

**BUILDING STANDARDS COMMISSION**

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



September 15, 2011

Brian H. Lee, Building Official  
Building & Safety Division  
City of Whittier  
13230 Penn Street  
Whittier, CA 90602

Dear Mr. Lee:

This letter is to acknowledge receipt on August 29, 2011 of the City of Whittier submittal pertaining to Ordinance No. 2961 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

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

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

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

Sincerely,

  
Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings



*City of Whittier*  
**BUILDING & SAFETY DIVISION**  
13230 Penn Street, Whittier, California 90602  
(562) 567-9330

August 26, 2011

Jim McGowan  
California Building Standards Commission  
2525 Natomas Park Dr., Suite 120  
Sacramento, California 95833

RE: City of Whittier, Building Ordinance

Dear Mr. McGowan:

It is come to my recent attention that the City of Whittier amendments to the 2010 Building Standards Codes were not properly filed with the Commission. Please accept this letter and the attachments as our filing. The City of Whittier has adopted the 2010 Editions of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Historical Building, Fire, Existing Building, Green Building Standards, and Referenced Standards Codes of the State of California.

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

The enclosed City Ordinance and Resolution of Findings are for your files.

Please contact me at the number listed above if you have any questions.

Respectfully,

\_\_\_\_\_  
Brian H. Lee, AIA / CBO / CASp  
Building Services Manager / Building Official

Attachments

2011 AUG 29 PM 3:36  
CITY OF WHITTIER  
BUILDING & SAFETY DIVISION

ORDINANCE NO. 2961

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, AMENDING TITLE 15 OF THE WHITTIER MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2010 CALIFORNIA BUILDING CODE, THE 2010 CALIFORNIA RESIDENTIAL CODE, AND THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE WITH ERRATA AND AMENDMENTS THERETO

WHEREAS, pursuant to California Government Code Section 50022.1 *et seq.* and California Health and Safety Code Section 17922 *et seq.*, the City of Whittier may adopt by reference the 2010 California Building Standards Code;

WHEREAS, the City of Whittier held a public hearing on December 14, 2010, at which time all interested persons were given the opportunity to appear and be heard on the matter of adopting the 2010 California Building Standards Code with errata and as amended herein;

WHEREAS, the City of Whittier published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on November 29, 2010 and December 6, 2010;

WHEREAS, the City Council finds that the publication of the entire text of this ordinance in a newspaper of general circulation would cost significantly more than the cost of publishing other ordinances and it is infeasible to prepare a fair and accurate summary of the ordinance;

WHEREAS, pursuant to subdivision (c) of Section 36933 of the California Government Code, the City Council may publish a summary of this ordinance in lieu of the entire text;

WHEREAS, the City Council previously ordered that a display advertisement of at least one-quarter of a page be published in a newspaper of general circulation in the city, and that such publication occurred at least five days prior to the City Council meeting at which the ordinance was adopted; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 15.040.010 (A)(1) of Chapter 15.04 of Title 15 of the Whittier Municipal Code shall be hereby repealed in its entirety, and a new Section 15.040.010 (A)(1) of Chapter 15.04 of Title 15 shall be hereby added in place thereof to read as follows:

\_\_\_ ADOPTION OF THE 2010 CALIFORNIA ADMINISTRATIVE CODE

Except as provided in this chapter, the California Administrative Code, 2010 Edition, as published by the International Code Council shall become the building administrative code of the City of Whittier to serve as the administrative, organizational and enforcement rules and regulations for the technical codes which regulate the site preparation, erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the city. The California Administrative Code is on file for public examination in the office of the Building Official.

\_\_\_ AMENDMENTS TO THE CALIFORNIA ADMINISTRATIVE CODE

The 2010 Edition of the California Administrative Code shall be hereby adopted with no amendments.

\_\_\_ Section 15.040.010 (A)(2) of Chapter 15.04 of Title 15 of the Whittier Municipal Code shall be hereby repealed in its entirety, and a new Section 15.040.010 (A)(2) of Chapter 15.04 of Title 15 shall be hereby added in place thereof to read as follows:

\_\_\_ ADOPTION OF THE 2010 CALIFORNIA BUILDING CODE

Except as provided in this chapter, those certain building codes known and designated as the California Building Code, 2010 Edition, Volumes 1 and 2 including Appendix Chapters A, C, D, F, G, H, I, and J with all errata based on the 2009 International Building Code as published by the International Code Council, shall become the building codes of the City of Whittier for the purpose of regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the city. The California Building Code will be on file for public examination in the office of the Building Official.

