

**BUILDING STANDARDS COMMISSION**

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



September 26, 2014

Valentino J. Mandapat  
Chief Building Supervisor  
City of Daly City  
333 90<sup>th</sup> Street  
Daly City, CA 94015

RE: Ordinance # 1373

Dear Mr. Mandapat:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on September 24, 2014.

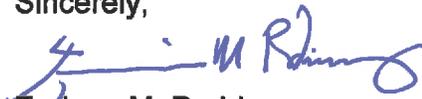
Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing 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,

  
Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

**O'Brien, Laurie@DGS**

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**From:** Val Mandapat <vmandapat@dalycity.org>  
**Sent:** Wednesday, September 24, 2014 4:58 PM  
**To:** OrdinanceFilings@DGS  
**Cc:** Rose Zimmerman; Tatum Mothershead  
**Subject:** City of Daly City Ordinance Filing  
**Attachments:** 2013 Building Code Ordinance with amendments.pdf; Building Standards Commission Transmittal Letter.pdf

To Building Standards Commission:

Attached are copies of City of Daly City Local amendment's and findings of facts which I am filing by e-mail.

Kindly let me know if you need additional documents to be included in filing our local ordinance.

Valentino J. Mandapat, C.B.O.  
Chief Building Supervisor / Building Official  
Work (650) 991-8061 Fax (650) 991-8070  
E-mail: [vmandapat@dalycity.org](mailto:vmandapat@dalycity.org)

 Think before you print



# CITY OF DALY CITY

333 - 90TH STREET  
DALY CITY, CA 94015-1895  
PHONE: (650) 991-8000

September 24, 2014

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

Subject: Daly City Amendments to the California Code of Regulations Title 24.

To Whom It May Concern:

Enclosed are copies of the City of Daly City's local amendments to the California Code of Regulations Title 24 and express findings that supports the amendments. The first reading of the ordinance was held on November 12, 2013 and the second reading was held on December 9, 2013.

If you have any questions or comments, I may be reached at (650) 991-5787

Sincerely,

Valentino J. Mandapat  
Chief Building Supervisor / Building Official

Attachments: Ordinance 1373  
Express Findings

cc: Rose Zimmerman, City Attorney  
Tatum Motherhead, Interim Director of Economic and Community Development

ORDINANCE NO. 1373

AN ORDINANCE OF THE CITY OF DALY CITY AMENDING TITLE 15 OF THE DALY CITY MUNICIPAL CODE, BY REPEALING AND REPLACING CHAPTERS 15.00, 15.08, 15.10, 15.14, 15.16, 15.20, 15.22, 15.24, 15.60; REPEALING CHAPTER 15.65

WHEREAS, pursuant Section 17958.7 and Section 18941.5 of the California Health and Safety Code, the City Council of the City of Daly City hereby adopts the report contained herein as the "Findings of Fact" with regard to the adoption of the Daly City Municipal Code, Chapters 15.00, 15.08, 15.10, 15.14, 15.16, 15.20, 15.22, 15.24, and 15.60 (Attachment 1); and

WHEREAS, adopting this ordinance, specific amendments have been established which are more restrictive in nature than those adopted by the State of California and the California Building Standards Commission; and

WHEREAS, these local amendments to the above Codes have been evaluated and recognized by the City of Daly City as reflecting changes in technology and the building industry. The amendments address problems, concerns and future direction by which the City will establish and maintain an environment which will afford a high level of safety to all those who work and live within the City's boundaries; and

WHEREAS, the adoption of this Ordinance is based upon the "Findings of Fact", as referenced in Attachment 1, and hereby incorporated by reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DALY CITY DOES ORDAIN as follows:

Section 1: CHAPTER 15.00, GENERAL REGULATIONS

CHAPTER 15.00 is hereby repealed and amended as set forth in EXHIBIT A.

Section 2: CHAPTER 15.08, BUILDING CODE

CHAPTER 15.08, is hereby repealed and amended as set forth in EXHIBIT B.

Section 3: CHAPTER 15.10, RESIDENTIAL BUILDING CODE

CHAPTER 15.10 is hereby added as set forth in EXHIBIT C.

Section 4: CHAPTER 15.14, INTERNATIONAL PROPERTY MAINTENANCE CODE

CHAPTER 15.14, is hereby repealed and amended as set forth in EXHIBIT D.

Section 5: CHAPTER 15.16, MECHANICAL CODE

CHAPTER 15.16, is hereby repealed and amended as set forth in EXHIBIT E.

Section 6: CHAPTER 15.20, PLUMBING CODE

CHAPTER 15.20, is hereby repealed and amended as set forth in EXHIBIT F.

Section 7:     CHAPTER 15.22, CALIFORNIA GREEN BUILDING STANDARDS CODE

CHAPTER 15.22, is hereby repealed and amended as set forth in EXHIBIT G

Section 8:     CHAPTER 15.24, ELECTRICAL CODE

CHAPTER 15.24, is hereby repealed and amended as set forth in EXHIBIT H

Section 9:     CHAPTER 15.60, ENERGY CODE

CHAPTER 15.60, is hereby repealed and amended as set forth in EXHIBIT I.

Section 10:    CHAPTER 15.65, GREEN BUILDING PROGRAM FOR NEW  
RESIDENTIAL BUILDINGS

CHAPTER 15.65, is hereby repealed in its entirety.

Section 11:    2013 California Building Code  
2013 California Residential Building Code  
2012 International Property Maintenance Code  
2013 California Mechanical Code  
2013 California Plumbing Code  
2013 California Green Building Standards Code  
2013 California Electrical Code  
2013 California Energy Code

including all appendices and amendments thereto, and the whole thereof is now filed with the City Clerk, and from the date on which this Ordinance takes effect, the provisions therefore shall be enforceable to the same extent as if contained in the bodies of the published editions of the Uniform Codes.

Section 16:    SEVERABILITY

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

Section 17:    The City Council finds, pursuant to Title 14 of the California Administrative Code, Section 15378, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

- A.     It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly ultimately as provided in Title 14, Section 15378(a);

- B. In that it is further exempt under the definition of Project in Section 15378(b)(3) in that it concerns general policy and procedure making;
- C. In that it can be seen with certainty that there is no possibility that the activity may have a significant effect upon the environment pursuant to Title 14, Section 15061(b)(3); and
- D. In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and thereafter categorically exempt pursuant to Title 14, Section 15308.

Section 18: PUBLICATION

Pursuant to the provisions of Government Code Section 36933, a summary of this ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this Ordinance is scheduled to be adopted, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's Office a certified copy of this ordinance. Within fifteen (15) days after the adoption of this ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's Office a certified copy of the full text of this ordinance along with the names of those City Council members voting for and against this ordinance or otherwise voting. This ordinance shall become effective thirty (30) days from and after its adoption.

Introduced this 12th day of November, 2013.

Passed and adopted as an Ordinance of the City of Daly City at a regular meeting of the City Council of the City of Daly City held on the 9<sup>th</sup> day of December, 2013, by the following vote:

AYES, Councilmembers: Buenaventura, Guingona, Klatt  
Torres, Canepa  
 NOES, Councilmembers: None  
 Absent, Councilmembers: None

  
 CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

DAVID J. CANEPA  
 MAYOR OF THE CITY OF DALY CITY

SECTION 1. Chapter 15.00 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.00 and Sections 15.00.010 through 15.00.160 are hereby added to Title 15, to read as follows:

**EXHIBIT A**

**CHAPTER 15.00**

**GENERAL REGULATIONS**

**Sections:**

- 15.00.010 Scope and Administration.
- 15.00.020 Fees.
- 15.00.030 Time Limitation of Application.
- 15.00.040 Permit Expiration and Extension..
- 15.00.050 Procedures for Appeals.
- 15.00.060 Approved Numbers and Addresses.
- 15.00.070 Cooperation of Other Officials and Officers
- 15.00.080 Emergency Access.
- 15.00.090 Penalties.
- 15.00.100 Qualification of Permit
- 15.00.120 Workmanship.
- 15.00.130 Aircraft Noise Soundproofing Project Area.
- 15.00.140 Storm water best management practices.
- 15.00.150 Effects of Code in Past Actions and Obligations
- 15.00.160 Spark Arrestor Requirements

**15.00.010 Administrative authority.**

**Terms Explained.**

A. Whenever the term "the authority having jurisdiction" or "administrative authority" is used, it shall mean the Building Official

B. Whenever the term "assistants" or "authorized representative" is used, it shall mean members of the building division.

C. Where reference is made to governing authority, it shall mean the City Council.

D. Where reference is made to private sewage disposal systems, public sewers, and/or waste department, the term "administrative authority" shall include the North San Mateo County Sanitation District, the Bayshore Sanitation District, the San Mateo County Health Department and any other public agencies dealing with sewage or sewage disposal.

E. Where reference is made to storm sewers and the water main distribution, the term "Administrative Authority" shall include the city engineer or his or her designated assistant.

**15.00.020 Fees.**

Any person desiring a permit required by these codes shall, at the time of filing an application therefore, pay fees established by resolution of the City Council.

**15.00.030 Time Limitation of Application.**

Applications for which no permit is issued within one hundred eight (180) days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the administrative authority.

Exception: Applications to abate enforcement violations shall have a duration not to exceed sixty (60) days.

The Building Official may extend the time for action by the applicant for a period not exceeding one hundred eight (180) days on request by the applicant showing that circumstances beyond the control of the application have prevented action from being taken.

Exception: An extension on an application to abate enforcement violations shall not exceed sixty days.

No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**15.00.040 Permit Expiration and Extension**

The following provisions apply to all permits issued. Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty days.

**Exceptions:**

A. Permits to abate enforcement violations shall have a duration not to exceed sixty days and shall expire if work is not commenced or is suspended or abandoned after sixty days has expired.

B. Permits for building maintenance work shall have a duration not to exceed one hundred eighty days and shall expire if work is not commenced or is suspended or abandoned after one hundred eighty days has expired.

Building maintenance work shall include reroofing, water heater, furnace, siding, garage door, garage door opener, and window replacement, new electrical service installation, minor plumbing repairs and other similar work as determined by the administrative authority.

