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

February 15, 2011

Shannon A. Yauchzee, Public Works Director/City Engineer
Public Works Department
City of West Covina
P.O. Box 1440
1444 W. Garvey South
West Covina, CA 91793

Dear Ms. Yauchzee:

This letter is to acknowledge receipt on January 12, 2011 of the City of West Covina submittal pertaining to Ordinance No. 2212 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

Public Works Department

Monday, January 10, 2011

2011 JAN 12 P 3:35
CALIFORNIA BUILDING STANDARDS COMMISSION

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

RE: FILING OF LOCAL BUILDING CODE ADOPTION

Dear Building Standards Commission:

Pursuant to HSC Section 17958.5 and 17958.7 this filing is submitted as required by State law. Attached is Ordinance 2212, adopting and amending the California Building Standards Codes and related model codes by reference. This ordinance was adopted by the City Council of West Covina on December 21, 2010 complete with findings of local climatic, geological or topographical conditions.

Due to local climatic, geological, and topographical conditions in West Covina, the local amendments are mostly administrative except as expressly identified below:

LOCAL FINDING IDENTIFICATION	
Requirement	**Findings***
WCMC Section 7-18.7. Section 3109.2 of the California Building Code amended (Swimming Pools Definition)	
WCMC Section 7-18.0. Chapter 31 of the California Residential Code amended (Swimming Pools Safety Precautions)	
WCMC Section 7-18.12. Roof Covering Amendment. (Class B minimum)	1
WCMC Section 7-18.13. Section 901.2 of the California Building Code amended (fire sprinklers)	1
WCMC Section 7-18.13.1. Section 313.1 of the California Residential Code amended (fire sprinklers)	1
WCMC Section 7-18.13.2. Section 313.2 of the California Residential Code amended (fire sprinklers)	1
WCMC Section 7-18.15. Appendix G, Section G102 of the California Building Code adopted and amended (Flood Plane Construction)	2
Chapter 9, Article I Drainage and Grading WCMC Sections 9-7 fills, 9-8 terracing, 9-9 erosion control, 9-12 special drainage provisions, 9-13 drainage devices.	2
All other amendments not specifically listed above	Administrative

1444 W. Garvey Avenue South • PO Box 1440 • West Covina, CA 91793 • Telephone (626) 939-8425 • Fax (626) 939-8660

***Findings**

1. The City of West Covina has a semi-arid climate with a history of extended periods of draught, and frequent hot, dry winds (Santa Ana Winds), which compounds the increased risk of the spread of wild- and structure-fires.

2. The City of West Covina contains areas of unique geological and topographical features such as steep slopes, non-cohesive soils, expansive soils, and areas subject to landslide or liquefaction.

If you have any questions or comments, please call me at (626) 939-8425.

Sincerely,

Shannon A. Yauchzee
Public Works Director/City Engineer

ORDINANCE NO. 2212

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING CHAPTER 7, ARTICLES II, IV, VI, AND VII; CHAPTER 9, ARTICLE I; AND CHAPTER 10, ARTICLE II OF THE MUNICIPAL CODE RELATING TO THE ADOPTION OF THE 2010 EDITION OF THE CALIFORNIA BUILDING CODE, THE 2010 CALIFORNIA RESIDENTIAL CODE, 2010 CALIFORNIA MECHANICAL CODE, 2010 CALIFORNIA PLUMBING CODE, 2010 CALIFORNIA ELECTRICAL CODE, 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2010 CALIFORNIA ENERGY CODE, AND THE 2010 CALIFORNIA FIRE CODE WHICH ADOPTS BY REFERENCE THE 2009 INTERNATIONAL FIRE CODE

The City Council of the City of West Covina, California, does ordain as follows:

SECTION 1. Findings: The State of California has amended and adopted the 2010 editions of the California Codes effective January 1, 2011. The City of West Covina Municipal Code is hereby amended as reasonably necessary due to local climatic, geologic, and topographic conditions, and for administrative reasons.

WHEREAS, amendments to the 2010 California Codes are reasonably necessary because of the following climatic, geologic, and topographical conditions:

1. The City of West Covina has a semi-arid climate with a history of extended periods of draught, and frequent hot, dry winds (Santa Ana Winds) which compounds the increased risk of the spread of wild- and structure-fires.

2. The City of West Covina contains areas of unique geological and topographical features such as steep slopes, non-cohesive soils, expansive soils, and areas subject to landslide or liquefaction.

SECTION 2. Chapter 7, Articles II, IV, VI, VII, of the City of West Covina Municipal Code is hereby amended to read as follows:

CHAPTER 7

ARTICLE II. BUILDING CODE

Section 7-16 is hereby amended to read:

Section 7-16. Adopted.

Except as otherwise provided in this Article, the 2010 Edition of the California Building Code including appendices C, G, I, and J and indices and the 2010 Edition of the California Residential Code, which on October 15, 2010 were made a public record of the City, are hereby adopted and made part hereof as if fully set out in this section. One file of this code shall be kept on file in the Office of the Building Official for public inspection. In the event of any conflict or ambiguity between any provision contained in such codes set forth above and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control.

Section 7-18. is hereby amended to read:

Section 7-18. Section 114.4 of the California Building Code and Section R113.4 of the California Residential Code is amended to read as follows:

"Section 114.4 of the California Building Code and Section R113.4 of the California Residential Code. VIOLATIONS AND PENALTIES

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, relocate, demolish, equip, use, occupy or maintain any

building or structure in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code and the Residential Code if constructed after the effective date of such code, shall constitute a continuing violation of such code.

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

Section 7-18.1 is hereby amended to read:

Section 7-18.1. Section 105.5 of the California Building Code is hereby amended to add Section 105.5.1 to read as follows:

Every permit shall become null and void by limitation whenever the work is done during any continuous period of one-hundred and eighty days (180) amounts to less than ten (10) percent of the total work authorized by such permit.

Section 7-18.2 is hereby amended to read:

Section 7-18.2. Section 105.3.2 of the California Building Code is hereby amended to add Section 105.3.2.1 to read as follows:

"Section 105.3.2.1 Unfinished buildings and structures. Whenever the Building Official determines by inspection that work on any building or structure for which a permit has been issued and the work started thereon has been suspended for a period of one hundred eighty (180) days or more, the owner of the property upon which such structure is located or other person or agent in control of said property upon receipt of notice in writing from the department to do so shall within ninety (90) days from the date of such written notice obtain a new permit to complete the required work and diligently pursue the work to completion or shall remove or demolish the building or structure within one hundred twenty (120) days from date of the written notice."

Section 7-18.2. Section R105.3.2 of the California Residential Code is hereby amended to add Section R105.3.2.1 to read as follows:

"Section R105.3.2.1 Unfinished buildings and structures. Whenever the Building Official determines by inspection that work on any building or structure for which a permit has been issued and the work started thereon has been suspended for a period of one hundred eighty (180) days or more, the owner of the property upon which such structure is located or other person or agent in control of said property upon receipt of notice in writing from the department to do so shall within ninety (90) days from the date of such written notice obtain a new permit to complete the required work and diligently pursue the work to completion or shall remove or demolish the building or structure within one hundred twenty (120) days from date of the written notice."

Section 7-18.3 is hereby amended to read:

Section 7-18.3. Section 109 of the California Building Code and Section R108 of the California Residential Code is amended to read as follows:

"Section 109 of the California Building Code and Section R108 of the California Residential Code. FEES.

(a) *Building Permit Fees.* A fee for each building permit shall be paid to the building official as set forth in resolution of the City Council. Determination of value under any of the provisions of this code shall be made by the Building Official. The valuation to be used in computing the permit and plan review fees shall be the total value of all construction work for which permit is issued, as well as all

finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent work for permanent equipment.

Where work for which permit is required by this code is started or proceeded with prior to obtaining said permit, the fees specified in this section shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in execution of the work nor from any other penalties prescribed herein.