\_\_\_ AMENDMENTS TO THE CALIFORNIA BUILDING CODE

The 2010 California Building Code shall be hereby amended as follows:

Section 105.2.2 regarding work exempt from permit for fences shall be hereby repealed in its entirety and a new Section 105.2.2 of Chapter 1 shall be hereby added in place thereof to read as follows:

Fences not over 6-feet (1,829 mm) high as measured from the lowest adjacent grade.

Exception: Fences not over 18-inches (457 mm) high in residential zones and walls not over 18-inches (457 mm) high in all zones as measured from the lowest adjacent grade.

Section 105.2.4 regarding work exempt from permit for retaining walls shall be hereby repealed in its entirety and a new Section 105.2.4 shall be hereby added in place thereof to read as follows:

Retaining walls not over 18-inches (457 mm) high as measured from the lowest adjacent grade, or of any height when the wall supports any surcharge or similar load as determined by the Building Official or when the wall impounds Class I, II or IIIA liquids.

Section 403, first paragraph of Section 403.1, and no. 2 definition of Section 403.1.1 are amended to define high-rise building at 55-feet or more than three-stories above the lowest level of fire department vehicle access, whichever is less, instead of 75-feet. The revised sections are to read as follows:

### SECTION 403

**HIGH-RISE BUILDINGS HAVING OCCUPIED FLOORS LOCATED MORE THAN 55-FEET OR THREE-STORIES IN HEIGHT ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS, WHICHEVER IS LESS, AND GROUP I-2 OCCUPANCIES HAVING OCCUPIED FLOORS LOCATED MORE THAN 75-FEET ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS**

**403.1 Applicability.** New high-rise buildings having occupied floors located more than 55-feet or three-stories in height above the lowest level of fire department vehicle access, whichever is less, and new Group I-2 occupancies having occupied floors located more than 75-feet above the lowest level of fire department vehicle access shall comply with Sections 403.2 through 403.6.

#### **403.1.1 Definitions.**

2. "High-rise structure" means every building of any type of construction or occupancy having floor used for human occupancy located above 55-feet or three-stories above the lowest floor level having building access (see Section 403.1.2) whichever is less, except buildings used as hospitals as defined by the Health and Safety Code Section 1250.

Section 403.4.7.2 and 403.4.8.1 are modified by moving item 2. Ventilation and automatic fire detection equipment for smoke-proof enclosures from Section 403.4.7.2 Standby Power Loads and placing it in 403.4.8.1 Emergency Power Loads. The revised sections are to read as follows:

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

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

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

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

Section 903.2 is amended to add requirements for automatic sprinkler systems. The revised section is to read as follows:

**SECTION 903.2 Where required** is hereby revised as follows:

**[F] 903.2 Where required.** Approved automatic sprinkler systems in buildings and structures shall be provided in the following locations:

1. **New buildings:** Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.12, an automatic fire-extinguishing system shall be installed in all occupancies when the total building area, as defined in Section 502.1, exceeds 5,000 square feet (465 m<sup>2</sup>), or more than two-stories in height, regardless of fire areas or allowable area.

2. **Existing buildings:** Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and when one of the following conditions exists:
- a. When any addition, or accumulation of addition(s), within the immediate prior three-year period exceeds fifty (50%) percent of the existing building area prior to the contributing additions; or
  - b. When any addition, or accumulation of addition(s), within the immediate prior three-year period exceeds 5,000 (465 m<sup>2</sup>) square feet; or
  - c. An additional story is added above the second floor regardless of fire areas or allowable area.
  - d. An addition when the existing building is already provided with automatic sprinklers.

\_\_\_\_\_ Section 905.4 is hereby amended by adding items 7 and 8. The revised section is to read as follows:

**[F] 905.4 Location of Class I standpipe hose connections.** Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required stairway, a hose connection shall be provided for each floor level above or below grade. Hose connections shall be located at an intermediate floor level landing between floors, unless otherwise approved by the fire code official. See Section 909.20.3.2 for additional provisions in smoke-proof enclosures.
2. On each side of the wall adjacent to the exit opening of a horizontal exit.  
**Exception:** Where floor areas adjacent to a horizontal exit are reachable from exit stairway hose connections by a nozzle attached to 100-feet (30,480 mm) of hose, as measured along the path of travel, a hose connection shall not be required at the horizontal exit.
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.  
**Exception:** Where floor areas adjacent to an exit passageway are reachable from exit stairway hose connections by a 30-foot (9,144 mm) hose stream from a nozzle attached to 100-feet (30,480 mm) of

hose, a hose connection shall not be required at the entrance from the exit passageway to other areas of the building.