In the case of an expired permit, before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration exceeding 1 year, the permittee shall pay a new full permit fee

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The administrative

authority may extend the time for action by the permittee for a period not exceeding one hundred eighty days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

**Exceptions:**

- A. Permits to abate enforcement violations may be extended for a period of time not to exceed sixty days.
- B. Permits for building maintenance work may be extended for a period of time not to exceed one hundred eight days.
- C. No permit shall be extended more than once.

**15.00.050 Procedure for Appeals.**

Any person aggrieved by the decision of the building official shall have the right to appeal said decision to the city council of the city. Said appeal shall be in writing and shall be submitted to the city clerk of the city within ten days of the decision of the administrative authority. The city council, at its next regular meeting after receipt of the notice of appeal, shall set a time for hearing on said appeal, which time shall be not less than fourteen nor more than forty-five days from the date of said regular meeting. A copy of the notice of hearing shall be mailed to the appellant not less than ten days before the date of hearing by the city clerk of the city. The time of hearing may be continued at the request of the party aggrieved at any time, which continuance shall not exceed a maximum of sixty days from the date originally set for hearing.

Said right of continuance shall be subject to approval by the city council and the decision of the city council shall be final.

Notice of the decision of the city council shall be delivered to the appellant personally, or sent by certified mail--return receipt requested.

The effective date of said decision shall be the date of mailing of said notice of the decision, or the date same is personally delivered to said appellant. Failure to any person to file an appeal in accordance with the provisions of this code shall constitute a waiver of any right to an administrative hearing and adjudication of the notice and order or to any portion thereof.

**15.00.060 Approved Numbers and Addresses.**

Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background, shall be a minimum of one-half inch stroke by 4 inches high, and shall be either internally or externally illuminated in all new construction, alterations or repair of existing construction. Numbers or letters shall be designated on all occupancies within a building. Size shall be one-quarter inch stroke by two inches high and on a contrasting background. Directional address numbers or letters shall be provided. Said addresses or numbers shall be installed so that they are clearly identifiable from the street. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure. Address numbers shall be maintained.

**15.00.070 Cooperation of other officials and officers.**

The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

**15.00.080 Emergency access.**

In the event that the building official determines that there is an immediate emergency due to the fact that dangerous or unsafe conditions exist which are an immediate menace to life, health or property, and if, after proper demand for entry therein has been made, as herein provided, no owner or occupant, or any other person having charge, custody or control of any building or premises shall fail or neglect to properly permit entry therein by the building official or authorized representative, for the purpose of inspection and examination pursuant to this code, said person shall be in violation of this section and shall be guilty of a misdemeanor.

**15.00.090 Penalties.**

Any person, firm or corporation violating any provision of this code shall be deemed guilty of a misdemeanor. Each separate day or any portion thereof, during which any violation of this code occurs or continues, shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. The issuance of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid except insofar as the work or use which it authorized is lawful.

The issuance of a permit or approval of plans shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried thereunder when in violation of this code or of any other ordinance or from revoking any certificate of approval when issued in error.

**15.00.100 Qualifications for permit.**

For the purpose of this code, no permit shall be issued to any person to do or cause to be done any work regulated by this code except to:

- A. A person holding a valid and unrevoked appropriate contractor's license classification issued by the State of California and a Daly City business license; or
- B. A bona fide owner of a single family residential building who will personally perform the labor on said building and demonstrates to the satisfaction of the authorized representative that the said owner possesses the knowledge, training and skills necessary to complete all work in a manner which complies with all applicable codes.
- C. A property management firm or corporation regularly employing one or more qualified tradespersons who performs alteration and repair to an existing components of a building, structure or on the premises owned or operated by the applicant for the permit and provides and maintain workers compensation insurance for its qualified trades persons. This is not applicable to property management firm or corporation who hires licensed contractors to perform

The issuance of a permit or approval of plans shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code or of any other ordinance or from revoking any certificate of approval when issued in error.

**15.00.120 Workmanship.**

All design, construction and workmanship shall be in conformity with accepted engineering and construction practices and shall be of such character as to secure the results sought to be obtained by this code.

**15.00.130 Aircraft noise soundproofing project area.**

Any home, constructed after January 1, 1993 or renovated at a cost equal to twenty-five percent or more of the value of the home and located within the 65 CNEL (FAA approved) contour map that is illustrated on the Aircraft Noise Soundproofing Project Area Map, must be insulated to meet standards applied in noise insulation programs supported by the Federal Aviation Administration.

**15.00.140 Storm water best management practices.**

All work undertaken in conformance with this code shall adhere to best management practices, guidelines or requirements that have been adopted by the city for any activity, operation or facility which may cause or contribute to storm water pollution or contamination, illicit discharges, and/or discharge of non-storm water discharge to the storm water system. Every person undertaking such activity or operation under this code shall comply with such guidelines or requirements as may be identified by the administrative authority.

**15.00.150 Effect of Code on Past Actions and Obligations**

The adoption of Title 15 of the Daly City Municipal Code does not affect any civil lawsuits instituted or filed, or prosecutions for ordinances violations committed on or prior to the effective date of the said Code, and does affect the validity of any bonds or cash deposits posted, filed or deposited pursuant to the requirement of any ordinance.

**15.00.160 Spark Arrester Requirement**

At the time of re-roofing, all existing operational chimneys as described in Chapter 10 of the California Residential Code shall terminate in a substantially constructed spark arrester either internally or externally mounted. Any spark arrester to be mounted internally shall not be installed until installation plans for such arrester have been submitted to and approved by the building division.

SECTION 2. Chapter 15.08 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.08 and Sections 15.08.010 through 15.08.240 are hereby added to Title 15 to read as follows:

**EXHIBIT B**

**CHAPTER 15.08**

**BUILDING CODE**

Sections:

15.08.010 - California Building Code—Adoption—Where filed.

15.08.020 – Section 105.1.1 and 105.1.2. Annual Permit and Annual Permit Record deleted

15.08.030 - Section 105.3.2 Time Limitation deleted

15.08.040 – Section 105.5 Permit Expiration and Extension deleted

15.08.050 - Section 107.2.1.1. General Submittal Documents amended

15.08.060 - Sections 107.2.5.1. Site Plan amended

15.08.070 - Section 109.7 Established Fees added

15.08.080 - Section 113 Board of Appeals deleted

15.08.090 - Section 406.1.4.4 Additional Residential Gypsum Board Requirements amended

15.08.100 - Section 446 Trailers added

15.08.110 - Section 501.2 Address Identification deleted.

15.08.120 - Section 601.2 Substantial Improvement or Change of Occupancy amended

15.08.130 - Section 601.3. Use of Metal sheets or plates for External Covering of Roofs or Wall amended

15.08.140 - Section 602.5.1 Exterior Siding Material amended

15.08.150 - Section 705.4.1 Wall Adjoining Property Line amended

15.08.160 - Section 708.13.7 Garbage Rooms added

15.08.170 - Section 903.2 Automatic Sprinkler System deleted

15.08.180 - Section 1029.1 Exception 4 and 5 Emergency Escape and Rescue amended

15.08.190 - Section 1203.6 Ventilation amended

15.08.200 – Table 1505.1 Minimum Roof Covering Classification for Type of Construction amended

15.08.210 - Section 1705.3 Concrete Construction Exception J amended

15.08.220 - Section 1807.2.4 Retaining Wall amended

15.08.230 – Section 1908.1.8, ACI 318 Section 22.10.1 Plain Concrete amended

15.08.240 - Section 2308.9.3 Sheathing Used for Shearwall or Braced Wall Panel amended

**15.08.010 California Building Code—Adoption—Where filed.**

There is adopted by the city with modification, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Building Code, 2013 Edition, Part 2 Volume 1," including the Appendix C—Group U Agricultural Buildings; and Appendix I—Patio Covers; but excluding Appendix A—Employee Qualifications; Appendix B—Board of Appeals; Appendix D—Fire Districts; Appendix F—Rodent Proofing; Appendix G—Flood-Resistant Construction; Appendix H—Signs; and Appendix J—Grading. plus Part 2 Volume 2, plus Title 25 Part 10 Volume 2 of the California Building Code known as California Existing Building Code and the whole hereof, save and except for such portions as are hereinafter set forth, of

which code one copy has been and now is filed in the office of the city clerk and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the building code shall be enforceable to the same extent as if contained in the body of the building code.

**15.08.020 Section 105.1.1 and 105.1.2. Annual Permit and Annual Permit record, deleted**

Section 105.1.1 of the California Building Code, 2013 Edition, Annual Permit is deleted.  
Section 105.1.2 of the California Building Code, 2013 Edition, Annual Permit Record is deleted.

**15.08.030 Section 105.3.2 Time Limitation, deleted.**

Section 105.3.2 of the California Building Code, 2013 Edition, is amended and substituted by Daly City Municipal Code section 15.00.030.

**15.08.040 Section 105.5 Permit Expiration and Extension, deleted**

Section 105.5 of the California Building Code, 2013 Edition, is amended and substituted by Daly City Municipal Code section 15.00.040. .

**15.08.050 Section 107.2.1.1. General Submittal Documents, amended**

Section 107.2.1.1 of the California Building Code, 2013 Edition, is amended by adding section 107.2.1.1 to read as follows:

107.2.1.1. Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger.

**15.08.060 Section 107.2.5.1, Site Plan, amended**

Section 107.2.5.1 of the California Building Code, 2013 Edition, is amended by adding section 107.2.4.1 to read as follows:

107.2.5.1. Site plan or plot plan shall indicate the direction and means of disposal of storm water runoff.

**15.08.070 Section 109.7 Established Fees. Added.**

Section 109 of the California Building Code, 2013 Edition, is amended and substituted by adding Section 109.7 to read as follows:

Section 109.7. Daly City Municipal Code General Regulations 15.00.020 are fees established by resolution of the City Council.

**15.08.080 Section 113 Board of Appeals, deleted.**

Section 113 of the California Building Code, 2010 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.050 Procedure for Appeals.

