

**BUILDING STANDARDS COMMISSION**

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



December 10, 2013

Maricela Hernandez, MMC  
City Clerk  
City of Calabasas  
100 Civic Center Way  
Calabasas, CA 91302

RE: Ordinance 2013-304

Dear Ms. Hernandez:

This letter is to advise you of our determination regarding the referenced ordinance received from your agency on July 1, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2010 California Building Standards Code in Title 24, California Code of Regulations (code), 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



CITY *of* CALABASAS

June 28, 2013

Mr. Jim McGowan  
Executive Director  
Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833-2936

RE: Ordinance No. 2013-304 amending Section 15.04.030 of the Calabasas Municipal Code to repeal the Local Administrative Amendments to the Administrative Provisions of the 2010 California Building Code and adopting by reference, pursuant to Government Code section 50022.2, the Administrative Provisions of the 2010 California Building Code, California Code of Regulations, Title 24

Dear Mr. McGowan:

Enclosed please find a certified copy of the above-mentioned Ordinance No. 2013-304 adopted by the Calabasas City Council on June 26, 2013.

Regards,

Maricela Hernandez, MMC  
City Clerk

/mh

Enclosures

RECEIVED  
2013 JUN -1 P 11:54  
CITY OF CALABASAS  
BUILDING STANDARDS COMMISSION

ORDINANCE NO. 2013-304

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, AMENDING SECTION 15.04.030 OF THE CALABASAS MUNICIPAL CODE TO REPEAL THE LOCAL ADMINISTRATIVE AMENDMENTS TO THE ADMINISTRATIVE PROVISIONS OF THE 2010 CALIFORNIA BUILDING CODE AND ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTION 50022.2, THE ADMINISTRATIVE PROVISIONS OF THE 2010 CALIFORNIA BUILDING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24.

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

**SECTION 1.** Section 15.04.030 of Title 15 of the Calabasas Municipal Code – Administrative Amendments is hereby amended to read as follows:

**Section 15.04.030. 2010 California Building Code Administrative Provisions Adopted.**

A. The Administrative Provisions of the 2010 California Building Code contained in Division II of Chapter I of Part 2, Title 24 California Code of Regulations are hereby adopted by reference pursuant to Government Code sections 50022.2 through 50022.10 without amendment.

B. All of the regulations, provisions, conditions, and terms of said Division, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter.

**SECTION 2.** References in Documents and Continuing Legal Effect. References to prior versions of any portion of the Building Standards Code, or of the Calabasas Municipal Code that are amended or renumbered in this Municipal Code, that are cited on notices issued by the City or other documents of ongoing or continuing legal effect, including resolutions adopting or imposing fees or charges, until converted, are deemed to be references to the new counterpart part of the Building Standards Code or amended Municipal Code sections for the purposes of notice and enforcement. The provisions adopted hereby shall not in any manner affect deposits, established fees or other matters of record which refer to, or are otherwise connected with, ordinances which are specifically designated by number, code section or otherwise, but such references shall be deemed to apply to the corresponding provisions set forth in the code sections adopted or amended hereby.

**SECTION 3.** Continuity. To the extent the provisions of the Calabasas Municipal Code as amended by this Ordinance are substantially the same as previous provisions of the Calabasas Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments.

**SECTION 4.** No Effect on Enforceability. The repeal of any sections of the Municipal Code by this Ordinance shall not affect or impair any act done, or right vested or approved, or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act, vested right, proceeding, suit, or prosecution shall remain in full force and effect for all purposes as if the applicable provisions of the Municipal Code, or part thereof, had remained in force and effect. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the repeal or alteration of any applicable provision of the Municipal Code as amended, shall be discharged or affected by such repeal or alteration but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceed in all respects as if the applicable provisions of the Municipal Code, as amended, had not been repealed or altered.

**SECTION 5.** CEQA. This Ordinance is exempt from the California Environmental Quality Act pursuant to State Guidelines section 15061(b)(3) as a project that has no potential to cause a significant effect on the environment.

**SECTION 6.** Building Standards Commission. The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

**SECTION 7.** Severability. Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; the City Council declares this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been adopted irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional and, to that end, the provisions hereof are severable.