(b) *Plan Review Fees.* When the valuation of the proposed construction exceeds one thousand dollars ($1,000.00), a plan review fee shall be paid to the building official at the time of submitting plans and specifications for review. Said plan review fees shall be sixty-five (65) percent of the building permit fees as set forth in the City Council resolution.

(c) *Expiration of Plan Review.* Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation and plans 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 one hundred eighty (180) days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(d) *Investigation Fees.* Work without a permit.

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

2. *Fee.* An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The inspection fee shall be paid to the Building Official as set forth in resolution of the City Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(e) *Exemption from Fees.* Neither the state nor this nor any other county, city, district or other political subdivision, nor any public officer or body acting in his official capacity on behalf of the state or of this or any county, city, district or other political subdivision shall pay or deposit any fee. This section does not apply to the State Compensation Insurance Fund or Public Housing Authority or where a public officer is acting with reference to private assets which have come under his jurisdiction by virtue of his office.

(f) *Refunds.* In the event that any person shall have obtained a building permit and no portion of the work or construction covered by such permit has been commenced, such permit may be cancelled upon presentation to the Building Official of a written request, the person shall be entitled to a refund in an amount equal to eighty (80) percent of the building permit fee actually paid for such permit; however, the portion of the fee retained shall never be less than twenty-five dollars ($25.00).

In case a permit is issued in error by the Building Official, all fees will be returned to applicant upon request.

No refund shall be granted when receipt of the request occurs more than one (1) year following payment of the permit or plan review fee. No portion of the plan checking fee shall be refunded, unless no checking has been performed on a set of plans, in which case eighty (80) percent of the plan review fee may be refunded;

however, the portion of the fee retained shall never be less than twenty-five dollars ($25.00)

The Building Official shall satisfy himself as to the right of such applicant to such refund and each such refund shall be paid as provided by law for the payment of claims against the city."

Section 7-18.5 is hereby amended to read:

Section 7-18.5. Section 110.6 of the California Building Code and Section R109.4 of the California Residential Code is amended to include:

"Approvals required. No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining written approval of the building official. Such written approval shall be given only after an inspection shall have been made of each successive step in the construction as indicated by each of the inspections required by Section 110 of the California Building Code and Section R109 of the California Residential Code .

There shall be no clearance for connection of gas or electrical utilities until final building, electrical, plumbing, heating, ventilation and air-conditioning inspections have been made and approval has been first obtained from the building official, except as provided for in section 7-18.6 for a temporary certificate of occupancy."

Section 7-18.6 is hereby amended to read:

Section 7-18.6. Section 111.3 of the California Building Code and Section R110.4 of the California Residential Code is amended to include:

"Temporary certificate. A temporary certificate of occupancy may be issued by the building official for the use of a portion or portions of a building or structure prior to the completing of the entire building or structure upon application for a temporary clearance of connection of the utilities and payment of fees as set forth by resolution as approved by the City Council.

In the event the building is not completed and ready for final inspection in the time prescribed by the building official, the building shall be vacated and the utilities disconnected until such time as the building is completed and final inspection is made and a certificate of occupancy is issued as set forth in the sections above."

Section 7-8.7 is hereby amended to read:

Section 7-18.7. Section 3109.2 of the California Building Code is hereby amended to read:

"Swimming pool" is any outside body of water created by artificial means, which is designed or used for swimming, immersion or therapeutic purposes, any portion of which exceeds eighteen (18) inches in depth, including portable swimming pools and permanent ponds.

Section 7-18.10 is hereby amended in its entirety to read:

Section 7-18.10. Chapter 31 of the California Residential Code is hereby amended to add Section 3109.6 to read as follows:

"Section 3109.6 (a) SWIMMING POOLS. SAFETY PRECAUTIONS

Every person in possession of land within the City of West Covina, either as owner, purchaser under contract, lessee, tenant, licensee or otherwise, upon which is situated a swimming pool shall at all times maintain on the lot or premises upon which such pool is located and completely surrounding such pool, lot or premises a fence or other structure not less than five (5) feet six (6) inches in height with no opening therein, other than doors or gates, and other than openings approved by the building official upon finding that they will not materially facilitate scaling the fence or other structure by children.

All gates or doors opening through such enclosures shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely closed at all times when not in actual use. Such latching device must be located not less than five (5) feet above the ground; provided, however, that the door of any dwelling occupied by human beings forming any part of the enclosure comply with State Laws. All fencing forming the pool enclosure shall be in place and approved by the city before water is placed in the pool.

(b) SWIMMING POOLS, EMPTYING UPON ABANDONMENT OR VACATION OF PREMISES.

(1) No person in possession or control of any swimming pool on any land within the city as either owner, lessee, tenant, purchaser under contract, trustee, mortgagee or beneficiary of the land upon which such swimming pool is located shall abandon or vacate the premises upon which such swimming pool is located or is accessory or appurtenant, or cause or permit the same to be abandoned or vacated, without first having either:

a. Emptied all water from such swimming pool and left the same empty; or

b. Completely covered said swimming pool with a safe and adequate pool cover or other protective device, approved in writing by the building official as sufficient to protect persons, especially children, from falling into such pool.

(2) No owner of any swimming pool on any land within the city, upon learning that the premises upon which such swimming pool is located or is accessory or appurtenant having been abandoned or vacated by the person in possession or control of such swimming pool, shall fail, within forty-eight (48) hours after so learning or so being advised by the building official, to either:

a. Empty all water from said swimming pool and leave the same empty until said premises are again occupied by a person in possession and control of such swimming pool; or

b. Completely cover said swimming pool with a safe and adequate pool cover or other protective device approved in writing by the building official, as aforesaid, and keep said pool so covered until said premises are again occupied by a person in possession and control of such swimming pool.

(3) "Abandon" and "abandoned," as used in this section, shall mean the leaving of premises without actual, apparent and manifest intention to return thereto within a reasonable and foreseeable time unless definite provision has been made in writing prior to leaving the premises to have them actually occupied within thirty (30) days of such leaving by some other person who will be in possession and control of such swimming pool.

(4) "Vacate" and "vacated," as used in this section shall mean the leaving of premises without the bona fide intent to return and actually returning to said premises within a period of thirty (30) days or less (or such additional period not exceeding an aggregate of sixty (60) days from date of leaving as may be granted by the building official for good cause, such as extended vacation, emergency, etc.) unless during said period of absence some other person actually occupies said premises and is in possession and control of such swimming pool.

(5) Every person who violates or fails to comply with any of the terms, provisions or requirements of this section shall thereby have agreed and consented and conclusively be deemed to have agreed and consented:

a. That the city may enter upon the premises and empty all water from such swimming pool or cause the same to be done; and

b. To reimburse the city on demand for the actual cost of emptying such pool or causing the same to be done, and that the city may collect the same from any such person by civil action or any other lawful means selected by or available to the city, including, where applicable, the means provided by Title 5, Division 1, Part 1, Chapter 1,

Article 9 (beginning at Section 50230) of the Government Code of the State of California.

(c) INSPECTIONS AND APPROVAL OF SWIMMING POOLS

All plans hereafter submitted to the city for swimming pools to be constructed shall show compliance with subsection (a), and final inspection and approval of all pools hereafter constructed shall be withheld until all requirements of subsection (a) shall have been complied with.

The provisions of this section shall not apply to public swimming pools for which a charge or admission price is required to be paid for such use thereof, nor to swimming pools which are a part of and located upon the same premises as a hotel, motel or apartment house, during the time that the owner, operator or adult employee of such owner or operator is present at and in active charge of the premises upon which such pool is located."

Section 7-18.12 is hereby amended to read:

Sec. 7-18.12. - Roof coverings

"(a) Notwithstanding any other provision of the Building Code and Appendices to the contrary, the roof covering of any building hereinafter constructed, regardless of type of occupancy classification, shall be of noncombustible or fire-retardant construction as defined in Section 1505.6 of the California Building Code and Section R902.2 of the of the California Residential Code. Roof coverings shall bear a minimum Class 'B' Fire Classification as defined in Section 1505.1 of the California Building Code and Section R902.1 of the California Residential Code.