4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall.
5. Where the roof has a slope less than 4-units vertical in 12-units horizontal (33.3-percent slope), each standpipe shall be provided with a hose connection located either on the roof or at the highest landing of a stairway with stair access to the roof. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.
6. Where the most remote portion of a non-sprinklered floor or story is more than 150-feet (45,720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 150-feet (45,720 mm) from a hose connection, the fire code official is authorized to require that additional hose connections be provided in approved locations. The distance from a hose connection shall be measured along the path of travel.
7. The centerline of the 2.5-inches (64 mm) outlet shall be no less than 18-inches (457 mm) above and no more than 24-inches (610 mm) above the finished floor.
8. Every new building with any horizontal dimensions greater than 300-feet (91,440 mm) shall be provided with either access doors or a 2.5-inch (64 mm) outlets so that all portions of the building can be reached with 150-feet (45,720 mm) of hose from an access door or hose outlet. Required access doors shall be located in the exterior of the building and shall be accessible without the use of a ladder. The door dimensions shall be not less than 3-feet (914 mm) in width, and not less than 6-feet 8-inches (2,032 mm) in height. These doors shall be designated for fire department access only.

Section 907.2.13 is hereby revised as follows:

**[F] 907.2.13 High-rise buildings having occupied floors located more than 55-feet or three-stories above the lowest level of fire department vehicle access whichever is less and Group I-2 occupancies having floors located more than 75-feet above the lowest level fire department vehicle access.** High-rise buildings having occupied floors located more than 55-feet or three-stories above the lowest level of fire department vehicle access whichever is less and Group I-2 occupancies having floors located more than 75-feet above the lowest level fire

department vehicle access shall be provided with an automatic smoke detection in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.6.2.2.

**Exceptions:**

1. Airport traffic control towers in accordance with Section 907.2.22 and Section 412.
2. Open parking garages in accordance with Section 406.3.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1.
4. Low-hazard special occupancies in accordance with Section 503.1.1.
5. In Group I-2 and R-2.1 occupancies, the alarm shall sound at a constantly attended location and general occupant notification shall be broadcast by the emergency voice/alarm communication system.

\_\_\_\_\_ Section 907.5.2.2 is revised to add items 5 and 6. The revised section is to read as follows.

**[F] 907.5.2.2 Emergency voice/alarm communication system.** Emergency voice/alarm communication system required by this code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler water-flow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information and directions for a general or staged evacuation in accordance with the building's fire safety and evacuation plans required by Section 404. In high-rise buildings having occupied floors located more than 55-feet or three-stories above the lowest level of fire department vehicle access whichever is less and Group I-2 occupancies having floors located more than-75 feet above the lowest level fire department vehicle access, the system shall operate on a minimum of the alarming floor, the floor above and the floor below. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

1. Elevator groups.
2. Exit stairways.
3. Each floor.
4. Areas of refuge as defined in Section 1002.1.
5. Dwelling Units in apartment houses.
6. Hotel guest rooms or suites.

Exception: In Group I-1 and R-2.1 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

Section 907.6.3.2 is hereby amended to address the change in definition of a high-rise building. The revised section is to read as follows:

**907.6.3.2 High-rise buildings.** High-rise buildings having occupied floors located more than 55-feet or three-stories above the lowest level of fire department vehicle access whichever is less, and Group I-2 occupancies having floors located more than 75-feet above the lowest level fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water-flow devices.
3. Manual fire alarm boxes
4. Other approved types of automatic detection devices or suppression systems.

Table 1505.1 of Chapter 15 regarding minimum roof covering classifications shall be hereby repealed in its entirety and a new Table 1505.1 of Chapter 15 shall be hereby added in place thereof to read as follows:

**TABLE 1505.1**

**MINIMUM ROOF COVERING CLASSIFICATIONS**

**TYPES OF CONSTRUCTION**

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

Section 1505.1.2 of Chapter 15 regarding roof coverings in all other areas shall be hereby repealed in its entirety and a new Section 1505.1.2 of Chapter 15 shall be hereby added in place thereof to read as follows:

**1505.1.2 Roof coverings within all other areas.** The entire roof-covering of every existing structure where more than fifty (50%) percent of the total roof area is replaced within the immediate prior three-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

\_\_\_\_\_ Section 3109.4.4 of Chapter 31 regarding private swimming pool definitions shall be hereby amended to add a definition to read as follows:

**PRIVATE POOL**, is any pool, permanent or portable, and over 18-inches deep which is intended for non-commercial use as swimming pool by not more than three owner families and their guests.