**15.08.090 Section 406.1.4.4 Additional Residential Gypsum Board Requirements, amended**

Section 406.1.4 of the California Building Code, 2013 Edition is amended by adding the following paragraph, to be numbered 406.1.4.4, to read as follows:

**406.1.4.4. Additional residential gypsum board requirements.**

**406.1.4.4.1** For dwellings that do not have fire-resistive separations between the private garage area or a carport and the dwelling unit, fire-resistive retrofit shall be required when habitable space is created by altering or improving existing unimproved space or by adding habitable space by expansion of an existing structure.

**406.4.4.2** Fire resistive separations shall be constructed by installing fire taped Type X gypsum board throughout the entire garage area complying with section 406.1.4.1 to section 406.1.4.2, meaning all walls and ceilings adjoining living areas, where the garage walls are supporting living space above, those supporting walls will be protected by installing fire-taped Type X gypsum board.

**406.4.4.3** All framing assemblies adjoining living space protected by gypsum board as required by 302.7.1 shall be insulated to R 13 standards in walls and R 19 standards in the ceiling/floor assembly.

**15.08.100 Sections 446 Trailers, added.**

A new section, to be known as Section 446 is added to Chapter 4 of the California Building Code, 2013 Edition, which shall read as follows:

**Section 446. TRAILERS:**

**446.1.** Trailers, mobile homes (except those mobile homes as defined in Sec. 15.40.010 B of the Daly City Municipal Code), travel trailers, house trailers, camp cars, campers or any other types of units, whether on wheels or not on wheels, and used for living quarters, shall be prohibited except in mobile home parks.

**446.2.** Trailers, nor any other type unit as described above, whether on wheels or not on wheels, shall not be used for any type of office-building or other business uses except they may be used for temporary offices for construction or sales purposes only, and with the specific approval of the Building Official per section 108 Temporary Structure and uses.

**15.08.110 Section 501.2 Address Identification, deleted**

Section 501.2 of the California Building Code, 2013 Edition, is deleted and substituted by Daly City Municipal Code General Regulations Section 15.00.060 Approved Numbers and Addresses.

**15.08.120 Section 601.2 Substantial Improvement or Change of Occupancy, amended.**

Section 601 of the California Building Code, 2013 Edition, is amended by adding the following paragraph, to be numbered 601.2, to read as follows:

**Sec. 601.2.** All existing buildings which undergo substantial improvement or change of occupancy shall conform with all requirements of the adopted Building Codes.

**EXCEPTION:**

The appropriate persons involved with buildings of multiple use or mixed use occupancies wherein such improvement work is limited to a particular specific tenant space may apply for and receive permits for work related only to that specific tenant space provided that:

1. Such work conforms to all requirements of the adopted California Building Codes.
2. That tenant space demising wall construction be of not less than one-hour fire-resistive construction unless provided with an approved automatic fire extinguishing system.
3. That if approved automatic fire extinguishing systems are installed that such systems shall not replace other fire resistive protection requirements or materials specified in the California Building Code.

**15.08.130 Section 601.3 Use of Metal Sheets or Plates for External Covering of Roofs or Wall, amended**

Section 601 of the California Building Code, 2013 Edition, amended by adding the following paragraph, to be number 601.3, to read as follows:

Section 601.3. The use of metal sheets or plates for the external covering of roofs or walls is prohibited, anything in the Code notwithstanding, with the following exceptions:

1. Prefabricated and prefinished module siding approved by and acceptable to the Authorized Representative for specific installations.
2. Gasoline service stations and car wash structures as provided in Section 311 of this Code.
3. Building structures in an industrial zone.
4. Metal factory-manufactured tool sheds.
5. Architectural metal roofs with demonstrated resistance to corrosion. long term durability and cut edge protection acceptable to the authorized representative for specific installations.

**15.08.140 Section 602.5.1 Exterior Siding Material, amended.**

Section 602.5. of the California Building Code, 2013 Edition of the California Building Code is amended by adding the following paragraph, to be numbered 602.5.1, to read as follows:

602.5.1. When the exterior wall is within eighteen inches (18") of the property line, and is Type V (A or B) construction, the wall shall be covered with ¾ inch nominal, naturally durable wood drop siding or similar manufactured materials with comparable life span.

**15.08.150 Section 705.4.1 Walls Adjoining Property Line, amended**

Section 705.4 of the California Building Code, 2013 Edition, is amended by adding the following paragraph to be numbered 705.4.1 to read as follows:

**Sec. 705.4.1. Walls Adjoining Property Lines.**

Between buildings built of wood frame construction next to each other or within eighteen nominal inches (18") of the property line, the wall shall be covered with ¾ inch nominal naturally durable wood drop siding or similar manufactured materials with comparable life span along the full length or width of buildings where any portion of two buildings could meet. Party walls are not permitted. A minimum one inch separation shall be provided between finished exterior wall surface and property line.

**15.08.160 Section 708.13.7 Garbage Rooms, added.**

Section 708.13.7 is added to 708.13 of the California Building Code, 2013 Edition, to read as follows:

**708.13.7. Garbage Rooms.**

708.13.7.1. Shall be lined on all sides up four feet from the floor with galvanized iron of not less than No. 26 gauge U.S Standard. All seams and joints shall be interlocking and tight. As an alternate to the above, the following materials may be used: Concrete or concrete blocks finished with a smooth trowel stucco or similar materials, or one inch thick Portland cement on approved backing steel troweled to a smooth finish.

708.13.7.2. Shall have floors of concrete or quarry tile or other approved materials - no wood platforms.

708.13.7.3. Floor drains and hose bibs shall be required in, or within fifteen feet of, the garbage room in new construction.

708.13.7.4. Shall be provided with at least two garbage cans and as many more as may be considered necessary by the enforcement agency. They shall be constructed of at least No. 24 gauge U.S. Standard galvanized iron, all joints and seams riveted and soldered watertight. Each can shall be provided with a tight fitting metal cover, or any other method acceptable to the Health Department.

**15.08.170 Section 903.2 Automatic Sprinkler System, deleted.**

Section 903.2 of the California Building code, 2013 Edition, is deleted in its entirety and substituted by Daly City Municipal Code Section 15.32 and the 2013 California Fire Code. Automatic Fire Sprinkler Systems requirements shall be determined by the North County Fire Authority. Plan review, permits and inspections shall be under the North County Fire Authority.

**15.08.180 Section 1029.1 Exception 4 and 5, Emergency Escape and Rescue, amended.**

Section 1029.1 of the California Building Code, 2013 Edition, is amended by adding the following paragraph, to be numbered 1029.1.exception 4 and 5, to read as follows:

Section 1029.1 exception 4. Emergency escape and rescue windows for *Group R2 occupancies* three stories or less can open onto a yard that does not provide a direct means of access to the public way provided the yard has a minimum clear depth of 20 feet measured from the exterior wall to the property line, and extends to the full width of the parcel, and exterior wall where emergency escape and rescue window is located shall be protected by a fire rated material by installing a 5/8" Type "X" gypsum Board on the interior side of the wall and 7/8" thick cement plaster or an approved fire rated assembly with a non-combustible siding material on the exterior side of the wall. Openings in the protected fire rated wall are not required to be fire rated assemblies.

Section 1029.1 exception 5. Emergency escape and rescue windows for *Group R2 occupancies three stories or less* can open onto a yard not less than 10 feet in depth measured from the exterior wall to the property line and extends to the full width of the parcel. The yard shall have

direct and unobstructed access to an Exit Passageway complying with Section 1023 that leads directly to a public way.

**15.08.190 Section 1203.6 Ventilation, amended.**

Section 1203 of the California Building Code, 2013 Edition, is amended by adding the following paragraph, to be numbered 1203.6, to read as follows:

Sec. 1203.6. Ventilation. Ventilation shall be provided in an approved manner for all enclosed exterior soffits, bays, projections and stairs.

**15.08.200 Table 1505.1 Minimum Roof Covering Classifications for Types of Construction, amended.**

Table 1505.1 of the California Building Code, 2013 Edition, is amended by to read as follows:

**Table 1505.1<sup>a</sup>**

Minimum Roof Covering Classification for Types of Construction

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

a. Unless otherwise required in accordance with chapter 7A Within any twelve (12) month period, roof covering alterations which includes replacement or repair exceeding 50% of the projected area of the existing roof, requires the entire existing roof to be replaced with materials and construction as required for new roofs.

**15.08.210 Section 1705.3 Concrete Construction Exception 1, amended.**

Section 1705.3 Concrete construction. The special inspection and verifications for concrete construction shall be as required by this section and TABLE 1705.3

Exceptions: Special inspections shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where structural design of footing is based on a specified compressive strength  $f'_c$ , no greater than 2,500 pounds per square inch (psi).

**15.08.220 Section 1807.2.4 Retaining Wall, amended.**

Section 1807.2 of the California Building Code, 2013 Edition, is amended by adding subsection 1807.2.4 1 to read as follows:

Section 1807.2.4 Where it is necessary to retain earth to protect structures or adjoining property, a retaining wall must be constructed. Masonry and concrete walls higher than forty-eight inches from bottom of footing to top of wall, and wood walls higher than thirty-six inches (35") from bottom grade to top grade shall be designed by a licensed architect or engineer. Walls constructed of wood may be used to protect adjoining earth but may sustain no other loads.

**Exception:**

Walls constructed of wood to retaining backfilled clean earth and is mainly use for leveling a landscaping area or a planter box may be used and shall not sustain no other loads such as surcharge and not to exceed thirty eight inches in height measured from the finished grade to top of wall and shall have a minimum horizontal distance of six feet from any adjacent structures or building is exempted from design by a licensed architect or engineer.

**15.08.230 Section 1908.1.8, ACI 318 Section 22.10.1 Plain Concrete, amended**

Chapter 19 of the California Building Code, 2013 Edition, Section 1908.1.8, ACI 318 Section 22.10.1 that allows the use of plain concrete in residential structures assigned to seismic category D, E, or F.

