in writing, to the appellant with a duplicate copy to the Building Official. The Board may request the services

of members of the community who are qualified by experience and training to interpret matters pertaining to the Building Code to act as technical assistants to the Board. Technical assistants shall have no vote on any matter before the Board.

**25.02.04: AMENDMENT OF SECTIONS 109.2 AND 109.6:** Notwithstanding the provisions of Section 25.02.01 of this Article, Sections 109.2 and 109.6 of the Building Code are amended to read as follows:

**109.2 Schedule of permit fees.** The fee for each permit shall be as periodically established by City Council resolution.

**109.2.1 Plan review fees.** When plans or other data are required pursuant Section 107.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be 100 percent of the building permit fee established by resolution of the City Council.

**109.2.2 Expiration of plan review.** Applications for which no permit is issued within 180 days following the date the application or the date of final approval, if one exists, 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 written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**109.2.3 Expiration of building permits.** Building permit expiration dates are based on project valuation according to the following schedule:

VALUATION	PERMIT EXPIRATION DATE
Up to \$50,000	6 months
\$50,000 - \$100,000	9 months
\$100,001 - \$250,000	12 months
\$250,001 and over	15 months

The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) 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.

If an applicant wishes to renew a permit that has been expired for less than 6 months, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 6 months, 100% of the original fees paid shall be required to renew the permit.

**109.6 Fee refunds.** The Building Official may authorize refunding of any fee paid hereunder that was erroneously paid or collected.

The Building Official may authorize the refunding of not more than 80% of the permit fee paid when no work has been done under a permit in accordance with the Building code.

The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee within 60 days of the date of fee payment.

**25.02.05: ADDITION OF SECTIONS 110.3.3.1, 110.3.9.1 AND 110.3.11:**

Notwithstanding the provisions of Section 25.02.01 of this Article, new Sections 110.3.3.1, 110.3.9.1 and 110.3.11 are added to the Building Code to read as follows:

**110.3.3.1** Prior to frame approval, an rough zoning inspection is required in order to ensure compliance with the approved Development Plans.

**110.3.9.1** Prior to final approval, a final zoning inspection is required in order to ensure final compliance with approved Development Plans.

**110.3.11 Connections prohibited.** Unless approval has been first obtained from the Building Official, the connection of gas or electrical utilities shall be prohibited until the final zoning, building, heating, air conditioning, electrical, plumbing and grading inspections, as required, are completed and approval has been granted on any building.

**25.02.06: AMENDMENT OF SECTION 111.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 111.1 of the Building Code is amended to read as follows:

**111.1 Use or Occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification, tenancy, or change in proprietorship 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.

Exception: Group R, Division 3 and Group U occupancies.

Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of the Building Code or of other ordinances of the City. Certificates presuming to give authority to violate or cancel the provisions of the Building Code or other ordinances of the City shall not be valid.

**25.02.07: AMENDMENT OF SECTION 302.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 302.1 of the Building Code is amended by adding a new paragraph to read as follows:

Any buildings or structures hereafter erected or constructed on C-1 zoned property shall be constructed of one-hour fire resistive construction throughout.

This Section shall apply to:

1. Construction of any new building.

2. Addition, renovation or remodeling of any existing building when the value thereof is more that twenty percent (20%) of the estimated value of the existing building. The value of the proposed addition, renovation or remodeling shall be cumulative of all such renovation or remodeling over five (5) years.

The value of the proposed construction and of the existing building shall be determined by the Planning and Building Department based upon the latest edition of the Building Valuation Data as published by the International Code Council.

**25.02.08: ADDITION OF SECTION 312.2:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 312.2 is added to the Building Code to read as follows:

**312.2 Garage access.** To provide a secondary means of egress from a private garage, a door, minimum 2'6" x 6'8" dimensions, shall be provided in addition to the automobile access door or doors.

**25.02.09: ADDITION OF SECTION 312.3:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 312.3 is added to the Building Code to read as follows:

**312.3 Garage floor surfaces.** In areas where motor vehicles are stored or operated, floor surface shall be concrete, and shall be a minimum 3-1/2 inches thick.

**25.02.10: AMENDMENT OF SECTION 1501.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1501.1 of the Building Code is amended by adding a new paragraph following the first sentence to read as follows:

In the areas classified as Very High Fire Hazard Severity Zones, all new roofs and reroofs of more than fifty percent (50%) of the existing roof area within one year shall, be minimum Class "A" roofs.

In all other areas, a new roof with a minimum Class "B" classification shall be installed over the entire structure whenever the livable area is increased by 50% or more.

Reroofing over an existing roof is not permitted unless the roofing is specifically approved in the classification required over existing substrate. Evidence of such approval must be submitted at the time of permit issuance. Fire severity zones are established by the Fire Department and the California Department of Forestry and Fire Protection.

**25.02.11: AMENDMENT OF SECTION 1505.1.3:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1505.1.3 of the Building Code is amended by requiring minimum Class "B" roofing for all types of construction for Group A-3, B, M and R-3 Occupancies.

**25.02.12: ADDITION OF SECTION 1507.2.5.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1507.2.5.1 is added to the Building Code to read as follows:

**1507.2.5.1** Not more than one overlay of asphalt shingles shall be applied over an existing asphalt or wood shingle roof. Asphalt shingles applied over wood shingles shall not have less than Type 30 nonperforated felt underlayment installed prior to reroofing.

**25.02.13: ADDITION OF SECTION 1613.11:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1613.11 is added to the Building Code to read as follows:

**1613.11 ASCE 7, Section 12.11.2.2.3.** Modify ASCE 7, Section 12.12.4 to read as follows:

12.11.2.2.3 Wood Diaphragms. In wood diaphragms, the continuous ties shall be in addition to the diaphragm sheathing. Anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal nor shall wood ledgers or framing be used in cross-grain bending or cross-grain tension. The diaphragm sheathing shall not be considered effective as providing ties or struts required by this section.

For structures assigned to Seismic Design Category D, E or F, wood diaphragms supporting concrete or masonry walls shall comply with the following:

1. The spacing of continuous ties shall not exceed 40 feet. Added chords of diaphragms may be used to form subdiaphragms to transmit the anchorage forces to the main continuous cross-ties.
2. The maximum diaphragm shear used to determine the depth of the subdiaphragm shall not exceed 75% of the maximum diaphragm shear.

**25.02.14: AMENDMENT OF SECTION 1704.8:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1704.8 of the Building Code is amended to read as follows:

**1704.8 Driven deep foundations and connection grade beams.** Special inspections shall be performed during installation and testing of driven deep foundation elements as required by Table 1704.8. Special inspections shall be performed for connection grade beams in accordance with Section 1704.4 for structures assigned to Seismic Design Category D, E, or F. The approved geotechnical report, and the construction documents prepared by the registered design professionals, shall be used to determine compliance.

**25.02.15: AMENDMENT OF SECTION 1704.9:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1704.9 of the Building Code is amended to read as follows:

**1704.9 Cast-in-place deep foundations and connection grade beams.** Special inspections shall be performed during installation and testing of cast-in-place deep foundation elements as required by Table 1704.9. Special inspections shall be performed for connection grade beams in accordance with Section 1704.4 for structures assigned to Seismic Design Category D, E, or F. The approved geotechnical report, and the construction documents prepared by the registered design professionals, shall be used to determine compliance.

**25.02.16: AMENDMENT OF SECTION 1807.1.6:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1807.1.6 of the Building Code is amended to read as follows:

**1807.1.6 Prescriptive design of concrete and masonry foundation walls.** Concrete and masonry foundation walls that are laterally supported at the top and bottom shall be permitted to be designed and constructed in accordance with this section. Prescriptive design of foundation walls shall not be used for structures assigned to Seismic Design Category D, E, or F.

**25.02.17: AMENDMENT OF SECTION 1908.1 AND ADDITION OF SECTIONS 1908.1.11 THROUGH 1908.1.14:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1908.1 of the Building Code is amended and Sections 1908.1.11 thru 1908.1.14 of the Building Code are added to read as follows:

**1908.1 General.** The text of ACI 318 shall be modified as indicated in Sections 1908.1.1 through 1908.1.14

**1908.1.11 ACI 318 21.6.4.1.** Modify ACI 318, Section 21.6.4.1 to read as follows:

Where the calculated point of contraflexure is not within the middle half of the member clear height, provide transverse reinforcement as specified in ACI 318 Sections 21.6.4.1, Items (a) through (c), over the full height of the member.

**1908.1.12 ACI 318, Section 21.6.6.4.** Modify ACI 318, Section 21.6.4, by adding Section 21.6.4.8 to read as follows:

21.6.4.8 – At any section where the design strength,  $\phi P_n$ , of the column is less than the sum of the shears  $V_e$  computed in accordance with ACI 318 Sections 21.5.4.1 and 21.6.5.1 for all of the beams framing into the column above the level under consideration, transverse reinforcement as specified in ACI 318 Sections 21.6.4.1 through 21.6.4.3 shall be provided. For beams framing into opposite sides of the column, the moment components may be assumed to be of opposite sign. For the determination of the design strength,  $\phi P_n$ , of the column, these moments may be assumed to result from the deformation of the frame in any one principal axis.

**1908.1.13 ACI 318, Section 21.9.4.** Modify ACI 318, Section 21.9.4 by adding Section 21.9.4.6 to read as follows:

21.9.4.6 – Walls and portions of walls with  $P_u > 0.35P_o$  shall not be considered to contribute to the calculated strength of the structure for resisting earthquake-induced forces. Such walls shall conform to the requirements of ACI 318 Section 21.13.

**1908.1.14 ACI 318, Section 21.11.6.** Modify ACI 318, Section 21.11.6, by adding the following:

Collector and boundary elements in topping slabs placed over precast floor and roof elements shall not be less than 3 inches (76mm) or  $6 d_b$  thick, where  $d_b$  is the diameter of the largest reinforcement in the topping slab.

**25.02.18: AMENDMENT OF SECTION 1908.1.2:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1908.1.2 of the Building Code is amended to read as follows:

**1908.1.2 ACI 318, Section 21.1.1.** Modify ACI 218, Sections 21.1.1.3 and 21.1.1.7 as follows:

21.1.1.3 – Structures assigned to Seismic Design Category A shall satisfy requirements of Chapters 1 to 19 and 22; Chapter 21 does not apply. Structures assigned to Seismic Design Category B, C, D, E or F also shall satisfy 21.1.1.4 through 21.1.1.8, as applicable. Except for structural elements of plain concrete complying with Section 1908.1.8 of the International Building Code, structural elements of plain concrete are prohibited in structures assigned to Seismic Design Category C, D, E or F.

21.1.1.7 – Structural systems designated as part of the seismic-force-resisting system shall be restricted to those permitted by ASCE 7. Except for Seismic Design Category A, for which

Chapter 21 does not apply, the following provisions shall be satisfied for each structural system designated as part of the seismic-force-resisting system, regardless of the Seismic Design Category:

- (a) Ordinary moment frames shall satisfy 21.1.
- (b) Ordinary reinforced concrete structural walls and ordinary precast structural walls need not satisfy any provisions in Chapter 21.
- (c) Intermediate moment frames shall satisfy 21.3.
- (d) Intermediate precast structural walls shall satisfy 21.4.
- (e) Special moment frames shall satisfy 21.5 through 21.8.
- (f) Special structural walls shall satisfy 21.9.
- (g) Special structural walls constructed using precast concrete shall satisfy 21.10.

All special moment frames and special structural walls shall also satisfy 21.1.3 through 21.1.7. Concrete tilt-up wall panels classified as intermediate precast structural wall system shall satisfy 21.9 in addition to 21.4.2 and 21.4.3 for structures assigned to Seismic Design Category D, E or F.

**25.02.19: AMENDMENT OF SECTION 1908.1.3:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1908.1.3 of the Building Code is amended to read as follows:

**1908.1.3 ACI 318, Section 21.4.** Modify ACI 318 Section 21.4 by renumbering Section 21.4.3 to 21.4.4 and adding new Sections 21.4.3, 21.4.5, 21.4.6 and 21.4.7 to read as follows:

21.4.3 – Connections that are designed to yield shall be capable of maintaining 80 percent of their design strength at the deformation induced by the design displacement or shall use Type 2 mechanical splices.

21.4.4 – Elements of the connection that are not designed to yield shall develop at least  $1.5 S_y$ .

21.4.5 – Wall piers in Seismic Design Category D, E or F shall comply with Section 1908.1.4 of this Code.

21.4.6 – Wall piers not designed as part of a moment frame in buildings assigned to Seismic Design Category C shall have transverse reinforcement designed to resist the shear forces determined from 21.3.3. Spacing of transverse reinforcement shall not exceed 8 inches (203mm). Transverse reinforcement shall be extended beyond the pier clear height for at least 12 inches (305mm).

Exceptions:

- 1. Wall piers that satisfy 21.13.
- 2. Wall piers along a wall line within a story where other shear wall segments provide lateral support to the wall piers and such segments have a total stiffness of at least six times the sum of the stiffness of all the wall piers.

21.4.7 – Wall segments with a horizontal length-to-thickness ratio less than 2.5 shall be designed as columns.

**25.02.20: AMENDMENT OF SECTION 2113A.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2113A.1 of the Building Code is amended to read as follows:

**2113A.1 Definition.** A masonry chimney is a chimney constructed of concrete or masonry hereafter referred to as “masonry.” Masonry chimneys shall be constructed, anchored, supported and reinforced as required in this chapter.

Notwithstanding any other provisions of this code, an existing masonry chimney that is altered or repaired more than 10 percent of its replacement cost within any 12-month period shall have its entire chimney structure comply with the current requirements of this code or other standards approved by the building official.

**25.02.21: AMENDMENT OF SECTION 2204.1.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2204.1.1 of the Building Code is hereby added to read as follows:

**2204.1.1.1 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.

**25.02.22: AMENDMENT OF SECTION 2205.4:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2205.4 of the Building Code is hereby added to read as follows:

**2205.4 AISC 341, Part 1, Section 13.2 Members.** Add Section 13.2f to read as follows:

13.2f. Member Types

The use of rectangular HSS are not permitted for bracing members, unless filled solid with cement grout having a minimum compressive strength of 3,000 psi (20.7 MPa) at 28 days. The effects of composite action in the filled composite brace shall be considered in the sectional properties of the system where it results in the more severe loading condition or detailing.

**25.02.23: AMENDMENT OF SECTION 2308.3.4:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2308.3.4 of the Building Code is amended to read as follows:

**2308.3.4 Braced wall line support.** Braced wall lines shall be supported by continuous foundations.

Exception: For structures with a maximum plan dimension not over 50 feet (15240 mm), continuous foundations are required at exterior walls only for structures not assigned to Seismic Design Category D, E, or F.

**25.02.24: AMENDMENT OF SECTIONS 2308.12.2 AND 2308.12.4 AND TABLE 2308.12.4:** Notwithstanding the provisions of Section 25.02.01 of this Article, Sections 2308.12.2 and 2308.12.3 and Table 2308.12.4 of the Building Code are amended to read as follows:

**2308.12.2 Concrete or masonry.** Concrete or masonry walls and stone or masonry veneer shall not extend above the basement.

Exception: Stone and masonry veneer is permitted to be used in the first story above grade plane in Seismic Design Category D, provided the following criteria are met:

1. Type of brace in accordance with Section 2308.9.3 shall be Method 3 and the allowable shear capacity in accordance with Table 2306.4.1 shall be a minimum of 350 plf (5108 N/m)
2. The bracing of the first story shall be located at each end and at least every 25 feet (7620 mm) o.c. but not less than 45 percent of the braced wall line.
3. Hold-down connectors shall be provided at the ends of braced walls for the first floor to foundation with an allowable design of 2,100 pounds (9341 N).
4. Cripple walls shall not be permitted.
5. Anchored masonry and stone wall veneer shall not exceed 5 inches (127 mm) in thickness, shall conform to the requirements of Chapter 14 and shall not extend more than 5 feet (1524 mm) above the first story finished floor.

**2308.12.4 Braced wall line sheathing.** Braced wall lines shall be braced by one of the types of sheathing prescribed by Table 2308.12.4 as shown in Figure 2308.9.3. The sum of lengths of braced wall panels at each braced wall line shall conform to Table 2308.12.4. Braced wall panels shall be distributed along the length of the braced wall line and start at not more than 8 feet (2438 mm) from each end of the braced wall line. Panel sheathing joints shall occur over studs or blocking. Sheathing shall be fastened to studs, top and bottom plates and at panel edges occurring over blocking. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide [actual 1 ½ inch (38 mm)] or larger members and spaced a maximum of 16 inches on center.

Exception: Braced wall panels required by Section 2308.12.4 may be eliminated when all of the following requirements are met:

1. One story detached Group U occupancies not more than 25 feet in depth or length.
2. The roof and three enclosing walls are solid sheathed with 15/32 inch nominal thickness wood structural panels with 8d common nails placed 3/8 inches from panel edges and spaced not more than 6 inches on center along all panel edges and 12 inches on center along intermediate framing members. Wall openings for doors or windows are permitted provided a minimum 4 foot wide wood structural braced panel with minimum height to length ratio of 2 to 1 is provided at each end of the wall line and that the wall line be sheathed for 50% of its length.

Wood structural panel sheathing shall be a minimum of 15/32 inch thick nailed with 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center and 12 inches on center along intermediate framing members.

Braced wall panel construction types shall not be mixed within a braced wall line.

**TABLE 2308.12.4**  
**WALL BRACING IN SEISMIC DESIGN CATEGORIES D AND E**  
**(Minimum Length of Wall Bracing per each 25 Linear Feet of Braced Wall Line<sup>a</sup>)**

CONDITION	SHEATHING TYPE <sup>b</sup>	$S_{DS} < 0.50$	$0.50 < S_{DS} < 0.75$	$0.75 < S_{DS} < 1.00$	$S_{DS} > 1.00$
One Story	G-P <sup>c</sup>	10 feet 8 inches	14 feet 8 inches	18 feet 8 inches	25 feet 0 inches
	S-W <sup>d</sup>	5 feet 4 inches	8 feet 0 inches	9 feet 4 inches	12 feet 0 inches

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

- a. Minimum length of panel bracing of one face of the wall for SW sheathing shall be at least 4'-0" long or both faces of the wall for G-P sheathing shall be at least 8'-0" long; h/w ratio shall not exceed 2:1. For S-W panel bracing of the same material on two faces of the wall, the minimum length is permitted to be one-half the tabulated value but the h/w ratio shall not exceed 2:1 and design for uplift is required.
- b. G-P = gypsum board, Portland cement plaster or gypsum sheathing boards; S-W = wood structural panels.
- c. Nailing as specified below shall occur at all panel edges at studs, at top and bottom plates and, where occurring, at blockig:  
 For ½-inch gypsum board, 5d (0.113 inch diameter) cooler nails at 7 inches on center;  
 For 5/8-inch gypsum board, No 11 gage (0.120 inch diameter) cooler nails at 7 inches on center;  
 For gypsum sheathing board, 1-3/4 inches long by 7/16-inch head, diamond point galvanized nails at 4 inches on center;  
 For gypsum lath, No. 13 gage (0.092 inch) by 1-1/8 inches long, 19/64-inch head, plasterboard at 5 inches on center;  
 For Portland cement plaster, No. 11 gage (0.120 inch) by 1 ½ inches long, 7/16-inch head at 6 inches on center;
- d. S-W sheathing shall be a minimum of 15/32" thick nailed with 8d common placed 3/8 from panel edges and spaced not more than 6 inches on center and 12 inches on center along intermediate framing members.

**25.02.25: AMENDMENT OF SECTION 2507.3:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2507.3 of the Building Code is amended to add subsection 3 to read as follows:

3. A minimum 0.021-inch (No. 26 gauge) corrosion-resistant weep screed with a minimum vertical attachment flange of 32 inches shall be provided at or below the foundation plate line on all exterior stud walls. The screed shall be placed minimum of 4 inches above the earth or 2 inches above paved areas and shall be of a type that will allow trapped water to drain to the exterior of the building. The weather resistive barrier and exterior lath shall cover and terminate on the attachment flange of the screed.

Exception: Weep screeds will not be required on additions or remodeling. All new construction shall comply with the provisions of Section 2507.3.

**25.02.26: AMENDMENT OF SECTION 3202.2:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 3202.2 of the Building Code is amended by adding Section 3202.2.4 to read as follows:

**3202.2.4 Projection.** Awnings may extend over public property up to 5 feet from the face of a supporting building, but no portion of the awning may be closer than 2 feet to a line extending vertically from the face of the nearest curb. In no case shall the awning extend over public property greater than two-thirds of the distance from the property line to the nearest curb in front of the building site.

**25.02.27: AMENDMENT OF SECTION 3109.4.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 3109.4.1 of the Building Code is amended as follows:

**3109.4.1 Barrier Height and Clearances.** The top of the barrier shall be at least 60 inches not to exceed 72 inches above grade measured on the side of the barrier that 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 that faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to 4 inches (102 mm) when grade is a solid surface such as a concrete deck, or when the barrier is mounted on the top of the aboveground pool structure. When barriers have horizontal members spaced less than 45 inches (1,143 mm) apart, the horizontal members shall be placed on the poolside of the barrier. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, is prohibited.

Section 3109.4.1.7.1 is added to Section 3109.4.1.7 of the Building Code to read as follows:

**3109.4.1.7.1 Driveway Gates.** Driveway gates serving as part of the required pool barrier shall comply with the following:

1. Driveway gates, if operated manually, shall have a spring-loaded, self-closing, self-latching mechanism installed in accordance with the same procedure required in the City Building Code for pedestrian gates.
2. Driveway gates may be equipped with an electric gate-operating device provided that it is approved by a recognized Electrical Testing Agency.
3. Electric gate-operating devices shall be provided with a safety mechanism to interrupt and recycle the device, should the gate become blocked.
4. Electric gate-operating devices shall be provided with a time delay closing device, which is set and maintained to activate a maximum of 30 seconds after the gate has been opened.
5. No manual control or override mechanism shall be installed on or in connection with an electric gate-operating device.

**SECTION 3.** New Article 03 Residential Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

**ARTICLE 03  
RESIDENTIAL CODE**

**SECTION:**

- |                 |  |
|-----------------|--|
| <b>25.03.01</b> | <b>Residential Code Adopted</b>                                    |
| <b>25.03.02</b> | <b>Amendment of Section R112.1</b>                                 |
| <b>25.03.03</b> | <b>Addition of Section R113.1</b>                                  |
| <b>25.03.04</b> | <b>Amendment of Sections R108.2 and R108.5</b>                     |
| <b>25.03.05</b> | <b>Addition of Sections R109.1.4.1, R109.1.5.3, and R109.1.6.1</b> |
| <b>25.03.06</b> | <b>Amendment of Section R301.1.3.2</b>                             |
| <b>25.03.07</b> | <b>Addition of Section R301.1.4</b>                                |

- 25.03.08**      **Amendment of Section R401.1**
- 25.03.09**      **Amendment of Table R602.3(1)**
- 25.03.10**      **Amendment of Table R602.3(2)**
- 25.03.11**      **Amendment of Table R602.10.1.2(2)**
- 25.03.12**      **Amendment of Table R602.10.2**
- 25.03.13**      **Amendment of Table R602.10.4.1**
- 25.03.14**      **Amendment of Section R606.2.4**
- 25.03.15**      **Amendment of Section R602.3.2**
- 25.03.16**      **Amendment of Section R802.8**
- 25.03.17**      **Amendment of Section R1001.3.1**

**25.03.01: RESIDENTIAL CODE ADOPTED:** Except as hereinafter provided, the California Residential Code, 2010 Edition, based on the 2009 International Residential Code Code as published by the International Code Council, including all appendices, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Residential Code of the City. A copy of such Code shall be located in the Planning and Building Department and shall be, at all times, maintained for use and examination by the public. For the purposes of this Code, the Building Official shall be the Building Official.