(b) Any replacement or repair that consists of more than twenty-five (25) percent of the total area of an existing roof within a twelve-month period must be made in conformance with subsection (a) herein. Room additions must also comply with said subsection (a). Skylights shall be constructed as required in chapter 24 of the California Building Code. Penthouses shall be constructed as required in chapter 15 of the California Building Code. Any use of plastics in roofs shall be in accordance with the provisions of chapter 26. Any construction relating to attics and roof drainage shall be in accordance with those governed by the provisions of the Building Code."

Section 7-18.13 is hereby amended to read:

Section 7-18.13. Section 901.2 of the California Building Code is hereby amended to add Section 902.1.1 to read as follows:

"Section 901.2.1 notwithstanding any other provisions of this section, an approved automatic fire sprinkler system shall be installed:

1. On all new buildings exceeding five thousand (5,000) square feet in floor area.
2. In any existing building after the completion of any addition, which will exceed five thousand (5,000) square feet of floor area.
3. In any existing building where an addition or additions exceed twenty-five (25) percent of the existing floor area as of January 1, 1990, or five thousand (5,000) square feet, whichever is less, and the existing building is over five thousand (5,000) square feet.
4. When the value of major alterations or repairs to an existing building, which has twelve thousand (12,000) or more square feet, exceeds twenty-five (25) percent of the value of the building in any twelve-month period.

Open parking garages as defined in Section 406.3. of the California Building Code are exempt from the automatic fire sprinkler requirements of the West Covina Municipal Code.

"Major Alterations or Repairs" is defined as alterations or repairs requiring building permits to an existing building or structure of 12,000 square feet or more where the project valuation cost equals to or exceeds twenty five (25) percent of the current fair market value of said building or structure."

Section 7-18.13.1 is hereby added to read:

Section 7-18.13.1. Section R313.1 of the California Residential Code is hereby amended to add Section R313.1.1 to read as follows:

"Section R313.1.1 notwithstanding any other provisions of this section, an approved automatic fire sprinkler system shall be installed:

1. In any existing building after the completion of any addition, which will exceed five thousand (5,000) square feet of floor area.
2. In any existing building where an addition or additions exceed twenty-five (25) percent of the existing floor area as of January 1, 1990, or five thousand (5,000) square feet, whichever is less, and the existing building is over five thousand (5,000) square feet.
3. When the value of major alterations or repairs to an existing building, which has twelve thousand (12,000) or more square feet, exceeds twenty-five (25) percent of the value of the building in any twelve-month period.

Open parking garages as defined in Section 406.3. of the California Building Code are exempt from the automatic fire sprinkler requirements of the West Covina Municipal Code.

"Major Alterations or Repairs" is defined as alterations or repairs requiring building permits to an existing building or structure of 12,000 square feet or more where the project valuation cost equals to or exceeds twenty five (25) percent of the current fair market value of said building or structure.

Exception: An automatic residential sprinkler system shall not be required when additions or major alterations are made to existing townhomes that do not have an automatic residential fire sprinkler system installed and installation of residential fire sprinklers is not required by Section 7-18.13.1, items 1, 2, and 3."

Section 7-18.13.2 is hereby added to read:

Section 7-18.13.2. Section R313.2 of the California Residential Code is hereby amended to add Section R313.2.1 to read as follows:

"Section R313.2.1 notwithstanding any other provisions of this section, an approved automatic fire sprinkler system shall be installed:

1. In any existing building after the completion of any addition, which will exceed five thousand (5,000) square feet of floor area.
2. In any existing building where an addition or additions exceed twenty-five (25) percent of the existing floor area as of January 1, 1990, or five thousand (5,000) square feet, whichever is less, and the existing building is over five thousand (5,000) square feet.
3. When the value of major alterations or repairs to an existing building, which has twelve thousand (12,000) or more square feet, exceeds twenty-five (25) percent of the value of the building in any twelve-month period.

Open parking garages as defined in Section 406.3. of the California Building Code are exempt from the automatic fire sprinkler requirements of the West Covina Municipal Code.

"Major Alterations or Repairs" is defined as alterations or repairs requiring building permits to an existing building or structure of 12,000 square feet or more where the project valuation cost equals to or exceeds twenty five (25) percent of the current fair market value

Exception: An automatic residential sprinkler system shall not be required for additions or major alterations to existing buildings that are not already provided with an automatic residential fire sprinkler system and installation of residential fire sprinklers is not required by Section 7-18.13.2, items 1, 2, and 3."

Section 7-18.15 is hereby amended to read:

Section 7-18.15. The California Building Code, Appendix G, Section G102, is hereby amended by adding Section G102.2.3 to read as follows:

(a) Buildings are not permitted within an area determined by the city engineer to be subject to flood hazard by reason of inundation, overflow or erosion.

The placement of buildings and other structures (including walls and fences) within such areas shall be such that water or mudflow will not be a hazard to the building or adjacent property. Subject to subsection (b) of this section, this prohibition shall not apply if provisions are made to eliminate such hazard to the satisfaction of the city engineer by providing adequate drainage facilities, protective walls, suitable fills, raising of floor elevation of the building or by a combination of these or other methods. The city, in the application of this ordinance, shall enforce as a minimum, the current Federal Flood Plain Management Regulations defined in chapter 1, parts 59 and 60, Federal Emergency Management Agency, National Flood Insurance Program.

(b) A person shall not perform any work within an established floodway if in the judgment of the city engineer such work increases the flood hazard to adjacent properties by either increasing the capital floodwater surface elevation, by deflection of flows, by increasing bank erosion or by increasing flow velocities. Such work may be performed within an established floodway where provisions are made to the satisfaction of the city engineer to avoid any such increase in flood hazard. The city engineer may issue a permit for said work.

Section 7-18.16 is hereby added to read:

"Section 7-18.16 - SAFETY ASSESSMENT PLACARDS

Section 7-18.16.1 - Intent.

Section 7-18.16.2 - Application of provisions.

Section 7-18.16.3 - Definitions.

Section 7-18.16.4 – Violations.

Section 7-18.16.1 - Intent.

This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy. The chapter further authorizes the building official and his or her authorized representatives to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface such placards unless authorized pursuant to this section. Violators will be prosecuted pursuant to Section 7-18.16.4 of this code.

Section 7-18.16.2- Application of provisions.

The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the City of West Covina. The city council may extend the provisions as necessary.

Section 7-18.16.3- Definitions.

"Safety assessment" is a visual, nondestructive examination of a building or structure for the purpose of determining the condition for continued occupancy.

"Placards" means once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the building official.

The following are verbal descriptions of the City of West Covina placards to be used to designate the condition for continued occupancy of buildings or structures.

"INSPECTED - Lawful Occupancy Permitted" is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.

"RESTRICTED USE" is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued occupancy.

"UNSAFE - Do Not Enter or Occupy" is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the building official, or his or her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered.

Section 7-18.16.4 - Violations

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

ARTICLE IV. ELECTRICAL CODE

Section 7-49 is hereby amended to read:

Section 7-49. Adopted.

Except as otherwise provided in this Article, the 2010 Editions of the California Electrical Code, which on October 15, 2010, were made a public record of the City, including the International Administrative provisions, all appendices, and indices, are hereby adopted and made part hereof as if fully set out in this section. One file of this code shall be kept on file in the Office of the City Clerk for public inspection. In the event of any conflict or ambiguity between any provision contained in such codes set forth above and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control.