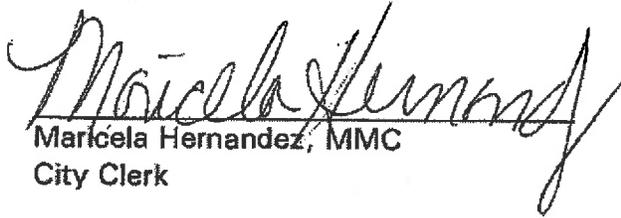
**SECTION 8.** Effective Date. This ordinance shall take effect thirty days after its passage and adoption pursuant to Government Code section 36937.

**SECTION 9.** Publication. The City Clerk shall cause this Ordinance to be published or posted as required by law, shall certify to the adoption of this Ordinance, and shall cause this Ordinance and her certification, together with proof of publication, to be entered in the Book of Ordinances of the City Council.

PASSED, APPROVED AND ADOPTED this 26<sup>th</sup> day of June, 2013.

  
\_\_\_\_\_  
Fred Gaines, Mayor

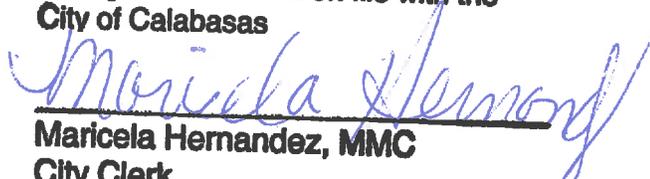
ATTEST:

  
\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Matthew Summers  
Acting City Attorney

Certified to be a true and correct copy  
of original document on file with the  
City of Calabasas

  
\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF CALABASAS )

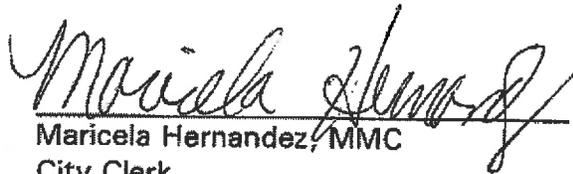
I, **MARICELA HERNANDEZ**, City Clerk of the City of Calabasas, California,  
**DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 2013-304**  
was duly introduced and approved by the City Council of the City of Calabasas at a  
regular meeting held on the 12<sup>th</sup> day of June, 2013 and adopted and passed by  
said Council at a regular meeting held on the 26<sup>th</sup> day of June, 2013 by the  
following vote:

**AYES:** Mayor Gaines, Mayor pro Tem Shapiro, Councilmembers Bozajian,  
Martin and Maurer.

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** None.



Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California

**BUILDING STANDARDS COMMISSION**

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



January 27, 2014

Maricela Hernandez, MMC  
City Clerk  
City of Calabasas  
100 Civic Center Way  
Calabasas, CA 91302

RE: Ordinance #2013-308

Dear Ms. Hernandez:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 19, 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



CITY of CALABASAS

**MARICELA HERNANDEZ**  
City Clerk

December 12, 2013

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento CA 95833-2936

CALIFORNIA BUILDING STANDARDS COMMISSION  
2013 DEC 19 PM 1:00  
MARI CELA HERNANDEZ

**RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTION 50022.2, CALIFORNIA CODE OF REGULATIONS - TITLE 24, THE 2013 CALIFORNIA BUILDING STANDARDS CODE PARTS 2 THROUGH 6, PART 8, PART 9, AND PART 11, AND ADOPTING LOCAL AMENDMENTS THERETO IN ACCORDANCE WITH CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 17922, 17958 AND 18941.5**

Dear Sir or Madam:

Enclosed please find a certified copy of the above-mentioned Ordinance No. 2013-308 adopted by the Calabasas City Council on December 11, 2013.

Regards,

Maricela Hernandez, MMC  
City Clerk

/mh

Enclosures

**ORDINANCE NO. 2013 - 308**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTION 50022.2, CALIFORNIA CODE OF REGULATIONS - TITLE 24, THE 2013 CALIFORNIA BUILDING STANDARDS CODE PARTS 2 THROUGH 6, PART 8, PART 9, AND PART 11, AND ADOPTING LOCAL AMENDMENTS THERETO IN ACCORDANCE WITH CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 17922, 17958 AND 18941.5.**

WHEREAS, the City Council of the City of Calabasas does hereby find that there is a need to enforce the most current editions of the California Building Standards Code, with local amendments thereof, as recited herein for regulating and controlling the design, erection, construction, enlargement, installation, alteration, repair, relocation, removal, use and occupancy, demolition, conversion, height and area, location and maintenance, and quality of materials of all buildings and structures and plumbing, mechanical, electrical and fire suppression systems and certain equipment within the City; and