Delete Section 1908.1.8 ACI 318, Section 22.10.1, Items (a)

Amend Section 1908.1.8 ACI 318, Section 22.10.1 Item (c) to read:

Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcing shall be provided at corners and intersections.

Section 1908.1.8 ACI 318, Section 22.10.1 Item (c) Exceptions 1, 2 and 3 are replaced and amended as follows:

In detached one and two family dwelling three stores or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 gross sectional area of the footing.

**15.08.240 Section 2308.9.3 Sheathing Used for Shearwall or Braced Wall Panel, amended.**

Chapter 23 of the California Building Code, 2013 Edition, Section 2308.9.3 is amended as follows:

Delete Section 2308.9.3, Items 1 in its entirety.

Delete Section 2308.9.3, Items 2 in its entirety.

Delete Section 2308.9.3, Items 4 in its entirety.

Delete Section 2308.9.3, Items 5 in its entirety.

Delete Section 2308.9.3, Items 6 in its entirety.

Delete Section 2308.9.3, Items 7 in its entirety.

**SECTION 3:** Chapter 15.10 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.10 and Sections 15.10.010 through 15.10.170 are hereby added to Title 15, to read as follows:

**EXHIBIT C**

**CHAPTER 15.10**

**RESIDENTIAL BUILDING CODE**

Sections:

- 15.10.010 - California Residential Building Code—Adoption—Where filed.
- 15.10.020 - Section R105.2 Work Exempt from Permit, Building 1 amended.
- 15.10.030 - Section R105.3.2 Time Limitation of Application deleted
- 15.10.040 - Section 105.5 Permit Expiration and Extension deleted
- 15.10.050 - Section R106.2.1 Site Plan or Plot Plan amended
- 15.10.060 - Section R106.2. 2 Construct Documents amended
- 15.10.070 - Section R108.7 Established Fees added
- 15.10.080 - Section R112 Board of Appeals deleted
- 15.10.090 - Section 301.2 Climatic and Geographical Design Criteria Table R301.2(1)
- 15.10.100 - Section R302.6.1 Fire Protection Retrofits amended
- 15.10.110 - Section R303.1.1 Court amended
- 15.10.120 - Section R310.1-A Exception. Emergency Escape and Rescue amended
- 15.10.130 - Section R313 Automatic Fire Sprinkler Systems deleted
- 15.10.140 - Section R319 Site Address deleted
- 15.10.150 - Section R403.1.3 Seismic Reinforcement Exception amended
- 15.10.160 - Section R703.13 added
- 15.10.170 - Section R901 Roof Assemblies amended.

**Section 15.10.10 California Residential Building Code – Adoption – Where Filed.**

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Residential Building Code, 2013 Edition," including the Appendix D Recommended Procedures for Safety Inspection of an Existing Appliance Installation; Appendix G Swimming Pools; SPAS and Hot Tubs, Appendix H Patio and Covers; Appendix J Existing Building and Structures, Appendix K Sound Transmission; and Appendix O Automatic Vehicular Gates; Appendix Q ICC International Residential Code Electrical Provisions/National Electrical code Cross Reference but excluding Appendix A Sizing and Capacities of Gas Piping; Appendix B Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category 1 Appliances, and Appliances Listed for Use with Type B Vents; Appendix C Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems; Appendix E Manufactured Housing Used as Dwellings; Appendix F Radon Control Methods; Appendix I Private Sewage Disposal; Appendix L Permit Fees; Appendix M Home Daycare R-3 Occupancy; Appendix N Venting Methods and Appendix P Sizing of Water Pipe System, and the whole hereof, save and

except for such portions as are hereinafter set forth, of which code one copy has been and now is filed in the office of the city clerk and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the building code shall be enforceable to the same extent as if contained in the body of the residential building code.

**Section 15.10.020 Section R105.2 Work Exempt from Permit, Building 1, amended.**

Section R105.2 of the California Residential Code, 2013 Edition, Work Exempted from Permit Building - item 1 is amended to read as follows:

**Building: Item 1**

One or more single story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the sum of the total floor area of these accessory structures does not exceed 120 square feet and shall not be located where it will obstruct a bedroom window or door that is designed to be used for emergency escape and rescue per Section R310.

**Section 15.10.030 Section R105.3.2 Time Limitation of Application, deleted.**

Section R105.3.2 of the California Residential Code 2013 Edition is deleted and substituted by Municipal Code General Regulations 15.00.030 Time limitation of Application

**Section 15.10.040 Section R105.5 Permit Expiration, deleted.**

Section R105.5. of the California Residential Code 2013 Edition is deleted and substituted by Municipal Code General Regulations 15.00.040 Permit Expiration and Extension.

**Section 15.10.050 Section R106.2.1 Site Plan or Plot Plan, amended.**

Section R106.2 of the California Residential Code, 2013 Edition, is amended by adding subsection R106.2.1 to read as follows:

Section R106.2.1 Site plan or plot plan shall indicate the direction and means of disposal of storm water runoff.

**Section 15.10.060 Section R106.2.2 Construction Document, amended.**

Section R106.2 of the California Residential Code, 2013 Edition, is amended by adding subsection R106.2.2 to read as follows:

Section R106.2.2 Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger.

**Section 15.10.070 Section R108.7 Established Fees, amended.**

Section R108. of the California Residential Code, 2013 Edition, is amended by adding Section R108.7 to read as follows:

Section 108.7. Daly City Municipal Code General Regulations 15.00.020 are fees established by resolution of the City Council.

**Section 15.10.080 Section R112, Board of Appeals, Deleted.**

Section R112 of the California Building Code, 2013 Edition, is deleted and substituted by General Regulations 15.00.050. Procedure for Appeals.

**Section 15.10.090 Table R301.2(1) Climatic and Geographical Design Criteria.**

Table R301.2(1) shall be as follows:

Ground Snow Load		0
Wind Design		
	Speed MPH	85 MPH
	Topographic Effects	No
Seismic Design Category		D2
	Wood Frame Single Family Residential Unit two Stories maximum.	
Subject to Damage From		
	Weathering	Negligible
	Frostline Depth	N/A
	Termite	None to Slight Check With A Licensed Pest Control Company
Winter Design Temperature		40
Ice Barrier Underlayment Required		N/A
Flood Hazard		Check With Public Works Department for Specific Area
Air Freezing Index Basis – National Climatic Data Center – San Francisco		44.7
Mean Annual Temperature		45

**Section 15.10.100 Section R302.6.1 Fire Protection Retrofits amended.**

Section R302.6 of the California Residential Code, 2013 Edition, is amended by adding subsection R107.2.6.1 to read as follows:

R302.6.1. Additional residential gypsum board requirements: For homes that do not have fire protection between the Group U garage area or carport and the Group R-3, dwelling, fire-protection retrofit shall be required when new habitable space is created by the alteration of existing unimproved space, or by the expansion of an existing structure as follows:

R302.6.1.1. Fire separations shall be constructed by installing fire-taped 5/8 inch thick Type X gypsum board throughout the entire garage area, including all walls and ceilings adjoining living areas. Where the garage walls are supporting living space above, those supporting walls, including posts and beams, will be protected by installing fire-taped 5/8 inch thick Type X gypsum board.

R302.6.1.2 All framing assemblies adjoining conditioned spaces protected by gypsum board as required by R302.6.1 shall be insulated with properly installed R 13 insulation in walls and R 19 in the ceiling/floor assembly or with other approved materials complying with current California Energy Code.

**Section 15.10.110 Section R303.1.1 Court added.**

Section R303.1 of the California Residential Code, 2013 Edition, is amended by adding subsection R303.1.1 to read as follows:

Section R303.1.1 Court. Requirements of courts as defined in R202 of the California Residential Code shall comply with California Building Code, 2013 Edition, Section 1206.3

**Section 15.10.120 Section R310.1-A Exception Emergency Escape and Rescue amended.**

Section R310.1 of the California Residential Code, 2013 Edition, is amended by adding the following paragraph, to be numbered R310.1-A exception to read as follows:

Section R310.1-A. Exception. Emergency escape and rescue windows for One- and Two Family Residential Dwelling may open onto a yard that does not provide a direct means of access to the public way provided the yard has a minimum clear depth of 20 feet measured from the exterior wall to the property line, and that extends to the full width of the parcel. The exterior wall where emergency escape and rescue window is located shall be protected by installing 5/8" Type "X" gypsum board on the interior side of the wall and 7/8" thick cement plaster on the exterior side of the wall. Openings in the protected fire rated wall are not required to be fire rated assemblies.

**Section 15.10.130 Section R313 Automatic Fire Sprinkler Systems, deleted.**

Section R313 of the California Residential Code, 2013 Edition, is entirely deleted and all references to Automatic Fire Sprinkler Systems requirements in Section R313 of the California Residential Code are replaced by Daly City Municipal Code 15.32 and the 2013 California Fire Code. Automatic Fire Sprinkler Systems requirements shall be determined by the North County Fire Authority. Plan review, permits and inspection shall be under the North County Fire Authority.

**Section 15.10.140 Section R319 Site Address, deleted.**

Section R319 of the California Residential Code, 2013 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.08.060

**Section 15.10.150 Section R403.1.3 Seismic Reinforcement Exception, amended.**

Section R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D0, D1 and D2, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars, one top and one bottom and not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D0, D1 and D2 where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D0, D1 and D2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook. In Seismic Design Categories D0, D1 and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

**Section 15.10.160 Section R703.13 Exterior Covering amended**

Section R703 of the California Residential Code, 2013 Edition, is amended by adding Section R703.13 with subsections R703.13.1 and 703.13.2 to read as follows:

**Section R703.13 Exterior Wall Covering**

Section R703.13.1. When the exterior wall is within eighteen inches (18") of the property line, the exterior wall shall be covered with 3/4" nominal, naturally durable, wood drop siding or similar manufactured materials with comparable life span.

Exception: Exterior walls facing public right of way.