**25.03.02: AMENDMENT OF SECTION R112.1:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R112 of the Residential Code is hereby amended to read as follows:

**R112.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Residential Code, there shall be and is hereby created a Board of Appeals consisting of the members of the City Council. The Building Official shall be an ex officio member of and shall act as Secretary to said Board but shall have no vote on any matter before the Board. The Board shall adopt rules of procedures for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official. The Board may request the services of members of the community who are qualified by experience and training to interpret matters pertaining to the Residential Code to act as technical assistants to the Board. Technical assistants shall have no vote on any matter before the Board.

**25.03.03: AMENDMENT OF SECTION R113.1.** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R113.1 of the Residential Code is amended to read as follows:

**R113.1 Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building, structure or equipment or cause or permit the same to be done in violation of the Residential Code.

It is hereby declared that any violation of the Residential Code constitutes a public nuisance, and in addition to any other remedies provided by the Residential Code for its enforcement, the City Council may bring civil suit to enjoin the violation of any provisions of this Residential Code.

Any person, firm or corporation violating any of the provisions of the Residential Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in Section 01.04.03A of this Code. Each separate day or any portion thereof during which violation of the Residential Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

**25.03.04: AMENDMENT OF SECTIONS R108.2 AND R108.5:** Notwithstanding the provisions of Section 25.03.01 of this Article, Sections R108.2 and R108.5 of the Residential Code are amended to read as follows:

**R108.2 Schedule of permit fees.** The fee for each permit shall be as periodically established by City Council resolution.

**R108.2.1 Plan review fees.** When plans or other data are required pursuant to Section R106, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be one-hundred percent (100%) of the building permit fee established by resolution of the City Council.

**R108.2.2 Expiration of plan review.** Applications for which no permit is issued within 180 days following the date the application or the date of final approval, if one exists, 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 written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**R108.2.3 Expiration of building permits.** Building permit expiration dates are based on project valuation according to the following schedule:

VALUATION	PERMIT EXPIRATION DATE
Up to \$50,000	6 months
\$50,000 - \$100,000	9 months
\$100,001 - \$250,000	12 months
\$250,001 and over	15 months

The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) 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.

If an applicant wishes to renew a permit that has been expired for less than 6 months, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to

renew a permit that has been expired for more than 6 months, 100% of the original fees paid shall be required to renew the permit.

**R108.5 Fee refunds.** The Building Official may authorize refunding of any fee paid hereunder that was erroneously paid or collected.

The Building Official may authorize the refunding of not more than 80% of the permit fee paid when no work has been done under a permit in accordance with the Residential Code.

The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee within 60 days of the date of fee payment.

**25.03.05: ADDITION OF SECTIONS R109.1.4.1, R109.1.5.3, AND R109.1.6.1:** Notwithstanding the provisions of Section 25.03.01 of this Article, new Sections R109.1.4.1, R109.1.5.3, and R109.1.6.1 are added to the Residential Code to read as follows:

**R109.1.4.1** Prior to frame approval, a rough zoning inspection is required in order to ensure compliance with the approved Development Plans.

**R109.1.5.3** Prior to final approval, a final zoning inspection by Planning Department staff is required in order to ensure final compliance with approved Development Plans.

**R109.1.6.1 Connections prohibited.** Unless approval has been first obtained from the Building Official, the connection of gas or electrical utilities shall be prohibited until the final building, heating, air conditioning, electrical, plumbing and grading inspections, as required, are completed and approval has been granted on any building.

**25.03.06: AMENDMENT OF SECTION R301.1.3.2:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R301.1.3.2 of the Residential Code is amended to read as follows:

**R301.1.3.2 Woodframe structures.** The Building Official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than two stories and basement in height located in Seismic Design Category A, B, or C. Notwithstanding other sections of the law, the law establishing these provisions is found in Business and Professions Code Section 5537 and 6737.1.

The Building Official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than one story in height or with a basement located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, D<sub>2</sub> or E.

**25.03.07: ADDITION OF SECTION R301.1.4:** Notwithstanding the provisions of Section 25.03.01 of this Article, new Section R301.1.4 is added to the Residential Code to read as follows:

**R301.1.4** Seismic design provisions for buildings constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope). The design and construction of new buildings and additions to existing buildings when constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope) shall comply with Section 1613.12 of the California Building Code.

**25.03.08: AMENDMENT OF SECTION R401.1:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R401.1 of the Residential Code 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 240mm).

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

Exception: In non-occupied, single-story, detached storage sheds and similar uses other than carport or garage, provided the gross floor area does not exceed 200 square feet, the plate height does not exceed 12 feet in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches.

**25.03.09: AMENDMENT OF TABLE R602.3(1):** Notwithstanding the provisions of Section 25.03.01 of this Article, Lines 34 thru 37 of Table R602.3(1) of the Residential Code are amended to read as follows:

Other wall sheathing <sup>h</sup>				
34	1/2" structural cellulosic fiberboard sheathing	1/2" galvanized roofing nail, <del>7/16" crown or 1" crown staple 16-ga., 1 1/4" long</del>	3	6
35	25/32" structural cellulosic fiberboard sheathing	1 3/4" galvanized roofing nail, <del>7/16" crown or 1" crown staple 16-ga., 1 1/2" long</del>	3	6
36	1/2" gypsum sheathing <sup>d</sup>	1 1/2" galvanized roofing nail; <del>staple galvanized,</del> <del>1 1/2" long;</del> 1 1/4" screws, Type W or S	7	7
37	5/8" gypsum sheathing <sup>d</sup>	1 3/4" galvanized roofing nail; <del>staple galvanized,</del> <del>1 5/8" long;</del> 1 5/8" screws, Type W or S	7	7

**25.03.10: AMENDMENT OF TABLE R602.3(2):** Notwithstanding the provisions of Section 25.03.01 of this Article, Table R602.3(2) of the Residential Code is amended to read as follows:

<b>Wood structural panels subfloor, roof and wall sheathing to framing and particleboard wall sheathing to framing<sup>f</sup></b>			
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>
<b>Floor underlayment; plywood-hardboard-particleboard<sup>f</sup></b>			
<b>Plywood</b>			
$\frac{1}{4}$ 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>

**25.03.11: AMENDMENT OF TABLE R602.10.1.2(2):** Notwithstanding the provisions of Section 25.03.01 of this Article, Table R602.10.1.2(2) of the Residential Code is amended to read as follows:

**TABLE R602.10.1.2(2)<sup>a, b, c</sup>**  
**BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY**  
**(AS A FUNCTION OF BRACED WALL LINE LENGTH)**

SOIL CLASS D <sup>a</sup> WALL HEIGHT = 10 FT 10 PSF FLOOR DEAD LOAD 15 PSF ROOF/CEILING DEAD LOAD BRACED WALL LINE SPACING ≤ 25 FT			MINIMUM TOTAL LENGTH (feet) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE			
Seismic Design Category (SDC)	Story Location	Braced Wall Line Length	Method LIB	Methods <sup>d</sup> DWB, SFB, GB, PBS, PCP, HPS	Method WSP	Continuous Sheathing

SDC D <sub>0</sub> or D <sub>1</sub>		10	NP	<del>3.0</del> 6.0	2.0	1.7
		20	NP	<del>6.0</del> 12.0	4.0	3.4
		30	NP	<del>9.0</del> 18.0	6.0	5.1
		40	NP	<del>12.0</del> 24.0	8.0	6.8
		50	NP	<del>15.0</del> 30.0	10.0	8.5
		10	NP	<del>6.0</del> NP	4.5	3.8
		20	NP	<del>12.0</del> NP	9.0	7.7
		30	NP	<del>18.0</del> NP	13.5	11.5
		40	NP	<del>24.0</del> NP	18.0	15.3
		50	NP	<del>30.0</del> NP	22.5	19.1
		10	NP	<del>8.5</del> NP	6.0	5.1
		20	NP	<del>17.0</del> NP	12.0	10.2
		30	NP	<del>25.5</del> NP	18.0	15.3
		40	NP	<del>34.0</del> NP	24.0	20.4
		50	NP	<del>42.5</del> NP	30.0	25.5

SDC D <sub>2</sub>		10	NP	<del>4.0</del> 8.0	2.5	
		20	NP	<del>8.0</del> 16.0	5.0	
		30	NP	<del>12.0</del> 24.0	7.5	
		40	NP	<del>16.0</del> 32.0	10.0	
		50	NP	<del>20.0</del> 40.0	12.5	
		10	NP	<del>7.5</del> NP	5.5	
		20	NP	<del>15.0</del> NP	11.0	
		30	NP	<del>22.5</del> NP	16.5	
		40	NP	<del>30.0</del> NP	22.0	
		50	NP	<del>37.5</del> NP	27.5	
		10	NP	NP	NP	
		20	NP	NP	NP	
		30	NP	NP	NP	
		40	NP	NP	NP	
		50	NP	NP	NP	

d. Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>. Methods DWB, SFB, PBS and HPS are not permitted in SDC D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>.

**25.03.12: AMENDMENT OF TABLE R602.10.2:** Notwithstanding the provisions of Section 25.03.01 of this Article, Table R602.10.2 of the Residential Code is amended to read as follows:

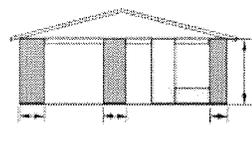
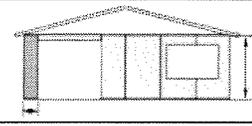
**TABLE R602.10.2  
INTERMITTENT BRACING METHODS<sup>a</sup>**

				8d common (2 1/2" x 0.131) nails at 6" spacing (panel edge) at 12" spacing (intermediate supports), 3/8" edge distance to panel edge
WSP	Wood structural panel (see Section R604)	$\frac{3}{8}$ " <del>15/32"</del>		<del>For exterior sheathing see Table R602.3(1)</del> <del>For interior sheathing see Table R602.3(4)</del>
SFB	Structural fiberboard sheathing	1/2" or 25/32" for maximum 16" stud spacing		1 1/2" galvanized roofing nails or 8d common (2 1/2" x 0.131) nails at 3" spacing (panel edges) at 6" spacing (intermediate supports)
GB	Gypsum board	1/2"		Nails or screws at 7" spacing at panel edges including top and bottom plates; for all braced wall panel locations for exterior sheathing nail or screw size, see Table R602.3(1); for interior gypsum board nail or screw size, see Table R702.3.5
PBS	Particleboard sheathing (see Section R605)	3/8" or 1/2" for maximum 16" stud spacing		1 1/2" galvanized roofing nails or 8d common (2 1/2" x 0.131) nails at 3" spacing (panel edges) at 6" spacing (intermediate supports)
PCP	Portland cement plaster	See Section R703.6 For maximum 16" stud spacing		1 1/2", 11 gage, 7/16" head nails at 6" spacing or 7/8", 16 gage staples at 6" spacing

- a. Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>. Methods LIB, DWB, SFB, PBS, HPS and PFG are not permitted in SDC D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>.

**25.03.13: AMENDMENT OF TABLE R602.10.4.1:** Notwithstanding the provisions of Section 25.03.01 of this Article, Table R602.10.4.1 of the Residential Code is amended to read as follows:

**TABLE R602.10.4.1  
CONTINUOUS SHEATHING METHODS**

METHOD	MATERIAL	MINIMUM THICKNESS	FIGURE	CONNECTION CRITERIA
CS-WSP	Wood structural panel	$\frac{15}{32}$ " $\frac{3}{8}$ "		6d common (2" x 0.113") nails at 6" spacing (panel edges) and at 12" spacing (intermediate supports) or 16 ga. x 1 3/4" staples at 3" spacing (panel edges) and 6" spacing (intermediate supports)
CS-G	Wood structural panel adjacent to garage openings and supporting roof load only <sup>a,b</sup>	$\frac{15}{32}$ " $\frac{3}{8}$ "		See Method CS-WSP
CS-PF	Continuous portal frame	See Section R602.10.4.1.1		See Section R602.10.4.1.1

**25.03.14: AMENDMENT OF SECTION R606.2.4:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R606.2.4 of the Residential Code is amended to read as follows:

**R606.2.4 Parapet walls.** Unreinforced solid masonry parapet walls shall not be less than 8 inches (203mm) thick and their height shall not exceed four times their thickness. Unreinforced hollow unit masonry parapet walls shall be not less than 8 inches (203mm) thick, and their height shall not exceed three times their thickness. Masonry parapet walls in areas subject to wind loads of 30 pounds per square foot (1.44 kPa) or located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>, or on townhouses in Seismic Design Category C shall be reinforced in accordance with Section R606.12.

**25.03.15: AMENDMENT OF SECTION R602.3.2:** Notwithstanding the provisions of Section 25.03.01 of this Article, Exception of Section R602.3.2 of the Residential Code is amended to read as follows:

**Exception:** In other than Seismic Design Category D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>, a single top plate may be installed in stud walls, provided the plate is adequately tied at joints, corners and interesting walls by a minimum 3-inch-by-6-inch by a 0.036-inch-thick (76mm by 152mm by 0.914mm) galvanized steel plate that is nailed to each wall or segment of wall by six 8d nails on each side, provided the rafters or joists are centered over the studs with a tolerance of no more than 1 inch (25mm). The top plate may be omitted over lintels that are adequately tied to adjacent wall sections with steel plates or equivalent as previously described.

**25.03.16: AMENDMENT OF SECTION R802.8:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R802.8 of the Residential Code is amended to read as follows:

**802.8 Lateral support.** Roof framing members and ceiling joists having a depth-to-thickness ratio exceeding 2 to 1 based on nominal dimensions shall be provided with lateral support at points of bearing to prevent rotation. For roof rafters with ceiling joists attached per Table R602.3(1), the depth-thickness ratio for the total assembly shall be determined using the combined thickness of the rafter plus the attached ceiling joist.

**25.03.17: AMENDMENT OF SECTION R1001.3.1:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R1001.3.1 of the Residential Code is amended to read as follows:

**R1001.3.1 Vertical reinforcing.** For chimneys up to 40 inches (1016mm) wide, four No. 4 continuous vertical bars adequately anchored into the concrete foundation shall be placed between wythes of solid masonry or within the cells of hollow unit masonry and grouted in accordance with Section R609. Grout shall be prevented from bonding with the flue liner so that the flue liner is free to move with thermal expansion. For chimneys more than 40 inches (1016mm) wide, two additional No. 4 vertical bars adequately anchored into the concrete foundation shall be provided for each additional flue incorporated into the chimney or for each additional 40 inches (1016mm) in width or fraction thereof.

**SECTION 4.** New Article 04 Plumbing Code is added to Chapter 25 of the San Marino City Code, to read as follows:

**Article 04  
PLUMBING CODE**

**SECTION:**

- 25.04.01 Plumbing Code Adopted**
- 25.04.02 Amendment of Section 102.3**
- 25.04.03 Amendment of Section 103.3.1**
- 25.04.04 Amendment of Section 103.3.4**
- 25.04.05 Amendment of Section 103.3.5**
- 25.04.06 Amendment of Section 103.4**
- 25.04.07 Amendment of Section 103.5.6**
- 25.04.08 Amendment of Section 203**
- 25.04.09 Addition of Section 313.13**
- 25.04.10 Addition of Subsection 510.7.3.4**
- 25.04.11 Addition of Section 713.7**
- 25.04.12 Addition of Section 906.8**
- 25.04.13 Addition of Chapter 17 - Roof Mounted Solar Collectors**

**25.04.01: 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 all appendices, 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 said Code has been deposited in the office of the City Clerk and shall be, at all times, maintained by the City Clerk for use and examination by the public.

**25.04.02: AMENDMENT OF SECTION 102.3:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 102.3 of the Plumbing Code is amended to read as follows:

**Section 102.3 Violations and Penalties.**

**102.3.1 Violations.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any plumbing or permit the same to be done in violation of the Plumbing Code.

**102.3.2 Penalties.** Any person, firm or corporation violating any provision of the Plumbing Code shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punishable as provided in Section 01.04.03A of this Code. Each separate day or any portion thereof, during which any violation of this code occurs or continues, shall be deemed to constitute a separate offence.

**25.04.03: AMENDMENT OF SECTION 103.3.1:** Notwithstanding the provisions of Section 25.04.01 of this Article, the first paragraph of Section 103.3.1 of the Plumbing Code is amended to read as follows:

**103.3.1 Issuance.** The Building Official or his/her designee shall review the application, plans and specifications and other data filed by an applicant for a permit. Other departments of this jurisdiction may also review plans. If the Building Official or his/her designee finds that the work described in an application for permit and the plans, specifications and other data filed therewith conform to the requirements of the Plumbing Code and other pertinent laws and ordinances, and that the fees established by resolution of the City Council have been paid, he/she shall issue a permit therefore to the applicant.

**25.04.04: AMENDMENT OF SECTION 103.3.4:** Notwithstanding the provisions of Section 25.04.01 of this Article, the first paragraph of Section 103.3.4 of the Plumbing Code is amended to read as follows:

**103.3.4 Expiration.** Every permit issued by the Building Official or his/her designee under the provisions of the Plumbing 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. Before such work can be recommenced, the permit shall first be renewed, provided no changes have been made or will be made in the original plans and specifications for such work. If an applicant wishes to renew a permit that has been expired for less than 180 days, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 180 days, 100% of the original fees paid shall be required to renew the permit. The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) 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.

**25.04.05: AMENDMENT OF SECTION 103.3.5:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 103.3.5 of the Plumbing Code is amended to read as follows:

**103.3.5 Suspension or Revocation.** The Building Official or his/her designee may, in writing, suspend or revoke a permit issued under the provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of other ordinances or regulations of the City.

**25.04.06: AMENDMENT OF SECTION 103.4:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 103.4 of the Plumbing Code is amended to read as follows:

**103.4.1 Permit Fees.** All fees pursuant to the Plumbing Code as set forth in Table No. 1.1 shall be established by resolution of the City Council.

**103.4.2 Plan Review Fees.** When a plan or other data are required to be submitted by Section 103.2.2, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be equal to 100 percent of the total permit fee as established by resolution of the City Council. When plans are incomplete or changed so as to require additional plan review, a fee shall be charged in the amount established by resolution of the City Council.

**103.4.3 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 upon 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.

**103.4.4 Investigation Fees: Work Without a Permit.**

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

**103.4.4.2** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by the Plumbing Code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Plumbing Code nor from any penalty prescribed by law.

### **103.4.5 Fee Refunds.**

**103.4.5.1** The Building Official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

**103.4.5.2** The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the Plumbing Code.

**103.4.5.3** The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

**25.04.07: AMENDMENT OF SECTION 103.5.6:** Notwithstanding the provisions of Section 25.04.01 of this Article, the fourth paragraph of Section 103.5.6 of the Plumbing Code is amended to read as follows:

To obtain reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee established by resolution of the City Council.

**25.04.08: AMENDMENT OF SECTION 203:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 203 of the Plumbing Code is amended by revising the following definitions to read as follows:

**Accessible.** “Accessible,” when applied to a fixture, connection, appliance, or equipment, shall mean having access thereto, but which first may require the removal of an access panel, door, or similar obstruction; “readily accessible” shall mean direct access without the necessity of removing any panel, door, or similar obstruction. Attic and underfloor areas are to be considered “accessible.”

**Authority Having Jurisdiction.** Whenever the term “Authority Having Jurisdiction” is used in the Plumbing Code, it shall mean the Building Official or his/her authorized representative.

**25.04.09: ADDITION OF SECTION 313.13:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 313.13 is added to the Plumbing Code read as follows:

**313.13** Soil, waste, water or other pipe or conduit, except downspouts, shall not be installed or permitted on the outside of a building.

**25.04.10: ADDITION OF SUBSECTION 510.7.3.4:** Notwithstanding the provisions of Section 25.04.01 of this Article, subsection 510.7.3.4 is added to the Plumbing Code read as follows:

**510.7.3.4** No vent shall terminate in a location that is visible from the parkway across the street from the subject property, or to the side elevation facing a side street on a corner lot.

**25.04.11: ADDITION OF SECTION 713.7:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 713.7 is added to the Plumbing Code read as follows:

713.7 The City Engineer shall determine the availability of the sewer lines. No person shall construct, or enlarge a new or existing cesspool if a sewer line has been declared available.

**25.04.12: ADDITION OF SECTION 906.8:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 906.8 is added to the Plumbing Code to read as follows:

**906.8** No vent shall terminate in a location that is visible from the parkway across the street from the subject property, or to the side elevation facing a side street on a corner lot.

**25.04.13: ADDITION OF CHAPTER 17 - ROOF MOUNTED SOLAR COLLECTORS:** Notwithstanding the provisions of Section 25.04.01 of this Article, Chapter 17 is added to the Plumbing Code to read as follows:

## **CHAPTER 17**

### **ROOF-MOUNTED SOLAR COLLECTORS**

#### **1701.0. Purpose and Intent.**

**1701.1** The purpose of this Section is to provide minimum standards to safeguard life, property, health and the public welfare by regulating and controlling the design and construction of solar heating systems and to provide certain minimum design criteria for such systems. The provisions of the Building Code<sup>1</sup>, the Mechanical Code,<sup>2</sup> the Plumbing Code<sup>3</sup> and the Electrical Code,<sup>4</sup> which are applicable to solar heating systems, are incorporated herein by reference and are hereby declared to be requirements of this Code.

**1701.2** It has been determined to be in the public interest to encourage the use of solar energy for the heating and cooling of buildings and to provide hot water for use in buildings or swimming pools. As a general rule, existing zoning regulations for height, setback and lot density limitations in residential areas are sufficient to permit adequate access to sunlight by each lot without obstruction by adjacent structures. Trees should be planted in such a manner as to prevent the casting of shadows upon solar collectors. However, where existing zoning is insufficient to provide adequate protection from interference by trees, it is the intent of this Code to provide adequate protection for the use of solar collectors without, at the same time, causing undue hardship on the rights of property owners.

**1702.0 Size:** Roof-mounted solar collectors on any residence and/or accessory building or attached garage shall be limited to three (3) separable panels having a combined area of the lesser of: one hundred twenty (120) square feet or thirty (30) square feet for each bedroom. Up to ten percent (10%) allowance may be made to accommodate commercially available panel areas.

---

<sup>1</sup> See Article 02 of this Chapter.

<sup>2</sup> See Article 05 of this Chapter.

<sup>3</sup> See Article 04 of this Chapter.

<sup>4</sup> See Article 06 of this Chapter.

## **1703.0 Installation Specifications**

**1703.1** Solar collectors shall be so mounted as to be not visible from any street, whenever possible and practical, to promote maximum efficiency without creating a nuisance or health or safety hazard.

**1703.2** For roof-mounted solar collectors, each of the following conditions shall be met:

a. The collector panels shall be flat and placed as close as possible to the roof with a roof clearance minimum of one and one-half inches (1 1/2") and a maximum of two and one-half inches (2 1/2"). The maximum height parallel from the roof surface to a collector panel installation shall be eight inches (8"). This includes the panel thickness and roof clearance. Solar collectors shall consist of tubing, covered or integrated with opaque material. Glazing shall be tempered glass or approved equal.

b. No frame or extraneous fitting shall extend more than four inches (4") from any side of each solar collector panel.

c. All plumbing and piping connections shall be suitably covered with metal flashing contiguous to the solar collector panel. The color of solar collector panel frame and flashing shall be compatible with existing roof.

d. For roof-mounted solar collectors, all storage tanks, piping runs and extraneous controls shall be placed below the roofing or hidden from view, whenever possible or practical.

**1703.3** All solar collector installations shall comply as follows:

a. Plumbing and piping connections running along exterior walls shall be covered with metal flashing painted to match wall color.

b. Storage tanks shall have a minimum Insulation of R-12.