WHEREAS, pursuant to section 17951 (e) of the Health and Safety Code, local regulations necessary to carry out the application of the CBSC that do not establish building standards may be enacted without meeting the requirements of California Health & Safety Code sections 18941.5, 17958, 17598.5 and 17958.7; and

WHEREAS, pursuant to sections 17922, 17958, 17958.5 and 17958.7 of the California Health & Safety Code, the City may adopt the provisions of the Uniform Building, Plumbing, Mechanical, and Electric Codes with certain amendments to the provisions of the codes, which are reasonably necessary to protect the health and welfare of citizens of Calabasas because of local climatic conditions; and

WHEREAS, given that the Southern California region has been determined by the California Air Pollution Control Board to be a non-attainment area for air quality, and the City of Calabasas is part of the Southern California region; and, given the City of Calabasas is located specifically at the western extreme of the San Fernando Valley, serving as the gateway to the Santa Monica Mountains Recreation Area, which is a highly valued natural resource and recreation area serving the region, state, and nation with an estimated visitation by approximately 35 Million visitors annually; and, given that the Green Building Standards can potentially reduce greenhouse gas emissions and VOC emissions from new construction projects as well as redevelopment and renovation projects in the City; and, given that the construction activity in the City of Calabasas requires building permits and the City issues approximately 1800 permits annually; and

WHEREAS, the City Council does hereby further find that in accordance with section 15061(b)(3) of the California Code of Regulations, the adoption of these local amendments to the California Building Standards Code, and amendments to the Calabasas Municipal Code are exempt from the provisions of the California Environmental Quality Act because such actions are largely administrative in nature, are designed to improve and not degrade environmental quality, and the impacts of these local amendments to the building standards code will not adversely affect the environment in any manner that could be significant; and

WHEREAS, to provide adequate protection under the local climatic conditions set forth above, and as more fully set forth in Exhibit 1 to this ordinance, the City of Calabasas makes the following findings and determinations relative to the adoption of administrative amendments, and where appropriate, the adoption of more restrictive Building Standards Code provisions than those of the 2013 California Green Building Standards Code.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Chapter 15.04. of the Calabasas Municipal Code is hereby repealed in its entirety and readopted to read as follows:**

**Article I. California Building Code**

**15.04.010 2013 California Building Code adopted.**

A. The 2013 California Building Code, together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures within the city provide for the issuance of permits and collection of fees therefor, and provide for penalties for violation thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

**15.04.030 2013 California Building Code Administrative Provisions Adopted.**

A. The Administrative Provisions of the 2013 California Building Code contained in Division II of Chapter I of Part 2, Title 24 California Code of Regulations are hereby adopted by reference pursuant to Government Code sections 50022.2 through 50022.10.

B. All of the regulations, provisions, conditions, and terms of said division, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter.

C. Appeals Boards

Administrative Provisions Section 113, of Chapter I Division II of the 2013 California Building Code, is amended to read as follows:

**113 Appeals Boards**

**113.1 General**

In order to hear and decide appeals of orders, decisions, or determinations of the building official regarding materials or methods of construction pertaining to: the Building Code, Residential Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Historical Building Code, Fire Code, or the Green Building Standards Code, where necessary the City Council shall appoint upon nomination of the City Manager a Board of Appeals under this code with appropriate technical qualifications. Such nominees shall not include city employees.

**113.2 Limitations on Authority.**

(a) An application for appeal shall be based on a claim that a decision of the building official to prohibit the use of materials or methods of construction reflects one of the following errors: (i) the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, (ii) the provisions of this code do not fully apply according to their terms, or (iii) the materials or methods of constructions proposed are equally well or better suited to accomplish the purposes of this code than those otherwise required by this code.

(b) The Board of Appeals shall have no authority to: (i) waive the requirements of this code, (ii) to consider, decide or rule on the existence or nonexistence of any activity, condition, or use involving real property and/or any structure and other improvements on real property that the building official or another authorized agent of the city has determined to violate Title 15 or any other provision of the Calabasas Municipal Code, or (iii) consider, decide or rule whether

persons are or are not responsible for violations of the Calabasas Municipal Code or public nuisances or what actions are required by responsible persons to correct or abate violations of the Calabasas Code or public nuisances.

