

BUILDING STANDARDS COMMISSION

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



December 11, 2013

Mark A. Nolfi
Building Official
City of Belmont
One Twin Pines Lane, Suite 110
Belmont, CA 94002

RE: Ordinance #1073

Dear Mr. Nolfi:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 6, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code 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.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

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

Sincerely,

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

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



NOV 20 2013
2:57
SACRAMENTO BUILDING
STANDARDS COMMISSION

Permit Center
Building, Fire, Planning & Public Works
One Twin Pines Lane, Suite 110
Belmont, CA 94002
(650) 595 - 7422

November 18, 2013

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

RE: Filing of Local Amendments

Dear Sir or Madam:

Enclosed is a certified copy of the amendments to the 2013 California Building Code and the 2013 California Fire Code, which were adopted by the City of Belmont on November 12, 2013. These amendments are based on findings due to local geographic, topographic and/or climatic conditions, which were not addressed by the model codes; variation from the Building Code and Fire Code were deemed appropriate. The findings are included within the ordinance and the amendments follow.

Sincerely,

Mark A. Nolfi, CBO, CASp
Building Official

Enclosure: Certified Copy of Adopted Ordinances



I, Terri Cook, City Clerk of the City of Belmont, California, hereby certify that the ***Ordinance No. 1073 Of The City Council Of The City Of Belmont Adopting The 2013 California Building, Plumbing, Mechanical, Electrical, and Residential Codes By Reference, Ratifying The Belmont Fire Protection District Fire Code as Amended, Adding Provisions For The Posting Of Safety Assessment Placards, and Making Conforming Amendments to The City Code*** as attached hereto, is a true and correct copy of an Ordinance duly and regularly introduced and passed by the City Council as set forth in the Ordinance.

DATE: November 15, 2013

A handwritten signature in blue ink, appearing to read 'Terri Cook', written over a horizontal line.

Terri Cook
Belmont City Clerk

ORDINANCE NO. 1073

AN ORDINANCE OF THE CITY OF BELMONT ADOPTING THE 2013 CALIFORNIA BUILDING, PLUMBING, MECHANICAL, ELECTRICAL, AND RESIDENTIAL CODES BY REFERENCE, RATIFYING THE BELMONT FIRE PROTECTION DISTRICT FIRE CODE AS AMENDED, ADDING PROVISIONS FOR THE POSTING OF SAFETY ASSESSMENT PLACARDS, AND MAKING CONFORMING AMENDMENTS TO THE CITY CODE

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

SECTION 1. REPEALS

All ordinances or parts of ordinances of the City of Belmont that are in conflict with this ordinance are repealed to the extent that they are in conflict with this ordinance.

SECTION 2. BCC SECTION 7-4 ADDED

Section 7-4 is added to Belmont City Code Chapter 7, Article I to read:

Sec. 7-4 Appeals Board

Where the provisions of Article IV provide for a board of appeals, the board shall be the Belmont City Council.

SECTION 3. DRAFTING SYNTAX

Belmont City Code (BCC) section text is italicized in this ordinance to assist the reader in distinguishing between City of Belmont modifications to the California Building Standards Code and the City Code section text adopting the modifications.

For each section of the California Building Standards Code that is modified in part by the City of Belmont, whole subsections that are not modified are indicated by the subsection number followed by “{text not modified}” with the appropriate acronym for the specific code, which is to be codified as written. Each subsection that is deleted in its entirety by the City of Belmont is indicated by the subsection number followed by “- deleted”.

SECTION 4. BCC CHAPTER 7, ARTICLE II, SECTION 7-4 REPEALED

Section 7-4 in Belmont City Code Chapter 7, Article II is repealed.

SECTION 5. BCC CHAPTER 7, ARTICLE IV, DIVISIONS 1, 1.5, 2, 3, & 4 REPEALED

Divisions 1, 1.5, 2, 3, and 4, including sections 7-21, 7-22, 7-31, 7-41, 7-51 of Belmont City Code Chapter 7, Article IV are repealed.

SECTION 6. BCC CHAPTER 7, ARTICLE IV, DIVISION 1 ADDED

Division 1 is added to Belmont City Code Chapter 7, Article IV to read:

DIVISION 1. BUILDING CODE

Sec. 7-21 Building Code

The regulations contained in this Division shall be known as the City of Belmont Building Code.