Sec. 7-49.3 is hereby amended to read:

"Article 89.108.4.1 of the code adopted by section 7-49 of this Municipal Code is hereby amended to add Article 89.108.4.1.2 and to read as follows:

Article 89.108.4.1.2 VIOLATIONS AND PENALTIES

It is unlawful for any person, firm or corporation, either as owner, architect, contractor, artisan or otherwise, to do or knowingly to cause or permit to be done any electrical wiring as defined in this Code in such manner that the same shall not conform to all of the provisions of this Code.

It shall be unlawful for any person, firm or corporation to make connection from a source of electrical energy or to supply electric service to any electric wiring devices, appliances or equipment for the installation of which a permit is required, unless such person, firm or corporation shall have obtained satisfactory evidence from the director that such wiring, devices, appliances or equipment are in all aspects in conformity with all applicable legal provisions.

Any person, firm or corporation violating any provisions of this Code shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment for a period of not more than six (6) months, or by both such fine and imprisonment."

Section 7-49.4 is hereby amended to read:

"Article 89.108.4.2 of the code adopted by section 7-49 of this Municipal Code is hereby amended to read as follows:

Article 89.108.4.2. FEES

(a) [Permit fee.] A fee for each electrical permit and for the work to be done thereunder shall be paid to the city as set forth in a resolution duly adopted by the city council.

(b) Plan review fees. When a plan or other data are required to be submitted by subsection (c) of section 302, 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 twenty-five (25) percent of the total permit fee as set forth in the city council resolution. Where plans are incomplete or changed so as to require an additional plan review, an additional plan review fee shall be charged at the rate shown in the city council resolution.

(c) Expiration of plan review. Applications for which no permit is issued within one hundred eighty (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 one hundred eighty (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.

(d) Investigation fees: Work without a permit.

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

(2) Fee. 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 this 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 either this code nor from any penalty prescribed by law.

(e) Fee refunds.

(1) The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

(2) The building official may authorize the refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

(3) The building official may authorize the refunding of not more than eighty (80) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

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."

ARTICLE VI. MECHANICAL CODE

Section 7-73 is hereby amended to read:

"Section 7-73. Adopted.

Except as otherwise provided in this Article, the 2010 Edition of the California Mechanical Code, which on October 15, 2010, were made a public record of the City, including all appendices and indices, are hereby adopted and made part hereof as if fully set out in this section. One file of this code shall be kept on file in the Office of the City Clerk for public inspection. In the event of any conflict or ambiguity between any provision contained in such codes set forth above and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control."

Section 7-75 is hereby amended to read:

"Section 111.0 of the code adopted by section 7-73 of this Municipal Code is hereby amended to read as follows:

Sec. 111.0 VIOLATIONS

It shall be unlawful for any person, firm or corporation to erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, cooling or refrigeration equipment in the city or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Code. Maintenance of equipment which was unlawful at the time it was installed and which would be unlawful under this Code if installed after the effective date of this Code, shall constitute a continuing violation of this Code. Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment for not more than six (6) months or both such fine and imprisonment."

Section 7-77 is hereby amended to read:

"Section 115.0 of the code adopted by section 7-73 of this Municipal Code is hereby amended to read as follows:

Section 115.0 FEES

(a) Permit fees. A fee for each mechanical permit shall be paid to the city as set forth in resolution of the city council.

(b) Plan review fees. When a plan or other data are required to be submitted by subsection 113.2, 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 twenty-five (25) percent of the total permit fee as set forth in the city council resolution. When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in the city council resolution.

(c) Expiration of plan review. Applications for which no permit is issued within one hundred eighty (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 one hundred eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevent 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.

(d) Investigation fees. Work without a permit.

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

(2) Fee. 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 this 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 this Code nor from any penalty prescribed by law.

(e) Fee refunds.

(1) The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

(2) The building official may authorize the refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code.

(3) The building official may authorize the refunding of not more than eighty (80) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

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."

ARTICLE VII. PLUMBING CODE

Section 7-85 is hereby amended to read:

Section 7-85. Adopted.

Except as otherwise provided in this Article, the 2010 Edition of the California Plumbing Code, which on October 15,2010, were made a public record of the City, including all appendices and indices, are hereby adopted and made part hereof as if fully set out in this section. One file of this code shall be kept on file in the Office of the City Clerk for public inspection. In the event of any conflict or ambiguity between any provision contained in such codes set forth above and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control.

CHAPTER 9

ARTICLE I. DRAINAGE AND GRADING

Appendix J "Grading" of the California Building Code, 2010 Edition is here by adopted as amended and shall replace sections 9-1 to 9-10 of Chapter 9 of the City of West Covina Municipal Code.

SECTION J 101 GENERAL

Section J 101.1 Scope. Adopted.

Section J 101.2 Flood Hazard Areas. Adopted.

SECTION J 102 DEFINITIONS.

Section J 102.1 DEFINITIONS amended and added:

Bedrock is the relatively solid, undisturbed rock in place either at the ground surface or beneath surficial deposits of gravel, sand, or soil.

Civil engineer shall mean a professional engineer in the branch of civil engineering holding a valid certificate of registration issued by the State of California.

Fill shall mean deposits of soil, rock or other similar irreducible materials placed by man.

Slope is an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance and exceeds a ratio of 5 to 1.

Soils engineer is a civil engineer experienced in soil mechanics who investigates and reports on the stability of existing or proposed slopes, controls the installation and compaction of fills, recommends soil bearing values, provides design criteria and calculations for special earth structures such as buttress fills, and who has use of an adequately equipped soils testing laboratory. It is not the intent of this definition nor this chapter to require that the civil engineer be authorized by the state to use the title, "soils engineer."

Geologist shall mean a person holding a valid certificate of registration as a geologist in the specialty of engineering geology issued by the State of California under provisions of the Geologist Act of the Business and Professions Code.

Building Official, as used in Appendix J of the California Building Code, shall mean the City Engineer of the City of West Covina or his designated representative.

SECTION J 103 PERMITS REQUIREMENTS

Section J 103 is amended by adding subsection as follows:

Section J 103.1 Permits required. Adopted:

Section J 103.1.1 Added to read.

Grading designation. All grading requiring a permit shall be performed in accordance with the approved grading plan prepared by a civil engineer and shall be designated as "engineered grading." Grading involving less than five thousand (5,000) cubic yards may be changed in designation from "engineered grading" to "regular grading" upon recommendation of the civil engineer and approval of the City Engineer. The City Engineer may require supporting documentation prior to approval of a change in designation.

Section 103.2 Exceptions is herby amended to read:

1. Grading in an isolated contained area, provided there is no danger to the public, that such grading will not adversely affect adjoining properties.

SECTION J104 PERMIT APPLICATION AND SUBMITTALS

Section J 104 is amended and subsections added:

Section J 104.1 Submittal requirements are amended and read: in addition to the provisions of section 105.3 of the California Building Code, the applicant shall state the estimated quantities of excavation and fill.

Section J 104.1.1 Amended as follows:

Engineered grading requirements. Each application for a grading permit shall be accompanied by three (3) sets of plans and specifications and two (2) sets of supporting data consisting of a soil engineering report and engineering geology report. The plans and specifications shall be prepared, sealed, and signed by a civil engineer, a soil engineer and/or a geologist.

Section J 104.2 Site plan requirements is amended and subsection added:

Section J 104.2.1 Site plan requirements:

In Addition to the provisions of Section 107 of the California Building Code, a grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the

nature and extent of the work and show in detail that it complies with the requirements of the code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this code.

Section J 104.2.2 Additional requirements:

(a) Plans shall be drawn to a scale of one (1) inch equals twenty (20) feet or one (1) inch equals thirty (30) feet upon mylar or vellum sized at twenty-four (24) inches by thirty-six (36) inches and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that the work proposed will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

(b) The permittee shall have an appropriate valid California state-issued contractor's license and shall have filed Worker's Compensation Insurance documentation with the city.