### 113.3 Procedures.

A person seeking an appeal under this Section 113 shall file an appeal on a form furnished by the building official and pay an appeal fee in an amount established from time to time by resolution of the City Council. That fee shall be sufficient to cover the cost of the building official's obtaining a written interpretation of relevant provisions of this Title 15 by the International Code Council or any successor thereto. The Board of Appeals may, after hearing, adopt that written interpretation as the decision of the Board. If the Board of Appeals does not adopt that written interpretation, it shall state its reasoning in writing. The Board may establish, by a regulation published in the manner required of ordinances of the City Council, procedures for the conduct of appeals under this Section 113. Judicial review of a decision of the Board of Appeal under this Section 113 may be had pursuant to Code of Civil Procedure Section 1094.5. Judicial review of any decision of the building official not subject to appeal under this Section 105 may be had pursuant to Code of Civil Procedure Section 1085.

### 15.04.350 Safety assessment placards.

- A. Intent. This section established 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.
- B. Application of Provisions. The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the city of Calabasas. The city council may extend the provisions as necessary.
- C. Definitions. "Safety assessment" means a visual, nondestructive examination of a building or structure for the purpose of determining the condition for continued occupancy.
- D. Placards. The following are verbal descriptions of the official placards to be used to designate the condition for continued occupancy of buildings or structures.
  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.
  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.

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.
  - (b) The ordinance number, 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 until done so by an authorized representative of the building official. It is unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.

## **Article II. California Residential Code**

### **15.04.410 2013 California Residential Code adopted.**

A. The 2013 California Residential Code, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures of detached one-and-two-family dwelling, townhouse not more than three stories above grade plane in height, provide for the issuance of permits and collection of fees therefore, and provide for penalties for violation thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

### **15.04.430 2013 California Residential Code Administrative Provisions Adopted.**

A. Chapter I Division II Administrative Provisions of the 2013 California Residential Code are hereby adopted by reference.

B. The 2013 California Residential Code Chapter I Division II Board of Appeals Section R112 is amended to read as follows:

**R112 Board of Appeals**

Appeals pertaining to the Residential Building Code, shall be governed Calabasas Municipal Code Section 15.04.030.

**Article III. California Mechanical Code**

**15.04.510 2013 California Mechanical Code adopted.**

A. The 2013 California Mechanical Code, which regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, venting, cooling, refrigeration systems, or other miscellaneous heat-producing appliances in the city, provides for the issuance of permits and collection of fees therefore and provides for penalties for the violation thereof, with certain changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted, and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

**15.04.530 2013 California Mechanical Code Administrative Provisions Adopted.**

A. Division II of Chapter I Administrative Provisions of the 2013 California Mechanical Code are hereby adopted by reference pursuant to Government Code sections 50022.2 through 50022.10.

B. The 2013 California Mechanical Code Division II of Chapter I Section 108.0 Board of Appeals is amended to read as follows:

**108.0 Board of Appeals**

Appeals pertaining to the Mechanical Code, shall be governed by Calabasas Municipal Code Section 15.04.030.

## **Article IV California Plumbing Code**

### **15.04.560 2013 California Plumbing Code adopted.**

(A) The 2013 California Plumbing Code inclusive of 2013 California Plumbing Code Appendix A, Appendix B, Appendix C, Appendix D, Appendix F, Appendix G, Appendix H, Appendix I, and Appendix L which provide minimum requirements and standards for the protection of the public health, safety and welfare by regulating the installation or alteration of plumbing and drainage, materials, venting, wastes, traps, interceptors, water systems, sewers, gas piping, water heaters and other related products, and workmanship in the city, provide for the issuance of permits and collection of fees therefor, and provide for penalties for the violations thereof, with certain changes and amendments thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted, and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

### **15.04.580 2013 California Plumbing Code Administrative Provisions Adopted.**

A. Division II of Chapter I Administrative Provisions of the 2013 California Plumbing Code are hereby adopted by reference pursuant to Government Code sections 50022.2 through 50022.10.

B. All of the regulations, provisions, conditions, and terms of said division, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter.

C. The 2013 California Plumbing Code Division II of Chapter I Section 102.3 Board of Appeals is amended to read as follows:

#### **102.3 Board of Appeals**

Appeals pertaining to the Plumbing Code, shall be governed Calabasas Municipal Code Section 15.04.030.