Section R703.13.2. Walls Adjoining Property Lines. On buildings built within eighteen inches (18") of each other or within eighteen inches (18") of the property line, the exterior wall shall be covered with 3/4" nominal naturally durable wood drop siding or similar manufactured materials with comparable life span along the full length or width of buildings where any portion of two buildings could meet. Party walls are not permitted. A minimum one inch separation shall be provided between the finished exterior wall surface and the property line.

**Section 15.10.170 Section R901 General Roof Assemblies, amended.**

Section R901 of the California Residential Code, 2013 Edition, is amended by adding R901.2 to read as follows:

Sec. R901.2 All new roof covering materials as stated in Section R902.1 for Residential Group R occupancy classifications shall have a fire rating of Class B, or better, which complies Fire-retardant Roofing, when tested in accordance with UL790 or ASTM E 108

Within any twelve (12) month period, roof covering alterations which includes replacement or repair exceeding 50% of the projected area of the existing roof, requires the entire existing roof to be replaced with materials and construction as required for new roofs.

All references referring to the use of a fire-retardant roof covering Class C are hereby deleted.

**SECTION 4.** Chapter 15.14 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.14 and Sections 15.14.010 through 15.14.070 are hereby added to Title 15, to read as follows:

**EXHIBIT D**

**CHAPTER 15.14**

**INTERNATIONAL PROPERTY MAINTENANCE CODE**

**Sections:**

**15.14.010 - Adopted.**

**15.14.020 - Section 103 Terms Explained.**

**15.14.030 - Section 106.3.1 Failure to Obey Order**

**15.14.040 - Section 106.4 Violation Penalties deleted.**

**15.14.050 – Section 109.4.1 Cost Recovery For Authorized Emergency Repair added.**

**15.14.060 – Section 109.6 Hearing deleted**

**15.14.070 – Section 111 Means of Appeal deleted**

**15.14.010 International Property Maintenance Code Adopted as Reference.**

There is adopted by the city, for the purpose of prescribing regulations for the protection of the public health and safety of its inhabitants, that certain code known as the "International Property Maintenance Code, 2012 Edition," as published by the International Code Council, Inc., and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth, of which code one copy is on file in the office of the city clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

**15.14.020 Section 103 Terms Explained.**

Section 103 of the International Property Maintenance Code 2012 Terms Explained.

The term "Code Official" is the Building Official

The term "Department of Property Maintenance Inspection " is changed to "Enforcement of the Order of the Building Official or the City Council of the City of Daly City."

The term "Chief Appointing Authority" is the City Manager.

**15.14.030 Section 106.3.1 Failure to Obey Order.**

Section 106.3 of the International Property Maintenance Code 2012 Edition is amended by adding Section 106.3.1 to read as follows:

Section 106.3.1. Failure to obey order should be added to provide for compliance with any order of the Building Official or City Council of the City of Daly City.

**15.14.040 Section 106.4 Violations Penalties, deleted**

Section 106.4 of the International Property Maintenance Code, 2012 Edition, referencing to "Violation Penalties," is deleted in their entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code Chapter 15, "General Regulations."

**15.14.050 Section 109.4.1 Cost Recovery for Authorized Emergency Repairs, added.**

Section 109.4 of the International Property Maintenance Code, 2012 Edition, is amended by adding subsection 109.4.1 to read as follows:

Section 109.4.1. Cost Recovery. Expenses incurred by the Enforcement of the Order of the Building Official or the City Council of the City of Daly City for authorized emergency repairs shall be reimbursed by the property owner.

**15.14.060 Section 109.6 Hearing, deleted.**

Section 109.6 of the International Property Maintenance Code, 2012 Edition is deleted and substituted by Daly City Municipal Code section 15.00.050, Procedure for Appeals.

**15.14.070 Section 111 Means of Appeal, deleted.**

Section 111 of the International Property Maintenance Code, 2012 Edition is deleted and substituted by Daly City Municipal Code section 15.00.050, Procedure for Appeals.

SECTION 5: Chapter 15.16 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.16 and Sections 15.16.010 through 15.16.060 are hereby added to Title 15, to read as follows:

**EXHIBIT E**

**CHAPTER 15.16**

**MECHANICAL CODE**

**Sections:**

- 15.16.010**      **Adopted.**
- 15.16.020**      **Section 108 Board of Appeals, deleted.**
- 15.16.030**      **Section 113.4 Expiration, deleted**
- 15.16.040**      **Section 114.1 General Established Fees, amended**
- 15.16.050**      **Section 114.3 Expiration of Plan Review, deleted.**
- 15.16.060**      **Section 114.5.1 Investigation Fee, substituted.**

**15.16.010**      **Adopted.**

There is adopted by the city for the purpose of prescribing regulations for the protection of the public health and safety, that certain code known as the California Mechanical Code, 2013 Edition, including the appendices thereto, published by the International Association of Plumbing and Mechanical Officials, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as set forth in this chapter, of which code one copy has been and now is filed in the office of the city clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the day on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the mechanical code shall be enforceable to the same extent as if contained in the body of the mechanical code.

**15.16.020**      **Section 108 Board of Appeals, deleted.**

Section 1080 of the California Mechanical Code, 2013 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.050 Procedure for Appeals..

**15.16.030**      **Section 113.4 Expiration, deleted.**

Section 113.4 of the California Mechanical Code, 2013 Edition, is amended and substituted by Daly City Municipal Code section 15.00.030 Time Limitation of Application.

**15.16.040**      **Section 114.1 General Fees, amended.**

Section 114.1 of the California Mechanical Code, 2013 Edition, is amended to read as follows:

114.1 Daly City Municipal Code General Regulations 15.00.020 are fees established by resolution of the City Council. Referenced to Table 114.1 is deleted.

**15.16.50**      **Section 114.3 Expiration of Plan Review, deleted**

Section 114.3 of the California Mechanical Code, 2013 Edition, is deleted and substituted by Daly City Municipal Code General Regulations 15.00.020 Fees.

**15.16.060 Section 114.5.1 Investigation Fee, substituted**

Section 114.5.1 of the California Mechanical Code, 2013 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.020 Fees.

**SECTION 6.** Chapter 15.20 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.20 and Sections 15.20.010 through 15.20.160 are hereby added to Title 15, to read as follows:

**EXHIBIT F**

**CHAPTER 15.20**

**PLUMBING CODE**

**Sections:**

**15.20.010 - Adopted.**

**15.20.020 - Section 102.3 Board of Appeals deleted.**

**15.20.030 - Section 103.4.5 Fees added.**

**15.20.040 - Section 301.1.4 Minimum Plumbing Standards Within a Building or Structure added**

**15.20.050 - Section 301.2(A) Alternate Materials and Methods of Construction Equivalency substituted.**

**15.20.060 - Section 310.6.1 Prohibited Fittings and Practices added**

**15.20.070 - Section 403 Water Conserving Fixtures and Fittings substituted.**

**15.20.080 - Section 507.27 Additional Requirements - Protection of Water Heater from Damage added.**

**15.20.090 - Section 602.5 Other Unlawful Connections added.**

**15.20.100 - Section 604.9 Plastic Material. deleted.**

**15.20.110 - Section 604.14 Material for Water Piping and Fitting. added.**

**15.20.120 - Section 604.15. Plastic Parts Included with Approved Appliance added.**

**15.20.130 - Section 703.1.1 Size of Building Drain and Building Sewer Pipe added.**

**15.20.140 - Section 707.4 Cleanouts substituted.**

**15.20.150 - Section 713.8 Administrative Authority Relating to Building Sewer added.**

**15.20.160 - Section 1208.6.1 Gas Meter Location amended.**

**15.20.010 Adopted.**

There is adopted by the city, for the purpose of prescribing regulations for the protection of the public health and safety, that certain code known as the "California Plumbing Code, 2013 Edition," including the appendices thereto except: Appendix E, Manufactured/mobile home park and recreational Vehicle Park, Appendix H, Private Sewage disposal System, and Appendix L, Sustainable Practice, published by the International Association of Plumbing and Mechanical Officials, hereinafter called "Plumbing Code," and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended as hereinafter set forth, of which code one copy has been and now is on file in the office of the city clerk of the city, and the same is adopted and incorporated at length in this chapter. From the day on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the plumbing code shall be enforceable to the same extent as if contained in the body of the plumbing code.

**15.20.020 Section 102.3 Board of Appeals, , deleted.**

Section 102.3 of the California Plumbing Code, 20130 Edition is deleted in its entirety and substituted by Daly City Municipal Code General Regulations 15.00.020 Procedure for Appeals.

**15.20.030 Section 103.4.5, Fees added.**

Section 103.4 of the California Plumbing Code, 2013 Edition is amended by adding Section 103.4.5 to read as follows:

Section 103.4.5 Daly City Municipal Code General Regulations 15.00.020 are fees established by resolution of the City Council. References to Table 103.4 are deleted.

**15.20.040 Section 301.1.4 Minimum Plumbing Standards Within a Building Structure, added.**

Section 301.1 of the California Plumbing Code, 2013 Edition, is amended by adding Section 301.1.4 to read as follows:

Section 301.1.4. Acrylonitrile-butadiene-styrene (ABS), for drain, waste and vent fittings; Polyvinyl Chloride (PVC), for drain, waste and vent fittings; Cross-linked Polyethylene (PEX), Cross-linked Polyethylene-Aluminum-Cross-linked Polyethylene (EEX-AL-EEX), Polyethylene-Aluminum-Polyethylene (PE-AL-PE) for water; Polyethylene (PE) for building supply or for natural gas yard piping; Polyethylene (PE), Chlorinated Polyvinyl Chloride (CPVC) and Polyvinyl Chloride (PVC) for water services are not otherwise deemed to be an approved plumbing material for use within a building or structure. All references to ABS, CPVC, PVC, PEX, EEX-AL-EEX, PE-AL-PE and PE materials throughout the body of the California Plumbing Code, 2013 Edition, are hereby deleted except as otherwise defined in this chapter.

**EXCEPTION:**

When a backflow preventer device is located on the exterior of the building, cold water piping for private irrigation sprinkler system installations may be PE or PVC downstream of the backflow preventer device. When such backflow preventer device is located on the interior of the building, the interior piping shall be of approved metal piping..