(1) If the storage tank is located outside, its insulation material must be protected from weather and solar degradation.

(2) If storage tank is installed in attic, it shall be provided with a drip pan outlet to adequately drain. Structure calculations shall be submitted and prepared by persons as indicated in subsection C.6.b(3) below. Such calculations shall verify or consider additional supports required to withstand weight of storage tank.

(3) Storage tanks mounted on the roof in a thermosyphoning system must have structural calculations prepared by a licensed architect, registered structural or civil engineer.

c. Plumbing connections from the tank to the solar collector shall be installed in such a manner to promote thermal stratification.

(1) The storage tank shall be connected to the conventional water heater to promote thermal stratification in all instances for both auxiliary and solar storage tanks.

(2) A check valve for reverse flow (thermosyphoning) prevention shall be installed in proper manner.

(3) All pipe runs, vertical and horizontal, shall be adequately supported.

d. Control sensors shall be located within four inches (4") of and near the bottom of the storage tank unless otherwise specified by the controller manufacturer.

e. The system controller shall be properly grounded, as per the Electrical Code.<sup>5</sup>

f. Control circuit wiring shall be color-coded or otherwise labeled so that wires are readily traceable.

g. All sensors and controllers shall be attached tightly for best possible thermal transfer.

h. All components shall be located in such a manner so as to allow access for cleaning, adjusting, servicing, examination, replacements or repair.

i. Temperature and pressure relief valves (when applicable) shall be installed in accord with the Plumbing Code.<sup>6</sup>

j. Provision shall be made to permit independent operation of conventional back-up systems, with appropriate valving to enable both solar and conventional systems to operate independently.

k. A device that indicates that the system is operating shall be installed.

l. The completed system shall be installed in a neat and orderly fashion.

**1704.0 Plans.** Dimensioned plans shall be submitted for the permit that show the plot plan, roof plan (if roof-mounted) with ridges and hips shown, solar collector panel location, mounting, piping details, storage methods for liquids and calculations showing on the permit property and adjacent properties that could affect the sunlight envelope shall also be shown on the plot plan.

**1705.0 Warranty.** The installing contractor shall warrant the entire system for minimum of three (3) years. The installing contractor shall supply an owner/operator's manual with every system installed. Said manual shall enable the owner to perform maintenance and operation functions beyond the three (3) year warranty.

**1706.0 Permit Fee Schedule.** Permit fees for solar energy installations are based on the following:

---

<sup>5</sup> See Article 06 of this Chapter.

<sup>6</sup> See Article 04 of this Chapter.

a. Building permit fees shall be based on the estimated total value of the project, and shall be according to the Fee Schedule adopted by the City Council.

b. Plan check fees are equal to 100% of the building permit fee.

c. The value of the project is determined by written quotation or by mutual agreement with the Building Official.

**SECTION 5.** New Article 05 Electrical Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

### **Article 05**

### **MECHANICAL CODE**

#### **SECTION:**

- 25.05.01 Mechanical Code Adopted**
- 25.05.02 Amendment of Section 111.0**
- 25.05.03 Amendment of Section 110.1**
- 25.05.04 Amendment of Section 112.1**
- 25.05.05 Amendment of Sections 114.4 and 114.5**
- 25.05.06 Amendment of Section 115**

**25.05.01: MECHANICAL CODE ADOPTED:** Except as hereinafter provided, the California Mechanical Code, 2010 Edition, based on the 2009 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, including all appendices, 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 such Code shall be located in the office of the City Clerk and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public. For the purposes of this Code, the Building Official shall be the Building Official.

**25.05.02: AMENDMENT OF SECTION 111.0.** Notwithstanding the provisions of Section 25.05.01 of this Article, Section 111.0 of the Mechanical Code is amended to read as follows:

**111.0 Violations.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, impound, remove, convert or demolish, equip, use or maintain mechanical systems or equipment or cause or permit the same to be done in violation of the Mechanical Code.

It is hereby declared that any violation of the Mechanical Code constitutes a public nuisance, and in addition to any other remedies provided by the Mechanical Code for its enforcement, the administrative authority may bring civil suit to enjoin the violation of any provisions of the Mechanical Code.

Any person, firm or corporation violating any of the provisions of the Mechanical Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in Section 01.04.03A of this Code. Each separate day or any portion thereof during

which violation of the Mechanical Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

**25.05.03: AMENDMENT OF SECTION 110.1:** Notwithstanding the provisions of Section 25.05.01 of this Article, Section 110.1 of the Mechanical Code is hereby amended to read as follows:

**110.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Mechanical Code, there shall be and is hereby created a Board of Appeals consisting of the members of the City Council. The Building Official shall be an ex officio member of and shall act as Secretary to said Board but shall have no vote on any matter before the Board. The Board shall adopt rules of procedures for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official. The Board may request the services of members of the community who are qualified by experience and training to interpret matters pertaining to the Mechanical Code to act as technical assistants to the Board. Technical assistants shall have no vote on any matter before the Board.

**25.05.04: AMENDMENT OF SECTION 112.1:** Notwithstanding the provisions of Section 25.05.01 of this Article, Section 112.1 of the Mechanical Code is amended to include an additional paragraph to read as follows:

The Building Official shall review applications, plans, specifications, computations and other data filed by an applicant for a permit. Such plans may be reviewed by other departments of this City to verify compliance with applicable laws 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 the Mechanical Code and other pertinent laws and ordinances and that the fees established by Resolution of the City Council have been paid, the Building Official shall issue a permit therefore to the applicant.

**25.05.05: AMENDMENT OF SECTIONS 114.4 AND 114.5:** Notwithstanding the provisions of Section 25.05.01 of this Article, Sections 114.4 and 114.5 of the Mechanical Code are amended to read as follows:

**114.4 Expiration.** Every permit issued by the Building Official or his/her designee under the provisions of the Mechanical 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. Before such work can be recommenced, the permit shall first be renewed, provided no changes have been made or will be made in the original plans and specifications for such work. If an applicant wishes to renew a permit that has been expired for less than 180 days, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 180 days, 100% of the original fees paid shall be required to renew the permit. The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) 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.

**114.5 Suspension or Revocation.** The Building Official may, in writing, suspend or revoke a permit issued under the provisions of the City Code whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of other ordinances or regulations of the City.

**25.05.06: AMENDMENT OF SECTION 115:** Notwithstanding the provisions of Section 25.05.01 of this Article, Section 115 of the Mechanical Code is amended to read as follows:

**115.0 FEES.**

**115.1 Fees General.** All fees pursuant to the Mechanical Code shall be as established by and set forth in a resolution of the City Council.

**115.2 Permit Fees.** All fees pursuant to the Mechanical Code shall be as amended and established by resolution of the City Council.

**115.3 Plan Review Fees.** When a plan or other data are required to be submitted by this code a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for mechanical work shall be equal to 100 percent of the total permit fee as established by resolution of the City Council. The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 115.1 and are in addition to the permit fees. When plans are incomplete or changed so as to require additional plan review, a fee shall be charged in the amount established by resolution of the City Council.

**115.4 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 upon 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.

**115.5 Investigation Fee: Work Without a Permit.**

**115.5.1 Investigation.** Whenever any work which requires a permit pursuant to the Mechanical Code has been commenced without first obtaining said permit, a special Investigation shall be made before a permit may be issued for such work.

**115.5.2 Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit fee is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by the City Code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Mechanical Code nor from any penalty prescribed by law.

**115.6 Fee Refunds.**

**115.6.1** The Building Official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected.

**115.6.2** The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the Mechanical Code.

**115.6.3** The Planning and Building Department shall not authorize refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

**SECTION 6.** New Article 06 Electrical Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

**Article 06**  
**ELECTRICAL CODE**

**SECTION:**

- 25.06.01 Electrical Code Adopted**
- 25.06.02 Amendment of Article 100**
- 25.06.03 Fees and Expiration**
- 25.06.04 Additions to Electrical Code**
- 25.06.05 Service Entrance Panels**
- 25.06.06 Grounding and Bonding Connections**
- 25.06.07 Use of Factory Assembled Conduits**
- 25.06.08 Use of Aluminum**
- 25.06.09 Service Entrance - Services**
- 25.06.10 Amendment to Section 250.50**
- 25.06.11 Addition of Section 690.19**
- 25.06.12 Violations**

**25.06.01: 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, including all annexes, is hereby adopted by reference and incorporated herein as though set forth herein in full and shall constitute the Electrical Code of the City. A copy of such Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**25.06.02: AMENDMENT OF ARTICLE 100:** Notwithstanding the provisions of Section 25.06.01 of this Article, Article 100 of the Electrical Code is amended by amending the definition of “Accessible, Readily” to read as follows:

**Accessible, Readily: (Readily Accessible.)** Capable of being reached quickly for operation, renewal, or inspections, without requiring those to whom ready access is requisite to climb over or remove obstacles or to resort to portable ladders, chairs, etc. (See “Accessible.”) Attic and crawl spaces are not considered readily accessible.

**25.06.03: FEES AND EXPIRATION:** Notwithstanding the provisions of Section 25.06.01 of this Article, all fees pursuant to the Electrical Code shall be those amounts established by resolution of the City Council.

**Plan Review Fees.** When a plan or other data are required to be submitted by this code a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for electrical work shall be equal to 100 percent of the total permit fee as established by resolution of the City Council. The plan review fees specified in this subsection are separate fees from the permit fees and are in addition to the permit fees. When plans are incomplete or changed so as to require additional plan review, a fee shall be charged in the amount established by resolution of the City Council.

**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 upon 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.

**Investigation.** Whenever any work which requires a permit pursuant to the Electrical Code has been commenced without first obtaining said permit, a special Investigation shall be made before a permit may be issued for such work.

**Investigation Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit fee is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by the City Code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Electrical Code nor from any penalty prescribed by law.

**Fee Refunds.** The Building Official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected. The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the Electrical Code. The Planning and Building Department shall not authorize refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

**Expiration.** Every permit issued by the Building Official or his/her designee under the provisions of the Electrical 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. Before such work can be recommenced, the permit shall first be renewed, provided no changes have been made or will be made in the original plans and specifications for such work. If an applicant wishes to renew a permit that has been expired for less than 180 days, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 180 days, 100% of the original fees paid shall be required to renew the permit. The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) 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.

**25.06.04: ADDITIONS TO ELECTRICAL CODE:** Notwithstanding the provisions of Section 25.06.01 of this Article, the Electrical Code is amended by adding the sections as set forth in Sections 25.06.05 through 25.06.11 of this Article.

**25.06.05: SERVICE ENTRANCE PANELS:**

A. All new residences shall be provided with a minimum service capacity of not less than two hundred (200) amperes main. Service conduit shall be two-inch (2") conduit.

B. On existing dwellings if the service is replaced, the minimum service shall be one hundred (100) amperes main. Service conduit shall be one and one-half inches (1 ½").

C. Branch circuit panel shall contain space for a minimum of twenty (20) single pole overcurrent devices.

**25.06.06: GROUNDING AND BONDING CONNECTIONS:**

A. The connection of grounding conductor to grounding electrode shall be readily accessible.

B. The connection of the bond from the grounding conductor to the cold water and gas systems shall be readily accessible.

C. All conduit shall contain a green ground wire.

**25.06.07: USE OF FACTORY ASSEMBLED CONDUITS:** Notwithstanding any provision of the Electrical Code to the contrary, the following is prohibited in new installations:

A. Factory assembled conduits, such as:

1. Mineral insulated sheathed cable.

2. Armored cable unless:

a. Factory assembled in an Underwriters Laboratory approved fixture;

b. Green insulated copper grounding conductor; and

c. Is used for applications not to exceed nine feet (9') from a power source to a single fixture.

3. Extension of any knob and tube.

**25.06.08: USE OF ALUMINUM:** Notwithstanding any provision of the Electrical Code to the contrary, the following are prohibited in new installations:

A. Aluminum wire is not permitted.

B. Aluminum conduit is not approved as a self-grounding conduit.

**25.06.09: SERVICE ENTRANCE - SERVICES:**

A. New service entrance conductors on all commercial buildings shall be installed underground.

B. A contractor licensed C-10 or B-1 must apply for the permit for any new service or service change out.

**25.06.10: AMENDMENT TO SECTION 250.50:** Notwithstanding the provisions of Section 25.06.01, an additional exception is added to Section 250.50 to read as follows:

Exception: Grounding of electrical services replaced in existing residential buildings.

When an electrical service in an existing R1 or R3 occupancy is replaced or upgraded, and the material of the water pipe in direct contact with the earth is unknown, the connection of the grounding conductor to the interior metal water pipe may be made at any accessible point, provided that at least one grounding electrode of a type specified in Sections 250.50 or 250.52 is installed as close as possible to the service and connected directly to the service equipment with an independent grounding electrode conductor.

**25.06.11: ADDITION OF SECTION 690.19:** Notwithstanding the provisions of Section 25.06.01, Section 690.19 is added to the Electrical Code to read as follows:

**690.19 Disconnecting Means for Multiple Arrays.** Where more than one array is combined to form a single output rated more than 50 volts and/or 10 amperes, a disconnecting means rated for the output shall be installed immediately adjacent to the combiner box on the output side.

Exception: If the combiner box is located adjacent to the inverter(s), the disconnecting means as stated above shall not be required.

**25.05.12: VIOLATIONS:** Any person, firm or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of the Electrical Code shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in subsection 01.04.03A of this Code. 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 the Electrical Code is committed, continued or permitted by any such person, and he/she shall be punishable as herein provided.

**SECTION 7.** New Article 09 Energy Code is added to Chapter 25 of the San Marino City Code, to read as follows:

**Article 09  
ENERGY CODE**

**SECTION:**

- 25.09.01      Energy Code Adopted**
- 25.09.02      Violations**

**25.09.01: ENERGY CODE ADOPTED:** Except as hereinafter provided, the California Energy Code, 2010 Edition, as published by the California Building Standards Commission, including all appendices, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Energy Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**25.09.02: VIOLATIONS:** Any person, firm or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of this Article shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in subsection 01.04.03A of this Code. 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 this Article is committed, continued or permitted by any such person, and he/she shall be punishable as herein provided.

**SECTION 8.** New Article 10 Administrative Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

### **Article 10**

#### **ADMINISTRATIVE CODE**

##### **25.10.01 Administrative Code Adopted**

**25.10.01: ADMINISTRATIVE CODE ADOPTED:** Except as hereinafter provided, the California Administrative Code, 2010 Edition, as published by the California Building Standards Commission, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Administrative Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**SECTION 9.** New Article 12 Fire Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

### **Article 12**

#### **FIRE CODE**

##### **SECTION:**

- 25.12.01 Fire Code Adopted**
- 25.12.02 Addition of Section 106.2**
- 25.12.03 Amendment of Section 108**
- 25.12.04 Amendment of Section 109.3**
- 25.12.05 Amendment of Section 109.3.2**
- 25.12.06 Addition of Section 113.1.1**
- 25.12.07 Amendment of Section 307.4.3**
- 25.12.08 Addition of Section 307.4.4**
- 25.12.09 Amendment of Section 308.1.4**
- 25.12.10 Amendment of Section 506.1.2**
- 25.12.11 Amendment of Section 903.2**
- 25.12.12 Amendment of Section 903.4**

- 25.12.13      Addition of Section 906.1.1**
- 25.12.14      Addition of Section 907.2A**
- 25.12.15      Amendment of Section 2403.2**
- 25.12.16      Addition of Section 3308.2**
- 25.12.17      Addition of Section 4908**

**25.12.01: FIRE CODE ADOPTED:** Except as hereinafter provided, the 2010 California Fire Code, including all appendices with errata, based on the 2009 International Fire Code, 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 such Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**25.12.02: ADDITION OF SECTION 106.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 106.2.3 is added to the Fire Code to read as follows:

**106.2.3 Annual inspection.** All properties located in the High Fire Hazard Severity Zone as identified by the San Marino Fire Department shall be inspected annually for compliance with state and local brush clearance requirements by the Fire Official.

**25.12.03: AMENDMENT OF SECTION 108:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 108 of the Fire Code is amended to read as follows:

**108 Appeals.** Whenever the Fire Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Fire Code do not apply or that the true intent and meaning of the Fire Code have been misconstrued or wrongly interpreted, the applicant may appeal the Fire Chief’s decision to the City Manager within thirty (30) days from the date of the decision appealed.

If the City Manager upholds the decision of the Fire Chief, the applicant may appeal the decision to the City Council by filing a notice of appeal with the City Clerk within ten (10) days from the date of the City Manager’s decision.

**25.12.04: AMENDMENT OF SECTION 109.3.** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 109.3 of the Fire Code is amended to read as follows:

**109.3 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction document or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine as established by the City Council or by imprisonment, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects in a timely manner as specified by the chief or authorized representative. The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions.

**25.12.05: ADDITION OF SECTION 109.3.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 109.3.2 is added to the Fire Code to read as follows:

**109.3.2 Citations.** Persons operating or maintaining an occupancy, premises, or vehicle or performing work which requires a permit by this code, who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises, or vehicle or who fail to obtain a permit prior to start of work which requires such a permit under this code, when ordered or notified to do so by the Fire Official, shall be guilty of a misdemeanor.

**25.12.06: ADDITION OF SECTION 113.1.1:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 113.1.1 is hereby added to the Fire Code to read as follows:

**Section 113.1.1 Establishment of fees.** All fees pursuant to the Fire Code shall be established by resolution of the City Council.

**25.12.07: AMENDMENT OF SECTION 307.4.3:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 307.4.3 of the Fire Code is amended to read as follows:

**307.4.3 Portable outdoor fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

**25.12.08: ADDITION OF SECTION 307.4.4:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 307.4.4 is added to the Fire Code to read as follows:

**307.4.4 Outdoor fireplaces, fire pits, and decorative fire features.** Outdoor fireplaces, fire pits, and decorative fire features shall be installed and used in accordance with the manufacturer's instructions. In the absence of manufacturer's instructions, the Fire Chief or designee has the ability to determine proper installation location and area of operation. In most cases, a minimum of 15 feet clearance will be required from a structure or combustible materials and vegetation. Fireplaces, fire pits, and decorative fire features, as identified under this code section, shall be gas fuel-fired and have an approved and listed spark arrestor as necessary.

**25.12.09: AMENDMENT OF SECTION 308.1.4:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 308.1.4 of the Fire Code is amended to read as follows:

**308.1.4 Open-flame cooking devices.** Charcoal burners, gas fuel-fired barbeques and other open-flame cooking devices shall be installed and used in accordance with the manufacturer's instructions. In the absence of manufacturer's instructions, the Fire Chief or designee has the ability to determine proper installation location and area of operation. In most cases, a minimum of 6 feet vertical (overhead) clearance and 2 feet horizontal (surrounding) clearance will be required from a structure or combustible materials and vegetation.

**25.12.10: AMENDMENT OF SECTION 506.1.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 506.1.2 of the Fire Code is amended to read as follows:

**506.1.2 Key switches.** An approved key switch shall be installed on motorized or lockable gates, perimeter fencing or similar barricades that obstruct access to a property when required by the Fire Code Official.

**25.12.11: AMENDMENT OF SECTION 903.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 903.2 of the Fire Code is amended to read as follows:

### **903.2 Where required.**

- a. An automatic fire-extinguishing (sprinkler) system shall be installed in every new building in the City, including any new residential building, hereinafter constructed or moved into the City, regardless of an area separation or type of construction.

Exception: New buildings less than 500 square feet may be exempted with the concurrence of the Fire Chief and Building Official.

- b. Existing single family dwellings shall be required to install a full automatic fire sprinkler system in existing and new portions of the building when a story exceeding 500 square feet is added, a basement exceeding 300 square feet is added, an addition of more than 1500 square feet is added which results in a home that is greater than 6,000 square feet, more than 50% of the existing roof structure or ceiling area is replaced, or the livable area is increased by more than 50%. Percentage calculations with regard to roof structure or ceiling area will include any newly permitted or added square footage.
- c. An automatic fire sprinkler system shall be installed in any garage whenever any portion of said garage is located beneath any portion of a building used for human occupancy.
- d. An automatic fire sprinkler system shall be installed in any garage whenever the ceiling of said garage is located fewer than seven (7) feet above the adjacent grade.
- e. Additions - An automatic fire sprinkler system shall be installed with an addition, renovation or remodeling of any existing commercial building, when the value thereof exceeds more than twenty percent (20%) of the market value of the existing building. All such additions, renovations, or remodeling performed fewer than five (5) years prior to the effective date of this Section shall be considered in determining the cumulative value under this Section. The value of the proposed construction and of the existing building shall be determined by the Building Official based upon the latest edition of the "Building Valuation Data" as published by the International Code Council (ICC).
- f. An approved automatic sprinkler head shall be provided in new elevator pits.
- g. Installation, approval and maintenance of automatic fire-extinguishing (sprinkler) systems shall be in compliance with the most current National Fire Protection Association Standards #13, #13R, #13D, and the California Fire Code, as adopted and amended by the City.
- h. Automatic fire-extinguishing systems shall be installed and maintained at the owner's expense.
- i. If the Chief and the Building Official determine access for fire apparatus and equipment to any building or structure, not otherwise required hereunder to maintain an automatic fire-extinguishing system is unduly difficult, installation of an automatic fire-extinguishing system shall be required.

**25.12.12: AMENDMENT OF SECTION 903.4:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 903.4, Exception 1, of the Fire Code is amended to read as follows:

1. Automatic sprinkler systems protecting single-family dwellings shall have the flow switch electrically supervised by an approved central, proprietary, or remote station.

**25.12.13: ADDITION OF SECTION 906.1.1:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 906.1.1 is added to the Fire Code to read as follows:

**906.1.1 Minimum requirement.** Portable fire extinguishers of a 2A10BC type shall be installed in all occupancies and locations as set forth in the Fire Code and as required by the Chief.

Exceptions:

1. Other portable fire extinguishers may be installed, if approved by the Chief.
2. Group R, Division 3 and Group U occupancies are exempt.

**25.12.14: ADDITION OF SUBSECTION 907.2A:** Notwithstanding the provisions of Section 25.12.01 of this Article, Subsection 907.2A is added to the Fire Code to read as follows:

**907.2A** Monitored smoke and heat detectors shall be installed in the following locations:

1. Every new residential building in the City hereinafter constructed or moved into the City, regardless of area of separation or type of construction.

Exception: New buildings less than 500 square feet may be exempted with the concurrence of the Fire Chief and Building Official.

2. All residential buildings upon the occurrence of both the following conditions: (1) Addition(s) to any building or structure creating a total floor area exceeding 2,000 square feet; and (2) The additional livable area is greater than 500 square feet cumulative over a three year period.

The devices shall be installed in a manner conforming to the most current requirements of the International Code Council and the National Fire Protection Association Standards, according to the following guidelines:

1. A minimum of one photoelectric smoke detector on each level of living space and in the hallway outside a sleeping area.
2. A rate of rise heat detector in the attic, kitchen, basement and attached garage.
3. A combination fire/security panel will be allowed, but all devices must be shown on the submitted plans.
4. The fire system shall be addressable.

**25.12.15: AMENDMENT OF SECTION 2403.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 2403.2 is amended to read as follows:

**2403.2 Approval required.** Tents and membrane structures having an area in excess of 250 square feet, shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the Fire Code Official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.

**25.12.16: ADDITION OF SECTION 3308.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 3308.2 is added to the Fire Code to read as follows:

**3308.2** The manufacturing, possession, storage, sale, use and handling of fireworks, including those fireworks described as “Safe and Sane” by the State Fire Marshal, shall be prohibited.

Exceptions: 1. Storage of fireworks is allowed in accordance with the requirements for low order explosives in Title 19, California Code of Regulations, Chapter 10.