(c) Fees. Before issuance of each grading permit the appropriate fees shall be paid as indicated in the schedule of fees adopted from time to time by resolution of the City Council of the City of West Covina

(d) Bonds. Bonds or other improvement security satisfactory to the city engineer and agreements in an amount equal to at least one hundred (100) percent of the estimated cost of the work are required to guarantee completion of the work in accordance with the approved plans and specifications.

Section J 104.3 Geotechnical report. Adopted.

Section J 104.4 Liquefaction study. Adopted.

SECTION J 105 - INSPECTIONS

Section J 105.1 General. Amended and added to read as follows:

Section J 105.1.1

(a) General. Grading operations for which a permit is required shall be subject to inspection by the city engineer. Professional inspection of grading operations shall be provided by the civil engineer, soils engineer, and the engineering geologist retained to provide such services in accordance with Section "L" for engineered grading and as required by the City Engineer for regular grading.

(b) Civil Engineer. The civil engineer shall provide professional inspection within such engineer's area of technical specialty, which shall consist of observation and review as to the establishment of line, grade and surface drainage of the development area. If revised plans are required during the course of the work, they shall be prepared by the Civil Engineer.

(c) Soils Engineer. The soils engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The soils engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the City Engineer and the civil engineer.

(d) Engineering Geologist. The engineering geologist shall provide professional inspection within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered and in conformance with the approved report. Revised

recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer.

(e) Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code, and the permittee shall engage consultants, if required, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, the contractor and the City Engineer. In the event of changed conditions, the permittee shall be responsible for informing the City Engineer of such change and shall provide revised plans for approval.

(f) City Engineer. The City Engineer shall inspect the project at the various stages of work requiring approval to determine that the professional consultants are exercising adequate control.

(g) Notification of Noncompliance. If, in the course of fulfilling their respective duties under this chapter, the civil engineer, the soils engineer or the engineering geologist finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and to the city engineer.

(h) Transfer of Responsibility. If the civil engineer, the soils engineer, or the engineering geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the Building Official in writing of such change prior to the recommencement of such grading.

Section 105.1.2 Completion of work and final report.

Final Reports. Upon completion of the rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required to be executed:

1. An as-built grading plan prepared by the civil engineer retained to provide such services in accordance with Section J 105.1 sub section "e" showing original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and of the outlets of subsurface drains. As-constructed locations, elevations and details of subsurface drains shall be shown as reported by the Civil Engineer.

   Civil engineers shall state that to the best of their knowledge the work within their area of responsibility was done in accordance with the final approved grading plan.

2. Engineering Grading Approval form provided by the City.

3. A report prepared by the soils engineer retained to provide such services in accordance with Section J 105.1 sub section "c", including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report. Soils engineers shall submit a statement that, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved soils engineering report and applicable provisions of this chapter.

4. A report prepared by the engineering geologist retained to provide such services in accordance with Section J 105.1, including a final description of the geology of the site and any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. Engineering geologists shall submit a statement that, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved engineering geologist report and applicable provisions of this chapter.

5. The grading contractor shall submit in a form prescribed by the City Engineer a statement of conformance to said as-built plan and the specifications.

6. Notification of Completion. The permittee shall notify the building official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion-control measures have been completed in accordance with the final approved grading plan, and the required reports have been submitted.

Section J105.2 Special inspection. Amended to read:

The special inspection requirements of Section 1704.7, California Building Code, shall apply to work performed under a grading permit where required by the building official.

SECTION J 106 EXCAVATION

Section J 106 Excavation. Adopted.

SECTION J 107 FILLS

The following subsections are added to Section J 107 Fills, to read as follows:

Section J 107.7 Method of Construction

(a) All fill slopes fifteen (15) feet in height or more and steeper than 3 horizontal to 1 vertical shall be constructed by the "over-fill and cutback" method. These slopes shall be overbuilt and cut back to grade exposing the firm compacted fill inner core. The actual amount of overbuilding may vary as field conditions dictate. If the desired results are not achieved, the existing slopes shall be overexcavated as directed by the soils engineer and reconstructed. The degree of overbuilding shall be increased until the desired compacted slope surface condition is achieved. Care shall be taken by the contractor to provide thorough mechanical compaction to the outer edge of the overbuilt slope surface. As fill slope construction proceeds, the slope surface shall be thoroughly backrolled with a sheepsfoot roller at vertical height intervals not exceeding four (4) feet.

Following the attainment of the desired slope height, the outer surface of overbuilt slopes shall be cut back to the finished surface contour shown on the approved grading plan. Care shall be taken by the contractor not to excavate beyond the desired finished slope surface.

(b) Alternate method of construction.

Fill slopes less than fifteen (15) feet in height or flatter than 3 horizontal to 1 vertical may be constructed by alternative procedures where specifically approved by the soils engineer prior to grading. Prior to such approval, the contractor shall submit to the soils engineer a detailed written description of the procedure he proposes to utilize. Within such description, the following guidelines shall be included. Unless slopes are overfilled and cut back to grade, the outer faces of all fill slopes shall be backrolled utilizing a sheepsfoot roller at intervals not exceeding four (4) feet of vertical slope height. Vibratory methods may be required. During construction of the fill slopes, care shall be taken to maintain near-optimum moisture conditions over the entire slope height. Following achievement of the slope height as shown on the approved grading plan, the entire slope face shall be thoroughly compacted utilizing a vibratory sheepsfoot roller. Upon completion of the above procedures, the faces of all fill slopes height with standard grid-rolling type of equipment. Prior to grid-rolling, care shall be taken to maintain near-optimum moisture conditions.

Following slope construction in the manner described above, if the required uniformly compacted fill slope condition is not achieved, overfilling and cutting back shall be required. Completed slopes not approved by the soils engineer shall be

overexcavated a minimum of twelve (12) feet (horizontal) and replaced by the overfilling and cutting back procedure described in paragraph (a).

SECTION J 108 SETBACKS

Section J 108 Setback. Adopted.

SECTION J 109 DRAINAGE AND TERRACING

Section J 109 Drainage and Terracing. Following subsections are amended or added:

Section J 109.2 Terraces is amended to read:

Terraces. Terraces at least eight (8) feet in width shall be established at not more than twenty-five-foot vertical intervals on all cut or fill slopes to control surface drainage and debris; except that where only one (1) terrace is required, it shall be at mid-height. For cut or fill slopes greater than fifty (50) feet and up to one hundred (100) feet in vertical height, one (1) terrace at approximately mid-height shall be sixteen (16) feet in width. Terrace widths and spacing for cut and fill slopes greater than one hundred (100) feet in height shall be designed by the civil engineer and approved by the city engineer and shall meet or exceed the foregoing requirements. Suitable access shall be provided to permit proper cleaning and maintenance.

Swales or ditches on terraces shall have a minimum gradient of five (5) percent and must be paved with reinforced concrete not less than three (3) inches in thickness. They shall have a minimum depth at the deepest point of one (1) foot and a minimum paved width equal to the width of the terrace.

A single run of swale or ditch shall not collect runoff from a tributary area exceeding thirteen thousand five hundred (13,500) square feet (projected) without discharging into a down drain.

The design height of the slope shall include six (6) feet at the top of the slope to provide for the contributory area and height of possible walls along the top of the slope.

Exception: The width and spacing of the terraces may be approved by the City Engineer to be narrower and spaced differently than the preceding requirements provided:

(1) The terrace system is designed by a civil engineer and approved by the soils engineer. Such design shall include sufficient details and calculations (including hydrology) to enable full analysis by the city engineer.

(2) Building pads shall have a drainage gradient of at least (2) percent toward approved drainage facilities.

Section J 109.5 Special drainage provisions.

If the building pad surface is paved, the minimum sheet flow gradient may be reduced to the following minimum gradients:

Asphaltic concrete pavement, one and one-half (1 ½) percent;

Portland cement concrete, one (1) percent.

Section J 109.6 Drainage devices.