Sec. 7-22 2013 California Building Code Adopted

The 2013 California Building Code (CBC), California Code of Regulations, Title 24, Part 2, adopting the 2012 International Building Code of the International Code Council with necessary California amendments, is adopted by reference as the Building Code of the City of Belmont, California. A copy of 2013 CBC shall be maintained on file in the office of the City Clerk.

Sec. 7-23 2013 CBC Appendix Chapters Adopted

(a) The following Appendix Chapter of the 2013 California Building Code is adopted: Appendix Chapter I (Patio Covers).

(b) The remaining Appendix Chapters are not adopted unless adopted by a state agency for application to occupancies subject to that agency's jurisdiction.

Sec. 7-24 2013 CBC Chapter 1, Division II Adopted with Amendments

(a) Except for the sections set forth in subsection (b), the requirements reproduced in Chapter 1, Division II of the 2013 California Building Code are adopted by reference, and govern the administration of the Belmont Building Code. References to model codes in the adopted sections shall mean the corresponding California Codes as adopted by the City of Belmont.

(b) The following sections of Chapter 1, Division II of the 2013 California Building Code are not adopted: 101.1, 103, 104.8, 113.1, and 113.3.

Sec. 7-25 Numbering of Amendments to 2013 CBC

The 2013 California Building Code is amended as provided in Sections 7-25.501 and 7-25.903. The number to the right of the decimal point in these sections corresponds to the section in the 2013 California Building Code that is amended.

Sec. 7-25.501 Amendment of 2013 CBC Section 501 (General)

Section 501 of the 2013 California Building Code is amended to read:

501.1 {CBC text not modified}

501.2 Address identification. {text of first paragraph not modified}.

When the structure is thirty-six (36) to fifty (50) feet from the street or fire department access, characters shall be a minimum of one-half inch (1/2") stroke by six inches (6") high.

When the structure is more than fifty (50) feet from the street or fire apparatus access, characters shall be a minimum of one inch (1") stroke by nine inches (9") high.

Sec. 7-25.903 Amendment of 2013 CBC Section 903 (Automatic Sprinkler Systems)

Section 903 of the 2013 California Building Code is amended to read:

903.1 through 903.1.1 {CBC text not modified}

903.2 Where required {text of first paragraph not modified}.

In addition, approved automatic fire sprinkler systems shall be provided as follows.

1. **New Construction.** When other provisions of Section 903 do not otherwise mandate automatic fire sprinkler system protection, and when the following occupancies are of new construction and the total square footage of the new building exceeds 2,500 square feet in size, or more than one-story in height, an automatic fire sprinkler system, shall be installed: Group A, Group B, Group E, (Non-public schools), Group F, Group H, Group I, Group M, and Group S occupancies.

2. **Existing Construction.** An approved automatic fire sprinkler system shall be installed in all locations of existing Group A, Group B, Group E (Non-public schools), Group F, Group H, Group I, Group M, Group R Division 2 (Hotels & Motels, only) and Group S occupancies, when the total square footage of the existing building exceeds 2,500 square feet in size, or is greater than one-story in height, and one or more of the following items apply:

2.1. Change to a more hazardous use/occupancy.

2.2. When the Fire Code Official determines that an automatic sprinkler system is necessary due to emergency vehicle access, fire load, occupant load or some other reason that may hinder fire suppression efforts in the event of a fire or other perils.

903.2.1 through 903.5 {CBC text not modified}

SECTION 7. BCC CHAPTER 7, ARTICLE IV, DIVISION 2 ADDED

Division 2 is added to Belmont City Code Chapter 7, Article IV to read:

DIVISION 2. RESIDENTIAL CODE

Sec. 7-31 Residential Code

The regulations contained in this Division shall be known as the City of Belmont Residential Code.

Sec. 7-32 2013 California Residential Code Adopted

The building standards in the 2013 California Residential Code (CRC), California Code of Regulations, Title 24, Part 2.5, adopting the 2012 International Residential Code of the International Code Council with necessary California amendments, is adopted by reference as the Residential Code of the City of Belmont, California. A copy of 2013 CRC shall be maintained on file in the office of the City Clerk.