**Article V. 2010 California Electrical Code.**

**15.04.720 2013 California Electrical Code adopted.**

A. The 2013 California Electrical Code, together with the appendices, which provides minimum requirements and standards for the protection of the public health, safety, and welfare by regulating the installation or alteration of electrical wiring, equipment, materials, and workmanship in the city, provides for the issuance of permits and collection of fees therefor and provides penalties for the violations thereof, with all changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted, and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

**15.04.740 2013 California Electrical Code - General Code "Administrative" Provisions Adopted.**

A. California Article 89 General Code Provisions of the 2013 California Electrical Code are hereby adopted by reference pursuant to Government Code sections 50022.2 through 50022.10.

B. All of the regulations, provisions, conditions, and terms of said division, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter.

C. The 2013 California Electrical Code California Article 89 General Code Provisions Section 89.108.8 Appeals Board is amended to read as follows:

**89.108.8 Appeals Board**

Appeals pertaining to the Electrical Building Code, shall be governed by Calabasas Municipal Code Section 15.04.030.

**Article VI. California Energy Code.**

**15.04.800 2013 California Energy Code adopted.**

A. The 2013 California Energy Code, together with the appendices, which regulate the building envelope, space-conditioning systems, water-heating

systems, outdoor lighting systems and signs located either indoors or outdoors within the city, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

#### **Article VII. California Historical Building Code.**

##### **15.04.820 2013 California Historical Building Code adopted.**

A. The 2013 California Historical Building Code, which provides regulations, minimum requirements and standards for the preservation, restoration, rehabilitation, relocation of buildings or properties designated as historical building or properties, with all changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted, and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

#### **Article VIII 2013 California Fire Code.**

##### **15.04.900 2013 California Fire Code.**

A. The 2013 California Fire Code, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures within the city provide for the issuance of permits and collection of fees therefor, and provide for penalties for violation thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

## **Article IX 2013 California Green Building Standards Code**

### **15.04.950 2013 California Green Building Standards Code adopted.**

A. The 2013 California Green Building Standards Code, together with its appendices, which regulate the planning, design, construction, operation, replacement, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenance connected or attached to such building structures throughout the State of California, are hereby adopted by reference, and ordinances of the city which conflict with that Code are hereby repealed to the extent of the conflict.

B. All of the regulations, provisions, conditions, and terms of the 2013 California Green Building Standards Code, together with its appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter.

### **15.04.960 Section 101.10 Mandatory requirements.**

**101.10** This code contains both voluntary and mandatory green building measures. The Building Official shall have the authority to develop checklists identifying appropriate mandatory and voluntary measures for different types of construction projects but, in so doing, shall implement and not amend the requirements of this code and the codes it adopts by reference.

## **Article X. Fees**

**15.04.970** Notwithstanding the provisions of this Chapter, the amount of every fee set forth in the code shall be the fee set forth in the most current resolution of the city council establishing fees.

## **Article XI. Violations Abatement and Penalties.**

### **15.04.980 Violation—Nuisance—Civil remedies available.**

A. A violation of any of the provisions of this chapter or the codes adopted shall constitute a nuisance and may be abated by the city through civil process by means of restraining order, preliminary or permanent injunction or in any other manner provided by law for the abatement of such nuisance.

B. Penalty.

Every person violating any provision of this chapter, including but not limited to any provision of the Building Code, Residential Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Historical Building Code, Fire Code, or the Green Building Standards Code, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof, he or she shall be punishable by a fine not-to-exceed one thousand dollars (\$1,000.00) or imprisonment not-to-exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

C. When seeking remedies under this section 15.04.980, the city may seek either or both remedies hereunder.

**SECTION 2. Findings.** The City Council hereby adopts the findings set forth in Exhibit 1 as if fully set forth herein. The City Council finds that each amendment to the Building Standards Code was an administrative change for which no findings need be legally made and/or was made due to local climatic conditions and given that the amended Green Building Standards can potentially reduce greenhouse gas emissions and VOC emissions from new construction projects as well as redevelopment and renovation projects in the City.

**SECTION 3. References in Documents and Continuing Legal Effect.** References to prior versions of any portion of the Building Standards Code, or of the Calabasas Municipal Code that are amended or renumbered in this Municipal Code, that are cited on notices issued by the City or other documents of ongoing or continuing legal effect, including resolutions adopting or imposing fees or charges, until converted, are deemed to be references to the new counterpart part of the Building Standards Code or amended Municipal Code sections for the purposes of notice and enforcement. The provisions adopted hereby shall not in any manner affect deposits, established fees or other matters of record which refer to, or are otherwise connected with, ordinances which are specifically designated by number, code section or otherwise, but such references shall be deemed to apply to the corresponding provisions set forth in the code sections adopted or amended hereby.