2. Use and handling of fireworks for professional display by a state licensed pyrotechnician in accordance with Title 19, California Code of Regulations, Chapter 6, if permitted by the Fire Chief.

**25.12.17: ADDITION OF SECTION 4908:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 4908 is added to the Fire Code to read as follows:

## **SECTION 4908**

### **CLEARANCE OF HAZARDOUS VEGETATION FROM STRUCTURES AND ROADS WITHIN THE CITY OF SAN MARINO**

**4908.1 Statement of legislative intent and purpose.** It is the objective of this Section to promote and protect the public health, safety and welfare by recognizing that there exists within the City of San Marino a potentially hazardous fire situation created by grass, weeds, shrubs, and trees which are in such condition and location as to provide a ready fuel supply to augment the spread or intensity of fire. It is the intent of this Section to provide minimum standards to safeguard life, safety, property and the public welfare by insuring that hazardous vegetation or refuse is removed and that all grass, weeds, shrubs, and trees are properly maintained so as to not create a fire hazard within the community, while maintaining sufficient vegetation for aesthetic and soil erosion control purposes.

It is the further intent that this Section apply on a year-round basis to insure the removal and/or proper maintenance of grass, weeds, shrubs, trees and refuse in order to prevent the spread or intensity of fire within the community. Of particular concern is the need to provide adequate defensible space in the urban/wildland interface area of the city, referred to as the High Fire Hazard Severity Zone. For purposes of this Section, defensible space is that space within 100 feet (30.480 m) of a building or structure that is required for access by fire and other emergency personnel to defend the building or structure from the threat of fire.

**4908.2 Prohibition.** No person who has any ownership or possessory interest in, or control of a parcel of land shall allow to exist thereon any hazardous refuse or hazardous grass, weeds, shrubs, trees, or other vegetation, which, by reason of proximity to a building or structure, constitutes a fire hazard. For purposes of this Section, hazardous grass, weeds, shrubs, trees, or other vegetation are defined as grass, weeds, shrubs, trees, or other vegetation which are in such condition and location, or by the unique characteristics of a species, as to provide a ready fuel supply to augment the spread or intensity of a fire.

**4908.3 Specific requirements.** In order to provide sufficient defensible space, each person who has any ownership or possessory interest in, or control of, a parcel of land shall:

**4908.3.1 General.** Remove from the property all hazardous vegetation, except as otherwise provided herein, if such vegetation is within 100 feet (30.480 m) of a building, within ten (10) feet (3.048 m) of a combustible fence, or within ten (10) feet (3.048 m) of any portion of any highway, street, alley, or driveway improved or used for vehicular travel or other vehicular purposes. Distances up to 200 feet (60.960 m) or greater from a building or structure may be necessary as determined by the Chief. This requirement does not apply to the maintenance of trees, ornamental shrubbery or plants which are used as ground cover, provided such are landscape materials that are properly irrigated and maintained and do not provide a ready fuel supply to augment the spread or intensity of a fire.

**4908.3.2 Adjacent to building.** Keep all trees, shrubs, and other vegetation or portions thereof, adjacent to or overhanging any building or structure free of dead limbs, branches, and other combustible matter.

**4908.3.3 Roof clearance.** Maintain 5 feet (1.524 m) of vertical clearance between roof surfaces and portions of trees or shrubs overhanging any building or structure.

**4908.3.4 Chimney clearance.** Remove any portion of a tree or shrub which extends within 15 feet (3.048 m) of the outlet of a chimney or stovepipe.

**4908.3.5 Roof surface.** Maintain the roofs of all buildings or structures free of leaves, needles, twigs, and other combustible matter.

**4908.3.6 Building clearance--30 feet.** Maintain all hazardous grass, weeds, and small shrubs within 30 feet (9.144 m) of any building or structure. Hazardous vegetation must be maintained less than 3 inches (76 mm) high; cut grass may be left on the slope to protect the soil if it lays down within 3 inches (76 mm) of the ground. Large native shrubs may be retained no closer than an average of 18 feet (5.486 m) apart, provided the lower branches have been trimmed a minimum of 3 feet (914 mm) above the ground, or at least thinned to reduce the available fuel volume.

**4908.3.7 Roads.** Maintain trees and shrubs within 10 feet of that portion of any highway, street, alley, or driveway which is improved or used for vehicle travel or other vehicular purposes (except for designated fire roads), so that no leafy foliage, twigs, or branches are within six (6) feet (1.828 m) of the ground (but no more than 1/3 of the crown).

**4908.3.8 Combustible fences.** Maintain all hazardous grass, weeds and other vegetation located within 10 feet (3.048 m) of any combustible fence at a height of not more than 3 inches (76 mm). This shall not require the removal of trees, ornamental shrubbery or plants which are used as ground cover, provided such do not provide a ready fuel supply to augment the spread or intensity of a fire.

**4908.3.9 Building clearance--100 feet.** Maintain all hazardous grass, weeds, shrubs and trees within 100 feet (30.480 m) of any building or structure. Grass and small shrubs may be retained on steep slopes to stabilize the soil and prevent erosion, but may not exceed a height of 18 inches (457 mm). Large native specimen shrubs should be retained where possible, but no closer than an average of 18 feet (5.486 m) apart. Remove all dead foliage, twigs or branches, or live branches within 3 feet (914 mm) of the ground, from mature trees and shrubs (but no more than 1/3 of the crown).

**4908.3.10 Cut vegetation and refuse.** Remove and/or safely dispose of all cut vegetation and hazardous refuse.

**4908.3.11 Soil erosion control.** If the abatement of hazardous vegetation results in the exposure of bare mineral soil, or the soil is exposed to such an extent that increased soil erosion would be likely, or the Chief or his designee determines that the abatement has been excessive and poses a threat to the public health, safety or welfare, irrigation and landscaping or a suitable erosion control structure must be provided to establish effective soil erosion control.

**4908.3.12 Minimum requirements.** Nothing contained in this section shall be deemed to preclude the Chief from requiring more than the minimum specific requirements set forth above when the Chief determines that conditions exist which necessitate greater fire protection measures.

**4908.4 Notice.** The Council finds that grass, weeds, shrubs, trees, or other vegetation prohibited under Sec. 4908.3 increase the danger of fire and thus constitute a public nuisance. If such condition exists, the San Marino Fire Department shall give notice to the owner of record to abate the nuisance within 30 days. The notice shall state that the owner is required to abate the nuisance and that if the nuisance is not abated the City may take further action which can include, (1) the City, or its contractor, may enter upon the parcel of land and remove or otherwise eliminate or abate the nuisance, (2) that upon completion of such work the cost thereof, including administrative costs, shall become a special assessment against that parcel, and (3) that upon Council confirmation of the assessment and recordation of that order, a lien shall attach to the parcel to be collected on the next regular property tax bill levied against the parcel.

**SECTION 10.** New Article 13 Green Building Standards Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

**Article 13**

**GREEN BUILDING STANDARDS CODE**

**SECTION:**

**25.13.01: Green Building Standards Code Adopted**

**25.13.02: Violations**

**25.09.01: GREEN BUILDING STANDARDS CODE ADOPTED:** Except as hereinafter provided, the mandatory measures of the California Green Building Standards Code, 2010 Edition, as published by the California Building Standards Commission, are 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 said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**25.09.02: VIOLATIONS:** Any person, firm or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of this Article shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in subsection 01.04.03A of this Code. 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 this Article is committed, continued or permitted by any such person, and he/she shall be punishable as herein provided.

**SECTION 11.** New Article 14 Referenced Standards Code is added to Chapter 25 of the San Marino City Code, to read as follows:

**Article 14**

**REFERENCED STANDARDS CODE**

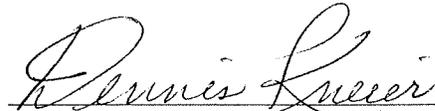
**SECTION:**

**25.14.01 Referenced Standards Code Adopted**

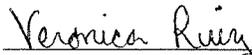
**25.14.01: REFERENCED STANDARDS CODE ADOPTED:** Except as hereinafter provided, the California Referenced Standards Code, 2010 Edition, as published by the California Building Standards Commission, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Referenced Standards Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**SECTION 12.** The City Clerk shall certify to the passage and adoption of this ordinance; shall cause the same to be entered in the book of original ordinances of said City; and shall make a minute of the passage and adoption thereof in the records of the meeting at which the same is passed and adopted.

PASSED, APPROVED AND ADOPTED THIS 8<sup>th</sup> DAY OF DECEMBER, 2010.

  
DENNIS KNEIER,  
MAYOR

ATTEST:

  
VERONICA RUIZ,  
CITY CLERK

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )ss  
CITY OF SAN MARINO            )

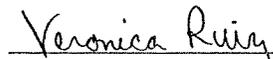
I HEREBY CERTIFY that the foregoing Ordinance No. O-10-1246 was introduced at a Regular Meeting of the City Council held on the 10<sup>th</sup> day of November, 2010, and was duly adopted at a Regular Meeting of the City Council held on the 8<sup>th</sup> day of December, 2010 by the following vote:

AYES:            COUNCIL MEMBERS: EUGENE SUN, RICHARD SUN, WARD, VICE-MAYOR YUNG, MAYOR KNEIER

NOES:            NONE

ABSTAIN:        NONE

ABSENT:         NONE

  
VERONICA RUIZ,  
CITY CLERK

RESOLUTION NO. R-10-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO CODES COMPRISING THE 2010 CALIFORNIA BUILDING STANDARDS CODE ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS

**WHEREAS**, Section 17958 of the California Health and Safety Code provides that the City may make such changes or modifications to building standards set forth in codes comprising the 2010 California Building Standards Codes as it determines are reasonably necessary because of local climatic, geological or topographical conditions.

**WHEREAS**, Ordinance No. O-10-1246 adopts the 2010 editions of the California Building, Residential, Plumbing, Mechanical, Electrical, Fire, Energy, Administrative, Green Building Standards, and Referenced Standards Codes, including various modifications to building standards and other provisions contained in said codes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO HEREBY FINDS, DETERMINES, ORDERS AND RESOLVES AS FOLLOWS:

**SECTION 1.** Findings supporting local amendments. The modifications to Codes comprising the 2010 California Building Standards Code that have been enacted are a continuation of the San Marino Building Code. The City Council expressly finds that all of the changes and modifications to such Codes, whether previously enacted or enacted in 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, the relatively flat topography of the City and the location of the Raymond fault within the City.

- A. Specifically, the City Council hereby finds that the modifications to the California Building Code regarding fire-resistive construction (Sections 302.1), garage access (Section 312.2), and roof coverings (Sections 1501.1, 1505.1.3), the modifications to the California Electrical Code regarding service entrance panels (Section 25.06.05 of the San Marino City Code), grounding and bonding connections (Section 25.06.06 of the San Marino City Code), factory-assembled conduits (Section 25.06.07 of the San Marino City Code), the use of aluminum (Section 25.06.08 of the San Marino City Code), the grounding of electrical services (Section 250.50), and the disconnecting of multiple arrays (Section 690.18), the modifications to the California Fire Code regarding portable fire extinguishers (Section 906.1.1), automatic fire extinguishing systems (Section 903.2, 903.4), fire alarm systems (Section 907.2A), portable outdoor fireplaces (Section 307.4.3), outdoor fireplaces, fire pits and decorative fire features (Section 307.4.4), open flame cooking devices (Section 308.1.3), key switches (Section 506.1.2) and fireworks (Section 3308.2) are reasonably necessary to the health, safety and general welfare of the residents of the City due to the following local climatic, topographic and geological conditions:
1. The city is located in an area climatically classified as arid and prone to hot, dry Santa Ana winds of high velocity. Santa Ana winds are unique to this region of Southern California. Moreover, due to the arid nature of the area, the weather during

Santa Ana conditions tends to be hot, dry and windy. The hot, dry and windy weather conditions are very hazardous to populated areas insofar as flame spread is concerned.

2. Because of the above-described climatic conditions, the City and the surrounding cities have historically suffered from occasional structural fires. These have often been difficult to control due to the relatively flat topography of the City and the dry winds carrying sparks and cinders to surrounding structures.
  3. The city is located in a seismically active area, bisected by the Raymond Fault, and it is reasonably foreseeable that an earthquake would render the City particularly vulnerable to devastation.
  4. Because of the above-described geological conditions, the City, in the event of an earthquake, may be unable to dispatch an adequate number of fire personnel with apparatus to suppress fires and conduct rescue operations. Moreover, the conditions within the City likewise occur in surrounding communities, thereby rendering mutual aid assistance problematic.
- B. The City Council hereby further finds that the modifications to the California Building Code regarding garage floor construction (Section 312.3), masonry chimneys (2113A.1) and the modifications to the California Plumbing Code regarding roof-mounted solar collectors (Chapter 17) are reasonably necessary for the health, safety, and general welfare of the residents of the City resulting from geological characteristics of the City, which include proximity to active earthquake fault zones.
- C. The City Council hereby further finds that the modifications to the California Building Code regarding weep screeds (Sections 2507.3) and asphalt shingles (Section 1507.2.5.1) are reasonably necessary for the health, safety, and general welfare of the residents of the City resulting from the following climatic and topographical conditions:
- The City is subject to heavy winter rains, which in combination with the City's high water table, requires steps to prevent the rotting of wood.
- D. The City Council hereby further finds that the modification to the California Building Code regarding awnings (Sections 3202.2), the modification to the California Plumbing Code regarding outside pipes and conduits (Section 313.13) and the modifications to the California Electrical Code regarding service entrances (Section 25.05.09 of the San Marino City Code) are reasonably necessary for the health, safety and general welfare of the residents of the City resulting from the following climatic and topographical conditions:
- The City is prone to winds of high velocity, which in combination with the presence of numerous trees throughout the City, require steps to reduce the risk of falling objects, flying debris and other hazards created by wind-damaged structures and equipment.
- E. The City Council hereby further finds that the modifications to the California Building Code regarding swimming pool barriers (Section 3109.4.1), the modifications to the California Plumbing Code regarding vents (Sections 510.7.3.4, 906.8), and the modifications to the California Electrical Code regarding service entrance panels (Section 25.05.05 of the San

Marino City Code) are reasonably necessary for the health, safety, and general welfare of the residents of the City resulting from the following climatic conditions:

The City is subject to warm temperatures and dry seasonal weather conditions, which together encourage the use of swimming pools and a significant number of indoor appliances. The proliferation of swimming pools and the need for an increased number of electrical outlets and vents to accommodate various indoor appliances, create both safety and aesthetic concerns that require regulation in order to protect the health, safety and general welfare of the residents of the City.

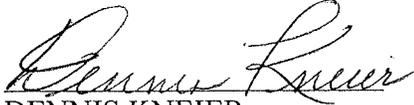
- F. The City Council hereby further finds that the selected recommended technical amendments and additions to the 2010 California Building and Residential Codes from the Los Angeles Regional Uniform Code Program (Building Code Sections 1613.11, 1704.8, 1704.9, 1807.1.6, 1908.1, 1908.1.11-1908.14, 1908.1.2, 1908.1.3, 2204.11, 2205.4, 2308.3.4, 2308.12.2, 2308.12.4 and Residential Code Sections R301.1.3.2, R301.1.4, R401.1, R602.3(1), R602.3(2), R602.10.1.2(2), R602.10.2, R602.10.4.1, R606.2.4, R602.3.2, R802.8, R1001.3.1) are reasonably necessary for the health, safety, and general welfare of the residents of the City resulting from the following geological condition:

The City is located in a seismically active area, bisected by the Raymond Fault, and among a vast array of other fault systems capable of producing major earthquakes. It is reasonably foreseeable that an earthquake would render the City particularly vulnerable to devastation.

- G. The City Council hereby further finds that the other modifications to the 2010 California Codes are administrative or procedural in nature and necessary to allow the application of such codes by procedures suited to the size and nature of the City and its staff. The changes made also include provisions to make each of said Codes consistent with other Codes enforced by the City.

**SECTION 2.** The City Clerk shall certify to the adoption of this resolution and shall cause a certified copy of the same to be forthwith transmitted to the California Building Standards Commission.

PASSED, APPROVED, AND ADOPTED this 10<sup>th</sup> day of November 2010.

  
DENNIS KNEIER  
MAYOR

ATTEST:

  
VERONICA RUIZ  
CITY CLERK

APPROVED AS TO FORM:

  
STEVEN L. DORSEY  
CITY ATTORNEY

I HEREBY CERTIFY that foregoing Resolution No. R-10-31 was duly adopted by the City of San Marino at a Regular Meeting of the City Council held on the 10<sup>th</sup> day of November, 2010, by the following vote:

AYES: COUNCIL MEMBERS: EUGENE SUN, RICHARD SUN, WARD, VICE-MAYOR YUNG, AND MAYOR KNEIER

NOES: NONE

ABSENT: NONE

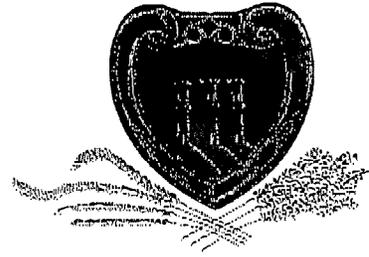
ABSTAIN: NONE

*Veronica Ruiz*

VERONICA RUIZ,  
CITY CLERK

# City of San Marino

Planning & Building Department



## FAX TRANSMITTAL SHEET

CITY OF SAN MARINO  
2200 HUNTINGTON DRIVE  
SAN MARINO, CALIFORNIA 91108  
PHONE: (626) 300-0711  
FAX: (626) 300-0716

TO: Russell Frank  
FROM: Amanda Thorson  
FAX #: 916-263-0959  
DATE: 2-3-11  
SUBJECT: San Marino Building Code Amendments - Resolution  
PAGES: (Including this cover sheet) 5

COMMENTS:

---

---

---

---

---

---

---

---

Should you have any problems with this transmittal, please call (626) 300-0711.



RESOLUTION NO. R-10-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO CODES COMPRISING THE 2010 CALIFORNIA BUILDING STANDARDS CODE ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS

WHEREAS, Section 17958 of the California Health and Safety Code provides that the City may make such changes or modifications to building standards set forth in codes comprising the 2010 California Building Standards Codes as it determines are reasonably necessary because of local climatic, geological or topographical conditions.

WHEREAS, Ordinance No. O-10-1246 adopts the 2010 editions of the California Building, Residential, Plumbing, Mechanical, Electrical, Fire, Energy, Administrative, Green Building Standards, and Referenced Standards Codes, including various modifications to building standards and other provisions contained in said codes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO HEREBY FINDS, DETERMINES, ORDERS AND RESOLVES AS FOLLOWS:

SECTION 1. Findings supporting local amendments. The modifications to Codes comprising the 2010 California Building Standards Code that have been enacted are a continuation of the San Marino Building Code. The City Council expressly finds that all of the changes and modifications to such Codes, whether previously enacted or enacted in 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, the relatively flat topography of the City and the location of the Raymond fault within the City.

A. Specifically, the City Council hereby finds that the modifications to the California Building Code regarding fire-resistive construction (Sections 302.1), garage access (Section 312.2), and roof coverings (Sections 1501.1, 1505.1.3), the modifications to the California Electrical Code regarding service entrance panels (Section 25.06.05 of the San Marino City Code), grounding and bonding connections (Section 25.06.06 of the San Marino City Code), factory-assembled conduits (Section 25.06.07 of the San Marino City Code), the use of aluminum (Section 25.06.08 of the San Marino City Code), the grounding of electrical services (Section 250.50), and the disconnecting of multiple arrays (Section 690.18), the modifications to the California Fire Code regarding portable fire extinguishers (Section 906.1.1), automatic fire extinguishing systems (Section 903.2, 903.4), fire alarm systems (Section 907.2A), portable outdoor fireplaces (Section 307.4.3), outdoor fireplaces, fire pits and decorative fire features (Section 307.4.4), open flame cooking devices (Section 308.1.3), key switches (Section 506.1.2) and fireworks (Section 3308.2) are reasonably necessary to the health, safety and general welfare of the residents of the City due to the following local climatic, topographic and geological conditions:

1. The city is located in an area climatically classified as arid and prone to hot, dry Santa Ana winds of high velocity. Santa Ana winds are unique to this region of Southern California. Moreover, due to the arid nature of the area, the weather during



Santa Ana conditions tends to be hot, dry and windy. The hot, dry and windy weather conditions are very hazardous to populated areas insofar as flame spread is concerned.

2. Because of the above-described climatic conditions, the City and the surrounding cities have historically suffered from occasional structural fires. These have often been difficult to control due to the relatively flat topography of the City and the dry winds carrying sparks and cinders to surrounding structures.
  3. The city is located in a seismically active area, bisected by the Raymond Fault, and it is reasonably foreseeable that an earthquake would render the City particularly vulnerable to devastation.
  4. Because of the above-described geological conditions, the City, in the event of an earthquake, may be unable to dispatch an adequate number of fire personnel with apparatus to suppress fires and conduct rescue operations. Moreover, the conditions within the City likewise occur in surrounding communities, thereby rendering mutual aid assistance problematic.
- B. The City Council hereby further finds that the modifications to the California Building Code regarding garage floor construction (Section 312.3), masonry chimneys (2113A.1) and the modifications to the California Plumbing Code regarding roof-mounted solar collectors (Chapter 17) are reasonably necessary for the health, safety, and general welfare of the residents of the City resulting from geological characteristics of the City, which include proximity to active earthquake fault zones.
- C. The City Council hereby further finds that the modifications to the California Building Code regarding weep screeds (Sections 2507.3) and asphalt shingles (Section 1507.2.5.1) are reasonably necessary for the health, safety, and general welfare of the residents of the City resulting from the following climatic and topographical conditions:
- The City is subject to heavy winter rains, which in combination with the City's high water table, requires steps to prevent the rotting of wood.
- D. The City Council hereby further finds that the modification to the California Building Code regarding awnings (Sections 3202.2), the modification to the California Plumbing Code regarding outside pipes and conduits (Section 313.13) and the modifications to the California Electrical Code regarding service entrances (Section 25.05.09 of the San Marino City Code) are reasonably necessary for the health, safety and general welfare of the residents of the City resulting from the following climatic and topographical conditions:
- The City is prone to winds of high velocity, which in combination with the presence of numerous trees throughout the City, require steps to reduce the risk of falling objects, flying debris and other hazards created by wind-damaged structures and equipment.
- E. The City Council hereby further finds that the modifications to the California Building Code regarding swimming pool barriers (Section 3109.4.1), the modifications to the California Plumbing Code regarding vents (Sections 510.7.3.4, 906.8), and the modifications to the California Electrical Code regarding service entrance panels (Section 25.05.05 of the San



Marino City Code) are reasonably necessary for the health, safety, and general welfare of the residents of the City resulting from the following climatic conditions:

The City is subject to warm temperatures and dry seasonal weather conditions, which together encourage the use of swimming pools and a significant number of indoor appliances. The proliferation of swimming pools and the need for an increased number of electrical outlets and vents to accommodate various indoor appliances, create both safety and aesthetic concerns that require regulation in order to protect the health, safety and general welfare of the residents of the City.

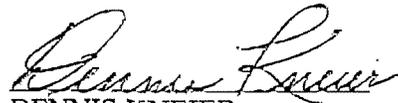
- F. The City Council hereby further finds that the selected recommended technical amendments and additions to the 2010 California Building and Residential Codes from the Los Angeles Regional Uniform Code Program (Building Code Sections 1613.11, 1704.8, 1704.9, 1807.1.6, 1908.1, 1908.1.11-1908.14, 1908.1.2, 1908.1.3, 2204.11, 2205.4, 2308.3.4, 2308.12.2, 2308.12.4 and Residential Code Sections R301.1.3.2, R301.1.4, R401.1, R602.3(1), R602.3(2), R602.10.1.2(2), R602.10.2, R602.10.4.1, R606.2.4, R602.3.2, R802.8, R1001.3.1) are reasonably necessary for the health, safety, and general welfare of the residents of the City resulting from the following geological condition:

The City is located in a seismically active area, bisected by the Raymond Fault, and among a vast array of other fault systems capable of producing major earthquakes. It is reasonably foreseeable that an earthquake would render the City particularly vulnerable to devastation.