Sec. 7-33 2013 CRC Appendix Chapters Adopted

(a) The following Appendix Chapters of the 2013 California Residential Code are adopted: Appendix Chapters G (Swimming Pools, Spas, and Hot Tubs) and K (Sound Transmission).

(b) The remaining Appendix Chapters are not adopted unless adopted by a state agency for application to occupancies subject to that agency's jurisdiction.

Sec. 7-34 2013 CRC Chapter 1, Division II Adopted with Amendments

(a) Except for the sections set forth in subsection (b), the requirements reproduced in Chapter 1, Division II of the 2013 California Residential Code are adopted by reference, and govern the administration of the Belmont Residential Code. References to model codes in the adopted sections shall mean the corresponding California Codes as adopted by the City of Belmont.

(b) The following sections of Chapter 1, Division II of the 2013 California Residential Code are not adopted: R101.1, R103, R104.8, R112.3.

Sec. 7-35 Numbering of Amendments to 2013 CRC

The 2013 California Residential Code is amended as provided in Sections 7-35.R313, 7-35.R319, and 7-35.R902. The number to the right of the decimal point in these sections corresponds to the section in the 2013 California Residential Code that is amended.

Sec. 7-35.R313 Amendment of 2013 CRC Section R313 (Automatic Sprinkler Systems)

Section R313 of the 2013 California Residential Code is amended to read:

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

Exception. An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic fire sprinkler system installed, but shall be installed in all locations of the building when either of the following occurs:

1. The building has been demolished to the foundation.
2. Within a 36 month time period, 500 square feet of floor area is added and, 50% or

greater of the existing interior wall and ceiling coverings are disturbed to accommodate a renovation.

R313.1.1 {CRC text not modified}

R313.2 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings.

Exception. An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing one- and two-family dwellings that do not have an automatic fire sprinkler system installed, but shall be installed in all locations of the building when either of the following occurs:

1. The building has been demolished to the foundation.
2. Within a 36 month time period, 500 square feet of floor area is added and, 50% or greater of the existing interior wall and ceiling coverings are disturbed to accommodate a renovation.

R313.2.1 through R313.3.8.2 {CRC text not modified}

Sec. 7-35.R319 Amendment to 2013 CRC Section R313 (Site Address)

Section R319 of the 2013 California Residential Code is amended to read:

R319.1 Address numbers. {text of first paragraph not modified}.

When the structure is thirty-six (36) to fifty (50) feet from the street or fire department access, characters shall be a minimum of one-half inch (1/2") stroke by six inches (6") high.

When the structure is more than fifty (50) feet from the street or fire apparatus access, characters shall be a minimum of one inch (1") stroke by nine inches (9") high.

Sec. 7-35.R902 Amendment to 2013 CRC Section R902 (Roof Classification)

Section R902 of the 2013 California Residential Code is amended to read:

R902.1 through R902.1.2 {CRC text not modified}

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

R902.1.4 through R902.4 {CRC text not modified}

SECTION 8. BCC CHAPTER 7, ARTICLE IV, DIVISION 3 ADDED

Division 3 is added to Belmont City Code Chapter 7, Article IV to read:

DIVISION 3. ELECTRICAL CODE

Sec. 7-41 Electrical Code

The regulations contained in this Division shall be known as the City of Belmont Electrical Code.

Sec. 7-42 2013 California Electrical Code Adopted

The building standards in the 2013 California Electrical Code (CEC), California Code of Regulations, Title 24, Part 3, adopting the 2011 National Electrical Code of the National Fire Protection Associations with necessary California amendments, is adopted by reference as the Electrical Code of the City of Belmont, California. A copy of 2013 CEC shall be maintained on file in the office of the City Clerk.

Sec. 7-43 Reserved.

Sec. 7-43 Administrative Provisions

The administrative provisions in CBC Chapter 1, Division II as adopted and amended by Section 7-24 shall govern the administration of the Belmont Electrical Code.

Sec. 7-44 Reserved.

SECTION 9. BCC CHAPTER 7, ARTICLE IV, DIVISION 4 ADDED

Division 4 is added to Belmont City Code Chapter 7, Article IV to read:

DIVISION 4. MECHANICAL CODE

Sec. 7-51 Mechanical Code

The regulations contained in this Division shall be known as the City of Belmont Mechanical Code.