\_\_\_\_\_ Section 3109.4.4.2 of Chapter 31 regarding safety features shall be hereby amended to repeal the first paragraph and a new paragraph shall be hereby added in place thereof to read as follows:

**3109.4.4.2 Construction permit; safety features required.** Commencing January 1, 1998, except as provided in Section 3109.4.4.5, whenever a construction permit is issued for construction of a new private pool at a residence, it shall have an enclosure complying with Section 3109.4.4.3 and, it shall be equipped with at least one of the following safety features:

\_\_\_\_\_ Section 15.040.010 (A)(3) of Chapter 15.04 of Title 15 of the Whittier Municipal Code shall be hereby repealed in its entirety, and a new Section 15.040.010 (A)(3) of Chapter 15.04 of Title 15 shall be hereby added in place thereof to read as follows:

\_\_\_\_\_ **ADOPTION OF THE 2010 CALIFORNIA RESIDENTIAL CODE**

Except as provided in this chapter, the California Residential Code, 2010 Edition, including Appendix Chapters A, B, C, E, G, H, J, K, N and P, with all errata based on the 2009 International Residential Code as published by the International Code Council, shall be and become the Residential Code of the City of Whittier, for the purpose of erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of certain residential buildings and/or structures within the city. The California Residential Code is on file for public examination in the office of the Building Official.

\_\_\_\_\_ **AMENDMENTS TO THE CALIFORNIA RESIDENTIAL CODE**

The 2010 Edition of the California Residential Code shall be hereby amended as follows:

\_\_\_\_\_ Section R105.2.2 regarding work exempt from permit for fences shall be hereby repealed in its entirety and a new Section R105.2.2 of Chapter 1 shall be hereby added in place thereof to read as follows:

Fences not over 18-inches (457 mm) high and walls not over 18-inches (457 mm) high as measured from the lowest adjacent grade.

\_\_\_\_\_ Section R105.2.4 regarding work exempt from permit for retaining walls shall be hereby repealed in its entirety and a new Section 105.2.4 shall be hereby added in place thereof to read as follows:

Retaining walls not over 18-inches (457 mm) high as measured from the lowest adjacent grade, or of any height when the wall supports any surcharge or similar load as determined by the Building Official or when the wall impounds Class I, II or IIIA liquids.

\_\_\_\_\_ Section R313.1, the exception shall be revised to read as follows:

**Exception:** Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and when one of the following conditions exists:

- a. When any addition, or accumulation of addition(s) within the immediate prior three-year period exceeds fifty (50%) percent of the existing building area prior to the contributing additions; or
- b. When any addition, or accumulation of addition(s) within the immediate prior three-year period exceeds 5,000 (465 m<sup>2</sup>) square feet; or
- c. When an additional story is added above the second floor regardless of fire areas or allowable area; or
- d. An addition when the existing building is already provided with automatic sprinklers.

\_\_\_\_\_ Section R313.2, the exception shall be revised to read as follows:

**Exception:** Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and when one of the following conditions exists:

- a. When any addition, or accumulation of addition(s) within the immediate prior three-year period exceeds fifty (50%) percent of the existing building area prior to the contributing additions; or
- b. When any addition, or accumulation of addition(s) within the immediate prior three-year period exceeds 5,000 (465 m<sup>2</sup>) square-feet; or
- c. When an additional story is added above the second floor regardless of fire areas or allowable area; or
- d. An addition when the existing building is already provided with automatic sprinklers.

\_\_\_\_\_ Section R902.1 is amended by revising it to allow only Class A roofs as follows:

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

**Exceptions:**

1. Class A roof assemblies include those with covering of brick, masonry and exposed concrete roof deck.
2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on non-combustible decks.

\_\_\_\_\_ Section R902.1.3 is amended by revising it to required a minimum Class A roof as follows:

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

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

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

\_\_\_\_\_ Section 15.040.010 (A)(4) of Chapter 15.04 of Title 15 of the Whittier Municipal Code shall be hereby repealed in its entirety, and a new Section 15.040.010 (A)(4) of Chapter 15.04 of Title 15 shall be hereby added in place thereof to read as follows:

\_\_\_\_\_ ADOPTION OF THE 2010 CALIFORNIA MECHANICAL CODE

Except as provided in this chapter, the California Mechanical Code, 2010 Edition, including Appendix Chapters A, B, C, and D, based on the 2009 Uniform Mechanical Code as published by the International Association of Mechanical and Plumbing Officials, shall be and become the Mechanical Code of the City of Whittier, for the purpose of regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat producing appliances within the city. The California Mechanical Code is on file for public examination in the office of the Building Official.

\_\_\_\_ AMENDMENTS TO THE CALIFORNIA MECHANICAL CODE

The 2010 Edition of the California Mechanical Code shall be hereby adopted with no amendments.

