

BUILDING STANDARDS COMMISSION

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



January 27, 2014

Jeff Baughman, Building Official
Community Development Department
City of Claremont
P.O. Box 880
Claremont, CA 91711-0880

RE: Ordinance #2013-10

Dear Mr. Baughman:

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).

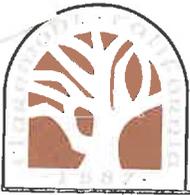
If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

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

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



CITY OF CLAREMONT

Community Development Department

City Hall
207 Harvard Avenue
P.O. Box 880
Claremont, CA 91711-0880
FAX (909) 399-5327
www.ci.claremont.ca.us
December 10, 2013

2013 DEC 19 P 2 2

FOR THE BUILD.
STANDARDS COMMISSION

Building • (909) 399-5471
Planning • (909) 399-5470
Engineering • (909) 399-5465
Community Improvement • (909) 399-5467
Administration • (909) 399-5321

Mr. David Walls, Executive Director
California Building Standards Commission
2525 Natomas Park Dr., Suite 120
Sacramento, CA 95833

Dear Mr. Walls:

Re City of Claremont, Building/Fire Ordinance

The City of Claremont has adopted the current Building, Electrical, Mechanical, and Plumbing codes of the State of California.

The City of Claremont has recommended changes and modifications to the Codes and have advised that certain said changes and modifications to the 2013 Edition of the California Building Code are reasonably necessary due to local climatic, geological or topographical conditions in the City of Claremont, 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 California Building Standards Code or are reasonably necessary to safeguard life and property within the City of Claremont.

I am hereby transmitting one certified copy of the City Ordinance which amends the Codes, including the finding justifying the amendments expressly marked and identified to which amendment each finding refers.

Please provide confirmation that such materials have been received and filed by your office. The local amendments were adopted by the Claremont City Council on November 26, 2013 and will take effect thirty days thereafter.

If additional information is required, please call the Building Division at (909) 399-5471 Monday thru Thursday.

Sincerely,


Jeff Baughman
Building Official

Attachments: City of Claremont Ordinance No. 2013-10

ORDINANCE NO. 2013-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAREMONT CALIFORNIA, ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24); INCLUDING THE 2013 CALIFORNIA BUILDING CODE, (INCORPORATING AND AMENDING THE 2012 INTERNATIONAL BUILDING CODE); THE 2013 CALIFORNIA RESIDENTIAL CODE, (INCORPORATING AND AMENDING THE 2012 INTERNATIONAL RESIDENTIAL CODE); THE 2013 CALIFORNIA ELECTRICAL CODE (INCORPORATING AND AMENDING THE 2011 NATIONAL ELECTRICAL CODE); THE 2013 CALIFORNIA MECHANICAL CODE (INCORPORATING AND AMENDING THE 2012 UNIFORM MECHANICAL CODE); THE 2013 CALIFORNIA PLUMBING CODE (INCORPORATING AND AMENDING THE 2012 UNIFORM PLUMBING CODE); THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE: AND THE 2013 CALIFORNIA ENERGY CODE: TOGETHER WITH CERTAIN ADDITIONS, INSERTIONS, DELETIONS AND CHANGES THERETO; AND ADOPTING BY REFERENCE THE 2014 LOS ANGELES COUNTY FIRE CODE, (LOS ANGELES COUNTY CODE, TITLE 32) INCORPORATING AND AMENDING THE 2013 CALIFORNIA FIRE CODE (INCORPORATING AND AMENDING THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE)

WHEREAS, pursuant to Government Code Section 50022.1 *et seq.* the City may adopt by reference the California Building Standards Code, 2013 Edition as provided in Title 24 of the California Code of Regulations, and other codes, including, without limitation, the 2014 Fire Code for the Consolidated Fire Protection District of Los Angeles County; and

WHEREAS, the California Building Standards Commission ("Commission") recently adopted the 2013 Edition of the California Building Standards Code; and