Sec. 7-52 2013 California Mechanical Code Adopted

The building standards in the 2013 California Residential Code (CMC), California Code of Regulations, Title 24, Part 4, adopting the 2012 Uniform Mechanical Code of the International Association of Plumbing and Mechanical Officials with necessary California amendments, is adopted by reference as the Mechanical Code of the City of Belmont, California. A copy of 2013 CRC shall be maintained on file in the office of the City Clerk.

Sec. 7-53 2013 CMC Appendix Chapters Adopted

(a) The following Appendix Chapters of the 2013 California Mechanical Code are adopted: (none).

(b) The remaining Appendix Chapters are not adopted unless adopted by a state agency for application to occupancies subject to that agency's jurisdiction.

Note: Appendix D was adopted by HCD 1 & 2. For other agencies, see matrix adoption tables for each appendix chapter.

Sec. 7-54 2013 CMC Chapter 1, Division II Adopted with Amendments

(a) Except for the sections set forth in subsection (b), the requirements reproduced in Chapter 1, Division II of the 2013 California Mechanical Code are adopted by reference, and govern the administration of the Belmont Mechanical Code. References to model codes in the adopted sections shall mean the corresponding California Codes as adopted by the City of Belmont.

(b) The following sections of Chapter 1, Division II of the 2013 California Mechanical Code are not adopted unless adopted by a state agency: 101.1, 101.2, 101.3, 101.3.1, 106.8, 108.0, 110.1, 117.0, 118.0.

Sec. 7-55 Numbering of Amendments to 2013 CMC

The 2013 California Mechanical Code is amended as provided in Section 7-55.T114.1. The number to the right of the decimal point in these sections corresponds to the section in the 2013 California Mechanical Code that is amended.

Sec. 7-55.T114.1 Amendment of 2013 CMC Table 114.1 (Mechanical Permit Fees)

Table 114.1 of the 2013 California Mechanical Code is amended to read:

Table 114.1. Mechanical permit fees are as set forth on the City's Master Fee Schedule.

SECTION 10. BCC CHAPTER 7, ARTICLE IV, DIVISION 5, SECTION 7-60 ADDED

Section 7-60 (Housing Code) is added to Belmont City Code Chapter 7, Article IV, Division 5 to read:

Sec. 7-60 Housing Code

California Code of Regulations Title 25, Chapter 1, Subchapter 1, except for Section 20 and Section 24(f) and (k), is adopted as the housing code of the City of Belmont.

SECTION 11. BCC CHAPTER 7, ARTICLE IV, DIVISION 5, SECTION 7-61 REPEALED

Belmont City Code Chapter 7, Article IV, Division 5, Section 7-61 is repealed.

SECTION 12. BCC CHAPTER 7, ARTICLE IV, DIVISION 6 ADDED

Division 6 is added to Belmont City Code Chapter 7, Article IV to read:

DIVISION 6. PLUMBING CODE

Sec. 7-61 Plumbing Code

The regulations contained in this Division shall be known as the City of Belmont Plumbing Code.

Sec. 7-62 2013 California Plumbing Code Adopted

The building standards in the 2013 California Plumbing Code (CPC), California Code of Regulations, Title 24, Part 5, adopting the 2012 Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials with necessary California amendments, is adopted by reference as the Plumbing Code of the City of Belmont, California. A copy of 2013 CRC shall be maintained on file in the office of the City Clerk.

Sec. 7-63 2013 CPC Appendix Chapters Adopted

(a) The following Appendix Chapters of the 2013 California Plumbing Code are adopted: (none).

(b) The remaining Appendix Chapters are not adopted unless adopted by a state agency for application to occupancies subject to that agency's jurisdiction.

Note: Appendices A, D, H and I were adopted by HCD 1 & 2. For other agencies, see matrix adoption tables for each appendix chapter.

Sec. 7-64 2013 CPC Chapter 1, Division II Adopted with Amendments

(a) Except for the sections set forth in subsection (b), the requirements reproduced in Chapter 1, Division II of the 2013 California Plumbing Code are adopted by reference, and govern the administration of the Belmont Plumbing Code. References to model codes in the adopted sections shall mean the corresponding California Codes as adopted by the City of Belmont.