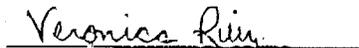
- G. The City Council hereby further finds that the other modifications to the 2010 California Codes are administrative or procedural in nature and necessary to allow the application of such codes by procedures suited to the size and nature of the City and its staff. The changes made also include provisions to make each of said Codes consistent with other Codes enforced by the City.

**SECTION 2.** The City Clerk shall certify to the adoption of this resolution and shall cause a certified copy of the same to be forthwith transmitted to the California Building Standards Commission.

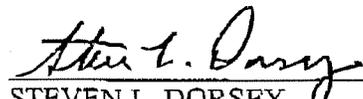
PASSED, APPROVED, AND ADOPTED this 10<sup>th</sup> day of November 2010.

  
DENNIS KNEIER  
MAYOR

ATTEST:

  
VERONICA RUIZ  
CITY CLERK

APPROVED AS TO FORM:

  
STEVEN L. DORSEY  
CITY ATTORNEY



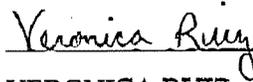
I HEREBY CERTIFY that foregoing Resolution No. R-10-31 was duly adopted by the City of San Marino at a Regular Meeting of the City Council held on the 10<sup>th</sup> day of November, 2010, by the following vote:

AYES: COUNCIL MEMBERS: EUGENE SUN, RICHARD SUN, WARD, VICE-MAYOR YUNG, AND MAYOR KNEIER

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

  
\_\_\_\_\_  
VERONICA RUIZ,  
CITY CLERK



**BUILDING STANDARDS COMMISSION**

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



February 3, 2011

Mr. David A. Saldana, AICP, Director Planning and Building Dept  
Building Code Adoption Ordinance  
City of San Marino  
2200 Huntington Drive  
San Marino, California 91108-2639

Dear Mr. David A Saldana,

This is to acknowledge receipt of the City of San Marino submittal pertaining to Ordinance O-10-1246 with findings on December 29, 2010. As the law states, no local modification or change to the California Building Standards Code (Code) shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission.

It appears that your submittal includes amendments exceeding energy efficiency standards made by the California Building Standards Code 25402.1(h)(2) and Title 24, Part 1, Chapter 1.1, Section 101.2, California Building Standards Code Energy Commission for our office as of the date

*WAITING FOR FINDINGS TO BE FAXED OR E-MAILED ON THURSDAY 02/03/11*

iciency standards. Local modifications are not enforceable until a finding is made. A letter is being sent to the City of San Marino. Your submittal has been filed in

As a reminder, local modifications must be readopted and filed with the Commission to become effective when the next triennial cycle expires. You will receive Fire Protection District ordinances to the Department of Building Standards Commission, attention: State Building Standards Commission.)

of the Code. They must be adopted in order to become effective. In addition, should you wish to submit the ratified ordinance to the Building Standards Commission (H&SC Section 101.2) of the Building

This letter attests only to the filing of the ordinance with the Building Standards Commission, which is not authorized to determine the merit of the filing. The filing of the energy efficiency standards portion of this ordinance will not be complete without the approval of the California Energy Commission. If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Joe Loyer, California Energy Commission  
Chron  
Local Filings



**TRIAGE CHECK LIST – LOCAL AMENDMENT SUBMITTALS**

Received by Russ Frank Date 2/3/11 Jurisdiction CITY of SAN MARINO

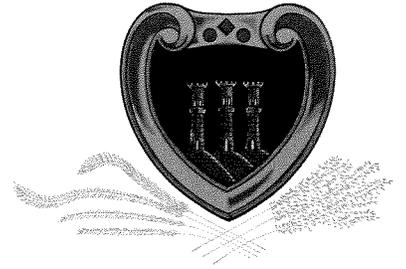
Codes being amended B, R, GB, P, M, E, F Energy Efficient Standards \_\_\_\_\_ Green Building \_\_\_\_\_

SUBMITTAL REQUIREMENTS		Submitted		Accepted		COMMENTS/NOTES
		YES	NO	YES	NO	
<b>LOCAL AMENDMENT SUBMITTAL PACKAGE</b>						
1.	<ul style="list-style-type: none"> <li>Cover letter signed by city or county official. (Not required)</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.	<ul style="list-style-type: none"> <li>Statement as to which code(s) and edition(s) is/are being adopted and/or amended by governing body. (H &amp; SC 17958.5)</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.	<ul style="list-style-type: none"> <li>Findings by governing body that modifications to California code are reasonably necessary because of local climatic, geological, or topographical conditions. [H &amp; SC 17958.5, 17958.7(a) &amp; 18941.5(b)] CBSC may reject if no finding was submitted. [H&amp;SC 17958.7(b)]</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.	<ul style="list-style-type: none"> <li>Modification or change to code, by ordinance, expressly marked and identified to which each finding refers [H &amp; SC 17958.5, 17958.7(a), &amp; 18941.5(b)]</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.	<ul style="list-style-type: none"> <li>Not a fire protection district submittal to be forwarded to HCD</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.	<ul style="list-style-type: none"> <li>If Energy Efficient Standards, a copy of the Energy Commission Resolution is included.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.	<ul style="list-style-type: none"> <li>Copy of letter forwarded to Energy Commission</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



# City of San Marino

Planning & Building Department



December 27, 2010

Dave Walls  
California Building Standards Commission  
2525 Natomas Park Dr., Suite 130  
Sacramento, California 95833-2936

**SUBJECT: CITY OF SAN MARINO, BUILDING CODE ADOPTION ORDINANCE**

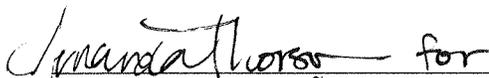
Dear Mr. Walls:

The City of San Marino has adopted the current Building, Residential, Green Building Standards, Plumbing, Mechanical, Electrical and Fire Codes of the State of California.

The City of San Marino 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, Electrical, Plumbing and Fire Codes are reasonably necessary due to local conditions in the City of San Marino 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 San Marino.

The enclosed City Ordinance is for your files. If additional information is desired please do not hesitate to contact me at (626) 300-0711.

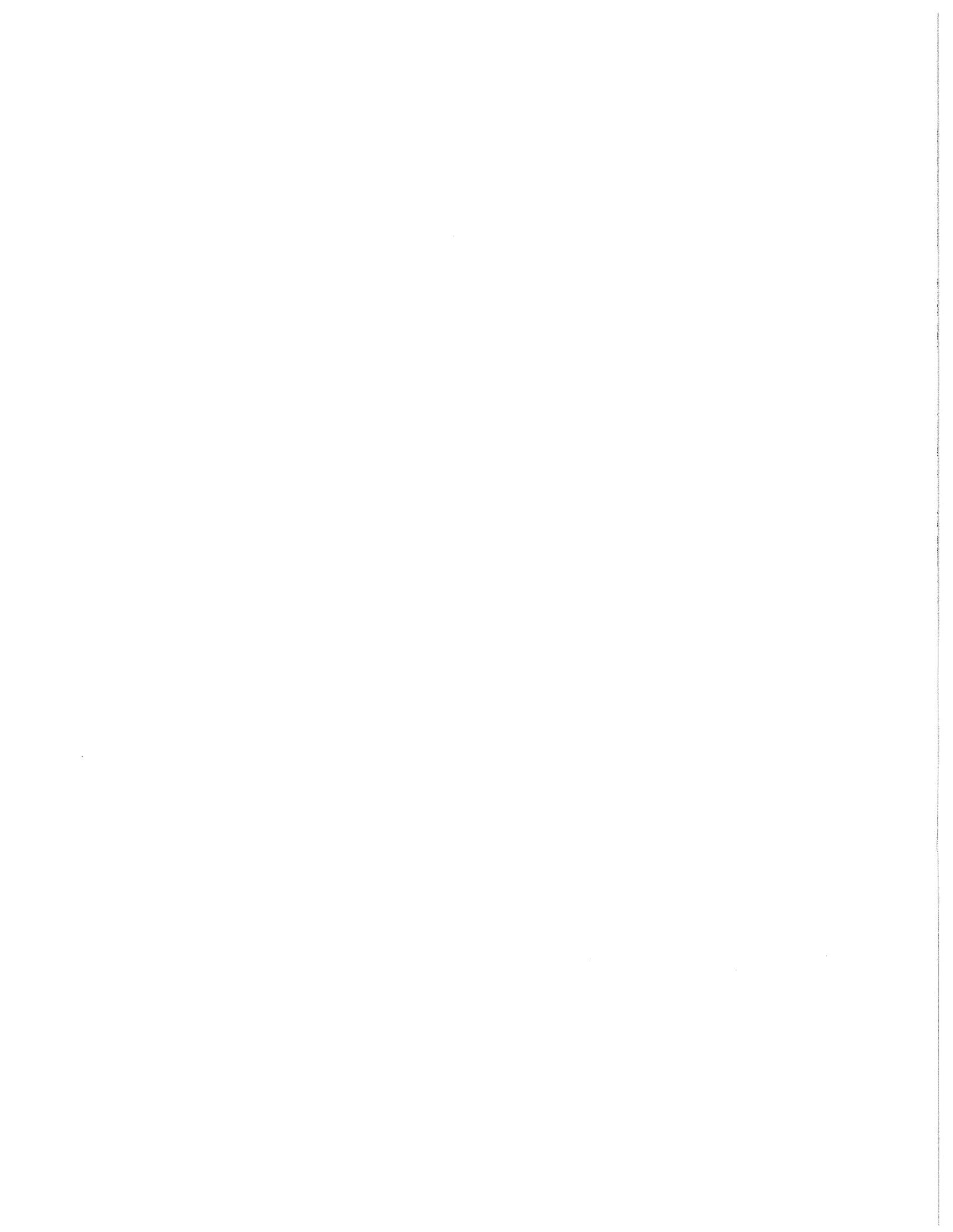
Sincerely,

 *for*  
\_\_\_\_\_  
DAVID A. SALDAÑA, AICP  
Director, Planning and Building Department

DAS/act

Attachment: Ordinance O-10-1246

2010 DEC 29 A 11:09  
CITY OF SAN MARINO  
PLANNING & BUILDING  
DEPARTMENT



**ORDINANCE NO. O-10-1246**

**AN ORDINANCE OF THE CITY OF SAN MARINO ADOPTING BY REFERENCE THE 2010 EDITIONS OF THE CALIFORNIA ADMINISTRATIVE, BUILDING, MECHANICAL, PLUMBING, ELECTRICAL, RESIDENTIAL, FIRE, ENERGY, GREEN BUILDING STANDARDS, AND REFERENCED STANDARDS CODE, WITH CERTAIN AMENDMENTS, DELETIONS AND ADDITIONS, AND AMENDING CHAPTER 25 OF THE SAN MARINO CITY CODE**

THE CITY COUNCIL OF THE CITY OF SAN MARINO DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1.** Articles 02 through 06 and Article 09 of Chapter 25, the “Uniform Codes” of the San Marino City Code, adopting by reference the 2007 Editions of the California Building, Mechanical, Plumbing, Electrical, Energy and Fire Code, and amendments thereto, are hereby repealed; provided, however, that such repeal shall not affect or excuse any violation of any of said codes occurring prior to the effective date of this ordinance.

**SECTION 2.** New Article 02 Building Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

**Article 02**

**BUILDING CODE**

**SECTION:**

- 25.02.01 Building Code Adopted**
- 25.02.02 Amendment of Section 114.1**
- 25.02.03 Amendment of Section 113.1**
- 25.02.04 Amendment of Sections 109.2 and 109.6**
- 25.02.05 Additions of Sections 110.3.3.1, 110.3.9.1, 110.3.11**
- 25.02.06 Amendment of Section 111.1**
- 25.02.07 Amendment of Section 302.1**
- 25.02.08 Addition of Section 312.2**
- 25.02.09 Addition of Section 312.3**
- 25.02.10 Amendment of Section 1501.1**
- 25.02.11 Amendment of Section 1505.1.3**
- 25.02.12 Addition of Section 1507.2.5.1**
- 25.02.13 Addition of Section 1613.11**
- 25.02.14 Amendment of Section 1704.8**
- 25.02.15 Amendment of Section 1704.9**
- 25.02.16 Amendment of Section 1807.1.6**
- 25.02.17 Amendment of Section 1908.1 and Addition of Sections 1908.1.11 - 1908.1.14**
- 25.02.18 Amendment of Section 1908.1.2**
- 25.02.19 Amendment of Section 1908.1.3**
- 25.02.20 Amendment of Section 2113.A.1**
- 25.02.21 Amendment of Section 2204.1.1**

- 25.02.22**      **Amendment of Section 2205.4**
- 25.02.23**      **Amendment of Section 2308.3.4**
- 23.02.24**      **Amendment of Sections 2308.12.2 and 2308.12.4 and Table 2308.12.4**
- 23.02.25**      **Amendment of Section 2507.3**
- 23.02.26**      **Amendment of Section 3202.2**
- 23.02.27**      **Amendment of Section 3109.4.1**

**25.02.01: BUILDING CODE ADOPTED:**

A.      **CODE ADOPTED:** The California Building Code, 2010 Edition, based on the 2009 International Building Code as published by the International Code Council, including all appendices, is hereby adopted by reference, and together with certain amendments and deletions, shall constitute the Building Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained for use and examination by the public.

B.      **BUILDING OFFICIAL DEFINED:** For the purpose of this Code, the Planning and Building Director shall be the Building Official.

**25.02.02: AMENDMENT OF SECTION 114.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 114.1 of the Building Code is amended to read as follows:

**114.1 Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building, structure or equipment or cause or permit the same to be done in violation of the Building Code.

It is hereby declared that any violation of the Building Code constitutes a public nuisance, and in addition to any other remedies provided by the Building Code for its enforcement, the City Council may bring civil suit to enjoin the violation of any provisions of this Building Code.

Any person, firm or corporation violating any of the provisions of the Building Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in Section 01.04.03A of this Code. Each separate day or any portion thereof during which violation of the Building Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

**25.02.03: AMENDMENT OF SECTION 113.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 113.1 of the Building Code is amended to read as follows:

**113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals consisting of the members of the City Council. The Building Official shall be an ex officio member and shall act as Secretary to said Board but shall have no vote on any matter before the Board. The Board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings, in writing, to the appellant with a duplicate copy to the Building Official. The Board may request the services

of members of the community who are qualified by experience and training to interpret matters pertaining to the Building Code to act as technical assistants to the Board. Technical assistants shall have no vote on any matter before the Board.

**25.02.04: AMENDMENT OF SECTIONS 109.2 AND 109.6:** Notwithstanding the provisions of Section 25.02.01 of this Article, Sections 109.2 and 109.6 of the Building Code are amended to read as follows:

**109.2 Schedule of permit fees.** The fee for each permit shall be as periodically established by City Council resolution.

**109.2.1 Plan review fees.** When plans or other data are required pursuant Section 107.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be 100 percent of the building permit fee established by resolution of the City Council.

**109.2.2 Expiration of plan review.** Applications for which no permit is issued within 180 days following the date the application or the date of final approval, if one exists, 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 written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**109.2.3 Expiration of building permits.** Building permit expiration dates are based on project valuation according to the following schedule:

VALUATION	PERMIT EXPIRATION DATE
Up to \$50,000	6 months
\$50,000 - \$100,000	9 months
\$100,001 - \$250,000	12 months
\$250,001 and over	15 months

The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) 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.

If an applicant wishes to renew a permit that has been expired for less than 6 months, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 6 months, 100% of the original fees paid shall be required to renew the permit.

**109.6 Fee refunds.** The Building Official may authorize refunding of any fee paid hereunder that was erroneously paid or collected.

The Building Official may authorize the refunding of not more than 80% of the permit fee paid when no work has been done under a permit in accordance with the Building code.

The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee within 60 days of the date of fee payment.

**25.02.05: ADDITION OF SECTIONS 110.3.3.1, 110.3.9.1 AND 110.3.11:** Notwithstanding the provisions of Section 25.02.01 of this Article, new Sections 110.3.3.1, 110.3.9.1 and 110.3.11 are added to the Building Code to read as follows:

**110.3.3.1** Prior to frame approval, an rough zoning inspection is required in order to ensure compliance with the approved Development Plans.

**110.3.9.1** Prior to final approval, a final zoning inspection is required in order to ensure final compliance with approved Development Plans.

**110.3.11 Connections prohibited.** Unless approval has been first obtained from the Building Official, the connection of gas or electrical utilities shall be prohibited until the final zoning, building, heating, air conditioning, electrical, plumbing and grading inspections, as required, are completed and approval has been granted on any building.

**25.02.06: AMENDMENT OF SECTION 111.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 111.1 of the Building Code is amended to read as follows:

**111.1 Use or Occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification, tenancy, or change in proprietorship 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.

Exception: Group R, Division 3 and Group U occupancies.

Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of the Building Code or of other ordinances of the City. Certificates presuming to give authority to violate or cancel the provisions of the Building Code or other ordinances of the City shall not be valid.

**25.02.07: AMENDMENT OF SECTION 302.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 302.1 of the Building Code is amended by adding a new paragraph to read as follows:

Any buildings or structures hereafter erected or constructed on C-1 zoned property shall be constructed of one-hour fire resistive construction throughout.

This Section shall apply to:

1. Construction of any new building.

2. Addition, renovation or remodeling of any existing building when the value thereof is more than twenty percent (20%) of the estimated value of the existing building. The value of the proposed addition, renovation or remodeling shall be cumulative of all such renovation or remodeling over five (5) years.

The value of the proposed construction and of the existing building shall be determined by the Planning and Building Department based upon the latest edition of the Building Valuation Data as published by the International Code Council.

**25.02.08: ADDITION OF SECTION 312.2:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 312.2 is added to the Building Code to read as follows:

**312.2 Garage access.** To provide a secondary means of egress from a private garage, a door, minimum 2'6" x 6'8" dimensions, shall be provided in addition to the automobile access door or doors.

**25.02.09: ADDITION OF SECTION 312.3:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 312.3 is added to the Building Code to read as follows:

**312.3 Garage floor surfaces.** In areas where motor vehicles are stored or operated, floor surface shall be concrete, and shall be a minimum 3-1/2 inches thick.

**25.02.10: AMENDMENT OF SECTION 1501.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1501.1 of the Building Code is amended by adding a new paragraph following the first sentence to read as follows:

In the areas classified as Very High Fire Hazard Severity Zones, all new roofs and reroofs of more than fifty percent (50%) of the existing roof area within one year shall, be minimum Class "A" roofs.

In all other areas, a new roof with a minimum Class "B" classification shall be installed over the entire structure whenever the livable area is increased by 50% or more.

Reroofing over an existing roof is not permitted unless the roofing is specifically approved in the classification required over existing substrate. Evidence of such approval must be submitted at the time of permit issuance. Fire severity zones are established by the Fire Department and the California Department of Forestry and Fire Protection.

**25.02.11: AMENDMENT OF SECTION 1505.1.3:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1505.1.3 of the Building Code is amended by requiring minimum Class "B" roofing for all types of construction for Group A-3, B, M and R-3 Occupancies.

**25.02.12: ADDITION OF SECTION 1507.2.5.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1507.2.5.1 is added to the Building Code to read as follows:

**1507.2.5.1** Not more than one overlay of asphalt shingles shall be applied over an existing asphalt or wood shingle roof. Asphalt shingles applied over wood shingles shall not have less than Type 30 nonperforated felt underlayment installed prior to reroofing.

**25.02.13: ADDITION OF SECTION 1613.11:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1613.11 is added to the Building Code to read as follows:

**1613.11 ASCE 7, Section 12.11.2.2.3.** Modify ASCE 7, Section 12.12.4 to read as follows:

12.11.2.2.3 Wood Diaphragms. In wood diaphragms, the continuous ties shall be in addition to the diaphragm sheathing. Anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal nor shall wood ledgers or framing be used in cross-grain bending or cross-grain tension. The diaphragm sheathing shall not be considered effective as providing ties or struts required by this section.

For structures assigned to Seismic Design Category D, E or F, wood diaphragms supporting concrete or masonry walls shall comply with the following:

1. The spacing of continuous ties shall not exceed 40 feet. Added chords of diaphragms may be used to form subdiaphragms to transmit the anchorage forces to the main continuous crossties.
2. The maximum diaphragm shear used to determine the depth of the subdiaphragm shall not exceed 75% of the maximum diaphragm shear.

**25.02.14: AMENDMENT OF SECTION 1704.8:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1704.8 of the Building Code is amended to read as follows:

**1704.8 Driven deep foundations and connection grade beams.** Special inspections shall be performed during installation and testing of driven deep foundation elements as required by Table 1704.8. Special inspections shall be performed for connection grade beams in accordance with Section 1704.4 for structures assigned to Seismic Design Category D, E, or F. The approved geotechnical report, and the construction documents prepared by the registered design professionals, shall be used to determine compliance.

**25.02.15: AMENDMENT OF SECTION 1704.9:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1704.9 of the Building Code is amended to read as follows:

**1704.9 Cast-in-place deep foundations and connection grade beams.** Special inspections shall be performed during installation and testing of cast-in-place deep foundation elements as required by Table 1704.9. Special inspections shall be performed for connection grade beams in accordance with Section 1704.4 for structures assigned to Seismic Design Category D, E, or F. The approved geotechnical report, and the construction documents prepared by the registered design professionals, shall be used to determine compliance.

**25.02.16: AMENDMENT OF SECTION 1807.1.6:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1807.1.6 of the Building Code is amended to read as follows:

**1807.1.6 Prescriptive design of concrete and masonry foundation walls.** Concrete and masonry foundation walls that are laterally supported at the top and bottom shall be permitted to be designed and constructed in accordance with this section. Prescriptive design of foundation walls shall not be used for structures assigned to Seismic Design Category D, E, or F.

**25.02.17: AMENDMENT OF SECTION 1908.1 AND ADDITION OF SECTIONS 1908.1.11 THROUGH 1908.1.14:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1908.1 of the Building Code is amended and Sections 1908.1.11 thru 1908.1.14 of the Building Code are added to read as follows:

**1908.1 General.** The text of ACI 318 shall be modified as indicated in Sections 1908.1.1 through 1908.1.14

**1908.1.11 ACI 318 21.6.4.1.** Modify ACI 318, Section 21.6.4.1 to read as follows:

Where the calculated point of contraflexure is not within the middle half of the member clear height, provide transverse reinforcement as specified in ACI 318 Sections 21.6.4.1, Items (a) through (c), over the full height of the member.

**1908.1.12 ACI 318, Section 21.6.6.4.** Modify ACI 318, Section 21.6.4, by adding Section 21.6.4.8 to read as follows:

21.6.4.8 – At any section where the design strength,  $\phi P_n$ , of the column is less than the sum of the shears  $V_e$  computed in accordance with ACI 318 Sections 21.5.4.1 and 21.6.5.1 for all of the beams framing into the column above the level under consideration, transverse reinforcement as specified in ACI 318 Sections 21.6.4.1 through 21.6.4.3 shall be provided. For beams framing into opposite sides of the column, the moment components may be assumed to be of opposite sign. For the determination of the design strength,  $\phi P_n$ , of the column, these moments may be assumed to result from the deformation of the frame in any one principal axis.

**1908.1.13 ACI 318, Section 21.9.4.** Modify ACI 318, Section 21.9.4 by adding Section 21.9.4.6 to read as follows:

21.9.4.6 – Walls and portions of walls with  $P_u > 0.35P_o$  shall not be considered to contribute to the calculated strength of the structure for resisting earthquake-induced forces. Such walls shall conform to the requirements of ACI 318 Section 21.13.