WHEREAS, California Health and Safety Code Section 17958.7 and 18941.5 authorize cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Claremont desires to adopt the California Building Standards Code; including the California Building Code, 2013 Edition, which incorporates and amends the International Building Code and Appendices, 2012 Edition; the California Residential Code, 2013 Edition, which incorporates and amends the International Residential Code and Appendices, 2012 Edition; the California Electrical Code, 2013 Edition, which incorporates and amends the National Electrical Code and Appendices, 2011 Edition; the California Mechanical Code, 2013 Edition, which incorporates and amends the Uniform Mechanical Code and Appendices, 2012 Edition; the California Plumbing Code, 2013 Edition, which incorporates and amends the Uniform Plumbing Code and Appendices, 2012 Edition; the California Green Building Standards Code, 2013 Edition; the California Energy Code, 2013 Edition; and the 2014 Fire Code for the Consolidated Fire Protection District of Los Angeles County (Title 32, Los Angeles County Code) which incorporates and amends the California Fire Code, 2013 Edition,

incorporating and amending the International Fire Code and Appendices, 2012 Edition (collectively, the "Codes"); together with the necessary amendments to assure the Codes are tailored to the particular safety needs of the City as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the Fire Marshal and Building Official have recommended that changes and modifications be made to the Codes, and have advised that certain changes and modifications to said Codes are reasonably necessary due to local conditions within the City of Claremont, and have further advised that the remainder of the 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 Claremont; and

WHEREAS, the Fire Marshal and Building Official have also recommended that changes and modifications be made to the Codes, which are necessary for administrative clarification and to establish administrative standards for the effective enforcement of the building standards of the City of Claremont and do not modify a building standard pursuant to California Health & Safety Code Section 17958, 17958.7, and/or 18941.5; and

WHEREAS, the City Council hereby adopts by reference findings and determinations made by the Los Angeles County Board of Supervisors justifying the 2014 Los Angeles County Fire Code (Title 32, Los Angeles County Code), amending the 2013 California Fire Code, as reasonably necessary because of local climatic, geologic and/or topographic conditions; and

WHEREAS, the City Council conducted first reading of this Ordinance on November 12, 2013; and

WHEREAS, notice of a public hearing on this Ordinance was published in the Claremont Courier on November 8, 2013 and November 15, 2013; and

WHEREAS, the City Council held a public hearing on November 26, 2013 as required by law, at which time the Council determined that the adoption of the Codes and amendments thereto are in the best interest of the City and are based on the findings required by law; and

WHEREAS, at least one copy of each of the Codes adopted by reference by this Ordinance were available for public inspection at the office of the City Clerk fifteen days preceding the public hearing pursuant to Government Code Section 50022.6.

NOW, THEREFORE, the City Council of the City of Claremont does ordain as follows:

Section 1. Authority. The City Council enacts this Ordinance under the authority granted to the City as follows:

A. California Government Code Section 50022.1 et seq. authorizes the City to adopt by reference the California Building Standards Code and authorizes the City to adopt other codes by reference;

B. California Health & Safety Code Section 17958.7 and 18941.5 authorize the City to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions.

Section 2. Findings. To the extent that changes and modifications to the 2013 California Building Standards Code and the 2013 California Residential Code in this Ordinance are deemed more restrictive than the standards contained in the 2013 California Building Standards Code and 2013 California Residential Code, thus requiring that findings be made pertaining to local climatic, geological, or topographical conditions to justify such modifications, the City Council hereby finds and determines as follows:

1. The region receives a relatively low amount of precipitation, has a very low humidity level and extremely high temperatures. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires (conflagration).

(Applicable to Amendments to Building Code Sections 705A.2, 1505.1.3, Table 1505.1, R327.5.2, R902.1.3)

2. Extremely strong winds in the region, commonly referred to as Santa Ana winds, result in extensive damage such as downed trees, utility poles, utility circuits and utility service lines. These conditions cause fires, impairment of emergency apparatus access, and delays in response time of fire suppression equipment and other emergency vehicles.