(b) The following sections of Chapter 1, Division II of the 2013 California Plumbing Code are not adopted unless adopted by a state agency: 101.1, 101.2, 101.3, 101.4, 102.2.5, 102.3, 102.3.1, 102.5, 103.7, 103.8.

Sec. 7-65 Numbering of Amendments to 2013 CPC

The 2013 California Plumbing Code is amended as provided in Section 7-65.T103.4 and 7-65.609.10. The number to the right of the decimal point in these sections corresponds to the section in the 2013 California Mechanical Code that is amended.

Sec. 7-65.T103.4 Amendment of 2013 CPC Table 103.4 (Plumbing Permit Fees)

Table 114.1 of the 2013 California Plumbing Code is amended to read:

Table 114.1. Plumbing permit fees are as set forth on the City's Master Fee Schedule.

Sec. 7-65.609.10 Amendment of 2013 CPC Section 609.10 (Water Hammer)

2013 CPC Section 609.10 (Water Hammer) shall apply to all occupancies including HCD 1 and 2.

SECTION 13. BCC CHAPTER 7, ARTICLE IV, DIVISION 7 ADDED

Division 7 is added to Belmont City Code Chapter 7, Article IV to read:

DIVISION 7. FIRE CODE

Sec. 7-70 Ratification of Belmont Fire Protection District Fire Code

Ordinance 2013-001 adopted by the Belmont Fire Protection District adopting the 2013 California Fire Code with local amendments as the Fire Code for the District is hereby ratified by the City of Belmont in accordance with Health and Safety Code Section 13869.7 and shall apply through the city.

SECTION 14. BCC CHAPTER 7, ARTICLE VI AMENDED

Belmont City Code Chapter 7, Article VI is amended to read:

ARTICLE VI. - SAFETY ASSESSMENT PLACARDS

Sec. 7-160 Intent.

This section establishes standard placards to be used to indicate the condition of a structure for continued occupancy. The Section 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.

Sec. 7-161 Application of Provisions.

The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the City of Belmont. The City Council may extend the provisions as necessary.

Sec. 7-162 Safety Assessment.

Safety assessment is a visual, non-destructive examination of a building or structure for the purpose of determining the condition for continued occupancy.

Sec. 7-163 Placards.

(a) The following are general descriptions of the official City of Belmont placards to be used to designate the condition for continued occupancy of buildings or structures. The actual placards shall be in a form approved by the city manager and substantially similar in substance to the following.

(1) **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. This placard shall be green.

(2) **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. This placard shall be yellow.

(3) **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. This placard shall be red or orange.

(b) The name of the jurisdiction, its address, and phone number shall be permanently affixed to each placard.

(c) Once it has been attached to a building or structure, a placard is not to be removed, altered or covered except by an authorized representative of the Building Official or upon written notification from the Building Official.

(d) It shall be unlawful for any person, firm or corporation to alter, remove, cover, or deface a placard unless authorized by this Article.

SECTION 15. CEQA.

The City Council finds, under Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. The Council therefore directs that a Notice of Exemption be filed with the Alameda County Clerk in accordance with the CEQA guidelines.

SECTION 16. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Belmont hereby declares that it would have passed this Ordinance and each section or subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 17. EFFECTIVE DATE.

This ordinance shall take effect and be enforced beginning on January 1, 2014.

SECTION 18. PUBLICATION AND POSTING

The City Clerk has caused to be published a summary of this ordinance, prepared by the City Attorney under Government Code Section 36933, subdivision (c) of the, once, in a newspaper of general circulation printed and published in San Mateo County and circulated in the City of Belmont, at least five days before the date of adoption. A certified copy of the full text of the ordinance was posted in the office of the City Clerk since at least five days before this date of adoption. Within 15 days after adoption of this ordinance, the City Clerk shall cause the summary of this ordinance to be published again with the names of those City Council members voting for and against the ordinance; and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of this adopted ordinance with the names of those City Council members voting for and against the ordinance.