**15.20.050 Section 301.22(A) Alternate Materials and Methods of Construction Equivalency, substituted.**

Section 301.2 of the California Plumbing Code, 2013 Edition, is amended by adding section 301.2(A) is substituted to read as follows:

Section 301.2(A). Alternate Materials and Methods of Construction Equivalency.

The provisions of this Code are not intended to prevent the use of any alternate material or method of construction provided any such alternate has been first approved and its use authorized by the Administrative Authority, except that as to the use of any plastic pipe or fittings in a plumbing system within any building, the use of any alternate shall be only approved by the Administrative Authority.

**15.20.060 Section 310.6.1 Prohibited Fittings and Practices, added.**

Section 310.6 of the California Plumbing Code, 2013 Edition, is by adding Section 310.6.1

**Section 310.6.1 Approved Material Connecting Dissimilar Material.**

310.6.1. Except for necessary valves, where inter-membering or mixing of dissimilar metals occur, the point of connection shall be confined to exposed or readily accessible locations and all connections between the two will be made by a brass nipple at least six inches (6") long or other methods approved by the Administrative Authority.

**15.20.070 Section 403 Water Conserving Fixtures and Fittings, substituted.**

Subsection 403.2 Water Closets 403.3 Urinals 403.4 Metered Faucets, 403.5 Pre-Rinse Spray Valve, 403.6 Kitchen Faucets, 403.7 Residential Lavatory Faucets and 403.8 Lavatory Faucets in Common and Public Areas of Section 403 of the California Plumbing Code, 2013 Edition including subsection 408.2 Showers, with all reference to average water consumption is substituted with Daly City Municipal Code 15.66.040 which is adopted by reference.

**Minimum Indoor Fixture Requirements.**

**Adopted by Reference**

(Municipal Code 15.66.040)

**All new construction and applicable remodels will have, at a minimum, fixtures that comply with the efficiency standards listed below (the "Indoor Water Use Efficiency Table"):**

Fixture	Residential	Non-Residential
Toilets	≤1.28 gpf, and &ge;350 grams	≤1.28 gpf, and &ge;350 grams
Urinals	≤0.5 gpf	≤0.5 gpf
Showers	≤2.0 gpm	≤2.0 gpm
Bathroom faucets	≤ 1.5 gpm	≤ 0.5 gpm
Kitchen faucets	≤ 2.2 gpm	≤ 2.2 gpm
Clothes washers	≤6.0 Water Factor	≤6.0 Water Factor
Dishwashers	≤6.5 gal/cycle, or Energy Star Qualified	Energy Star Qualified
Cooling towers	&ge;5 - 10 cycles, or &ge;2.5 LSI	&ge;5 - 10 cycles, or &ge;2.5 LSI
Food steamers	—	Boiler less, or Self-contained
Ice machines	—	≤25 gal/100 lbs. ice, or Air-cooled
Pre-rinse spray valves	—	≤1.15 gpm
Automatic vehicle wash facilities	—	&ge;50% of water that is recycled on site
Commercial refrigeration	—	Closed loop, or air cooled
Meters	Submeters for RMF, and separate meter for outdoor if landscape >5,000 sq. ft.	Submeters, and separate meter for outdoor if landscape >5,000 sq. ft.

Definitions:

- a. Energy Star qualified" means that a given fixture meets the United States Environmental Protection Agency standard for an energy efficient product.
- b. "gal/cycle" means gallons per cycle.
- c. "gal/100 lbs ice" means gallons per hundred pounds of ice.
- d. "gpf" means gallons per flush.
- e. "gpm" means gallons per minute.

**15.20.080 Section 507.27 Additional Requirements - Protection of Water Heater from Damage, added.**

Section 507.0 of the California Plumbing Code, 2013 Edition, is amended by adding subsection 507.27, subparagraphs 507.27.1, 507.27.2 and 507.27.3 to read as follows:

Section 507.27. Additional Requirements for Protection of Water Heater from Damage.

507.27.1. The owner of the property shall be required to conform the property to Sections 507.13 and 507.14 in either of the following instances:

507.27.2. Whenever a building permit is issued in connection with said property, and said building permit is issued based on a valuation of \$1,000.00 or more for work adding or modifying habitable space.

507.27.3. Prior to sale or transfer of the property.

**15.20.090 Section 602.5 Unlawful Connections, added.**

Section 602.0 of the California Plumbing Code, 2013 Edition, amended by adding subsection 602.5 to read as follows:

Section 602.5. Other Unlawful Connections.

602.5. No installation of potable water supply piping or part thereof shall be designed in such a manner that the water system will have dead ends, incapable of being circulated, except for domestic fire sprinkler systems when sprinkler system is connected directly to the domestic service piping system. An approved backflow device shall be installed at the point of connection between the domestic piping and the sprinkler piping.

**15.20.100 Section 604.9 Plastic Material, deleted.**

Section 604.9. Plastic Materials.

Section 604.9 of the California Plumbing Code, 2013 Edition, is deleted. Grounding methods shall be referenced to California Electrical Code:

**15.20.110 Section 604.14, Material for Water Piping and Fitting, added.**

Section 604.0 of the California Plumbing Code, 2013 Edition, is amended by adding subsection 604.14 to read as follows:

Section 604.14. Materials for Water Piping and Fitting.

604.14. Water piping and fittings shall be of brass, copper, cast iron, galvanized malleable iron, galvanized wrought iron, galvanized steel, or other approved materials. Copper water pipe, as defined in Section 903.2, manufactured to recognized standards shall be used for cold water service supply systems outside a building, between the meter and the building.

**15.20.120 Section 604.15 Plastic Parts Included with Approved Appliance, added.**

Section 604 of the California Plumbing Code, 2013 Edition, is amended by adding subsection 604.15 to read as follows:

Section 604.15. Plastic Parts Included with Approved Appliance.

604.15 Plastic Parts included with approved appliances or fixtures approved when readily accessible for repair or replacement, as determined by the Administrative Authority..

**15.20.130 Section 703.1.1 Sizing of Building Drain and Building Sewer Pipe, added.**

Section 703 of the California Plumbing Code, 2013 Edition, is amended by adding section 703.1.1 to read as follows:

Section 703.1.1 Size of Building Drain and Building Sewer Pipe

703.1.1. The main building drain and building sewer waste line shall be a minimum of 4".

EXCEPTION:

Alternative Engineered Design and approved sewer pump discharge assemblies.

**15.20.140 Section 707.4 Cleanouts, substituted.**

Section 707.4 of the California Plumbing Code, 2013 Edition, is deleted and the following paragraph is substituted to read as follows:

Section 707.4 Cleanouts.

707.4 Each horizontal drainage pipe shall be provided with a cleanout at its upper terminal, and each run of piping, which is more than fifty feet (50') in total developed length, shall be provided with a cleanout for each fifty feet (50') or fraction thereof, in length of such piping. An additional cleanout shall be provided in a drainage line for each aggregate horizontal change of direction exceeding 135 degrees

NOTE: No change to Exceptions (1) thru (4) of Section 707.4 of the California Plumbing Code, 2013 Edition.

**15.20.150 Section 713.8 Administrative Authority Relating to Building Sewer, added.**

Subsection 713.7 is added to Section 713.0 of the California Plumbing Code, 2013 Edition, to read as follows:

Section 713.8. Administrative Authority Relating to Building Sewer.

713.8. The North San Mateo County Sanitation District and the Bayshore Sanitary District is referred to as the Administrative Authority for their requirements as to fees, inspections, types of pipes and fittings, pipe sizes and other requirements, relating to building sewers.

**15.20.160 Section 1208.6.1 Gas Meter Location, amended.**

Section 1208.6.1 of the California Plumbing Code, 2013 Edition, is amended by substituting to read as follows:

**Section 1208.6.1. Gas Meter Locations.**

1208.6.1. All gas meters shall be located on the exterior and shall be installed in accordance with the State Public Utilities Commission's approved Pacific Gas and Electric Standards. All Utility service meters and related equipment shall be screened from public view by enclosure or other method approved by the Administrative Authority

**SECTION 7.** Chapter 15.22 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.22 and Sections 15.22.010 through 15.22.050 are hereby added to Title 15, to read as follows:

**EXHIBIT G**

**CHAPTER 15.22**

**CALIFORNIA GREEN BUILDING STANDARDS CODE**

Sections:

- 15.22.010 - California Green Building Standards Code adopted.**
- 15.22.020 – Section 4.303.1.4.5 Minimum Indoor Plumbing Fixtures and Fitting Requirements, added by reference.**
- 15.22.030 – Section 5.303.5 Minimum Indoor Plumbing Fixtures and Fitting Requirements, added by reference.**
- 15.22.040 – Appendix A4 Residential Enhanced Voluntary Measures Division A4.6 – Tier 1 and Tier 2, deleted.**
- 15.22.050 Appendix A5 Non-Residential Enhanced Voluntary Measures Division A5.6 – Tier 1 and Tier 2, deleted.**

There is adopted by the city, for the purpose of prescribing regulations for the protection of the public health and safety of its inhabitants, that certain code known as the California Green Building Standards Code, 2013 Edition, including the appendices thereto, as published by the International Code Council, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth, of which code one copy is on file in the office of the clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the California Green Building Standards Code shall be enforceable to the same extent as if contained in the body of the California Green Building Standards Code.

**15.22.020 – Section 4.303.1.4.5 Minimum Indoor Plumbing Fixtures and Fitting, added by reference.**

Section 4.303.1 of the California Green Building Standards Code, 2013 Edition, is amended by adding section 4.303.1.4.5.

4.303.1.4.5 Minimum Indoor Fixture Requirements of the Daly City Municipal Code 15.66.040 is adopted by reference.

Minimum Indoor Fixture Requirements.