(a) Except on slopes, drainage devices with concentrated flow shall be constructed with minimum gradients as follows:

Portland cement concrete construction.....	0.5%
Air-blown concrete construction	1.0%
Asphaltic concrete construction.....	1.0%
Soil swales	1.0%
Pipes	0.4%

(b) Drainage devices constructed on slopes shall have a minimum gradient of five (5) percent. Such drainage devices shall be constructed of air-blown concrete or portland cement concrete with suitable reinforcement. Closed conduits, unpaved swales and asphalt concrete drainage structures shall not be used for slope drainage.

(c) Drainage devices shall be constructed to convey drainage to an established private or public watercourse, channel, storm drain or public street and shall be of a design to prevent erosion.

(d) Drainage devices conveying water to the public streets shall drain over driveway approaches or through curb drains or through sidewalk culverts.

SECTION J 110 EROSION CONTROL

Section J 110 Erosion Control. Amended and added.

All construction sites are subject to the latest requirements of the City of West Covina enforced National Pollution Discharge Elimination System (NPDES), Best Management Practices (BMPs) and applicable pollution control and erosion protection measures pursuant to Chapter 9 Article II Stormwater and Urban Run-off Pollutions Control and Article III Flood Drain Management of the City of West Covina Municipal Code.

Section J 110.1 General. Adopted

Section J 110.2 Other devices. Adopted.

Section J 110.3 The following sub section have been added to read as follows:

(a) Where slopes are planted for erosion control, the slope shall be watered by a designed automatic irrigation system approved by the city engineer. The irrigation system and landscaping shall have their own plans and specifications. Landscaping shall have a minimum ninety-day plant establishment period prior to calling for final approval.

(b) The manner(s) of erosion control shall be specifically addressed in the report required by section 3309.5 of the California Building Code.

(c) The owner of any property on which grading has been performed pursuant to a permit issued under the provisions of this Code, or any other person or agent in control of such property, shall maintain in good condition and repair all drainage structures and other protective devices including burrowing rodent control when shown on the grading plans filed with the application for grading permit and approved as a condition precedent to the issuance of such permit.

CHAPTER 10

ARTICLE II. FIRE CODE

Sec. 10-20. Adopted

There is hereby adopted by the City Council of the City of West Covina for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the International Fire Code, published by the International Code Council, being particularly the 2009 Edition thereof, including Appendix Chapters with errata, and Title 24, part 9 of the California Code of Regulations, except such portions as are hereinafter deleted, modified or amended by Section 10-20 of the West Covina Municipal Code. From the date on which this Code shall take effect, the provisions of the 2009 International Fire Code and 2010 California Fire Code shall be controlling within the limits of the City of West Covina. In the event of any conflict or ambiguity between any provision contained in such codes set forth above, and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control.

Sec. 10-21. Establishment and duties of bureau of fire prevention.

(a) The International Fire Code, 2009 Edition and the California Fire Code, 2010 Edition, including all indices and appendices shall be enforced by the bureau of fire prevention in the fire department of the City of West Covina which is hereby established and which shall be operated under the supervision of the chief of the fire department.

(b) The fire marshal in charge of the bureau of fire prevention shall be appointed by the chief of the fire department on the basis of examination to determine his or her qualifications.

(c) The chief of the fire department may recommend to the city council of the City of West Covina the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and/or non-members of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause. (Ord. No. 1960, § 2, 11-21-95)

Sec. 10-22. Definitions

(a) Whenever the word "jurisdiction" is used in the International Fire Code and the California Fire Code, it is the City of West Covina.

(b) Whenever the words "fire code official" are used they shall be held to mean "Fire Marshal" or "Fire Chief".

Sec. 10-23. Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited.

(a) The limits referred to in Section 3404.2.9.5.1 and Section 3406.2.4.4 of the adopted Fire Codes in which the storage of flammable or combustible liquids is restricted are hereby established as follows: All areas of the city except those areas approved by the fire chief or a designated representative and whose maximum quantity does not exceed five-hundred (500) gallons individual tank capacity.

(b) The limits referred to in Section 3404.2.9.5.1 and Section 3406.2.4.4 of the adopted Fire Codes in which bulk plants for flammable liquids are restricted are hereby established as follows: All areas of the city except those areas that are specifically designated under the zoning provisions of this Code as Zone M-1. (Ord. No. 1903, § 3, 6-16-92; Ord. No. 1960, § 2, 11-21-95)

Sec. 10-24. Establishment of limits in which storage of liquefied petroleum gases is to be restricted.

(a) The limits referred to in Section 3804.2 of the adopted Fire Codes in which storage of liquefied petroleum gas is restricted, are hereby established as follows: All areas of the city except those areas approved by the fire chief or a designated representative and whose maximum quantity does not exceed two thousand (2,000) gallons water capacity.

(b) The limits referred to in Section 3804.2 of the adopted Fire Codes in which bulk storage of liquid petroleum gas is restricted are hereby established as follows: The entire area of this city. (Ord. No. 1903, § 3, 6-16-92; Ord. No. 1960, § 2, 11-21-95)

Sec. 10-25. Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.

The limits referred to in Section 3301.2.3 of the International Fire Code, 2009 Edition and Title 19 in which storage of explosives and blasting agents is prohibited, are hereby established as follows: The entire area of the city. (Ord. No. 1903, § 3, 6-16-92; Ord. No. 1960, § 2, 11-21-95)

Sec. 10-26. Establishment of limits of districts in which the storage of compressed natural gas is to be prohibited.

The limits referred to in Section 2208.2.1 and Section 2208.2.2 of the adopted Fire Codes in which the storage of compressed natural gas is prohibited, are hereby established as follows: All areas of the city except those areas approved by the fire chief, and those areas that are specifically designated under the zoning provisions of this code as Zone M-1. (Ord. No. 1960, § 2, 11-21-95)

Sec. 10-27. Amendments made in the International and California Fire Codes

The International Fire Code, 2009 Edition and the California Fire Code, 2010 Edition as renumbered and adopted under 10-20 of this chapter is amended and changed in the following respects:

Section 104 of the Adopted Fire Codes is amended to read as follows:

Section 104.10Fire Investigations
The Fire Code official, Chief, Assistant Chief, Fire Marshal, Fire Protection Specialist, Captain, Engineer, Firefighter and Firefighter/Paramedic shall have the authority to investigate the origin, cause and circumstances of any fire, explosion or other hazardous condition. While performing these duties the listed officers and members of the fire department shall have the power to arrest any person without warrant whenever they have reasonable cause to believe that the person has violated any provision of this chapter in their presence. Those persons certified as "Fire Investigators" or "Other Fire Department Personnel" shall have peace officer powers under 830.37 P.C.

Section 105.3.6 of the International Fire Code, 2009 Edition is revised as follows:

Section 105.3.6. Compliance
All permits or certificates issued under this code shall be presumed to contain the proviso that the applicant, his agents and employees shall carry out the proposed activity in compliance with all the requirements of this code and any other laws or regulations applicable thereto, whether specified or not, and in complete accordance with the approved plans and specifications. Any permit or certificate which purports to sanction a violation of this code or any applicable law or regulations shall be void and any approval of plans and specifications in the issuance of such permit shall likewise be void.

Section 505.1 of the Adopted Fire Codes is amended to read as follows:

Section 505.1. Address Numbers
New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible form the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches high, for residential homes, with a minimum stroke width of 0.5 inch.

Numbers for commercial or industrial buildings shall be a minimum of 8 inches high, located near to top corner of the structure facing the street. Any building which exceeds

a set back of greater than 50' but does not exceed 100' from the curb face must have a minimum of 10 inch numbers. Any building which exceeds a set back of greater than 100' but does not exceed 200' from the curb face must have a minimum of 12 inch numbers.

Section 503.3 of the Adopted Fire Codes is amended to read as follows:

Section 503.3. Markings or Postings of Fire Apparatus Access Roads
When required by the fire code official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Those areas determined to be "Fire Lanes" shall be posted in accordance to the standards set forth by the West Covina engineering department per West Covina Municipal Code, Section 22-188.