**1908.1.14 ACI 318, Section 21.11.6.** Modify ACI 318, Section 21.11.6, by adding the following:

Collector and boundary elements in topping slabs placed over precast floor and roof elements shall not be less than 3 inches (76mm) or  $6 d_b$  thick, where  $d_b$  is the diameter of the largest reinforcement in the topping slab.

**25.02.18: AMENDMENT OF SECTION 1908.1.2:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1908.1.2 of the Building Code is amended to read as follows:

**1908.1.2 ACI 318, Section 21.1.1.** Modify ACI 218, Sections 21.1.1.3 and 21.1.1.7 as follows:

21.1.1.3 – Structures assigned to Seismic Design Category A shall satisfy requirements of Chapters 1 to 19 and 22; Chapter 21 does not apply. Structures assigned to Seismic Design Category B, C, D, E or F also shall satisfy 21.1.1.4 through 21.1.1.8, as applicable. Except for structural elements of plain concrete complying with Section 1908.1.8 of the International Building Code, structural elements of plain concrete are prohibited in structures assigned to Seismic Design Category C, D, E or F.

21.1.1.7 – Structural systems designated as part of the seismic-force-resisting system shall be restricted to those permitted by ASCE 7. Except for Seismic Design Category A, for which

Chapter 21 does not apply, the following provisions shall be satisfied for each structural system designated as part of the seismic-force-resisting system, regardless of the Seismic Design Category:

- (a) Ordinary moment frames shall satisfy 21.1.
- (b) Ordinary reinforced concrete structural walls and ordinary precast structural walls need not satisfy any provisions in Chapter 21.
- (c) Intermediate moment frames shall satisfy 21.3.
- (d) Intermediate precast structural walls shall satisfy 21.4.
- (e) Special moment frames shall satisfy 21.5 through 21.8.
- (f) Special structural walls shall satisfy 21.9.
- (g) Special structural walls constructed using precast concrete shall satisfy 21.10.

All special moment frames and special structural walls shall also satisfy 21.1.3 through 21.1.7. Concrete tilt-up wall panels classified as intermediate precast structural wall system shall satisfy 21.9 in addition to 21.4.2 and 21.4.3 for structures assigned to Seismic Design Category D, E or F.

**25.02.19: AMENDMENT OF SECTION 1908.1.3:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1908.1.3 of the Building Code is amended to read as follows:

**1908.1.3 ACI 318, Section 21.4.** Modify ACI 318 Section 21.4 by renumbering Section 21.4.3 to 21.4.4 and adding new Sections 21.4.3, 21.4.5, 21.4.6 and 21.4.7 to read as follows:

21.4.3 – Connections that are designed to yield shall be capable of maintaining 80 percent of their design strength at the deformation induced by the design displacement or shall use Type 2 mechanical splices.

21.4.4 – Elements of the connection that are not designed to yield shall develop at least  $1.5 S_y$ .

21.4.5 – Wall piers in Seismic Design Category D, E or F shall comply with Section 1908.1.4 of this Code.

21.4.6 – Wall piers not designed as part of a moment frame in buildings assigned to Seismic Design Category C shall have transverse reinforcement designed to resist the shear forces determined from 21.3.3. Spacing of transverse reinforcement shall not exceed 8 inches (203mm). Transverse reinforcement shall be extended beyond the pier clear height for at least 12 inches (305mm).

Exceptions:

- 1. Wall piers that satisfy 21.13.
- 2. Wall piers along a wall line within a story where other shear wall segments provide lateral support to the wall piers and such segments have a total stiffness of at least six times the sum of the stiffness of all the wall piers.

21.4.7 – Wall segments with a horizontal length-to-thickness ratio less than 2.5 shall be designed as columns.

**25.02.20: AMENDMENT OF SECTION 2113A.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2113A.1 of the Building Code is amended to read as follows:

**2113A.1 Definition.** A masonry chimney is a chimney constructed of concrete or masonry hereafter referred to as “masonry.” Masonry chimneys shall be constructed, anchored, supported and reinforced as required in this chapter.

Notwithstanding any other provisions of this code, an existing masonry chimney that is altered or repaired more than 10 percent of its replacement cost within any 12-month period shall have its entire chimney structure comply with the current requirements of this code or other standards approved by the building official.

**25.02.21: AMENDMENT OF SECTION 2204.1.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2204.1.1 of the Building Code is hereby added to read as follows:

**2204.1.1.1 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.

**25.02.22: AMENDMENT OF SECTION 2205.4:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2205.4 of the Building Code is hereby added to read as follows:

**2205.4 AISC 341, Part 1, Section 13.2 Members.** Add Section 13.2f to read as follows:

13.2f. Member Types

The use of rectangular HSS are not permitted for bracing members, unless filled solid with cement grout having a minimum compressive strength of 3,000 psi (20.7 MPa) at 28 days. The effects of composite action in the filled composite brace shall be considered in the sectional properties of the system where it results in the more severe loading condition or detailing.

**25.02.23: AMENDMENT OF SECTION 2308.3.4:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2308.3.4 of the Building Code is amended to read as follows:

**2308.3.4 Braced wall line support.** Braced wall lines shall be supported by continuous foundations.

Exception: For structures with a maximum plan dimension not over 50 feet (15240 mm), continuous foundations are required at exterior walls only for structures not assigned to Seismic Design Category D, E, or F.

**25.02.24: AMENDMENT OF SECTIONS 2308.12.2 AND 2308.12.4 AND TABLE 2308.12.4:** Notwithstanding the provisions of Section 25.02.01 of this Article, Sections 2308.12.2 and 2308.12.3 and Table 2308.12.4 of the Building Code are amended to read as follows:

**2308.12.2 Concrete or masonry.** Concrete or masonry walls and stone or masonry veneer shall not extend above the basement.

Exception: Stone and masonry veneer is permitted to be used in the first story above grade plane in Seismic Design Category D, provided the following criteria are met:

1. Type of brace in accordance with Section 2308.9.3 shall be Method 3 and the allowable shear capacity in accordance with Table 2306.4.1 shall be a minimum of 350 plf (5108 N/m)
2. The bracing of the first story shall be located at each end and at least every 25 feet (7620 mm) o.c. but not less than 45 percent of the braced wall line.
3. Hold-down connectors shall be provided at the ends of braced walls for the first floor to foundation with an allowable design of 2,100 pounds (9341 N).
4. Cripple walls shall not be permitted.
5. Anchored masonry and stone wall veneer shall not exceed 5 inches (127 mm) in thickness, shall conform to the requirements of Chapter 14 and shall not extend more than 5 feet (1524 mm) above the first story finished floor.

**2308.12.4 Braced wall line sheathing.** Braced wall lines shall be braced by one of the types of sheathing prescribed by Table 2308.12.4 as shown in Figure 2308.9.3. The sum of lengths of braced wall panels at each braced wall line shall conform to Table 2308.12.4. Braced wall panels shall be distributed along the length of the braced wall line and start at not more than 8 feet (2438 mm) from each end of the braced wall line. Panel sheathing joints shall occur over studs or blocking. Sheathing shall be fastened to studs, top and bottom plates and at panel edges occurring over blocking. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide [actual 1 ½ inch (38 mm)] or larger members and spaced a maximum of 16 inches on center.

Exception: Braced wall panels required by Section 2308.12.4 may be eliminated when all of the following requirements are met:

1. One story detached Group U occupancies not more than 25 feet in depth or length.
2. The roof and three enclosing walls are solid sheathed with 15/32 inch nominal thickness wood structural panels with 8d common nails placed 3/8 inches from panel edges and spaced not more than 6 inches on center along all panel edges and 12 inches on center along intermediate framing members. Wall openings for doors or windows are permitted provided a minimum 4 foot wide wood structural braced panel with minimum height to length ratio of 2 to 1 is provided at each end of the wall line and that the wall line be sheathed for 50% of its length.

Wood structural panel sheathing shall be a minimum of 15/32 inch thick nailed with 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center and 12 inches on center along intermediate framing members.

Braced wall panel construction types shall not be mixed within a braced wall line.

**TABLE 2308.12.4**  
**WALL BRACING IN SEISMIC DESIGN CATEGORIES D AND E**  
**(Minimum Length of Wall Bracing per each 25 Linear Feet of Braced Wall Line<sup>a</sup>)**

CONDITION	SHEATHING TYPE <sup>b</sup>	$S_{DS} < 0.50$	$0.50 < S_{DS} < 0.75$	$0.75 < S_{DS} < 1.00$	$S_{DS} > 1.00$
One Story	G-P <sup>c</sup>	10 feet 8 inches	14 feet 8 inches	18 feet 8 inches	25 feet 0 inches
	S-W <sup>d</sup>	5 feet 4 inches	8 feet 0 inches	9 feet 4 inches	12 feet 0 inches

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

- a. Minimum length of panel bracing of one face of the wall for SW sheathing shall be at least 4'-0" long or both faces of the wall for G-P sheathing shall be at least 8'-0" long; h/w ratio shall not exceed 2:1. For S-W panel bracing of the same material on two faces of the wall, the minimum length is permitted to be one-half the tabulated value but the h/w ratio shall not exceed 2:1 and design for uplift is required.
- b. G-P = gypsum board, Portland cement plaster or gypsum sheathing boards; S-W = wood structural panels.
- c. Nailing as specified below shall occur at all panel edges at studs, at top and bottom plates and, where occurring, at blocking:  
 For ½-inch gypsum board, 5d (0.113 inch diameter) cooler nails at 7 inches on center;  
 For 5/8-inch gypsum board, No 11 gage (0.120 inch diameter) cooler nails at 7 inches on center;  
 For gypsum sheathing board, 1-3/4 inches long by 7/16-inch head, diamond point galvanized nails at 4 inches on center;  
 For gypsum lath, No. 13 gage (0.092 inch) by 1-1/8 inches long, 19/64-inch head, plasterboard at 5 inches on center;  
 For Portland cement plaster, No. 11 gage (0.120 inch) by 1 ½ inches long, 7/16-inch head at 6 inches on center;
- d. S-W sheathing shall be a minimum of 15/32" thick nailed with 8d common placed 3/8 from panel edges and spaced not more than 6 inches on center and 12 inches on center along intermediate framing members.

**25.02.25: AMENDMENT OF SECTION 2507.3:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2507.3 of the Building Code is amended to add subsection 3 to read as follows:

3. A minimum 0.021-inch (No. 26 gauge) corrosion-resistant weep screed with a minimum vertical attachment flange of 32 inches shall be provided at or below the foundation plate line on all exterior stud walls. The screed shall be placed minimum of 4 inches above the earth or 2 inches above paved areas and shall be of a type that will allow trapped water to drain to the exterior of the building. The weather resistive barrier and exterior lath shall cover and terminate on the attachment flange of the screed.

Exception: Weep screeds will not be required on additions or remodeling. All new construction shall comply with the provisions of Section 2507.3.

**25.02.26: AMENDMENT OF SECTION 3202.2:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 3202.2 of the Building Code is amended by adding Section 3202.2.4 to read as follows:

**3202.2.4 Projection.** Awnings may extend over public property up to 5 feet from the face of a supporting building, but no portion of the awning may be closer than 2 feet to a line extending vertically from the face of the nearest curb. In no case shall the awning extend over public property greater than two-thirds of the distance from the property line to the nearest curb in front of the building site.

**25.02.27: AMENDMENT OF SECTION 3109.4.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 3109.4.1 of the Building Code is amended as follows:

**3109.4.1 Barrier Height and Clearances.** The top of the barrier shall be at least 60 inches not to exceed 72 inches above grade measured on the side of the barrier that 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 that faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to 4 inches (102 mm) when grade is a solid surface such as a concrete deck, or when the barrier is mounted on the top of the aboveground pool structure. When barriers have horizontal members spaced less than 45 inches (1,143 mm) apart, the horizontal members shall be placed on the poolside of the barrier. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, is prohibited.

Section 3109.4.1.7.1 is added to Section 3109.4.1.7 of the Building Code to read as follows:

**3109.4.1.7.1 Driveway Gates.** Driveway gates serving as part of the required pool barrier shall comply with the following:

1. Driveway gates, if operated manually, shall have a spring-loaded, self-closing, self-latching mechanism installed in accordance with the same procedure required in the City Building Code for pedestrian gates.
2. Driveway gates may be equipped with an electric gate-operating device provided that it is approved by a recognized Electrical Testing Agency.
3. Electric gate-operating devices shall be provided with a safety mechanism to interrupt and recycle the device, should the gate become blocked.
4. Electric gate-operating devices shall be provided with a time delay closing device, which is set and maintained to activate a maximum of 30 seconds after the gate has been opened.
5. No manual control or override mechanism shall be installed on or in connection with an electric gate-operating device.

**SECTION 3.** New Article 03 Residential Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

**ARTICLE 03  
RESIDENTIAL CODE**

**SECTION:**

- |                 |  |
|-----------------|--|
| <b>25.03.01</b> | <b>Residential Code Adopted</b>                                    |
| <b>25.03.02</b> | <b>Amendment of Section R112.1</b>                                 |
| <b>25.03.03</b> | <b>Addition of Section R113.1</b>                                  |
| <b>25.03.04</b> | <b>Amendment of Sections R108.2 and R108.5</b>                     |
| <b>25.03.05</b> | <b>Addition of Sections R109.1.4.1, R109.1.5.3, and R109.1.6.1</b> |
| <b>25.03.06</b> | <b>Amendment of Section R301.1.3.2</b>                             |
| <b>25.03.07</b> | <b>Addition of Section R301.1.4</b>                                |

- 25.03.08**      **Amendment of Section R401.1**
- 25.03.09**      **Amendment of Table R602.3(1)**
- 25.03.10**      **Amendment of Table R602.3(2)**
- 25.03.11**      **Amendment of Table R602.10.1.2(2)**
- 25.03.12**      **Amendment of Table R602.10.2**
- 25.03.13**      **Amendment of Table R602.10.4.1**
- 25.03.14**      **Amendment of Section R606.2.4**
- 25.03.15**      **Amendment of Section R602.3.2**
- 25.03.16**      **Amendment of Section R802.8**
- 25.03.17**      **Amendment of Section R1001.3.1**

**25.03.01: RESIDENTIAL CODE ADOPTED:** Except as hereinafter provided, the California Residential Code, 2010 Edition, based on the 2009 International Residential Code Code as published by the International Code Council, including all appendices, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Residential Code of the City. A copy of such Code shall be located in the Planning and Building Department and shall be, at all times, maintained for use and examination by the public. For the purposes of this Code, the Building Official shall be the Building Official.

**25.03.02: AMENDMENT OF SECTION R112.1:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R112 of the Residential Code is hereby amended to read as follows:

**R112.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Residential Code, there shall be and is hereby created a Board of Appeals consisting of the members of the City Council. The Building Official shall be an ex officio member of and shall act as Secretary to said Board but shall have no vote on any matter before the Board. The Board shall adopt rules of procedures for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official. The Board may request the services of members of the community who are qualified by experience and training to interpret matters pertaining to the Residential Code to act as technical assistants to the Board. Technical assistants shall have no vote on any matter before the Board.

**25.03.03: AMENDMENT OF SECTION R113.1.** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R113.1 of the Residential Code is amended to read as follows:

**R113.1 Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building, structure or equipment or cause or permit the same to be done in violation of the Residential Code.

It is hereby declared that any violation of the Residential Code constitutes a public nuisance, and in addition to any other remedies provided by the Residential Code for its enforcement, the City Council may bring civil suit to enjoin the violation of any provisions of this Residential Code.

Any person, firm or corporation violating any of the provisions of the Residential Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in Section 01.04.03A of this Code. Each separate day or any portion thereof during which violation of the Residential Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

**25.03.04: AMENDMENT OF SECTIONS R108.2 AND R108.5:** Notwithstanding the provisions of Section 25.03.01 of this Article, Sections R108.2 and R108.5 of the Residential Code are amended to read as follows:

**R108.2 Schedule of permit fees.** The fee for each permit shall be as periodically established by City Council resolution.

**R108.2.1 Plan review fees.** When plans or other data are required pursuant to Section R106, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be one-hundred percent (100%) of the building permit fee established by resolution of the City Council.

**R108.2.2 Expiration of plan review.** Applications for which no permit is issued within 180 days following the date the application or the date of final approval, if one exists, 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 written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**R108.2.3 Expiration of building permits.** Building permit expiration dates are based on project valuation according to the following schedule:

VALUATION	PERMIT EXPIRATION DATE
Up to \$50,000	6 months
\$50,000 - \$100,000	9 months
\$100,001 - \$250,000	12 months
\$250,001 and over	15 months

The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) 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.

If an applicant wishes to renew a permit that has been expired for less than 6 months, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to

renew a permit that has been expired for more than 6 months, 100% of the original fees paid shall be required to renew the permit.

**R108.5 Fee refunds.** The Building Official may authorize refunding of any fee paid hereunder that was erroneously paid or collected.

The Building Official may authorize the refunding of not more than 80% of the permit fee paid when no work has been done under a permit in accordance with the Residential Code.

The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee within 60 days of the date of fee payment.

**25.03.05: ADDITION OF SECTIONS R109.1.4.1, R109.1.5.3, AND R109.1.6.1:** Notwithstanding the provisions of Section 25.03.01 of this Article, new Sections R109.1.4.1, R109.1.5.3, and R109.1.6.1 are added to the Residential Code to read as follows:

**R109.1.4.1** Prior to frame approval, a rough zoning inspection is required in order to ensure compliance with the approved Development Plans.

**R109.1.5.3** Prior to final approval, a final zoning inspection by Planning Department staff is required in order to ensure final compliance with approved Development Plans.

**R109.1.6.1 Connections prohibited.** Unless approval has been first obtained from the Building Official, the connection of gas or electrical utilities shall be prohibited until the final building, heating, air conditioning, electrical, plumbing and grading inspections, as required, are completed and approval has been granted on any building.

**25.03.06: AMENDMENT OF SECTION R301.1.3.2:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R301.1.3.2 of the Residential Code is amended to read as follows:

**R301.1.3.2 Woodframe structures.** The Building Official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than two stories and basement in height located in Seismic Design Category A, B, or C. Notwithstanding other sections of the law, the law establishing these provisions is found in Business and Professions Code Section 5537 and 6737.1.

The Building Official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than one story in height or with a basement located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, D<sub>2</sub> or E.

**25.03.07: ADDITION OF SECTION R301.1.4:** Notwithstanding the provisions of Section 25.03.01 of this Article, new Section R301.1.4 is added to the Residential Code to read as follows:

**R301.1.4** Seismic design provisions for buildings constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope). The design and construction of new buildings and additions to existing buildings when constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope) shall comply with Section 1613.12 of the California Building Code.

**25.03.08: AMENDMENT OF SECTION R401.1:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R401.1 of the Residential Code 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 240mm).

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

Exception: In non-occupied, single-story, detached storage sheds and similar uses other than carport or garage, provided the gross floor area does not exceed 200 square feet, the plate height does not exceed 12 feet in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches.

**25.03.09: AMENDMENT OF TABLE R602.3(1):** Notwithstanding the provisions of Section 25.03.01 of this Article, Lines 34 thru 37 of Table R602.3(1) of the Residential Code are amended to read as follows:

Other wall sheathing <sup>h</sup>				
34	1/2" structural cellulosic fiberboard sheathing	1/2" galvanized roofing nail, <del>7/16" crown or 1" crown staple 16 ga., 1 1/4" long</del>	3	6
35	25/32" structural cellulosic fiberboard sheathing	1 3/4" galvanized roofing nail, <del>7/16" crown or 1" crown staple 16 ga., 1 1/2" long</del>	3	6
36	1/2" gypsum sheathing <sup>d</sup>	1 1/2" galvanized roofing nail; <del>staple galvanized, 1 1/2" long</del> ; 1 1/4" screws, Type W or S	7	7
37	5/8" gypsum sheathing <sup>d</sup>	1 3/4" galvanized roofing nail; <del>staple galvanized, 1 5/8" long</del> ; 1 5/8" screws, Type W or S	7	7

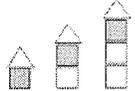
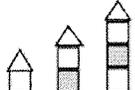
**25.03.10: AMENDMENT OF TABLE R602.3(2):** Notwithstanding the provisions of Section 25.03.01 of this Article, Table R602.3(2) of the Residential Code is amended to read as follows:

<b>Wood structural panels subfloor, roof and wall sheathing to framing and particleboard wall sheathing to framing<sup>f</sup></b>			
up to $\frac{1}{2}$	<del>Staple 15 ga. <math>\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>\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>\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>
<b>Floor underlayment; plywood-hardboard-particleboard<sup>f</sup></b>			
<b>Plywood</b>			
$\frac{1}{4}$ 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>

**25.03.11: AMENDMENT OF TABLE R602.10.1.2(2):** Notwithstanding the provisions of Section 25.03.01 of this Article, Table R602.10.1.2(2) of the Residential Code is amended to read as follows:

**TABLE R602.10.1.2(2)<sup>a, b, c</sup>**  
**BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY**  
**(AS A FUNCTION OF BRACED WALL LINE LENGTH)**

SOIL CLASS D <sup>a</sup> WALL HEIGHT = 10 FT 10 PSF FLOOR DEAD LOAD 15 PSF ROOF/CEILING DEAD LOAD BRACED WALL LINE SPACING ≤ 25 FT			MINIMUM TOTAL LENGTH (feet) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE			
Seismic Design Category (SDC)	Story Location	Braced Wall Line Length	Method LIB	Methods <sup>d</sup> DWB, SFB, GB, PBS, PCP, HPS	Method WSP	Continuous Sheathing

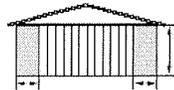
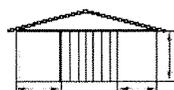
SDC D <sub>0</sub> or D <sub>1</sub>		10	NP	<del>3-0</del> 6.0	2.0	1.7
		20	NP	<del>6-0</del> 12.0	4.0	3.4
		30	NP	<del>9-0</del> 18.0	6.0	5.1
		40	NP	<del>12-0</del> 24.0	8.0	6.8
		50	NP	<del>15-0</del> 30.0	10.0	8.5
		10	NP	<del>6-0</del> NP	4.5	3.8
		20	NP	<del>12-0</del> NP	9.0	7.7
		30	NP	<del>18-0</del> NP	13.5	11.5
		40	NP	<del>24-0</del> NP	18.0	15.3
		50	NP	<del>30-0</del> NP	22.5	19.1
		10	NP	<del>8-5</del> NP	6.0	5.1
		20	NP	<del>17-0</del> NP	12.0	10.2
		30	NP	<del>25-5</del> NP	18.0	15.3
		40	NP	<del>34-0</del> NP	24.0	20.4
		50	NP	<del>42-5</del> NP	30.0	25.5

SDC D <sub>2</sub>		10	NP	<del>4-0</del> 8.0	2.5	
		20	NP	<del>8-0</del> 16.0	5.0	
		30	NP	<del>12-0</del> 24.0	7.5	
		40	NP	<del>16-0</del> 32.0	10.0	
		50	NP	<del>20-0</del> 40.0	12.5	
		10	NP	<del>7-5</del> NP	5.5	
		20	NP	<del>15-0</del> NP	11.0	
		30	NP	<del>22-5</del> NP	16.5	
		40	NP	<del>30-0</del> NP	22.0	
		50	NP	<del>37-5</del> NP	27.5	
		10	NP	NP	NP	
		20	NP	NP	NP	
		30	NP	NP	NP	
		40	NP	NP	NP	
		50	NP	NP	NP	

d. Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>. Methods DWB, SFB, PBS and HPS are not permitted in SDC D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>.