Adopted by Reference

(Municipal Code 15.66.040)

All new construction and applicable remodels will have, at a minimum, fixtures that comply with the efficiency standards listed below (the "Indoor Water Use Efficiency Table"):

Fixture	Residential	Non-Residential
Toilets	≤1.28 gpf, and &ge;350 grams	≤1.28 gpf, and &ge;350 grams
Urinals	≤0.5 gpf	≤0.5 gpf
Showers	≤2.0 gpm	≤2.0 gpm
Bathroom faucets	≤ 1.5 gpm	≤ 0.5 gpm
Kitchen faucets	≤ 2.2 gpm	≤ 2.2 gpm
Clothes washers	≤6.0 Water Factor	≤6.0 Water Factor
Dishwashers	≤6.5 gal/cycle, or Energy Star Qualified	Energy Star Qualified
Cooling towers	&ge;5 - 10 cycles, or &ge;2.5 LSI	&ge;5 - 10 cycles, or &ge;2.5 LSI
Food steamers	—	Boiler less, or Self-contained
Ice machines	—	≤25 gal/100 lbs. ice, or Air-cooled
Pre-rinse spray valves	—	≤1.15 gpm
Automatic vehicle wash facilities	—	&ge;50% of water that is recycled on site
Commercial refrigeration	—	Closed loop, or air cooled
Meters	Submeters for RMF, and separate meter for outdoor if landscape >5,000 sq. ft.	Submeters, and separate meter for outdoor if landscape >5,000 sq. ft.

Definitions:

- a. "Energy Star qualified" means that a given fixture meets the United States Environmental Protection Agency standard for an energy efficient product.
- b. "gal/cycle" means gallons per cycle.
- c. "gal/100 lbs ice" means gallons per hundred pounds of ice.
- d. "gpf" means gallons per flush.
- e. "gpm" means gallons per minute.

**15.22.030 – Section 5.303.5 Minimum Indoor Plumbing Fixture and Fitting requirement, added by reference.**

Section 5.303.5. of the California Green Building Standards Code, 2013 Edition, is amended by adding section 5.303.5 to read as follows:

5.303.5 Minimum Indoor Fixture Requirements of the Daly City Municipal Code 15.66.040 is adopted by reference.

**15.22.040 – Appendix A4 Residential Enhanced Voluntary Measures Division A4.6 – Tier 1 and Tier 2 of, deleted.**

Appendix chapter A4 Division A4.6 Tier 1 and Tier 2 enhanced residential voluntary measures of the California Green Building Standards Code, 2013 Edition, are deleted. “The measures contained in this appendix are not mandatory unless adopted by a city, county, or city and county as specified in section 101.7.

**15.22.050 Appendix A5 Non-Residential Enhanced Voluntary Measures Division A5.6 – Tier 1 and Tier 2, deleted.**

Appendix Chapter A5 Division A5.6 of the California Green Building Standards Code 2013 Edition Calgreen Tier 1 and Tier 2 non-residential enhanced voluntary measures deleted. “The measures contained in this appendix are not mandatory unless adopted by a city, county, or city and county as specified in section 101.7.”

**SECTION 7.** Chapter 15.24 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.24 and Sections 15.24.010 through 15.24.060 are hereby added to Title 15, to read as follows:

**EXHIBIT H**

**CHAPTER 15.24**

**ELECTRICAL CODE**

**Section:**

- 15.24.010 Adopted.
- 15.24.020 Section 89.108.4.2.1 Fees, added.
- 15.24.030 Section 89.108.4.3.1 Plan Review and Time Limitation, amended.
- 15.24.040 Article 230-43 Service Entrance Enclosure, amended.
- 15.24.050 Article 230-70(A)(1) Location of Service Disconnect, substituted.
- 15.24.060 Article 310-2(A) Conductor Material, amended.

**15.24.010 California Electrical Code—Adopted.**

There is adopted by the city, for the purpose of prescribing regulations for the protection of the public health and safety, that certain electrical code known as the "California Electrical Code, 2013 Edition," as published by the National Fire Protection Association, save and except such portions as are hereinafter deleted, modified or amended as hereinafter set forth, of which code one copy has been and now is on file in the office of the city clerk of the city, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the day on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

**15.24.020 Section 89.108.4.2.1 Fees, added.**

Section 89.108.4.2.1 is added to section 89.108.4.2 of the California Electrical Code, 2013 to read as follows:

Section 89.108.4.2.1. Fees as prescribed to defray cost of enforcing rules and regulations of the Electrical Code is referenced to Daly City Municipal Code section 15.00.020, Fees.

**15.24.030 Section 89.108.4.3.1 Plan Review and Time Limitation, amended.**

Section 89.108.4.3.1 is added to section 89.108.4.3 of the California Electrical Code, 2013 to read as follows:

Section 89.108.4.3.1. Plan review and time limitation of the Electrical Code is referenced to Daly City Municipal Code sections 15.00.030 and 15.00.040.

**15.24.040 Article 230-43 Service Entrance Enclosure, amended.**

Article 230.43 of the California Electrical Code, 2013 Edition, Wiring Method for 600 volts or less, is amended to read as follows:

Article 230-43. Wiring Methods for 600 Volts or Less. Overhead service entrance conductors shall be enclosed in rigid metal conduit or the equivalent factory fabricated metal duct.

**15.24.050 Article 230-70(A)(1) Location of Service Disconnect, substituted**

Article 230-70(A)(1) of the California Electrical Code, 2013 Edition, Service Location is deleted and substituted with the following paragraph, to read as follows:

Article 230-70(A)(1). Location.

The service disconnecting means and meter or meters shall be installed at a readily accessible location on the exterior of the building. All utility service meters and related equipment shall be screened from public view by enclosure, or other method approved by the Authorized Representative.

**EXCEPTION:**

The service disconnecting means and meter or meters, and related equipment may be installed on the interior of an apartment or commercial building in the event of unusual circumstances, if such case is determined necessary by the Administrative Authority.

**15.24.060 Article 310-1(A) Conductor Material, added.**

Article 310-1(A) of the California Electrical Code, 2013 Edition, Conductor Material, is amended to read as follows:

Article 310-1(A) Conductor Material. Conductors in this article shall be copper. All other material requests shall be approved by the Administrative Authority.

**SECTION 10.** Chapter 15.60 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.60 and Section 15.60.010 is hereby added to Title 15, to read as follows:

**EXHIBIT I**

**CHAPTER 15.60**

**ENERGY CODE**

**15.60.010 California Energy Code adopted.**

There is adopted by the city for the purpose of prescribing regulations for the protection of the public health and safety of its inhabitants, that certain code known as the California Energy Code, 2013 Edition, including the appendices thereto, as published by the International Code Council, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth, of which code one copy is on file in the office of the clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the California Energy Code shall be enforceable to the same extent as if contained in the body of the California Energy Code.

**ATTACHEMENT 1**  
**CITY OF DALY CITY**  
**DALY CITY MUNICIPAL CODE**  
**BUILDINGS AND CONSTRUCTION**  
**CHAPTER 15.00, GENERAL REGULATIONS**  
**FINDINGS**

The City Council finds and determines for administrative purposes that in order to be consistent with existing established policies and procedures that a new Chapter, Title 15.00, "General Regulations" needs to be added to the Daly City Municipal Code.

The purpose of this Chapter is to establish and set forth in one place definitions and regulations for the following Section set forth in general Regulations:

Scope and Administration

Fees

Time Limitation of Application

Permit Expiration and Extension

Procedure for Appeals

Approved Numbers and Addresses

Cooperation of Other Officials and Officers

Emergency Access

Qualification of Permit

Workmanship

Aircraft Noise Soundproofing Project Area

Storm Water Best Management Practices

**Effect of Code on Past Actions and Obligations**

**Spark Arrester Requirement**

**Further that the Definitions and regulations contained in this Chapter apply to each of the following codes.**

**California Building Code, 2013 Edition**

**California Electrical Code, 2013 Edition**

**California Energy Code, 2013 Edition**

**California Fire Code, 2013 Edition**

**California Green Building Standards Code, 2013 Edition**

**California Mechanical Code, 2013 Edition**

**California Plumbing Code, 2013 Edition**

**California Residential Code, 2013 Edition**

**International Maintenance Code, 2012 Edition**

**BUILDING CODE  
CHAPTER 15.08**

**FINDINGS OF FACT:**

**1. Finding of Facts Sections 105.1.1 and 105.1.2**

The City Council finds and determines for administrative purposes that Sections 105.1.1 and 105.2.1 of the California Building Code 2013 Edition, referencing Annual Permit and Annual Permit Record are not necessary and are deleted in their entirety inasmuch as regulations are not clearly known of its enforceability and monitoring and may not apply consistently in this jurisdiction

**2. Finding of Facts Section 105.3.2**

The City Council finds and determines for administrative purposes, Section 105.3.2 of the California Building Code, 2013 Edition, referencing "Time limitation of Application", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

**3. Finding of Facts Section 105.5**

The City Council finds and determines for administrative purposes, Section 105.5 of the California Building Code, 2013 Edition, referencing "Permit Expiration and Extension", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

**4. Finding of Facts Section 107.2.1.1**

The City Council finds and determines for administrative purposes Section 107.2.1 of the California Building Code 2013 shall be amended by adding subparagraph 107.2.1.1 thereto, to set forth further requirements for building permit applications to include "Construction Documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch for easier and more efficient permit processing" thus creating consistency on the submittal of construction documents.

5. Finding of Facts Section 107.2.5.1

The City Council finds and determines for administrative purposes Section 107.2.5 of the California Building Code 2013 Edition, shall be amended by adding subparagraph 107.2.5.1 thereto, to set forth further requirements for building permit applications to include "Site Plan or Plot Plan shall include the direction and means of disposal of storm water runoff for consistency and more efficient permit processing among different departments.

6. Finding of Facts Section 109.7

The City Council finds and determines for administrative purposes that by adding of Sec. 109.7 of the California Building Code, 2013 Edition, referencing "Fees", is referenced to the established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

7. Finding of Facts Section 113

The City Council finds and determines for administrative purposes, Section 113 of the California Building Code, 2013 Edition, referencing "Board of Appeals", is not necessary and shall be deleted in their entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

8. Finding of Facts Section 406.1.4.4

The City Council finds and determines because of the City's close proximity to known earthquake faults and the potential for uncontrolled fires that Section 406.1.4.4 of the California Building Code 2013 Edition shall be amended by adding subparagraph 406.1.4.4.1, 406.1.4.4.2 and 406.1.4.4.3 thereto to protect occupants of dwellings and adjacent properties from fire by requiring a fire resistive retrofit work be installed whenever habitable space is created or added to an existing home.