Section 503.4 of the Adopted Fire Codes is amended to read as follows:

Section 503.4. Obstruction or Blocking of Fire Apparatus Access Roads.
The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required width and clearances established under Section 503.2.1 shall be maintained at all times.

Entrances to roads, trails or other access ways, which have been closed with gates and barriers in accordance with Section 503.5.1 shall not be obstructed by parked vehicles. In addition, any person excavating or working upon any street, alley, pubic thoroughfare, or fire apparatus access road and by reason thereof, or for any other reason, causes the same to be blocked or made impassable, shall notify the chief of the fire department at the time such work is started and upon completion thereof.

Section 503.5.1 and Section 503.6 of the Adopted Fire Codes is amended to read as follows:

Section 503.5.1 and Section 503.6. Security Gates and Building Security Access.
All security gates shall be operated by the fire department by way of a vehicle identification system approved by the fire chief.

All security access systems on building entrances or openings used for emergency access shall be operated by the fire department by way of a card reader, which will accept fire department master card.

Section 507.2 of the Adopted Fire Codes is amended to read as follows:

Section 507.2 Type of Water Supply
Water supply is allowed to consist of reservoirs, pressure tanks, elevated tanks, water mains, or other fixed systems capable of providing the required fire flow. In setting the requirements for fire flow, the chief may be guided by the provision outlined in the ISO Guide for Determination of Required Fire Flow, 1974 Edition or by International Fire Code, 2009 Edition and the California Fire Code, 2010 Edition Appendix B.

Water mains supplying fire hydrants shall be not less than eight (8) inches in size and shall be capable, at a residual pressure of at least 20 psi, of simultaneously supplying 1,000 gallons per minute per hydrant to the number of hydrants corresponding to the required fire flow divided by 1,000.

No person shall erect or modify any building, in such a manner so as to create a fire flow requirement in excess of 5,000 gallons per minute. No building shall be constructed that exceeds the maximum available fire flow to the building site.

Section 507.5 and Appendix C of the Adopted Fire Codes is amended to read as follows:

Section 507.5 Fire Hydrants

The location, number, and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved by the chief. All fire hydrants shall discharge an actual fire flow of 1,000 gallons per minute minimum. Fire hydrants shall be accessible to the fire department apparatus by road meeting the requirements of Section 503.2.1 and West Covina Municipal Code Section 22-188.

Section 901.2 of the Adopted Fire Codes is amended to read as follows:

Section 901.2. Construction Documents
The fire code official shall have the authority to require construction documents and calculations for all fire protection systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection system. Detailed construction plans for all fire protection systems shall be submitted to the Fire Department for review and approval prior to system installation.

Section 901.4 of the Adopted Fire Codes is amended to read as follows:

Section 901.4. Installation
Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards.

All new fire protection systems shall be designed, installed and maintained in accordance with the Standards of the National Fire Protection Association, 2002 Edition.

Section 901.6.1 of the Adopted Fire Codes is amended to read as follows:

Section 901.6.1. Standards
Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 901.6.1.

The design, installation, inspection and maintenance of all automatic fire sprinkler systems shall meet the standards of the 2002 Edition of the National Fire Protection Association (N.F.P.A.) Standard 13, 13R, 13D and 25.

Section 903.2 of the adopted Fire Codes is hereby amended in parts to read as follows:

Section 903.2 Where Required
Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.9.1.

(1) 903.2.1.1 Group A-1 – Item no. 1 is amended in its entirety to read:

1. The fire area exceeds 5,000 square feet.

(2) 903.2.1.2 Group A-2 – Item no. 1 is amended in its entirety to read:

1. The fire area exceeds 5,000 square feet.

(3) 903.2.1.3 Group A-3 – Item no. 1 is amended in its entirety to read:

1. The fire area exceeds 5,000 square feet.

(4) 903.2.1.4 Group A-4 – Item no. 1 is amended in its entirety to read:

1. The fire area exceeds 5,000 square feet.

(5) 903.2.1.5 Group A-5 - An automatic sprinkler system shall be provided for Group A-5 occupancies where one of the following conditions exists:

1.Total floor area exceeds one thousand (1,000) square feet.

2.Occupant load is equal to or more than thirty (30) persons and
3.Total height is fifty-five (55) feet above the lowest level of fire department vehicle access.

(6) 903.2.2 Group-B – A new sub-section 903.2.2.1 is added and shall read:

903.2.2.1 - An automatic sprinkler system shall be provided for Group B occupancies where one of the following conditions exists:

1.Total floor area exceeds five thousand (5,000) square feet.
2.Occupant load is equal to or more than thirty (30) persons and
3.Total height is fifty-five (55) feet above the lowest level of fire department vehicle access.

(7) 903.2.3 Group E – Item no. 1 is amended in its entirety to read:

1. The fire area exceeds 5,000 square feet.

(8) 903.2.4 Group F-1 – Item no. 1 is amended in its entirety to read:

1. The fire area exceeds 5,000 square feet.

(9) 903.2.4.2 Group F-2 - A new sub-section 903.2.4.2 is added and shall read:

903.2.4.2 - An automatic fire sprinkler system shall be installed when:

1. The fire area exceeds 5,000 square feet

(10) 903.2.7 Group M – Item no. 1 is amended in its entirety to read:

1. The fire area exceeds 5,000 square feet.

(11) 903.2.9 Group S-1 – Item no. 1 is amended in its entirety to read:

1. The fire area exceeds 5,000 square feet.

(12) 903.2.10 Group S-2 - Item no. 1 is amended in its entirety to read:

1. The fire area exceeds 5,000 square feet.

Section 903.6 of the Adopted Fire Codes is amended to read as follows:

Section 903.6. Existing Buildings
The provisions of this section are intended to provide a reasonable degree of safety in existing structures not complying with the minimum requirements of the adopted Fire Codes by requiring the installation of an automatic fire sprinkler system in existing structures.

(1) In all new buildings per Sections 7-18.13 and 10-27of this Municipal Code.
(2) In any existing building after the completion of any addition which will exceed five thousand (5,000) square feet of floor area.
(3) In any existing building where an addition or additions exceeds twenty-five (25) percent of the existing floor area as of January 1, 1990 or five thousand (5,000) square feet, whichever is less, and the existing building is over five thousand (5,000) square feet.
(4) When the value of major alterations or repairs to an existing building, which has twelve thousand (12,000) or more square feet, exceeds twenty-five (25) percent of the value of the building in any twelve (12) month period.

"Major Alterations or Repairs" is defined as alterations or repairs requiring building permits to an existing building or structure of 12,000 square feet or more where the project valuation cost equals to or exceeds twenty five (25) percent of the current fair market value of said building or structure."

Section 904.2 of the Adopted Fire Codes is amended to read as follows:

Section 904.2. Where Required
Approved fire suppression systems shall be provided for the protection of commercial type food heat processing equipment, in cooking facilities where food containing fat is fried, broiled, grilled or barbequed upon or over a grill, pit or spit.

Section 907.2.10 of the Adopted Fire Codes is amended to read as follows:

Section 907.2.10. Single- and multiple-action smoke alarms.
Listed single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with the provisions of NFPA 72 and Sections 907.1.10.1.1 and Section 907.2.10.1.2 of the adopted Fire Codes.

Smoke detectors in dwelling units and guest rooms. Every existing building used as a single family or multiple family occupancy, hotel, motel, boarding house, or mobile home shall have installed therein an approved smoke detector that operates on products of combustion and meets the requirements of Section 907.2.8 of the 2010 Edition of the California Building Code under the following conditions:

Whenever a permit is required for addition or alteration to that building.

Section 307.1 of the Adopted Fire Codes is amended to read as follows:

Section 307.1. General
A person shall not kindle or maintain or authorize to be kindled or maintained any open burning or rubbish fire on private land within the city unless conducted and approved in accordance with this section.