**25.03.12: AMENDMENT OF TABLE R602.10.2:** Notwithstanding the provisions of Section 25.03.01 of this Article, Table R602.10.2 of the Residential Code is amended to read as follows:

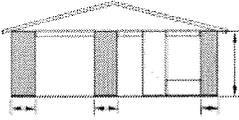
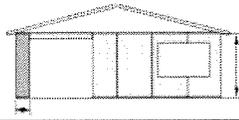
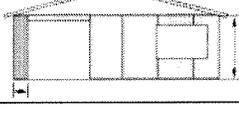
**TABLE R602.10.2  
INTERMITTENT BRACING METHODS<sup>a</sup>**

				8d common (2 1/2" x 0.131) nails at 6" spacing (panel edge) at 12" spacing (intermediate supports), 3/8" edge distance to panel edge
WSP	Wood structural panel (see Section R604)	$\frac{3}{8}$ " <u>15/32"</u>		<del>For exterior/interior sheathing see Table R602.3(1)</del> <del>For interior sheathing see Table R602.3(1)</del>
SFB	Structural fiberboard sheathing	1/2" or 25/32" for maximum 16" stud spacing		1 1/2" galvanized roofing nails or 8d common (2 1/2" x 0.131) nails at 3" spacing (panel edges) at 6" spacing (intermediate supports)
GB	Gypsum board	1/2"		Nails or screws at 7" spacing at panel edges including top and bottom plates; for all braced wall panel locations for exterior sheathing nail or screw size, see Table R602.3(1); for interior gypsum board nail or screw size, see Table R702.3.5
PBS	Particleboard sheathing (see Section R605)	3/8" or 1/2" for maximum 16" stud spacing		1 1/2" galvanized roofing nails or 8d common (2 1/2" x 0.131) nails at 3" spacing (panel edges) at 6" spacing (intermediate supports)
PCP	Portland cement plaster	See Section R703.6 For maximum 16" stud spacing		1 1/2", 11 gage, 7/16" head nails at 6" spacing <del>or</del> 7/8", 16 gage staples at 6" <del>spacing</del>

- a. Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>. Methods LIB, DWB, SFB, PBS, HPS and PFG are not permitted in SDC D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>.

**25.03.13: AMENDMENT OF TABLE R602.10.4.1:** Notwithstanding the provisions of Section 25.03.01 of this Article, Table R602.10.4.1 of the Residential Code is amended to read as follows:

**TABLE R602.10.4.1  
CONTINUOUS SHEATHING METHODS**

METHOD	MATERIAL	MINIMUM THICKNESS	FIGURE	CONNECTION CRITERIA
CS-WSP	Wood structural panel	$\frac{15}{32}$ " $\frac{3}{8}$ "		8d common (2" x 0.113") nails at 6" spacing (panel edges) and at 12" spacing (intermediate supports) or 16-ga. x 1 3/4" staples at 3" spacing (panel edges) and 6" spacing (intermediate supports)
CS-G	Wood structural panel adjacent to garage openings and supporting roof load only <sup>a,b</sup>	$\frac{15}{32}$ " $\frac{3}{8}$ "		See Method CS-WSP
CS-PF	Continuous portal frame	See Section R602.10.4.1.1		See Section R602.10.4.1.1

**25.03.14: AMENDMENT OF SECTION R606.2.4:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R606.2.4 of the Residential Code is amended to read as follows:

**R606.2.4 Parapet walls.** Unreinforced solid masonry parapet walls shall not be less than 8 inches (203mm) thick and their height shall not exceed four times their thickness. Unreinforced hollow unit masonry parapet walls shall be not less than 8 inches (203mm) thick, and their height shall not exceed three times their thickness. Masonry parapet walls in areas subject to wind loads of 30 pounds per square foot (1.44 kPa) or located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>, or on townhouses in Seismic Design Category C shall be reinforced in accordance with Section R606.12.

**25.03.15: AMENDMENT OF SECTION R602.3.2:** Notwithstanding the provisions of Section 25.03.01 of this Article, Exception of Section R602.3.2 of the Residential Code is amended to read as follows:

**Exception:** In other than Seismic Design Category D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>, a single top plate may be installed in stud walls, provided the plate is adequately tied at joints, corners and intersecting walls by a minimum 3-inch-by-6-inch by a 0.036-inch-thick (76mm by 152mm by 0.914mm) galvanized steel plate that is nailed to each wall or segment of wall by six 8d nails on each side, provided the rafters or joists are centered over the studs with a tolerance of no more than 1 inch (25mm). The top plate may be omitted over lintels that are adequately tied to adjacent wall sections with steel plates or equivalent as previously described.

**25.03.16: AMENDMENT OF SECTION R802.8:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R802.8 of the Residential Code is amended to read as follows:

**802.8 Lateral support.** Roof framing members and ceiling joists having a depth-to-thickness ratio exceeding 2 to 1 based on nominal dimensions shall be provided with lateral support at points of bearing to prevent rotation. For roof rafters with ceiling joists attached per Table R602.3(1), the depth-thickness ratio for the total assembly shall be determined using the combined thickness of the rafter plus the attached ceiling joist.

**25.03.17: AMENDMENT OF SECTION R1001.3.1:** Notwithstanding the provisions of Section 25.03.01 of this Article, Section R1001.3.1 of the Residential Code is amended to read as follows:

**R1001.3.1 Vertical reinforcing.** For chimneys up to 40 inches (1016mm) wide, four No. 4 continuous vertical bars adequately anchored into the concrete foundation shall be placed between wythes of solid masonry or within the cells of hollow unit masonry and grouted in accordance with Section R609. Grout shall be prevented from bonding with the flue liner so that the flue liner is free to move with thermal expansion. For chimneys more than 40 inches (1016mm) wide, two additional No. 4 vertical bars adequately anchored into the concrete foundation shall be provided for each additional flue incorporated into the chimney or for each additional 40 inches (1016mm) in width or fraction thereof.

**SECTION 4.** New Article 04 Plumbing Code is added to Chapter 25 of the San Marino City Code, to read as follows:

**Article 04  
PLUMBING CODE**

**SECTION:**

<b>25.04.01</b>	<b>Plumbing Code Adopted</b>
<b>25.04.02</b>	<b>Amendment of Section 102.3</b>
<b>25.04.03</b>	<b>Amendment of Section 103.3.1</b>
<b>25.04.04</b>	<b>Amendment of Section 103.3.4</b>
<b>25.04.05</b>	<b>Amendment of Section 103.3.5</b>
<b>25.04.06</b>	<b>Amendment of Section 103.4</b>
<b>25.04.07</b>	<b>Amendment of Section 103.5.6</b>
<b>25.04.08</b>	<b>Amendment of Section 203</b>
<b>25.04.09</b>	<b>Addition of Section 313.13</b>
<b>25.04.10</b>	<b>Addition of Subsection 510.7.3.4</b>
<b>25.04.11</b>	<b>Addition of Section 713.7</b>
<b>25.04.12</b>	<b>Addition of Section 906.8</b>
<b>25.04.13</b>	<b>Addition of Chapter 17 - Roof Mounted Solar Collectors</b>

**25.04.01: 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 all appendices, 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 said Code has been deposited in the office of the City Clerk and shall be, at all times, maintained by the City Clerk for use and examination by the public.

**25.04.02: AMENDMENT OF SECTION 102.3:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 102.3 of the Plumbing Code is amended to read as follows:

**Section 102.3 Violations and Penalties.**

**102.3.1 Violations.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any plumbing or permit the same to be done in violation of the Plumbing Code.

**102.3.2 Penalties.** Any person, firm or corporation violating any provision of the Plumbing Code shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punishable as provided in Section 01.04.03A of this Code. Each separate day or any portion thereof, during which any violation of this code occurs or continues, shall be deemed to constitute a separate offence.

**25.04.03: AMENDMENT OF SECTION 103.3.1:** Notwithstanding the provisions of Section 25.04.01 of this Article, the first paragraph of Section 103.3.1 of the Plumbing Code is amended to read as follows:

**103.3.1 Issuance.** The Building Official or his/her designee shall review the application, plans and specifications and other data filed by an applicant for a permit. Other departments of this jurisdiction may also review plans. If the Building Official or his/her designee finds that the work described in an application for permit and the plans, specifications and other data filed therewith conform to the requirements of the Plumbing Code and other pertinent laws and ordinances, and that the fees established by resolution of the City Council have been paid, he/she shall issue a permit therefore to the applicant.

**25.04.04: AMENDMENT OF SECTION 103.3.4:** Notwithstanding the provisions of Section 25.04.01 of this Article, the first paragraph of Section 103.3.4 of the Plumbing Code is amended to read as follows:

**103.3.4 Expiration.** Every permit issued by the Building Official or his/her designee under the provisions of the Plumbing 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. Before such work can be recommenced, the permit shall first be renewed, provided no changes have been made or will be made in the original plans and specifications for such work. If an applicant wishes to renew a permit that has been expired for less than 180 days, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 180 days, 100% of the original fees paid shall be required to renew the permit. The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) 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.

**25.04.05: AMENDMENT OF SECTION 103.3.5:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 103.3.5 of the Plumbing Code is amended to read as follows:

**103.3.5 Suspension or Revocation.** The Building Official or his/her designee may, in writing, suspend or revoke a permit issued under the provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of other ordinances or regulations of the City.

**25.04.06: AMENDMENT OF SECTION 103.4:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 103.4 of the Plumbing Code is amended to read as follows:

**103.4.1 Permit Fees.** All fees pursuant to the Plumbing Code as set forth in Table No. 1.1 shall be established by resolution of the City Council.

**103.4.2 Plan Review Fees.** When a plan or other data are required to be submitted by Section 103.2.2, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be equal to 100 percent of the total permit fee as established by resolution of the City Council. When plans are incomplete or changed so as to require additional plan review, a fee shall be charged in the amount established by resolution of the City Council.

**103.4.3 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 upon 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.

**103.4.4 Investigation Fees: Work Without a Permit.**

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

**103.4.4.2** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by the Plumbing Code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Plumbing Code nor from any penalty prescribed by law.

### **103.4.5 Fee Refunds.**

**103.4.5.1** The Building Official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

**103.4.5.2** The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the Plumbing Code.

**103.4.5.3** The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

**25.04.07: AMENDMENT OF SECTION 103.5.6:** Notwithstanding the provisions of Section 25.04.01 of this Article, the fourth paragraph of Section 103.5.6 of the Plumbing Code is amended to read as follows:

To obtain reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee established by resolution of the City Council.

**25.04.08: AMENDMENT OF SECTION 203:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 203 of the Plumbing Code is amended by revising the following definitions to read as follows:

**Accessible.** “Accessible,” when applied to a fixture, connection, appliance, or equipment, shall mean having access thereto, but which first may require the removal of an access panel, door, or similar obstruction; “readily accessible” shall mean direct access without the necessity of removing any panel, door, or similar obstruction. Attic and underfloor areas are to be considered “accessible.”

**Authority Having Jurisdiction.** Whenever the term “Authority Having Jurisdiction” is used in the Plumbing Code, it shall mean the Building Official or his/her authorized representative.

**25.04.09: ADDITION OF SECTION 313.13:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 313.13 is added to the Plumbing Code read as follows:

**313.13** Soil, waste, water or other pipe or conduit, except downspouts, shall not be installed or permitted on the outside of a building.

**25.04.10: ADDITION OF SUBSECTION 510.7.3.4:** Notwithstanding the provisions of Section 25.04.01 of this Article, subsection 510.7.3.4 is added to the Plumbing Code read as follows:

**510.7.3.4** No vent shall terminate in a location that is visible from the parkway across the street from the subject property, or to the side elevation facing a side street on a corner lot.

**25.04.11: ADDITION OF SECTION 713.7:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 713.7 is added to the Plumbing Code read as follows:

713.7 The City Engineer shall determine the availability of the sewer lines. No person shall construct, or enlarge a new or existing cesspool if a sewer line has been declared available.

**25.04.12: ADDITION OF SECTION 906.8:** Notwithstanding the provisions of Section 25.04.01 of this Article, Section 906.8 is added to the Plumbing Code to read as follows:

**906.8** No vent shall terminate in a location that is visible from the parkway across the street from the subject property, or to the side elevation facing a side street on a corner lot.

**25.04.13: ADDITION OF CHAPTER 17 - ROOF MOUNTED SOLAR COLLECTORS:** Notwithstanding the provisions of Section 25.04.01 of this Article, Chapter 17 is added to the Plumbing Code to read as follows:

## **CHAPTER 17**

### **ROOF-MOUNTED SOLAR COLLECTORS**

#### **1701.0. Purpose and Intent.**

**1701.1** The purpose of this Section is to provide minimum standards to safeguard life, property, health and the public welfare by regulating and controlling the design and construction of solar heating systems and to provide certain minimum design criteria for such systems. The provisions of the Building Code<sup>1</sup>, the Mechanical Code,<sup>2</sup> the Plumbing Code<sup>3</sup> and the Electrical Code,<sup>4</sup> which are applicable to solar heating systems, are incorporated herein by reference and are hereby declared to be requirements of this Code.

**1701.2** It has been determined to be in the public interest to encourage the use of solar energy for the heating and cooling of buildings and to provide hot water for use in buildings or swimming pools. As a general rule, existing zoning regulations for height, setback and lot density limitations in residential areas are sufficient to permit adequate access to sunlight by each lot without obstruction by adjacent structures. Trees should be planted in such a manner as to prevent the casting of shadows upon solar collectors. However, where existing zoning is insufficient to provide adequate protection from interference by trees, it is the intent of this Code to provide adequate protection for the use of solar collectors without, at the same time, causing undue hardship on the rights of property owners.

**1702.0 Size:** Roof-mounted solar collectors on any residence and/or accessory building or attached garage shall be limited to three (3) separable panels having a combined area of the lesser of: one hundred twenty (120) square feet or thirty (30) square feet for each bedroom. Up to ten percent (10%) allowance may be made to accommodate commercially available panel areas.

---

<sup>1</sup> See Article 02 of this Chapter.

<sup>2</sup> See Article 05 of this Chapter.

<sup>3</sup> See Article 04 of this Chapter.

<sup>4</sup> See Article 06 of this Chapter.

## **1703.0 Installation Specifications**

**1703.1** Solar collectors shall be so mounted as to be not visible from any street, whenever possible and practical, to promote maximum efficiency without creating a nuisance or health or safety hazard.

**1703.2** For roof-mounted solar collectors, each of the following conditions shall be met:

a. The collector panels shall be flat and placed as close as possible to the roof with a roof clearance minimum of one and one-half inches (1 1/2") and a maximum of two and one-half inches (2 1/2"). The maximum height parallel from the roof surface to a collector panel installation shall be eight inches (8"). This includes the panel thickness and roof clearance. Solar collectors shall consist of tubing, covered or integrated with opaque material. Glazing shall be tempered glass or approved equal.

b. No frame or extraneous fitting shall extend more than four inches (4") from any side of each solar collector panel.

c. All plumbing and piping connections shall be suitably covered with metal flashing contiguous to the solar collector panel. The color of solar collector panel frame and flashing shall be compatible with existing roof.

d. For roof-mounted solar collectors, all storage tanks, piping runs and extraneous controls shall be placed below the roofing or hidden from view, whenever possible or practical.

**1703.3** All solar collector installations shall comply as follows:

a. Plumbing and piping connections running along exterior walls shall be covered with metal flashing painted to match wall color.

b. Storage tanks shall have a minimum Insulation of R-12.

(1) If the storage tank is located outside, its insulation material must be protected from weather and solar degradation.

(2) If storage tank is installed in attic, it shall be provided with a drip pan outlet to adequately drain. Structure calculations shall be submitted and prepared by persons as indicated in subsection C.6.b(3) below. Such calculations shall verify or consider additional supports required to withstand weight of storage tank.

(3) Storage tanks mounted on the roof in a thermosyphoning system must have structural calculations prepared by a licensed architect, registered structural or civil engineer.

c. Plumbing connections from the tank to the solar collector shall be installed in such a manner to promote thermal stratification.

(1) The storage tank shall be connected to the conventional water heater to promote thermal stratification in all instances for both auxiliary and solar storage tanks.

(2) A check valve for reverse flow (thermosyphoning) prevention shall be installed in proper manner.

(3) All pipe runs, vertical and horizontal, shall be adequately supported.

d. Control sensors shall be located within four inches (4") of and near the bottom of the storage tank unless otherwise specified by the controller manufacturer.

e. The system controller shall be properly grounded, as per the Electrical Code.<sup>5</sup>

f. Control circuit wiring shall be color-coded or otherwise labeled so that wires are readily traceable.

g. All sensors and controllers shall be attached tightly for best possible thermal transfer.

h. All components shall be located in such a manner so as to allow access for cleaning, adjusting, servicing, examination, replacements or repair.

i. Temperature and pressure relief valves (when applicable) shall be installed in accord with the Plumbing Code.<sup>6</sup>

j. Provision shall be made to permit independent operation of conventional back-up systems, with appropriate valving to enable both solar and conventional systems to operate independently.

k. A device that indicates that the system is operating shall be installed.

l. The completed system shall be installed in a neat and orderly fashion.

**1704.0 Plans.** Dimensioned plans shall be submitted for the permit that show the plot plan, roof plan (if roof-mounted) with ridges and hips shown, solar collector panel location, mounting, piping details, storage methods for liquids and calculations showing on the permit property and adjacent properties that could affect the sunlight envelope shall also be shown on the plot plan.

**1705.0 Warranty.** The installing contractor shall warrant the entire system for minimum of three (3) years. The installing contractor shall supply an owner/operator's manual with every system installed. Said manual shall enable the owner to perform maintenance and operation functions beyond the three (3) year warranty.

**1706.0 Permit Fee Schedule.** Permit fees for solar energy installations are based on the following:

---

<sup>5</sup> See Article 06 of this Chapter.

<sup>6</sup> See Article 04 of this Chapter.

- a. Building permit fees shall be based on the estimated total value of the project, and shall be according to the Fee Schedule adopted by the City Council.
- b. Plan check fees are equal to 100% of the building permit fee.
- c. The value of the project is determined by written quotation or by mutual agreement with the Building Official.

**SECTION 5.** New Article 05 Electrical Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

**Article 05  
MECHANICAL CODE**

**SECTION:**

- 25.05.01      Mechanical Code Adopted**
- 25.05.02      Amendment of Section 111.0**
- 25.05.03      Amendment of Section 110.1**
- 25.05.04      Amendment of Section 112.1**
- 25.05.05      Amendment of Sections 114.4 and 114.5**
- 25.05.06      Amendment of Section 115**

**25.05.01: MECHANICAL CODE ADOPTED:** Except as hereinafter provided, the California Mechanical Code, 2010 Edition, based on the 2009 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, including all appendices, 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 such Code shall be located in the office of the City Clerk and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public. For the purposes of this Code, the Building Official shall be the Building Official.

**25.05.02: AMENDMENT OF SECTION 111.0.** Notwithstanding the provisions of Section 25.05.01 of this Article, Section 111.0 of the Mechanical Code is amended to read as follows:

**111.0 Violations.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, impound, remove, convert or demolish, equip, use or maintain mechanical systems or equipment or cause or permit the same to be done in violation of the Mechanical Code.

It is hereby declared that any violation of the Mechanical Code constitutes a public nuisance, and in addition to any other remedies provided by the Mechanical Code for its enforcement, the administrative authority may bring civil suit to enjoin the violation of any provisions of the Mechanical Code.

Any person, firm or corporation violating any of the provisions of the Mechanical Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in Section 01.04.03A of this Code. Each separate day or any portion thereof during

which violation of the Mechanical Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

**25.05.03: AMENDMENT OF SECTION 110.1:** Notwithstanding the provisions of Section 25.05.01 of this Article, Section 110.1 of the Mechanical Code is hereby amended to read as follows:

**110.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Mechanical Code, there shall be and is hereby created a Board of Appeals consisting of the members of the City Council. The Building Official shall be an ex officio member of and shall act as Secretary to said Board but shall have no vote on any matter before the Board. The Board shall adopt rules of procedures for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official. The Board may request the services of members of the community who are qualified by experience and training to interpret matters pertaining to the Mechanical Code to act as technical assistants to the Board. Technical assistants shall have no vote on any matter before the Board.

**25.05.04: AMENDMENT OF SECTION 112.1:** Notwithstanding the provisions of Section 25.05.01 of this Article, Section 112.1 of the Mechanical Code is amended to include an additional paragraph to read as follows:

The Building Official shall review applications, plans, specifications, computations and other data filed by an applicant for a permit. Such plans may be reviewed by other departments of this City to verify compliance with applicable laws 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 the Mechanical Code and other pertinent laws and ordinances and that the fees established by Resolution of the City Council have been paid, the Building Official shall issue a permit therefore to the applicant.

**25.05.05: AMENDMENT OF SECTIONS 114.4 AND 114.5:** Notwithstanding the provisions of Section 25.05.01 of this Article, Sections 114.4 and 114.5 of the Mechanical Code are amended to read as follows:

**114.4 Expiration.** Every permit issued by the Building Official or his/her designee under the provisions of the Mechanical 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. Before such work can be recommenced, the permit shall first be renewed, provided no changes have been made or will be made in the original plans and specifications for such work. If an applicant wishes to renew a permit that has been expired for less than 180 days, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 180 days, 100% of the original fees paid shall be required to renew the permit. The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) 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.

**114.5 Suspension or Revocation.** The Building Official may, in writing, suspend or revoke a permit issued under the provisions of the City Code whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of other ordinances or regulations of the City.

**25.05.06: AMENDMENT OF SECTION 115:** Notwithstanding the provisions of Section 25.05.01 of this Article, Section 115 of the Mechanical Code is amended to read as follows:

**115.0 FEES.**

**115.1 Fees General.** All fees pursuant to the Mechanical Code shall be as established by and set forth in a resolution of the City Council.

**115.2 Permit Fees.** All fees pursuant to the Mechanical Code shall be as amended and established by resolution of the City Council.

**115.3 Plan Review Fees.** When a plan or other data are required to be submitted by this code a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for mechanical work shall be equal to 100 percent of the total permit fee as established by resolution of the City Council. The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 115.1 and are in addition to the permit fees. When plans are incomplete or changed so as to require additional plan review, a fee shall be charged in the amount established by resolution of the City Council.

**115.4 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 upon 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.

**115.5 Investigation Fee: Work Without a Permit.**

**115.5.1 Investigation.** Whenever any work which requires a permit pursuant to the Mechanical Code has been commenced without first obtaining said permit, a special Investigation shall be made before a permit may be issued for such work.

**115.5.2 Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit fee is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by the City Code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Mechanical Code nor from any penalty prescribed by law.

**115.6 Fee Refunds.**

**115.6.1** The Building Official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected.

**115.6.2** The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the Mechanical Code.

**115.6.3** The Planning and Building Department shall not authorize refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

**SECTION 6.** New Article 06 Electrical Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

**Article 06**  
**ELECTRICAL CODE**

**SECTION:**

- 25.06.01 Electrical Code Adopted**
- 25.06.02 Amendment of Article 100**
- 25.06.03 Fees and Expiration**
- 25.06.04 Additions to Electrical Code**
- 25.06.05 Service Entrance Panels**
- 25.06.06 Grounding and Bonding Connections**
- 25.06.07 Use of Factory Assembled Conduits**
- 25.06.08 Use of Aluminum**
- 25.06.09 Service Entrance - Services**
- 25.06.10 Amendment to Section 250.50**
- 25.06.11 Addition of Section 690.19**
- 25.06.12 Violations**

**25.06.01: 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, including all annexes, is hereby adopted by reference and incorporated herein as though set forth herein in full and shall constitute the Electrical Code of the City. A copy of such Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**25.06.02: AMENDMENT OF ARTICLE 100:** Notwithstanding the provisions of Section 25.06.01 of this Article, Article 100 of the Electrical Code is amended by amending the definition of “Accessible, Readily” to read as follows:

**Accessible, Readily: (Readily Accessible.)** Capable of being reached quickly for operation, renewal, or inspections, without requiring those to whom ready access is requisite to climb over or remove obstacles or to resort to portable ladders, chairs, etc. (See “Accessible.”) Attic and crawl spaces are not considered readily accessible.