(Applicable to Amendments to Building Code Sections 705A.2, 1505.1.3, Table 1505.1, 903.2, R327.5.2, R902.1.3)

3. Wildland fire is a natural component of Southern Californian ecology. Wildland fire behavior is strongly influenced by vegetation type, terrain and weather. Hillside areas also make appealing development areas for single-family dwellings. The combination of these two factors significantly increases the risk of damage to property and life in very high fire hazard severity zones.

(Applicable to Amendments to Building Code Sections 705A.2, 1505.1.3, Table 1505.1, 903.2, R327.5.2, R902.1.3)

4. The Claremont hillsides consist of chaparral, coastal sage scrub, oak woodland, grasses, and riparian vegetation types. The topography of the

hillsides consists mostly of steeper slopes. The solar aspect of the Claremont hillside is predominantly southwest to southeast, which affects the flammability of the natural vegetation by reducing the moisture content. Wind is a particularly important element affecting fire behavior since most major wildfires in Southern California occur during Santa Ana wind conditions. The Santa Ana winds, which are associated with low humidity, can affect the flammability of vegetation by reducing moisture, preheating plants, and spreading the flames ahead of the fire. The Claremont hillside topography can channel dry airflow off the valley floor and into the canyons, creating erratic winds and climatic conditions favorable to the spread of wildfires.

(Applicable to Amendments to Building Code Sections 705A.2, 1505.1.3, Table 1505.1, 903.2, R327.5.2, R902.1.3)

5. The topography of the Claremont hills presents problems in delivery of emergency services, including fire protection. Hilly terrain has narrow, winding roads with little circulation, preventing rapid access and orderly evacuation. Much of these hills are covered with highly non-fire-resistive natural vegetation. In addition to access and evacuation problems, the terrain makes delivery of water extremely difficult. Some hill areas are served by water pump systems subject to failure in fire, high winds, earthquake and other power failure situations.

(Applicable to Amendments to Building Code Sections 903.2)

6. Within the City there are three earthquake faults. In the event of a severe earthquake, these faults present the potential for catastrophic damage, including fire, damage to roadways and other impairments of emergency apparatus access.

(Applicable to Amendments to Building Code Sections 1505.1.3, 903.2, R327.5.2, R902.1.3)

7. Development has occurred and continues to occur which has resulted in severe traffic congestion during peak business hours, weekends and holidays, thereby affecting response times for emergency services.

(Applicable to Amendments to Building Code Sections 1505.1.3, 903.2, R327.5.2, R902.1.3)

8. Automatic fire protection systems are the single greatest means of reducing the severity of structural fires and studies show that losses due to fire in un-sprinklered buildings are four times greater than such losses in sprinklered buildings.

(Applicable to Amendments to Building Code Sections 903.2)

9. Data reveals that no single fire causing three or more fatalities has occurred in sprinklered residential structures including houses, apartments, hotels, motels and dormitories.

(Applicable to Amendments to Building Code Section 903.2)

10. An extreme and unusual fire hazard exists in the hillsides and other areas of the City north of Base Line Road due to the presence of highly flammable vegetation, the region's dry climate and frequent hot, dry, Santa Ana winds, which can exceed 80 miles per hour.

(Applicable to Amendments to Building Code Sections 705A.2, 1505.1.3, Table 1505.1; 903.2, R327.5.2, R902.1.3)

11. The city is located in an area, which due to its climate, geology, and topography is highly susceptible to fires, strong winds, low precipitation and seismic activity making requirements necessary to ensure the city residential, commercial, and industrial building stock is designed, preserved and maintained in such a condition as to protect the safety of the residents, thus justifying the imposition of requirements for more fire-retardant roofs than are required elsewhere in California.