**SECTION 4. Continuity.** To the extent the provisions of this Ordinance are substantially the same as previous provisions of the Calabasas Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments.

**SECTION 5. No Effect on Enforceability.** The repeal of any sections of the Municipal Code, shall not affect or impair any act done, or right vested or approved, or any proceeding, suit or prosecution had or commenced in any cause

before such repeal shall take effect; but every such act, vested right, proceeding, suit, or prosecution shall remain in full force and effect for all purposes as if the applicable provisions of the Municipal Code, or part thereof, had remained in force and effect. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the repeal or alteration of any applicable provision of the 2013 Code as amended, shall be discharged or affected by such repeal or alteration but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceed in all respects as if the applicable provisions of the 2010 Code, as amended, had not been repealed or altered.

**SECTION 6. CEQA.** This Ordinance is exempt from the California Environmental Quality Act pursuant to State Guidelines §15061 (b) (3) as a project that has no potential for causing a significant effect on the environment.

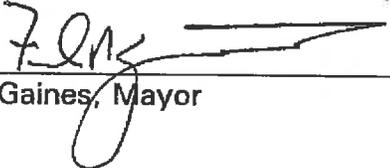
**SECTION 7. Certification.** The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be processed in the manner required by law.

**SECTION 8. Building Standards Commission.** The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

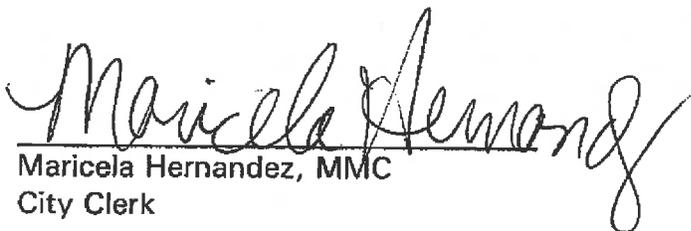
**SECTION 9. Severability.** Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been adopted irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

**SECTION 10. Publication.** The City Clerk shall cause this Ordinance to be published in accordance with California Government Code Section 36933, shall certify to the adoption of this Ordinance, and shall cause this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City Council.

PASSED, APPROVED AND ADOPTED this 11<sup>th</sup> day of December, 2013.

  
\_\_\_\_\_  
Fred Gaines, Mayor

ATTEST:

  
\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Scott H. Howard, City Attorney

## EXHIBIT 1

### 2013 California Building Standards Code

#### FACTUAL FINDINGS ESTABLISHING THE REASONABLE NEED FOR LOCAL AMENDMENTS TO PORTIONS OF THE BUILDING STANDARDS CODE BASED UPON CLIMATIC or ADMINISTRATIVE PROVISION

Section 1 of this Exhibit sets forth various findings that apply in Calabasas, explaining the administrative provisions and the local climatic conditions that necessitate the various changes.

Section 2 of this Exhibit explains which findings apply to which amendments.

In numerous instances herein, the City has opted to make findings even though it is not legally required to do so. For example, if a change to a building standard is administrative in nature, then no finding is legally required. Likewise, if a proposal does not contradict a building standard, but merely supplements the standard, then the city need not make a finding.

#### Section 1. General Findings

The following findings apply in the City of Calabasas, and explain why the changes to the Building Standards Code are necessary because of climatic or local administrative regulations in the city.

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

Given that the Southern California region has been determined by the California Air Pollution Control Board to be a non-attainment area for air quality, and the City of Calabasas is part of the Southern California region; and, given the City of Calabasas is located specifically at the western extreme of the San Fernando Valley, serving as the gateway to the Santa Monica Mountains Recreation Area, which is a highly valued natural resource and recreation area serving the region, state, and nation with an estimated visitation by approximately 35 Million visitors annually; and, given that the Green Building Standards can potentially reduce greenhouse gas emissions and VOC emissions from new construction projects as well as redevelopment and renovation projects in the City; and, given that the construction activity in the City of Calabasas requires building permits and the City issues approximately 1800 permits annually.