Section 304.3.3 of the Adopted Fire Codes is amended to read as follows:

Section 304.3.3. Rubbish Within Dumpsters
Rubbish Within Dumpsters. Dumpsters and containers with an individual capacity of 1.5 cubic yards (40.5 cubic feet) or more shall not be stored in buildings or placed within five (5) feet of combustible wall, openings or combustible roof eave lines. Except as provided for in this section.

Commercially serviced refuse containers of capacities larger than 1.5 cubic yards (40.5 cubic feet) or more shall be constructed of metal and provided with metal lids. Containers shall be delivered and restored after servicing with the lids in a closed position. Lids shall be maintained in the closed position except during the process of introducing or removing refuse.

Commercially serviced refuse containers shall be serviced as often as necessary to prevent over filling. Placement of refuse which raises the lid of the container by more than ½ inch from closed position is prohibited. No refuse shall be allowed to accumulate outside of refuse containers.

Commercially serviced refuse containers shall be signed "Keep Lid Closed" with letters at least three (3) inches high with a one (1) inch stroke on a contrasting background.

Trash enclosures and refuse storage areas located beneath combustible construction shall be protected by automatic sprinklers. Trash chutes and trash rooms constructed shall be protected by automatic sprinklers approved by the fire chief. If located in residential occupancies, a smoke detector system approved by the fire chief shall also be provided.

Section 304.1.2 of the Adopted Fire Codes and Section 603, Table 603.2 of the 2006 International Wildland Urban Interface Code is amended to read as follows:

Section 304.1.2. Vegetation
Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises.

Vegetation clearance requirements for all residential front, rear and side yards including slopes shall be maintained, by the owner or occupant, free and clear of all flammable and combustible vegetation for a distance of 100 feet or to their property line, whichever is closest.

A minimum clearance of 10 feet shall be maintained between all roads and all dry grass, weeds, vegetation and other combustible material.

A minimum clearance of 10 feet shall be maintained between any tree or portion of a tree from the outlet of a chimney or stovepipe.

All roofs of any structure shall be maintained free of leaves, needles or other dead vegetative growth.

It shall be unlawful for any person to deposit any grass, weeds, brush, debris, trash or other waste material upon any vacant lot or parcel of ground within the City.

Section 803.4 of the Adopted Fire Codes is amended to read as follows:

Section 803.4. Fire-retardant coatings

The required flame spread or smoke-developed index of surfaces in existing buildings shall be allowed to be achieved by application of approved fire-retardant coatings, paints or solutions to surfaces having a flame spread index exceeding that allowed. Such applications shall comply with NFPA 703 and the required fire-retardant properties shall be maintained or renewed in accordance with the manufacturer's instructions.

Any person applying flame-proofing, fire retarding solution or other material, including Christmas trees for commercial or non-commercial purposes in commercial, industrial, or institutional occupancies shall use a chemical or solution approved for such use listed by the State Fire Marshal of the State of California, and the material shall be applied in conformance with the listing and the regulations of the State Fire Marshal's Office.

Section 105.6 of the Adopted Fire Codes is hereby amended by adding Sections 105.6(a) through Sections 105.6(f) to read as follows:

Section 105.6(a). Christmas Tree Sales Lots
All temporary lots for the display and sale of Christmas trees are required to have a permit and shall be located, maintained, and operated subject to the following provisions:

105.6(b) Permits
All applications for permits shall be made in writing, filed with the city, and shall state the name of the applicant, his address, and the location of the proposed Christmas tree lot. The application shall be accompanied by a clearance from the fire chief as to fire regulations and by a clearance from the department of building and safety as to the proposed electrical installation, if any, and additionally by clearance from the engineering department for review of stand location in relation to possible interruption of traffic.

- All permits must be posted in a conspicuous place.
- Fires in barbeques or in metal drums or other containers require a special permit that is to be obtained from the fire department.

105.6(c) Fire Protection
There shall be maintained in each premises or display area where Christmas trees are sold or offered for sale, at least two (2) fire extinguishers with a minimum rating of 2A. No extinguisher shall be more than seventy-five (75) feet travel distance from any tree on display or in storage.

105.6(d) Tents or canopies
A separate permit shall be obtained from the fire department for all tents, canopies and temporary membrane structures and they shall meet all requirements of Chapter 24 of the

adopted Fire Codes. All tents, canopies and temporary membrane structures shall be made of flameproof materials or rendered flame retardant by an approved process.

105.6(e) Display
Christmas trees shall not be displayed under covered walkways in shopping centers unless the walkway is protected by an approved automatic fire sprinkler system.

105.6(f) Lot Closure
Christmas tree lots must be removed and the debris cleared no later than ten (10) days after the last day of sale. A fee, as established by resolution of the city council, shall be posted for each lot with the license collector at the time of issuance of the permit. This fee will be returned if the debris is cleared and the lot is removed within the stated time, otherwise the fee will be used to defray the cost of cleaning up the area and will not be returned.

Section 3301.2 of the International Fire Code is amended to read as follows:

Section 3301.2. Permit Required
The City Council may permit any person to make a public display of fireworks, and for that purpose to use and discharge fireworks at such times and such places in the City as the City Council may fix and establish, provided that a written application for a permit to do so is filed with the Chief of the Fire Department of the City at least 15 days in advance of the date of the display. It shall be the duty of the Chief of the Fire Department to whom the application for a permit is made to make an investigation and submit a report of his findings and his recommendations for or against reasons therefore, to the City Council. The City Council shall have the power in its discretion to grant or deny the permit. If the permit is granted, the applicant shall furnish the City with a certificate of insurance in adequate amount, which shall also contain a clause holding the City harmless from any damage or injury resulting from granting the permit. (Ord. No. 1960, § 2, 11-21-95; Ord. No. 1979, § 2, 11-5-96; Ord. No. 2033, § 4, 6-1-99; Ord. No. 2083, § 4, 10-1-02).

Section 3301.2.2 of the International Fire Code is amended to read as follows:

Section 33012.2. Sale and Retail Display
No person shall construct a retail display nor offer for sale explosives, explosive materials or fireworks upon highways, sidewalks, public property or in Group A or E occupancies.

The sale, use and discharge of safe and sane fireworks is prohibited within the City. (Ord. No. 1790, § 3, 9-12-88 and Sec. 15-62 of WCMC.).

Sec. 10-28. Appeals

Whenever the chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief to a board of appeals as outlined in Section 108 of the International Fire Code, 2009 Edition within thirty (30) days from the date of the decision to appeal. (Ord. No. 1960, § 2, 11-21-95).

Sec. 10-29. New Materials, processes or occupancies which may require permits.

The building and safety director, the fire chief, and the fire code official shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes, or occupancies for which permit are required in addition to those now enumerated in said Code. The fire code official shall keep such list in his office for public review and distribute copies thereof to interested persons. (Ord. No. 1960, § 2, 11-21-95).

Sec. 10-30. Violations and penalties.

Any person who violates any provision of this code or standards hereby adopted or fail to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the city council of the City of West Covina or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or by imprisonment not to exceed six (6) months or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each and every day or portion thereof that prohibited conditions are maintained shall constitute a separate offense.

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

Sec. 10-31. Repeal of conflicting ordinances.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code or standards hereby adopted and hereby repeal.
(Ord. No. 1960, § 3, 11-21-95).

APPROVED AND ADOPTED on this 21st day of December 2010.

ATTEST:

Susan Price, Assistant
City Clerk Laurie Carrico

Mayor Steve Herfert

I, LAURIE CARRICO, CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 7th day of December 2010. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 21st day of December 2010, by the following vote:

AYES: Lane, Sanderson, Touhey, Herfert
NOES: None
ABSENT: None
ABSTAIN: None

Susan Price, Assistant
City Clerk Laurie Carrico

APPROVED AS TO FORM:

by Scott Nichols
City Attorney Arnold Alvarez-Glasman