(Applicable to Amendments to Building Code Sections 1505.1.3, Table 1505.1, R327.5.2, R902.1.3)

12. Amendments to California Building Code Sections 105.2, 105.3 and 109.2 of Chapter 1; amendments to Appendix J; amendments to California Residential Code Sections R105.2, R105.3, R108.2 and R110.4 and amendments to California Electrical Code Sections 89.108.4.2 and 89.108.4.2.1 are necessary for administrative clarification, and do not modify a building standard pursuant to California Health & Safety Code Sections 17958, 17985.7 and/or 18941.5. These amendments establish administrative standards for the effective enforcement of the building standards in the City of Claremont.

Section 3. Chapter 15.04, of the Claremont Municipal Code, is amended and restated in its entirety to read as follows:

“Chapter 15.04

Building Code

Sections:

15.04.010	Adoption
15.04.020	Chapter 1 amended – Scope and Administration
15.04.030	Chapter 7A amended – Materials and Construction Methods for Exterior Wildfire Exposure

15.04.040	Chapter 9 amended – Fire Protection Systems
15.04.045	Chapter 15 amended–Roof Assemblies
15.04.050	Appendix J amended – Grading
15.04.055	Violations
15.04.060	Penalties
15.04.070	Continuing Violations

15.04.010 Adoption.

A. The California Building Code, 2013 Edition, Volumes 1 and 2, which incorporates and amends the International Building Code, 2012 Edition published by the International Code Council, including Chapter 1, Appendix F, Appendix I, and Appendix J based on the International Building Code, the California Residential Code 2013 Edition, which incorporates and amends the International Residential Code, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the Building Code of the City.

B. At least one copy of said codes is on file in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

15.04.020 Chapter 1 amended - Administrative.

The following portions and sections of Chapter 1 of the California Building Code and Chapter 1 Division II of the California Residential Code are hereby amended to read as follows:

A. Sections 105.2 and R105.2 are hereby amended as follows:

1. Item 1 of "Building" is hereby amended to read as follows:

1. One-story, detached, accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the projected floor area does not exceed 120 square feet, and is designed as a portable building, which shall be easily disassembled or removed without cause for demolition, and which does not contain any utilities. Said building shall comply with construction methods, setbacks, fire resistive standards, and other provisions of this code or any other laws or Ordinances of this City.

2. Item 2 of "Building" is hereby amended to read as follows:

2. Fences/Walls not over 36 inches high.

3. Items 3, 4, 5, and 10 of "Building" are deleted in their entirety.

B. Section 105.3 and R105.3 are hereby amended by adding the following paragraph at the end of the section to read as follows:

No demolition permit shall be issued to demolish any structure listed on the Register of Structures of Historical or Architectural Merit of the City of Claremont, as adopted by resolution of the City Council, until ninety (90) days after application for a demolition permit has been made to the City. If the Director of Community Development determines that failure to issue the permit before the expiration of ninety (90) days

presents an immediate hazard to the safety of human beings, he or she shall authorize the issuance of a permit immediately.

C. Sections 109.2 and R108.2 are hereby amended to read as follows:

Schedule of permit fees. The fee for each permit shall be established by resolution of the City Council, and at the time of issuance, shall be paid to the Building Official.

D. Sections 111.3 and R110.4 are hereby amended by adding the following paragraph at the end of the section to read as follows:

The Building Official may require bonds in such form and amounts as may be deemed necessary to assure that the remaining work will be completed in accordance with the approved plans and specifications and within the prescribed time stated on the temporary Certificate of Occupancy.

15.04.030 Chapter 7A amended – Materials and Construction Methods for Exterior Wildfire Exposure.

The following portions and sections of Chapter 7A of the California Building Code and Chapter 3 of the California Residential Code are hereby amended to read as follows:

A. Section 705A.2 and R327.5.2 are amended to read as follows:

Roof coverings. Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be firestopped with approved materials or have one layer of No. 72 ASTM cap sheet installed over the combustible decking. Wood-shingle and wood shake roofs are prohibited in Very High Fire Hazard Severity Zones (VHFHSZ) regardless of classification.