\_\_\_\_ Section 15.040.010 (A)(5) of Chapter 15.04 of Title 15 of the Whittier Municipal Code shall be hereby amended to add a new Section 15.040.010 (A)(5) of Chapter 15.04 of Title 15 to read as follows:

\_\_\_\_ ADOPTION OF THE 2010 CALIFORNIA PLUMBING CODE

Except as provided in this chapter, the California Plumbing Code, 2010 Edition, including Appendix Chapters A, B, D, G, I, K, and L, and all errata based on the 2009 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, shall be and become the Plumbing Code of the City of Whittier, for the purpose of regulating erection, installation, alteration, repair, relocation, replacement, maintenance or use of plumbing systems within the city. The California Plumbing Code will be on file for public examination in the office of the Building Official.

\_\_\_\_ AMENDMENTS TO THE CALIFORNIA PLUMBING CODE

The 2010 Edition of the California Plumbing Code shall be hereby adopted with no amendments.

\_\_\_\_ Section 15.040.010 (A)(6) of Chapter 15.04 of Title 15 of the Whittier Municipal Code shall be hereby amended to add a new Section 15.040.010 (A)(6) of Chapter 15.04 of Title 15 to read as follows:

ADOPTION OF THE 2010 CALIFORNIA ENERGY CODE

Except as provided in this chapter, the California Energy Code, 2010 Edition, including Appendix 1-A as published by the International Code Council, shall be and become the Energy Code of the City of Whittier, for the purpose of regulating building envelope, space-conditioning systems, water-heating systems and indoor lighting of buildings, and outdoor lighting systems and signs located either indoors or outdoors within the city. The California Energy Code will be on file for public examination in the office of the Building Official.

     AMENDMENTS TO THE CALIFORNIA ENERGY CODE

The 2010 Edition of the California Energy Code shall be hereby adopted with no amendments.

     Section 15.040.010 (A)(7) of Chapter 15.04 of Title 15 of the Whittier Municipal Code shall be hereby amended to add a new Section 15.040.010 (A)(7) of Chapter 15.04 of Title 15 to read as follows:

     ADOPTION OF THE 2010 CALIFORNIA HISTORICAL BUILDING CODE

Except as provided in this chapter, the California Historical Building Code, 2010 Edition, including Appendix A and all errata as published by the International Code Council, shall be and become the Historical Building Code of the City of Whittier, for the purpose of regulating repairs, alterations, and additions for the preservation, restoration, rehabilitation, moving or continued use of a designated historical building or structure within the city. The California Historical Building Code will be on file for public examination in the office of the Building Official.

     AMENDMENTS TO THE CALIFORNIA HISTORICAL BUILDING CODE

The 2010 Edition of the California Historical Building Code shall be hereby adopted with no amendments.

     Section 15.040.010 (A)(8) of Chapter 15.04 of Title 15 of the Whittier Municipal Code shall be hereby amended to add a new Section 15.040.010 (A)(8) of Chapter 15.04 of Title 15 to read as follows:

\_\_\_\_\_ ADOPTION OF 2010 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE

Except as provided in this chapter, the California Existing Building Code, 2010 Edition, including Appendix Chapter A1, based on the 2009 International Existing Building Code as published by the International Code Council, shall become the Existing Building Code of the City of Whittier for the purpose of regulating existing buildings in the city. The California Existing Building Code will be on file for public examination in the office of the Building Official.

\_\_\_\_\_ AMENDMENTS TO THE CALIFORNIA EXISTING BUILDING CODE

All Sections of the 2010 Edition of the California Existing Building Code shall be hereby deleted in their entirety except Appendix Chapter A1 which is hereby adopted with no amendments.

\_\_\_\_\_ Section 15.040.010 (A)(9) of Chapter 15.04 of Title 15 of the Whittier Municipal Code shall be hereby amended to add a new Section 15.040.010 (A)(9) of Chapter 15.04 of Title 15 to read as follows:

\_\_\_\_\_ ADOPTION OF THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE

Except as provided in this chapter, the California Green Building Standards Code, 2010 Edition, including Appendix Chapters A4 and A5, with all errata as published by the International Code Council, shall be and become the Green Building Standards Code of the City of Whittier, for the purpose of improving public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency and environmental quality within the city. The California Referenced Standards Code will be on file for public examination in the office of the Building Official.

\_\_\_\_\_ AMENDMENTS TO THE CALIFORNIA GREEN BUILDING STANDARDS CODE

The 2010 Edition of the California Green Building Standards Code shall be hereby amended as follows:

\_\_\_\_\_ Section 101.3, the first paragraph is amended to read as follows:

**101.3 Scope.** The provisions of this code shall apply to the planning, design, operation, use and occupancy of every newly constructed building or structure and wherever an addition to an existing building within the immediate prior three-year period is 5,000 square-feet or more or the existing square-footage of the building or structure is increase by fifty (50%) percent or more, unless otherwise indicated in this code, throughout the State of California.