* * *

The City Council of the City of Belmont, California introduced the foregoing ordinance, on October 8, 2013 and adopted the ordinance at a regular meeting held on November 12, 2013 by the following vote:

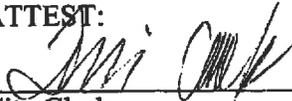
Ayes: Braunstein, Lieberman, Warden, Feierbach, Wozniak

Noes:

Absent:

Abstain:

ATTEST:



City Clerk



Mayor

APPROVED AS TO FORM:



City Attorney

RESOLUTION NO. 2013-103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT, CALIFORNIA, MAKING EXPRESS FINDINGS THAT MODIFICATIONS TO THE 2013 CALIFORNIA BUILDING, RESIDENTIAL, MECHANICAL, PLUMBING, AND ELECTRICAL CODES ARE REASONABLY NECESSARY DUE TO LOCAL CONDITIONS

WHEREAS, on October 8, 2013, the City Council introduced Ordinance 1073 adopting and amending the 2013 California Building, Residential, Mechanical, Plumbing, and Electrical Codes; and,

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7, and 18941.5 authorize the City to modify the building standards contained in the California Building Standards Code and other regulations adopted under Health and Safety Code Section 17922 if found by the City to be reasonably necessary because of local climatic, geologic, or topographic conditions; and,

WHEREAS, the City Council has considered the October 8, 2013 staff report discussing the proposed amendments to parts of the 2013 California Building Standards Code and the presentations by staff, has considered the proposed ordinance containing the amendments attached to the report, and has reviewed the proposed findings attached to the report.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

SECTION 1. Reasonably Necessary Amendments Due to Local Conditions.

(a) The amendments to the 2013 California Building, Residential, Mechanical, Plumbing, and Electrical Codes are found to be reasonably necessary because of local climatic, geological or topographical conditions.

(b) The City Council finds that the conditions listed in Attachment 1 attached hereto are, in fact, local climatic, geological and topographical conditions.

(c) The conditions listed in Attachment 1 make the amendments to the 2013 California Building Standards Code described in Attachment 1 and contained in the ordinance referenced above reasonably necessary for the reasons stated in Attachment 1 and in the October 8, 2013 staff report.

* * *

ADOPTED October 8, 2013, by the City of Belmont City Council by the following vote:

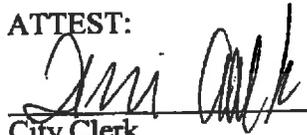
Ayes: Braunstein, Lieberman, Feierbach, Wozniak

Noes:

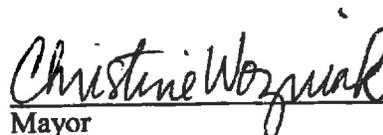
Absent: Warden

Abstain:

ATTEST:



City Clerk



Mayor

APPROVED AS TO FORM:



City Attorney

ATTACHMENT 1
to
City of Belmont Resolution 2013 - 103

**NECESSARY MODIFICATIONS TO THE 2013 CALIFORNIA BUILDING,
RESIDENTIAL, MECHANICAL, ELECTRICAL, AND PLUMBING CODES
DUE TO LOCAL CONDITIONS**

INTRODUCTION

City of Belmont Ordinance 1073 contains amendments, deletions and additions to provisions reproduced in the 2013 California Building Code, 2013 Residential Code, 2013 Mechanical Code, 2013 Electrical Code and 2013 Plumbing Code. The modifications to the building standards contained in Building, Residential and Plumbing codes are reasonably necessary because of the climatic, geologic, and topographic conditions found in the City of Belmont. In accordance with Health and Safety Code Sections 17958, 17958.5, 17958.7, and 18941.5, this document describes the climatic, geologic, and topographic conditions found in the City of Belmont and the specific modifications and the local conditions determined by the City of Belmont to make each modification to the building standards reasonably necessary.

**PART I:
LOCAL CONDITIONS**

A. Profile Of The City Of Belmont

The City of Belmont is located in southern region of the San Mateo County. The City of San Mateo is to the north, Redwood City and Foster City to the east, and San Carlos and unincorporated areas of San Mateo County are to the south. The City encompasses an area of roughly 4.6 square miles, with a resident population of 26,000. The City includes large tracks of open space found in the steep forested ridges and foothills in the western portions of the city. Highway 101 passes through the City near its eastern edge, and Interstate 280 passes by the City near its western edge.