##### **B. Administrative Regulations**

Local regulations necessary to carry out the application of the CBSC that do not establish building standards may be enacted without meeting the requirements of the HSC sections 18941.5, 17958, 17958.5 and 17958.7. Additional amendments have been made to Codes. Through recommendation of the City Attorney, City Prosecutor, or the Community Development Department, such amendments are hereby found to be either administrative or procedural in nature which do not impact the technical standards within the California Building Standards Codes or concern themselves with subjects which are not covered in such Codes. The changes made

include provisions making each of said Codes compatible with other Codes and Ordinances enforced by the City.

- C. **Not Applicable (N/A).** No findings need to be made, because the code section that is at issue does not amend any building standard.

**Section 2 – Which Findings Apply to Which Amendments**

Amendments to the 2013 Edition of the California Codes are found reasonably necessary based on the climatic condition cited within this Ordinance and Section 1 above or for an administrative process as follows.

<b>Municipal Code Section - California Building Standard Code Provision</b>	<b>Applicable Finding</b>
15.04.010 2013 California Building Code adopted.	N/A
15.04.030 2013 California Building Code Administrative Provisions adopted.	B
15.04.030 C. Building Code Appeals Boards amended.	B
15.04.350 Safety assessment placards	B
15.04.410 California Residential Code adopted.	B
15.04.410 A California Residential Code adopted.	B
15.04.420 Penalty California Residential Code.	B
15.04.430 Residential Code Administrative Provisions adopted.	B
15.04.430 A. Administrative Provisions California Residential Code adopted.	B
15.04.430 B. California Residential Code Appeals Board.	B
15.04.510 California Mechanical Code adopted.	N/A
15.04.510 A. Mechanical Code adopted.	B
15.04.530 California Mechanical Code Administrative Provisions adopted.	B
15.04.530 A. Administrative Provisions Mechanical Code adopted.	B
15.04.530 B. Administrative Provisions Mechanical Code adopted.	B
15.04.530 C. Mechanical Code Board of Appeals amended.	B
15.04.560 California Plumbing Code adopted.	B
15.04.560 A. California Plumbing Code Appendices adopted.	B

Municipal Code Section - California Building Standard Code Provision	Applicable Finding
15.04.580 Plumbing Code Administrative Provisions adopted.	B
15.04.580 A. Administrative Provisions Plumbing Code adopted.	B
15.04.580 B. Administrative Provisions Plumbing Code adopted.	B
15.04.580 C. Plumbing Code Board of Appeals is amended.	B
15.04.720 Electrical Code adopted.	N/A
15.04.720 A. Electrical Code adopted.	N/A
15.04.740 Deleted.	N/A
15.04.740 Electrical Code Administrative Provisions adopted.	B
15.04.740 A. Electrical Code Administrative Provisions adopted.	B
15.04.740 B. Electrical Code Administrative Provisions adopted.	B
15.04.530 C. Electrical Code California Appeals Boards amended	B
15.04.800 Energy Code adopted.	B
15.04.800 A. Energy Code adopted.	B
15.04.820 Historical Building Code adopted.	B
15.04.820 (A) Historical Building Code adopted.	B
15.04.830 Penalty Historical Building Code.	B
15.04.900 Fire Code adopted	N/A
15.04.950 Green Building Standards Code adopted.	N/A
15.04.960 Green Building Standards Code amended.	A
Article X Renumbered- combined/relocated provisions added	B
Municipal Code Article XI Renumbered- combined/relocated provisions added	N/A

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF CALABASAS         )

I, **MARICELA HERNANDEZ**, City Clerk of the City of Calabasas, California,  
**DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 2013-308**  
was duly introduced and approved by the City Council of the City of Calabasas at a  
regular meeting held on the 13<sup>th</sup> day of November, 2013 and adopted and passed  
by said Council at a regular meeting held on the 11<sup>th</sup> day of December, 2013 by  
the following vote:

**AYES:** Mayor Gaines, Mayor pro Tem Shapiro, Councilmembers Bozajian,  
Martin and Maurer.

**NOES:** None.

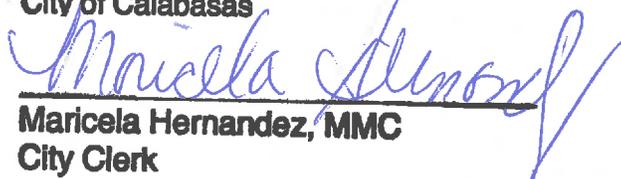
**ABSTAIN:** None.

**ABSENT:** None.



Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California

**Certified to be a true and correct copy  
of original document on file with the  
City of Calabasas**



Maricela Hernandez, MMC  
City Clerk