\_\_\_\_\_ Section 202 is amended to read as follows:

**Sustainability.** Consideration of present development and construction impacts on the community, the economy, and the environment with out compromising the needs of the future.

\_\_\_\_\_ Section 4.304.1 is amended to read as follows:

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

1. Controllers shall be weather- or soil moisture-based irrigation controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.
2. Weather-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-based controllers are not required to have rain sensor input.

\_\_\_\_\_ Section 15.040.010 (A)(10) of Chapter 15.04 of Title 15 of the Whittier Municipal Code shall be hereby amended to add a new Section 15.040.010 (A)(10) of Chapter 15.04 of Title 15 to read as follows:

\_\_\_\_\_ **ADOPTION OF THE 2010 CALIFORNIA REFERENCED STANDARDS CODE**

Except as provided in this chapter, the California Referenced Standards Code, 2010 Edition, with all errata as published by the International Code Council, shall be and become the Referenced Standards Code of the City of Whittier, for the purpose of regulating erection, installation, alteration, repair, relocation, replacement, maintenance or use of systems involving referenced standards within the city. The California Referenced Standards Code will be on file for public examination in the office of the Building Official.

\_\_\_\_\_ AMENDMENTS TO THE CALIFORNIA REFERENCED STANDARDS CODE

The 2010 Edition of the California Referenced Standards Code shall be hereby adopted with no amendments.

\_\_\_\_\_ Section 15.08.010 (A) and (B) of Chapter 15.08 of Title 15 of the Whittier Municipal Code shall be hereby repealed in its entirety, and a new Section 15.08.010 (A) and (B) of Chapter 15.08 of Title 15 shall be hereby added in place thereof to read as follows:

\_\_\_\_\_ ADOPTION OF THE 2010 CALIFORNIA ELECTRICAL CODE

Except as provided in this chapter, the California Electrical Code, 2010 Edition, with all errata based on the 2008 National Electrical Code as published by the National Fire Protection Association, shall be and become the Electrical Code of the City of Whittier, for the purpose of regulating all installation, arrangement, alteration, repair, use and other operation of electrical wiring, connections, fixtures and other electrical appliances on premises within the city. The California Electrical Code is on file for public examination in the office of the Building Official.

\_\_\_\_\_ AMENDMENTS TO THE CALIFORNIA ELECTRICAL CODE

The 2010 Edition of the California Electrical Code shall be hereby adopted with no amendments.

\_\_\_\_\_ Section 15.12.010 (A) and (B) of Chapter 15.12 of Title 15 of the Whittier Municipal Code shall be hereby repealed in its entirety, and a new Section 15.12.010 (A) and (B) of Chapter 15.12 of Title 15 shall be hereby added in place thereof to read as follows:

\_\_\_\_\_ ADOPTION OF THE 2010 CALIFORNIA FIRE CODE

Except as provided in this chapter, the California Fire Code, 2010 Edition, including Appendix Chapter 4, B, BB, C, CC, D, E, F, G, H, I and J, with all errata based on the 2009 International Fire Code as published by the International Code Council shall be and become the Fire Code of the City of Whittier, for the purpose of regulating and governing the safeguarding of life and property from fire and explosion hazards, hazardous materials arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises within the city. The California

Fire Code will be on file for public examination in the office of the Building Official.

\_\_\_\_AMENDMENTS TO THE CALIFORNIA FIRE CODE

The 2010 Edition of the California Fire Code shall be hereby adopted with no amendments.

SECTION 2. If any section, subsection, subdivision, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not affect the validity of this entire Ordinance or any of the remaining portions hereof. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, subdivision, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sees, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 3. Any provision of the Whittier Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 4. The Mayor shall sign and the City Clerk-Treasurer shall attest to the passage of this Ordinance. The City Clerk-Treasurer shall cause a display advertisement of at least one-quarter of a page to be published once in the official newspaper within 15 days after the adoption of the Ordinance, which advertisement indicates the general nature of the Ordinance and information about the Ordinance, including how to obtain copies of the complete text of the Ordinance.

APPROVED AND ADOPTED THIS 11<sup>th</sup> day of January, 2011.

  
\_\_\_\_\_  
J. GREG NORDBAK, Mayor

ATTEST:

  
\_\_\_\_\_  
KATHRYN A. MARSHALL  
City Clerk – Treasurer

CITY OF WHITTIER            )  
   ) SS  
 STATE OF CALIFORNIA    )

I, Kathryn A. Marshall, City Clerk-Treasurer in and for the City of Whittier, California, hereby certify that the foregoing ordinance was duly introduced at a regular meeting of the City Council of the City of Whittier on the 14th day of December 2010, and adopted at a regular meeting of the City Council of the City of Whittier on the 11th day of January 2011 by the following roll call vote:

AYES:           J.A. Vinatieri           O. Newcomer           R.L. Henderson  
                   C. Warner                J.G. Nordbak

NOES:           None

ABSENT:       None

WITNESS my hand and the official seal of the City of Whittier, California, this

18th day of January 2011.