B. Local Conditions

The climatic, geologic, and topographic conditions found in the City of Belmont necessitate making modifications to the building standards in the 2013 California Building Code, 2013 Plumbing Code, and 2013 Residential Code in order to provide a reasonable degree of fire and life safety in this community. These conditions are discussed in detail below.

1. Climatic Conditions.

The City of Belmont, on average, experiences an annual rainfall between 18 to 25 inches. This rainfall can be expected between October and April of each year and is based on the 100 year weather almanac. However, during the summer and early fall months there is little, if any, measurable precipitation. During this dry period, the temperatures are usually between 70°-90° with light to gusty westerly winds. These drying winds, mixed with the natural vegetation, which is dominant throughout the area, creates a hazardous fuel condition, which further create extensive grass and brushland fire risk. With residential developments encroaching into these wooded and grass, or brush covered areas, wind and terrain-driven fires could have severe consequences and place lives and properties at risk.

2. Geologic Conditions.

(a) Earthquakes. Seismically, the City sits along the active San Andreas Fault, and is rated as a Seismic Zone 4. The relatively young geological processes that have created the San Francisco bay region are still active today.

(b) Soil Conditions. The City of Belmont lies in the southern end of San Mateo County. The areas closest to the Bay are overlain by unconsolidated fine silty clay, known as Bay Mud, which varies in thickness from a few feet to as much as thirty (30) feet. Bedrock lies beneath the area at depths generally three hundred (300) feet or more. The topography is essentially flat, dropping from an elevation of eight hundred (800) feet to sea level. The slope of the city extends upwards on the western side. Slopes range from (0) degrees to more than (20) degrees on some streets.

3. Topographic Conditions.

(a) Hills. Much of the City is located in hills. The hilly terrain has influenced development to follow the path of least resistance, creating a meandering pattern. The development pattern includes lots of inconsistent size, and development is often set deeply back from the street. The development pattern also does not lend itself to a good systematic street and road layout, which would promote easy traffic flow. It has, in fact, resulted in few major cross-town thoroughfares, which tend to be heavily congested, primarily during commute hours and seasonal periods of the year. "Pass-through" vehicular traffic in the City, such as the areas of the Alameda de las Pulgas, Ralston Ave., and El Camino Real, increase commute time traffic for East and West bound vehicular movement to US 101 and Interstate 280. This creates barriers, which increases the response time of fire apparatus and other emergency vehicles. The topography of the City is also burdened by major structures. Employment areas are throughout the City, and the people who work in these complexes have added to the traffic congestion, thereby increasing fire apparatus response times.

(b) Vegetation. The hilly portions of the City contain trees, dense brush vegetation and a heavy growth of natural grasses that contribute to fuel-loading. The surrounding areas suffer several wildland fires each year.

(c) Roads and Streets. The number of vehicle miles driven is steadily increasing despite limited growth. Many older streets are narrow and steep. The impact of additional planned developments and increased traffic flow will continue to create an effect on the delivery of fire protection services.

PART II:

FINDINGS FOR SPECIFIC MODIFICATIONS TO BUILDING STANDARDS

A. 2013 California Building Code

1. Section 501 (Address Identification) – Local Conditions 3.(a), (b), & (c)

Residential development in hilly terrain with meandering street patterns has led to inconsistent lot sizes and structure placement combined with significant vegetation. These conditions can often make identification of correct addresses difficult and can cause delay of emergency personnel in locating the correct address when responding to requests for emergency services. This amendment responds to these conditions by making address numbers larger for easier identification.

2. Section 903 (Automatic Sprinkler Systems) – Local Conditions 1. & 3. (a), (b), & (c)

This amendment brings the 2013 California Building Code in alignment with the amendment promulgated by the Belmont Fire Protection District. The experiences of several disastrous wildland-urban interface fires within Alameda, Santa Clara, Monterey and Contra Costa Counties have demonstrated the need for other fire protection features/regulations. While it is clearly understood that the adoption of such regulations may not prevent the incidence of fire, their implementation reduce the severity and potential loss of life and property from those fires that do occur.