15.04.040 Chapter 9 amended – Fire Protection Systems.

The following portions and sections of Chapter 9 of the California Building Code are hereby amended to read as follows:

A. Section 903.2. is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems shall be provided in the locations described in this section:

1. In buildings over three stories in height; provided, however, the respective increases in area and height specified in Sections 503 and 504, and the substitution for one-hour fire-resistive construction specified in Table 601 shall be permitted.

2. In all new non-residential buildings and additions constructed hereafter which have a total floor area of 5,000 square feet or more. The total floor area of the building or additions shall be computed without regard to the fire walls as outlined in Chapter 7, except fire walls of not less than four (4)-hour fire-resistive construction without openings.

EXCEPTION: This requirement shall not apply to Group S Division 2 Open Parking Garages, which are within the area, height and type of construction limits set forth in Table 503

3. Throughout existing, non-residential buildings whenever any remodeling or additions increase the floor area by 5,000 square feet or more within any twelve (12)-month period. The total floor area of buildings shall be computed without regard to fire walls as outlined in Chapter 7, except fire walls of not less than four (4)-hour fire-resistive construction without openings.

4. If the existing building which exceeds 5,000 square feet has a change in occupancy classification such that the proposed use is more hazardous, based on life and fire risk, than the existing use.

15.04.045 Chapter 15 and Chapter 9 amended – Fire Classification and Roof Classification.

The following portions and sections of Chapter 15 of the California Building Code and Chapter 9 of the California Residential Code are hereby amended to read as follows:

A. Section 1505.1.3 and R902.1.3 is hereby amended to read as follows:

Roof coverings within all other areas. All new structures and every existing structure within the City shall have at least a Class B fire retardant roof covering unless otherwise specified in Section 1505.1.1 of the California Building Code/Section 902.1.1 of the California Residential Code.

This section is applicable when twenty-five (25) percent or more of the total roof area is reroofed within any twelve (12) month period.

The installer of the roof covering shall provide certification of the roof covering classification to the building owner, and, when requested, to the inspection authority having jurisdiction.

B. Table 1505.1 is hereby amended, in its entirety, to read as follows:

**TABLE 1505.1
MINIMUM ROOF COVERING CLASSIFICATIONS
TYPES OF CONSTRUCTION**

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
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B	B	B	B	B	B	B	B	B
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15.04.050 Appendix J amended – Grading.

Appendix Chapter J, portions and sections are hereby amended as follows:

A. Whenever the use of the title "Building Official" is referenced as the administrative authority in Appendix J, it shall be replaced with the title "City Engineer."

15.04.055 Violations.

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any building or permit the same to be done in violation of this chapter. No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the City Attorney or the District Attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provision of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method recovering abatement cost permitted by law.

15.04.060 Penalties.

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one-thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provisions within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court.

15.04.070 Continuing Violations.

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed,

continued or permitted by such person, firm or corporation and shall be punished accordingly.”

Section 4. Chapter 15.08 of the Claremont Municipal Code is amended and restated in its entirety to read as follows:

“Chapter 15.08

Electrical Code

Sections:

15.08.010	Adoption
15.08.020	Fees
15.08.040	Violations
15.08.050	Penalties
15.08.060	Continuing Violations

15.08.010 Adoption.

A. The California Electrical Code, 2013 Edition, which incorporates and amends the National Electrical Code, 2011 Edition, published by the National Fire Protection Association, including Article 89, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the electrical code of the City.

B. At least one copy of said electrical code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

15.08.020 Fees.

Article 89 of the California Electric Code is hereby amended to read as follows:

A. Section 89.108.4.2 is hereby amended to read as follows:

89.108.4.2 Permit Fees. The fee for each electrical permit shall be as established by resolution of the City Council, and at the time of issuance shall be paid to the Building Official.