Kathryn A. Marshall  
 KATHRYN A. MARSHALL  
 City Clerk-Treasurer

Published as required by law: January 25, 2011

## RESOLUTION NO. 8338

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS WITHIN THE CITY OF WHITTIER WHICH MAKE CERTAIN MODIFICATIONS AND CHANGES TO THE 2010 CALIFORNIA BUILDING CODE, THE 2010 CALIFORNIA RESIDENTIAL CODE, AND THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE WITH ERRATA AND AS AMENDED BY THE STATE OF CALIFORNIA REASONABLY NECESSARY

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

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

WHEREAS, Health and Safety Code Section 17958.5(a) permits the City of Whittier to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geographic or topographic conditions;

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

WHEREAS, the Building & Safety Division has recommended that changes and modifications be made to the Codes and has advised that certain said changes and modifications to the 2010 California Building Code, the 2010 California Residential Code, and the 2010 California Green Building Standards Code, are reasonably necessary due to local climatic, geographic, or topographic conditions in the City of Whittier.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. Amendments related to Sections 105.2.2, 105.2.4, 403, 403.1, 403.1.1, 403.4.7.2, 403.4.8.1, 903.2, 905.4, 907.2.13, 907.5.2.2, 907.6.3.2, 1505.1.2, 3109.4.4, 3109.4.4.2, and Table 1505.1 of the 2010 California Building Code; amendments related to Sections R105.2.2, R105.2.4, R313.1 R313.2, R902.1,

R902.1.3, and R902.2 of the 2010 California Residential Code; and amendments related to Section 101.3, 202, and 4.304.1 of the California Green Building Standards Code as recommended by the Community Development Department Building & Safety Division are hereby found to be reasonably necessary due to the following local conditions.

#### **A. Climatic Conditions**

1. Hot, dry Santa Ana winds are common to all areas within the City of Whittier and Los Angeles County in general. These winds, which can cause small fires which spread quickly, are a contributing factor to the high fire danger in the area, and create the need for an increased level of fire protection. Further, obstacles generated by a strong wind, such as fallen trees, street lights and utility poles greatly impact the response time to reach an incident scene. This added protection will supplement normal fire department response available and provide immediate protection for life and safety of multiple occupancy occupants during fire occurrences.
2. Los Angeles County and the City of Whittier are located in a semi-arid, Mediterranean-type climate which predisposes all fuels, including wood shingles, to rapid ignition and spread of fire. Therefore, there exists a need for additional fire protection measures.
3. The Los Angeles Air Basin and the City of Whittier are located in a semi-arid Mediterranean-type climate which is directly and negatively affected by the emission of greenhouse gases. Therefore, there exists a need for additional green building measures which will have the net effect of providing an enhanced and sustainable environment.
4. Large portions of the City of Whittier are located within the State and County designated Very High Fire Hazard Severity Zone (VHFHSZ) and according to the City of Whittier Natural Hazards Mitigation Plan (2004), the City has approximately 1,500 acres of underdeveloped wildland along the northern boundary of the city that has the potential brushfires, fire threats originating from human influence in the urban interface area, potential lack of water supply for fire protection, and periods of high Santa Ana winds. Also related to hazard concern is the post-fire hazards of erosion, debris flow, and flooding.
5. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when accompanied by high winds. Pieces of burning wooden roofs become fire brands and are carried by the wind to other locations and may thereby spread fire quickly. Grand Jury Report findings support this concern.
6. Los Angeles County and the City of Whittier are located in a semi-arid, Mediterranean-type climate where potable water resources are limited. Therefore, there

exists a need for additional landscape irrigation measures which will have the net effect of preserving water resources.

7. The warm, dry climate is conducive to swimming pools which creates a higher probability of child drowning where pools are minimally or unprotected.

8. High-level Santa Ana winds are common to all areas within the City of Whittier and Los Angeles County in general. These winds frequently cause damage to fences and walls and there is a need for an increased level of safety protection afforded by the permit and inspection process to protect persons and property within the vicinity.