Automatic fire extinguishing systems (AFES) and standpipe systems are effective in confining, extinguishing, or aiding in the extinguishment of a fire, as well as reducing the amount of toxic gases and smoke generated by fire. They also allow people to safely evacuate the building and can confine the fire until emergency resources arrive at scene. An AFES throughout a structure serves to limit the loss of life and property. Inherent delays caused by the traffic patterns throughout the fire district make it necessary to mitigate this risk by requiring additional built-in automatic fire protection and detection systems that provide early detection and initial control of fires until the arrival of the fire department.

3. Appendix Chapter I (Patio Covers) – Local Condition 1.

During the summer months, prevailing westerly winds from the Pacific Ocean move through the City of Belmont often in excess of 18 miles per hour. This condition can compromise the outdoor experience, even during periods of warm weather. In order to enjoy the sunshine and views, without the discomfort of the wind, a patio cover is desirable. However, due to the percentage of fenestration, these structures would not meet the requirements of the energy code. As such a special category, which is not considered conditioned space, is necessary.

B. 2013 California Plumbing Code

1. Section 609.10 (Water Hammer) – Local Condition 3.(a)

Water pressure in the City's hilly terrain varies depending on the location of a building relative to the adjacent topography and the proximity to the water pumps. Water hammer is a frequent problem that is detrimental to the supply system. The condition is especially acute at quick acting valves. The installation of air chambers has proven ineffectual in mitigating water hammer. Adoption of this code section addresses this condition.

C. 2013 California Residential Code

1. Section R313 (Automatic Sprinkler Systems) – Local Conditions 1. & 3. (a), (b), & (c)

This amendment brings the 2013 California Residential Code in alignment with the amendment promulgated by the Belmont Fire Protection District. The experiences of several disastrous wildland-urban interface fires within Alameda, Santa Clara, Monterey and Contra Costa Counties have demonstrated the need for other fire protection features/regulations. While it is clearly understood that the adoption of such regulations may not prevent the incidence of fire, their implementation reduce the severity and potential loss of life and property of these fires which do occur.

Automatic fire extinguishing systems (AFES) and standpipe systems are effective in confining, extinguishing, or aiding in the extinguishment of a fire, as well as reducing the amount of toxic gases and smoke generated by fire. They also allow people to safely evacuate the building and can confine the fire until emergency resources arrive at scene. An AFES throughout a structure serves to limit the loss of life and property. Inherent delays caused by the traffic patterns throughout the fire district make it necessary to mitigate this risk by requiring additional built-in automatic fire protection and detection systems that provide early detection and initial control of fires until the arrival of the fire department.

2. Section R319 (Address Identification) - Local Conditions 3.(a), (b), & (c)

Residential development in hilly terrain with meandering street patterns has led to inconsistent lot sizes and structure placement combined with significant vegetation. These conditions can often make identification of correct addresses difficult and can cause delay of emergency personnel in locating the correct address when responding to requests for emergency services. This amendment responds to these conditions by making address numbers larger for easier identification.

3. Section R902.1.3 (Roof Coverings) – Local Conditions 1. 2.(a), 2(b), 3. (a), (b), & (c)

The combination of light and gusty westerly winds and dry vegetation create hazardous fuel conditions during the summer and fall months. Additionally the proximity of the San Andreas Fault to residential occupancies and other occupancies creates a high probability of an earthquake causing damage to structures and fire suppression systems. Fire resistance roofs

provide a passive protection system and gives occupants more time to exit and reduces fire spread between structures.

4. Appendix Chapter K (Sound Transmission) – Local Condition 3.(a), (b), & (c)

The topography of the City of Belmont is such that development of tracts of single unit homes will be rare. The City is primarily built-out. Future development will consist of mixed-use occupancies and high-density housing. Secondary dwelling units will increase in popularity. Sound transmission controls have been excluded in the California Residential Code, although they are included in the California Building Code. The inclusion of this appendix in the CRC will allow enforcement of sound transmission controls in secondary dwelling units and duplexes.

5. Appendix Chapter G (Swimming Pools, Spas, and Hot Tubs) – Local Conditions 1.

The City of Belmont enjoys a Mediterranean climate with temperatures that can reach 90 degrees Fahrenheit in the summer months. A popular form of outdoor recreation is the use of swimming pools, spas, and hot tubs. The majority of pools in Belmont are located in single unit dwellings. However, the California Residential Code has not adopted the provisions of the Swimming Pool Safety Act, although they have been adopted in the California Building Code.