**25.06.03: FEES AND EXPIRATION:** Notwithstanding the provisions of Section 25.06.01 of this Article, all fees pursuant to the Electrical Code shall be those amounts established by resolution of the City Council.

**Plan Review Fees.** When a plan or other data are required to be submitted by this code a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for electrical work shall be equal to 100 percent of the total permit fee as established by resolution of the City Council. The plan review fees specified in this subsection are separate fees from the permit fees and are in addition to the permit fees. When plans are incomplete or changed so as to require additional plan review, a fee shall be charged in the amount established by resolution of the City Council.

**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 upon 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.

**Investigation.** Whenever any work which requires a permit pursuant to the Electrical Code has been commenced without first obtaining said permit, a special Investigation shall be made before a permit may be issued for such work.

**Investigation Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit fee is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by the City Code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Electrical Code nor from any penalty prescribed by law.

**Fee Refunds.** The Building Official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected. The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the Electrical Code. The Planning and Building Department shall not authorize refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

**Expiration.** Every permit issued by the Building Official or his/her designee under the provisions of the Electrical 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. Before such work can be recommenced, the permit shall first be renewed, provided no changes have been made or will be made in the original plans and specifications for such work. If an applicant wishes to renew a permit that has been expired for less than 180 days, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 180 days, 100% of the original fees paid shall be required to renew the permit. The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) 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.

**25.06.04: ADDITIONS TO ELECTRICAL CODE:** Notwithstanding the provisions of Section 25.06.01 of this Article, the Electrical Code is amended by adding the sections as set forth in Sections 25.06.05 through 25.06.11 of this Article.

**25.06.05: SERVICE ENTRANCE PANELS:**

A. All new residences shall be provided with a minimum service capacity of not less than two hundred (200) amperes main. Service conduit shall be two-inch (2") conduit.

B. On existing dwellings if the service is replaced, the minimum service shall be one hundred (100) amperes main. Service conduit shall be one and one-half inches (1 ½").

C. Branch circuit panel shall contain space for a minimum of twenty (20) single pole overcurrent devices.

**25.06.06: GROUNDING AND BONDING CONNECTIONS:**

A. The connection of grounding conductor to grounding electrode shall be readily accessible.

B. The connection of the bond from the grounding conductor to the cold water and gas systems shall be readily accessible.

C. All conduit shall contain a green ground wire.

**25.06.07: USE OF FACTORY ASSEMBLED CONDUITS:** Notwithstanding any provision of the Electrical Code to the contrary, the following is prohibited in new installations:

A. Factory assembled conduits, such as:

1. Mineral insulated sheathed cable.

2. Armored cable unless:

a. Factory assembled in an Underwriters Laboratory approved fixture;

b. Green insulated copper grounding conductor; and

c. Is used for applications not to exceed nine feet (9') from a power source to a single fixture.

3. Extension of any knob and tube.

**25.06.08: USE OF ALUMINUM:** Notwithstanding any provision of the Electrical Code to the contrary, the following are prohibited in new installations:

A. Aluminum wire is not permitted.

B. Aluminum conduit is not approved as a self-grounding conduit.

**25.06.09: SERVICE ENTRANCE - SERVICES:**

A. New service entrance conductors on all commercial buildings shall be installed underground.

B. A contractor licensed C-10 or B-1 must apply for the permit for any new service or service change out.

**25.06.10: AMENDMENT TO SECTION 250.50:** Notwithstanding the provisions of Section 25.06.01, an additional exception is added to Section 250.50 to read as follows:

Exception: Grounding of electrical services replaced in existing residential buildings.

When an electrical service in an existing R1 or R3 occupancy is replaced or upgraded, and the material of the water pipe in direct contact with the earth is unknown, the connection of the grounding conductor to the interior metal water pipe may be made at any accessible point, provided that at least one grounding electrode of a type specified in Sections 250.50 or 250.52 is installed as close as possible to the service and connected directly to the service equipment with an independent grounding electrode conductor.

**25.06.11: ADDITION OF SECTION 690.19:** Notwithstanding the provisions of Section 25.06.01, Section 690.19 is added to the Electrical Code to read as follows:

**690.19 Disconnecting Means for Multiple Arrays.** Where more than one array is combined to form a single output rated more than 50 volts and/or 10 amperes, a disconnecting means rated for the output shall be installed immediately adjacent to the combiner box on the output side.

Exception: If the combiner box is located adjacent to the inverter(s), the disconnecting means as stated above shall not be required.

**25.05.12: VIOLATIONS:** Any person, firm or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of the Electrical Code shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in subsection 01.04.03A of this Code. 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 the Electrical Code is committed, continued or permitted by any such person, and he/she shall be punishable as herein provided.

**SECTION 7.** New Article 09 Energy Code is added to Chapter 25 of the San Marino City Code, to read as follows:

**Article 09  
ENERGY CODE**

**SECTION:**

- 25.09.01      Energy Code Adopted**
- 25.09.02      Violations**

**25.09.01: ENERGY CODE ADOPTED:** Except as hereinafter provided, the California Energy Code, 2010 Edition, as published by the California Building Standards Commission, including all appendices, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Energy Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**25.09.02: VIOLATIONS:** Any person, firm or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of this Article shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in subsection 01.04.03A of this Code. 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 this Article is committed, continued or permitted by any such person, and he/she shall be punishable as herein provided.

**SECTION 8.** New Article 10 Administrative Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

### **Article 10**

#### **ADMINISTRATIVE CODE**

##### **25.10.01 Administrative Code Adopted**

**25.10.01: ADMINISTRATIVE CODE ADOPTED:** Except as hereinafter provided, the California Administrative Code, 2010 Edition, as published by the California Building Standards Commission, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Administrative Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**SECTION 9.** New Article 12 Fire Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

### **Article 12**

#### **FIRE CODE**

##### **SECTION:**

- 25.12.01 Fire Code Adopted**
- 25.12.02 Addition of Section 106.2**
- 25.12.03 Amendment of Section 108**
- 25.12.04 Amendment of Section 109.3**
- 25.12.05 Amendment of Section 109.3.2**
- 25.12.06 Addition of Section 113.1.1**
- 25.12.07 Amendment of Section 307.4.3**
- 25.12.08 Addition of Section 307.4.4**
- 25.12.09 Amendment of Section 308.1.4**
- 25.12.10 Amendment of Section 506.1.2**
- 25.12.11 Amendment of Section 903.2**
- 25.12.12 Amendment of Section 903.4**

- 25.12.13      Addition of Section 906.1.1**
- 25.12.14      Addition of Section 907.2A**
- 25.12.15      Amendment of Section 2403.2**
- 25.12.16      Addition of Section 3308.2**
- 25.12.17      Addition of Section 4908**

**25.12.01: FIRE CODE ADOPTED:** Except as hereinafter provided, the 2010 California Fire Code, including all appendices with errata, based on the 2009 International Fire Code, 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 such Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**25.12.02: ADDITION OF SECTION 106.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 106.2.3 is added to the Fire Code to read as follows:

**106.2.3 Annual inspection.** All properties located in the High Fire Hazard Severity Zone as indentified by the San Marino Fire Department shall be inspected annually for compliance with state and local brush clearance requirements by the Fire Official.

**25.12.03: AMENDMENT OF SECTION 108:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 108 of the Fire Code is amended to read as follows:

**108 Appeals.** Whenever the Fire Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Fire Code do not apply or that the true intent and meaning of the Fire Code have been misconstrued or wrongly interpreted, the applicant may appeal the Fire Chief’s decision to the City Manager within thirty (30) days from the date of the decision appealed.

If the City Manager upholds the decision of the Fire Chief, the applicant may appeal the decision to the City Council by filing a notice of appeal with the City Clerk within ten (10) days from the date of the City Manager’s decision.

**25.12.04: AMENDMENT OF SECTION 109.3.** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 109.3 of the Fire Code is amended to read as follows:

**109.3 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction document or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine as established by the City Council or by imprisonment, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects in a timely manner as specified by the chief or authorized representative. The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions.

**25.12.05: ADDITION OF SECTION 109.3.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 109.3.2 is added to the Fire Code to read as follows:

**109.3.2 Citations.** Persons operating or maintaining an occupancy, premises, or vehicle or performing work which requires a permit by this code, who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises, or vehicle or who fail to obtain a permit prior to start of work which requires such a permit under this code, when ordered or notified to do so by the Fire Official, shall be guilty of a misdemeanor.

**25.12.06: ADDITION OF SECTION 113.1.1:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 113.1.1 is hereby added to the Fire Code to read as follows:

**Section 113.1.1 Establishment of fees.** All fees pursuant to the Fire Code shall be established by resolution of the City Council.

**25.12.07: AMENDMENT OF SECTION 307.4.3:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 307.4.3 of the Fire Code is amended to read as follows:

**307.4.3 Portable outdoor fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

**25.12.08: ADDITION OF SECTION 307.4.4:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 307.4.4 is added to the Fire Code to read as follows:

**307.4.4 Outdoor fireplaces, fire pits, and decorative fire features.** Outdoor fireplaces, fire pits, and decorative fire features shall be installed and used in accordance with the manufacturer's instructions. In the absence of manufacturer's instructions, the Fire Chief or designee has the ability to determine proper installation location and area of operation. In most cases, a minimum of 15 feet clearance will be required from a structure or combustible materials and vegetation. Fireplaces, fire pits, and decorative fire features, as identified under this code section, shall be gas fuel-fired and have an approved and listed spark arrestor as necessary.

**25.12.09: AMENDMENT OF SECTION 308.1.4:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 308.1.4 of the Fire Code is amended to read as follows:

**308.1.4 Open-flame cooking devices.** Charcoal burners, gas fuel-fired barbeques and other open-flame cooking devices shall be installed and used in accordance with the manufacturer's instructions. In the absence of manufacturer's instructions, the Fire Chief or designee has the ability to determine proper installation location and area of operation. In most cases, a minimum of 6 feet vertical (overhead) clearance and 2 feet horizontal (surrounding) clearance will be required from a structure or combustible materials and vegetation.

**25.12.10: AMENDMENT OF SECTION 506.1.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 506.1.2 of the Fire Code is amended to read as follows:

**506.1.2 Key switches.** An approved key switch shall be installed on motorized or lockable gates, perimeter fencing or similar barricades that obstruct access to a property when required by the Fire Code Official.

**25.12.11: AMENDMENT OF SECTION 903.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 903.2 of the Fire Code is amended to read as follows:

### **903.2 Where required.**

- a. An automatic fire-extinguishing (sprinkler) system shall be installed in every new building in the City, including any new residential building, hereinafter constructed or moved into the City, regardless of an area separation or type of construction.

Exception: New buildings less than 500 square feet may be exempted with the concurrence of the Fire Chief and Building Official.

- b. Existing single family dwellings shall be required to install a full automatic fire sprinkler system in existing and new portions of the building when a story exceeding 500 square feet is added, a basement exceeding 300 square feet is added, an addition of more than 1500 square feet is added which results in a home that is greater than 6,000 square feet, more than 50% of the existing roof structure or ceiling area is replaced, or the livable area is increased by more than 50%. Percentage calculations with regard to roof structure or ceiling area will include any newly permitted or added square footage.
- c. An automatic fire sprinkler system shall be installed in any garage whenever any portion of said garage is located beneath any portion of a building used for human occupancy.
- d. An automatic fire sprinkler system shall be installed in any garage whenever the ceiling of said garage is located fewer than seven (7) feet above the adjacent grade.
- e. Additions - An automatic fire sprinkler system shall be installed with an addition, renovation or remodeling of any existing commercial building, when the value thereof exceeds more than twenty percent (20%) of the market value of the existing building. All such additions, renovations, or remodeling performed fewer than five (5) years prior to the effective date of this Section shall be considered in determining the cumulative value under this Section. The value of the proposed construction and of the existing building shall be determined by the Building Official based upon the latest edition of the "Building Valuation Data" as published by the International Code Council (ICC).
- f. An approved automatic sprinkler head shall be provided in new elevator pits.
- g. Installation, approval and maintenance of automatic fire-extinguishing (sprinkler) systems shall be in compliance with the most current National Fire Protection Association Standards #13, #13R, #13D, and the California Fire Code, as adopted and amended by the City.
- h. Automatic fire-extinguishing systems shall be installed and maintained at the owner's expense.
- i. If the Chief and the Building Official determine access for fire apparatus and equipment to any building or structure, not otherwise required hereunder to maintain an automatic fire-extinguishing system is unduly difficult, installation of an automatic fire-extinguishing system shall be required.

**25.12.12: AMENDMENT OF SECTION 903.4:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 903.4, Exception 1, of the Fire Code is amended to read as follows:

1. Automatic sprinkler systems protecting single-family dwellings shall have the flow switch electrically supervised by an approved central, proprietary, or remote station.

**25.12.13: ADDITION OF SECTION 906.1.1:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 906.1.1 is added to the Fire Code to read as follows:

**906.1.1 Minimum requirement.** Portable fire extinguishers of a 2A10BC type shall be installed in all occupancies and locations as set forth in the Fire Code and as required by the Chief.

Exceptions:

1. Other portable fire extinguishers may be installed, if approved by the Chief.
2. Group R, Division 3 and Group U occupancies are exempt.

**25.12.14: ADDITION OF SUBSECTION 907.2A:** Notwithstanding the provisions of Section 25.12.01 of this Article, Subsection 907.2A is added to the Fire Code to read as follows:

**907.2A** Monitored smoke and heat detectors shall be installed in the following locations:

1. Every new residential building in the City hereinafter constructed or moved into the City, regardless of area of separation or type of construction.

Exception: New buildings less than 500 square feet may be exempted with the concurrence of the Fire Chief and Building Official.

2. All residential buildings upon the occurrence of both the following conditions: (1) Addition(s) to any building or structure creating a total floor area exceeding 2,000 square feet; and (2) The additional livable area is greater than 500 square feet cumulative over a three year period.

The devices shall be installed in a manner conforming to the most current requirements of the International Code Council and the National Fire Protection Association Standards, according to the following guidelines:

1. A minimum of one photoelectric smoke detector on each level of living space and in the hallway outside a sleeping area.

2. A rate of rise heat detector in the attic, kitchen, basement and attached garage.

3. A combination fire/security panel will be allowed, but all devices must be shown on the submitted plans.

4. The fire system shall be addressable.

**25.12.15: AMENDMENT OF SECTION 2403.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 2403.2 is amended to read as follows:

**2403.2 Approval required.** Tents and membrane structures having an area in excess of 100 square feet, shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the Fire Code Official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.

**25.12.16: ADDITION OF SECTION 3308.2:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 3308.2 is added to the Fire Code to read as follows:

**3308.2** The manufacturing, possession, storage, sale, use and handling of fireworks, including those fireworks described as “Safe and Sane” by the State Fire Marshal, shall be prohibited.

Exceptions: 1. Storage of fireworks is allowed in accordance with the requirements for low order explosives in Title 19, California Code of Regulations, Chapter 10.

2. Use and handling of fireworks for professional display by a state licensed pyrotechnician in accordance with Title 19, California Code of Regulations, Chapter 6, if permitted by the Fire Chief.

**25.12.17: ADDITION OF SECTION 4908:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 4908 is added to the Fire Code to read as follows:

## **SECTION 4908**

### **CLEARANCE OF HAZARDOUS VEGETATION FROM STRUCTURES AND ROADS WITHIN THE CITY OF SAN MARINO**

**4908.1 Statement of legislative intent and purpose.** It is the objective of this Section to promote and protect the public health, safety and welfare by recognizing that there exists within the City of San Marino a potentially hazardous fire situation created by grass, weeds, shrubs, and trees which are in such condition and location as to provide a ready fuel supply to augment the spread or intensity of fire. It is the intent of this Section to provide minimum standards to safeguard life, safety, property and the public welfare by insuring that hazardous vegetation or refuse is removed and that all grass, weeds, shrubs, and trees are properly maintained so as to not create a fire hazard within the community, while maintaining sufficient vegetation for aesthetic and soil erosion control purposes.

It is the further intent that this Section apply on a year-round basis to insure the removal and/or proper maintenance of grass, weeds, shrubs, trees and refuse in order to prevent the spread or intensity of fire within the community. Of particular concern is the need to provide adequate defensible space in the urban/wildland interface area of the city, referred to as the High Fire Hazard Severity Zone. For purposes of this Section, defensible space is that space within 100 feet (30.480 m) of a building or structure that is required for access by fire and other emergency personnel to defend the building or structure from the threat of fire.

**4908.2 Prohibition.** No person who has any ownership or possessory interest in, or control of a parcel of land shall allow to exist thereon any hazardous refuse or hazardous grass, weeds, shrubs, trees, or other vegetation, which, by reason of proximity to a building or structure, constitutes a fire hazard. For purposes of this Section, hazardous grass, weeds, shrubs, trees, or other vegetation are defined as grass, weeds, shrubs, trees, or other vegetation which are in such condition and location, or by the unique characteristics of a species, as to provide a ready fuel supply to augment the spread or intensity of a fire.

**4908.3 Specific requirements.** In order to provide sufficient defensible space, each person who has any ownership or possessory interest in, or control of, a parcel of land shall:

**4908.3.1 General.** Remove from the property all hazardous vegetation, except as otherwise provided herein, if such vegetation is within 100 feet (30.480 m) of a building, within ten (10) feet (3.048 m) of a combustible fence, or within ten (10) feet (3.048 m) of any portion of any highway, street, alley, or driveway improved or used for vehicular travel or other vehicular purposes. Distances up to 200 feet (60.960 m) or greater from a building or structure may be necessary as determined by the Chief. This requirement does not apply to the maintenance of trees, ornamental shrubbery or plants which are used as ground cover, provided such are landscape materials that are properly irrigated and maintained and do not provide a ready fuel supply to augment the spread or intensity of a fire.

**4908.3.2 Adjacent to building.** Keep all trees, shrubs, and other vegetation or portions thereof, adjacent to or overhanging any building or structure free of dead limbs, branches, and other combustible matter.

**4908.3.3 Roof clearance.** Maintain 5 feet (1.524 m) of vertical clearance between roof surfaces and portions of trees or shrubs overhanging any building or structure.

**4908.3.4 Chimney clearance.** Remove any portion of a tree or shrub which extends within 15 feet (3.048 m) of the outlet of a chimney or stovepipe.

**4908.3.5 Roof surface.** Maintain the roofs of all buildings or structures free of leaves, needles, twigs, and other combustible matter.

**4908.3.6 Building clearance--30 feet.** Maintain all hazardous grass, weeds, and small shrubs within 30 feet (9.144 m) of any building or structure. Hazardous vegetation must be maintained less than 3 inches (76 mm) high; cut grass may be left on the slope to protect the soil if it lays down within 3 inches (76 mm) of the ground. Large native shrubs may be retained no closer than an average of 18 feet (5.486 m) apart, provided the lower branches have been trimmed a minimum of 3 feet (914 mm) above the ground, or at least thinned to reduce the available fuel volume.

**4908.3.7 Roads.** Maintain trees and shrubs within 10 feet of that portion of any highway, street, alley, or driveway which is improved or used for vehicle travel or other vehicular purposes (except for designated fire roads), so that no leafy foliage, twigs, or branches are within six (6) feet (1.828 m) of the ground (but no more than 1/3 of the crown).

**4908.3.8 Combustible fences.** Maintain all hazardous grass, weeds and other vegetation located within 10 feet (3.048 m) of any combustible fence at a height of not more than 3 inches (76 mm). This shall not require the removal of trees, ornamental shrubbery or plants which are used as ground cover, provided such do not provide a ready fuel supply to augment the spread or intensity of a fire.

**4908.3.9 Building clearance--100 feet.** Maintain all hazardous grass, weeds, shrubs and trees within 100 feet (30.480 m) of any building or structure. Grass and small shrubs may be retained on steep slopes to stabilize the soil and prevent erosion, but may not exceed a height of 18 inches (457 mm). Large native specimen shrubs should be retained where possible, but no closer than an average of 18 feet (5.486 m) apart. Remove all dead foliage, twigs or branches, or live branches within 3 feet (914 mm) of the ground, from mature trees and shrubs (but no more than 1/3 of the crown).

**4908.3.10 Cut vegetation and refuse.** Remove and/or safely dispose of all cut vegetation and hazardous refuse.

**4908.3.11 Soil erosion control.** If the abatement of hazardous vegetation results in the exposure of bare mineral soil, or the soil is exposed to such an extent that increased soil erosion would be likely, or the Chief or his designee determines that the abatement has been excessive and poses a threat to the public health, safety or welfare, irrigation and landscaping or a suitable erosion control structure must be provided to establish effective soil erosion control.

**4908.3.12 Minimum requirements.** Nothing contained in this section shall be deemed to preclude the Chief from requiring more than the minimum specific requirements set forth above when the Chief determines that conditions exist which necessitate greater fire protection measures.

**4908.4 Notice.** The Council finds that grass, weeds, shrubs, trees, or other vegetation prohibited under Sec. 4908.3 increase the danger of fire and thus constitute a public nuisance. If such condition exists, the San Marino Fire Department shall give notice to the owner of record to abate the nuisance within 30 days. The notice shall state that the owner is required to abate the nuisance and that if the nuisance is not abated the City may take further action which can include, (1) the City, or its contractor, may enter upon the parcel of land and remove or otherwise eliminate or abate the nuisance, (2) that upon completion of such work the cost thereof, including administrative costs, shall become a special assessment against that parcel, and (3) that upon Council confirmation of the assessment and recordation of that order, a lien shall attach to the parcel to be collected on the next regular property tax bill levied against the parcel.

**SECTION 10.** New Article 13 Green Building Standards Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

**Article 13**

**GREEN BUILDING STANDARDS CODE**

**SECTION:**

**25.13.01: Green Building Standards Code Adopted**

**25.13.02: Violations**

**25.09.01: GREEN BUILDING STANDARDS CODE ADOPTED:** Except as hereinafter provided, the mandatory measures of the California Green Building Standards Code, 2010 Edition, as published by the California Building Standards Commission, are 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 said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**25.09.02: VIOLATIONS:** Any person, firm or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of this Article shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in subsection 01.04.03A of this Code. 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 this Article is committed, continued or permitted by any such person, and he/she shall be punishable as herein provided.

**SECTION 11.** New Article 14 Referenced Standards Code is added to Chapter 25 of the San Marino City Code, to read as follows:

**Article 14**

**REFERENCED STANDARDS CODE**

**SECTION:**

**25.14.01 Referenced Standards Code Adopted**

**25.14.01: REFERENCED STANDARDS CODE ADOPTED:** Except as hereinafter provided, the California Referenced Standards Code, 2010 Edition, as published by the California Building Standards Commission, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Referenced Standards Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

**SECTION 12.** The City Clerk shall certify to the passage and adoption of this ordinance; shall cause the same to be entered in the book of original ordinances of said City; and shall make a minute of the passage and adoption thereof in the records of the meeting at which the same is passed and adopted.

PASSED, APPROVED AND ADOPTED THIS 8<sup>th</sup> DAY OF DECEMBER.

---

DENNIS KNEIER,  
MAYOR

ATTEST:

---

VERONICA RUIZ,  
CITY CLERK

I HEREBY CERTIFY that the foregoing Ordinance No. O-10-1246 was duly adopted by the City Council of the City of San Marino at a Regular Meeting of the City Council held on December 8, 2010 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

VERONICA RUIZ  
CITY CLERK