## **B. Geographic Conditions**

1. Los Angeles County and the City of Whittier are located in Seismic Zone 4. There are earthquake faults that run throughout the boundaries of Los Angeles County. The San Andreas and Newport-Inglewood Fault Zones are capable of Major earthquakes. Running along the entire north boundary of the City of Whittier is the Whittier and Workman Mill Faults. In October 1987, the Whittier Fault (Type B classification) caused damage or destruction to over 9,100 structures and resulted in eight deaths. In 1933, the Newport-Inglewood Fault was the source of the destructive 1933 Long Beach earthquake (6.3 magnitude, hypocenter off Newport Beach coast), which took 120 lives, with areas damaged from Laguna Beach to Marina del Rey and inland to Whittier, and poses one of the greatest hazards to lives and property in the nation. Regional planning for reoccurrence is recommended by the State of California, Department of Conservation.

The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district, but when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. Experts predict a major earthquake in the Whittier area within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake;

2. Traffic and circulation congestion presently existing in the City of Whittier on occasion places fire department response time to emergency occurrences at risk. This condition may be exacerbated by any major disaster, including any earthquake wherein damage to the highway systems may occur. These conditions make the need for additional on-site protection for property and occupants necessary.

3. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints make it difficult for the fire department to locate additional fire stations and provide manpower sufficient to concentrate fire companies and personnel to control fires in buildings. These conditions create the need for built-in on-site fire protection systems to protect occupants and property until fire fighting apparatus and personnel arrive on the scene.

The City of Whittier is located in the middle of the seismically active area identified as Seismic Areas D, E and F. The viability of the public water system may become questionable after a major seismic event. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of a building.

4. Expansive soil conditions are common to many areas within the City of Whittier and Los Angeles County in general. These soils frequently cause damage to fences and walls and there is a need for an increased level of safety protection afforded by the permit and inspection process to protect persons and property within the vicinity.

**C. Topographic Conditions**

1. Large portions of the City of Whittier are located in the underdeveloped wildland along the northern boundary of the city. The topographic contours of the land within the wildland and adjoining urban interface is primarily sloped and ranges on average from 5% to 50% and greater slopes. Areas with land sloped in excess of 15% become more difficult to access with emergency equipment and thus delayed response times can result. Also related to the steep slope of the land are the post-fire hazards of erosion, debris flow, and flooding from concentrated run-off.

SECTION 2. Amendments to the 2010 California Building Code, the 2010 California Residential Code, and the 2010 California Green Building Standards Code are found reasonably necessary based on the climatic, geographic and or topographic conditions cited in Section 1 of this Resolution are as follows:

<u>CBC Section</u>	<u>Findings in Section 1</u>
105.2.2, 105.2.4	A8, B4
403, 403.1, 403.1.1	A1, A2, A4, B1, B2, B3
403.4.7.2, 403.4.8.1	A1, A2, A4, B1, B2, B3
903.2	A1, A2, A4, B1, B2, B3
905.4	A1, A2, A4, B1, B2, B3
907.2.13, 907.5.2.2, 907.6.3.2	A1, A2, A4, B1, B2, B3
Table 1505.1, 1505.1.2	A1, A2, A4, A5, B1, B2, B3

3109.4.4, 3109.4.4.2

A7

CRC Section

R105.2.2, R105.2.4

A8, B4

R313.1, R313.2

A1, A2, A4, B1, B2, B3, C1

R902.1, R902.1.3, R902.2

A1, A2, A4, A5, B1, B2, B3

CGBSC Section

101.3

A3

202

A3

4.304.1

A3, A6

The aforementioned amendments have been incorporated in detail in adoption Ordinance.

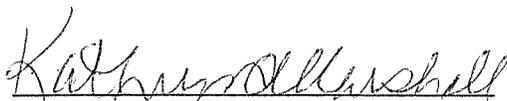
SECTION 3. The Building & Safety Division shall file copies of this Resolution and adopting Ordinance with the California Building Standards Commission as required by Health and Safety Code Section 17958.7.

SECTION 4. The City Clerk-Treasurer shall certify to the passage and adoption hereof.

APPROVED AND ADOPTED this 14<sup>th</sup> day of December 2010.

  
\_\_\_\_\_  
J. GREG NORDBAK, Mayor

ATTEST:

  
\_\_\_\_\_  
KATHRYN A. MARSHALL  
City Clerk-Treasurer

CITY OF WHITTIER            )  
   ) SS  
 STATE OF CALIFORNIA    )

I, Kathryn A. Marshall, City Clerk-Treasurer in and for the City of Whittier, California, hereby certify that the foregoing resolution was duly introduced and adopted at a regular meeting of the City Council of said City held on the 14<sup>th</sup> day of December 2010, by the following roll call vote:

AYES:            J.A. Vinatieri            O. Newcomer            R.L. Henderson  
                       C. Warner                 J.G. Nordbak

NOES:           None

ABSENT:       None

WITNESS my hand and the official seal of the City of Whittier, California, this  
23rd day of December 2010.

Kathryn A. Marshall  
 KATHRYN A. MARSHALL  
 City Clerk-Treasurer