B. Section 89.108.4.2.1 is hereby added to read as follows:

89.108.4.2.1 Plan Review Fees. When submittal documents are required by the Building Official, a plan review fee shall be paid at the time of submitting submittal documents for plan review. The plan review fees for electrical work shall be equal to eighty percent (80%) of the total electrical permit fee as established by resolution of the City Council, and shall be paid to the Building Official. When submittal documents are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged as established by resolution of the City Council.

15.08.040 Violations.

It is unlawful for any person, firm or corporation to erect, construct, enlarge, equip, use or maintain any electrical system or equipment or cause or permit the same to be done in violation of this chapter.

No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the City Attorney or the District Attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement cost permitted by law.

15.08.050 Penalties.

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one-thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provision within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court.

15.08.060 Continuing Violations.

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly."

Section 5. Chapter 15.12 of the Claremont Municipal Code is amended and restated in its entirety to read as follows:

“Chapter 15.12

Mechanical Code

Sections:

15.12.010	Adoption
15.12.030	Violations
15.12.040	Penalties
15.12.050	Continuing Violations

15.12.010 Adoption.

A. The California Mechanical Code, 2013 Edition and Appendices, which incorporates and amends the Uniform Mechanical Code, 2012 Edition, published by the International Association of Plumbing and Mechanical Officials, including Chapter 1, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the mechanical code of the City.

B At least one copy of said mechanical code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

15.12.030 Violations.

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any mechanical system or equipment or cause or permit the same to be done in violation of this chapter. No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the City Attorney or the District Attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expenses of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement cost permitted by law.

15.12.040 Penalties.

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for

the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provisions within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court.

15.12.050 Continuing Violations.

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violations of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly."

Section 6. Chapter 15.16 of the Claremont Municipal Code is amended and restated in its entirety to read as follows:

"Chapter 15.16

Plumbing Code

Sections:

15.16.010	Adoption
15.16.030	Violations
15.16.040	Penalties
15.20.150	Continuing Violations

15.16.010 Adoption.

A. The California Plumbing Code, 2013 Edition & Appendices, which incorporates and amends the Uniform Plumbing Code, 2012 Edition, published by the International Association of Plumbing and Mechanical Officials, including Chapter 1, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the plumbing code of the City.

B. At least one copy of said plumbing code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

15.16.030 Violations.

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use or maintain any mechanical system or equipment or cause or permit the same to be done in violation of this chapter. No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different

penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the City Attorney or the District Attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement cost permitted by law.

15.16.040 Penalties.

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provision within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court.

15.16.050 Continuing Violations.

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly."

Section 7. Chapter 15.20 of the Claremont Municipal Code is hereby amended and restated in its entirety to read as follows:

"Chapter 15.20

Fire Prevention

Sections:

- 15.20.010 Adoption of Fire Code for the Consolidated Fire Protection District of Los Angeles County.**
- 15.20.020 Very High Fire Hazard Severity Zone.**

- 15.20.030 New materials, processes or occupancies which may require permits.**
- 15.20.040 Permit refusal--Appeal procedure.**
- 15.20.050 Violations.**
- 15.20.060 Penalties.**
- 15.20.070 Continuing violations.**

15.20.010 Adoption of Fire Code for the Consolidated Fire Protection District of Los Angeles County.

A. The 2014 Fire Code for the Consolidated Fire Protection District of Los Angeles County (Title 32, Los Angeles County Code) adopted by the Los Angeles County Board of Supervisors, amending the 2013 California Fire Code, incorporating the 2012 International Fire Code published by the International Code Council, with the changes, additions and deletions set forth in this chapter and amendments set forth are adopted by reference as the fire code of the City.

B. At least one copy of said fire code will be deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

15.20.020 Very High Fire Hazard Severity Zone

The Very High Fire Hazard Severity Zone is defined in Appendix M of the Los Angeles County Fire Code Title 32.

15.20.030 New materials, processes or occupancies which may require permits.

The Building Official, the Fire Chief and a Fire Inspector shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which require permits, in addition to those now enumerated in the Fire Code.

15.20.040 Permit Refusal--Appeal Procedure.

Whenever the Fire Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Fire Code do not apply or that the true intent and meaning of the Fire Code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Chief to the City Council within thirty days of the date of the decision.

15.20.050 Violations.

No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the City Attorney or the District Attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law.

The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement.

15.20.060 Penalties.

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provision within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court.

15.20.070 Continuing Violations.

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly."

Section 8. Chapter 15.18 of the Claremont Municipal Code is amended and restated in its entirety to read as follows:

"Chapter 15.18

Energy Code

Sections:

15.18.010	Adoption
15.18.030	Violations
15.18.040	Penalties
15.18.050	Continuing Violations

15.18.010 Adoption.

A. The California Energy Code, 2013 Edition & Appendices, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the energy code of the City.

B. At least one copy of said energy code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

15.18.030 Violations.

No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the City Attorney or the District Attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement.

15.18.040 Penalties.

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provision within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
4. a dismissal of charges by the City or the court.

15.18.050 Continuing Violations.

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly."

Section 9. Chapter 15.22 of the Claremont Municipal Code is added to read in full as follows:

“Chapter 15.22

Green Building Standards Code

Sections:

15.22.010	Adoption
15.22.030	Violations
15.22.040	Penalties
15.22.050	Continuing Violations

15.22.010 Adoption.

A. The California Green Building Standards Code, 2013 Edition & Appendices, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the green building standards code of the City.

B. At least one copy of said green building standards code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

15.22.030 Violations.

No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the City Attorney or the District Attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement.

15.22.040 Penalties.

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provision within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
5. a dismissal of charges by the City or the court.

15.22.050 Continuing Violations.

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly.”

Section 10. The Building Official shall transmit a copy of this Ordinance to the California Building Standards Commission, pursuant to Health and Safety Code Section 17958.7.

Section 11. All former Ordinances or parts conflicting or inconsistent with the provisions of this Ordinance or of the codes adopted by this Ordinance and any other Ordinance in conflict herewith are hereby repealed.

Section 12. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this Ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this Ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Los Angeles County Clerk’s Office within five (5) working days of the approval of this Ordinance.

Section 13. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

Section 14. Certification/Summary. The Mayor shall sign this Ordinance and the City Clerk shall certify to the passage and adoption of it. The City Clerk shall cause a summary of this Ordinance to be published as provided by California Government Code § 36933 (c)(1); a summary of this Ordinance shall be published in the Claremont Courier, a semi-weekly newspaper of general circulation, printed, published, and circulated in the City of Claremont and a certified copy of the full text of this Ordinance shall be posted in the Office of the City Clerk at least five (5) days prior to the City Council meeting at which this Ordinance is to be adopted. Within fifteen (15) days after the adoption of the Ordinance, the City Clerk shall post in her office a full copy of this Ordinance and cause a summary of this Ordinance, together with the names of those voting for or against, to be published in the Claremont Courier.

Section 15. Effective Date. This Ordinance shall take effect upon the later of thirty (30) days following its adoption by the City Council or January 1, 2014.

PASSED, APPROVED, AND ADOPTED this 26th day of November, 2013.

Opanyi Nasiali
Mayor

ATTEST:

Lynne Fryman
City Clerk

City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CLAREMONT)

I, Lynne Fryman, City Clerk of the City of Claremont, County of Los Angeles, State of California, hereby certify that the foregoing Ordinance No. 2013- was introduced at a regular meeting of said council held on the 12th day of November, 2013, that it was regularly passed and adopted by said city council, signed by the mayor, and attested by the city clerk of said city, all at a regular meeting of said council held on the 26th day of November, 2013, and that the same was passed and adopted by the following vote:

AYES:	Councilmembers:	
NOES:	Councilmembers:	
ABSENT:	Councilmembers:	
ABSTAINED:	Councilmembers:	

Lynne Fryman
City Clerk