9. Finding of Facts Chapter 4, Section 446

The City Council finds and determines in order to provide for proper regulation and control of trailers, mobile homes, travel trailers, etc. within the City of Daly City, that new Section 446, subparagraphs 446.1 and 446.2 thereunder shall be added to the California Building Code 2013 Edition and that such regulations provide a better control and enforcement of unpermitted use and occupancy of trailers in locations other than an approved trailer park or mobile home park .

10. Finding of Facts Section 501.2

The City Council finds and determines the topography of Daly City prevents rapid identification of addresses for emergency services when required, and therefore Section 501.2 of the California Building Code 2013 Edition is deleted in their entirety inasmuch as regulations setting forth equivalent regulations are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

11. Finding of Facts Section 601.2

The City Council finds and determines because of potential earthquake hazards and due to the fact that there are many older non-conforming, mixed-use buildings and others in the City which undergo Substantial Improvement or Change of Occupancy to a Higher Level of hazardous conditions; Paragraphs 601.2, shall be added to Section 601 of the California Building Code 2013 Edition. Tenant spaces undergoing alterations, as a result of change of tenants shall require fire resistive retrofit work.

11. Finding of Facts Section 601.3

The City Council finds and determines that because of Daly City's geographic location in the Bay Area lending itself primarily to residential construction the visual impact of buildings must be regulated in order to provide for more effective control over the type of construction for commercial or industrial buildings and metal buildings.

13. Finding of Facts Section 602.5.1

The City Council finds and determines for administrative clarification purposes, Section 602.5 of the California Building Code 2013 Edition is amended by adding 602.5.1 defining what materials are required for exterior property line walls of wood frame construction in close proximity to a property line and to providing and extended protection to the fire rated material without maintenance due to inaccessible location of the wall.

14. Finding of Facts Section 705.4.1

The City Council finds and determines for administrative purposes and because of the geographic density of housing stock in Daly City additional requirements are necessary to provide separation between buildings, prohibit common party walls and specify materials used when buildings are of wood frame construction with exterior walls in close proximity to property lines. Section 705.4 of the California Building Code 2013 Edition shall be amended by adding subparagraph 705.4.1 thereunder to define requirements of exterior siding material that provides equivalent life span of the building and where access for maintenance is limited..

15. Finding of Facts Section 708.13.7

The City Council finds and determines that in order to provide more effective control in garbage rooms, subsection 708.13.7; paragraph 708.13.7.1, 708.13.7.2, and 708.13.7.3 shall be added to Section 708.13 of the California Building Code 2013 Edition.

16. Finding of Facts Section 903.2

The City Council finds and determines that Sec. 903.2 of the California Building Code 2013 Edition is deleted and substituted with Daly City Municipal Code 15.32. where enforcement of Automatic Fire Sprinkler System is reviewed and enforced the North County Fire Authority.

17 Finding of Facts Section 1029.1. Exception 4 and 5

The City Council finds and determines that a regulatory paragraph shall be added to Section 1029.1 of the California Building Code 2013 Edition to be numbered paragraph 1209.1 Exception: 4 and 5. The addition is needed due to the topographical and geographical conditions in Daly City where standard lots were historically divided with a minimum width of twenty five feet and a minimum length of one hundred feet. The City Council further finds that emergency escape and rescue windows may open on to a yard without direct access to a public way by requiring a minimum twenty foot deep rear yard extending to the full width of the parcel. In addition the exterior wall where the bedroom window is located shall be protected by installing 5/8 inch thick Type "X" gypsum board on the interior side of the wall and 7/8" thick cement plaster on the exterior side of the wall. Openings in the protected fire rated wall are not required to be fire rated assemblies. This meets the intent of providing a safe protected area.

The City Council further finds and determines that for a new building of an R-2 occupancy, three stories or less with a rear yard of not less than 10 feet measured from the exterior wall, requiring an unobstructed exit passage way from the rear yard that leads to the public way provides a means of emergency escape for occupants and access for rescue and exit of emergency personnel's.

18. Finding of Facts Section 1203.6

The City Council finds and determines because of the local climatic conditions, it is necessary to provide additional ventilation requirements and that a regulatory paragraph shall be added to Section 1203 of the California Building Code 2013 Edition to be numbered paragraph 1203.6 thereunder.

19. Finding of Facts Table 1505.1

The City Council finds and determines that Table 1505.1 of the California Building Code 2013 Edition is amended by adding thereto certain requirements, including the requirement of non-combustible roofing materials to lower fire intensity and slow the rate of fire spread due to climatic conditions, specifically winds, the probability of earthquakes, proximity to major earthquake fault zones, and the close proximity of housing stock.

20. Finding of Facts Section 1705.3, exception 1

The City Council finds and determines that Section 1705.3 exception 1 of the California Building Code 2013 Edition is amended to not required a Special Inspection for buildings three stories or less when the concrete compressive strength is no greater than 2,500 psi when substantiated by an engineered structural calculation prepared by a licensed design professional.

Results from studies after the 1994 Northridge earthquake indicated that a lot of the damages were attributed to lack of quality control during construction. The proposed amendment improves quality control during construction and therefore needs to be incorporated into the Code. Revise CBC Section 1705.3 exception No. 1 to allow special inspection not to be required for isolated spread footing where the structural design of the footing is based on a specified compressive strength,  $f'_c$ , no greater than 2,500 psi. This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

21. Finding of Facts Section 1807.2.4

The City Council finds and determines that in order to provide more effective control in the construction of retaining walls, because of the San Andreas Fault, geological instability and unstable soil conditions encountered in Daly City that further requirements in the form of an additional subparagraph 1807.2.4 shall be added to Section 1807.2 of the California Building Code 2013 Edition.

22. Finding of Facts Section 1908.1.8 ACI 318 Section 22.10.1

The amendment is needed due to local geological conditions clarifies that plain concrete requires at least two reinforcing bars on the longitudinal direction. The proposed amendment addresses the problem of poor performance of plain or under-reinforced concrete footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake.

23. Finding of Facts Section 2308.9.3

The amendment is needed due to local geological conditions that structural grade plywood is the only panel allowed to be used as a minimum for conventional wood framed braced wall panels or shearwalls. The San Francisco Bay region is densely populated and located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities, including the 1989 Loma Prieta earthquake, have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants.

RESIDENTIAL BUILDING CODE  
CHAPTER 15.10

FINDINGS OF FACT:

1. Finding of Facts Section R105.2

The City Council finds and determines for administrative clarification purposes as the city is densely developed, that in order to effectively control the number of exempted one story detached structures used as tool and storage sheds, playhouses and similar uses; one or more detached one story structure can be permitted to be constructed on site provided the sum of the total floor area of these one story detached structure shall not exceed 120 square feet of floor area, and shall not be located where it will obstruct a bedroom window or door that is designed to be used for emergency escape and rescue or exiting. Section R105.2 "Work Exempted From Permits Building Item 1" of the California Residential Code 2013 Edition is amended.

2. Finding of Facts Section R105.3.2

The City Council finds and determines for administrative purposes, Section R105.3.2 of the California Residential Code, 2013 Edition, referencing "Time limitation of Application", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

3. Finding of Facts Section R105.5

The City Council finds and determines for administrative purposes, Section R105.5 of the California Residential Code, 2013 Edition, referencing "Permit Expiration and Extension", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

4. Finding of Facts Section R106.2.1

The City Council finds and determines for administrative purposes Section R106.2. of the California Residential Code, 2013 Edition, shall be amended by adding subparagraph R106.2.1 thereto, to set forth further requirements for building permit applications to include "Site Plan or Plot Plan shall include the direction and means of disposal of storm water runoff for consistency and more efficient permit processing among different departments.

5. Finding of Facts Section R106.2.2

The City Council finds and determines for administrative purposes Section R106.2 of the California Residential Code, 2013 Edition shall be amended by adding subparagraph R106.2.2 thereto, to set forth further requirements for building permit applications to include "Construction Documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch for easier and more efficient permit processing.

6. Finding of Facts Section R108.7

The City Council finds and determines for administrative purposes that by adding of Sec. R108.7 of the California Residential Code, 2013 Edition, referencing "Fees", is referenced to the established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

7. Finding of Facts Section R112

The City Council finds and determines for administrative purposes, Section R112 of the California Residential Code, 2013 Edition, referencing "Board of Appeals", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

8. Finding of Facts Table R301.2(1)

The City Council finds and determines because of the City's close proximity to known earthquake faults and climatic condition Table R301.2(1) of the California Residential Code 2013 Edition shall be amended by providing Climatic and Geographical Design Criteria for residential building covered by the California Residential Code..

9. Finding of Facts Section R302.6.1

The City Council finds and determines because of the City's close proximity to known earthquake faults and the potential for uncontrolled fires that Section R302.6.1 of the California Residential Code 2013 Edition shall be amended by adding subparagraph R302.6.1.1, and R302.6.1.2 thereto to protect occupants of dwellings and adjacent properties from fire by requiring a fire resistive retrofit work be installed whenever habitable space is created or added to an existing home.

10. Finding of Facts Section 303.1.1

The City Council finds and determines for administrative purposes, Section R3.3.1.1 of the California Residential Code, 2013 Edition, referencing "Court" for purposes of determining and enforcing the required width and depth of a light or exit court shall be referred to Section 1206 of the California Building Code 2013 Edition.

11. Finding of Facts Section R310.1-A. Exception

The City Council finds and determines that a regulatory paragraph shall be added to Section R310.1 of the California Residential Code, 2013 Edition to be numbered paragraph R310.1-A Exception. The addition is needed due to the topographical and geographical conditions in Daly City where standard lots were historically divided with a minimum width of twenty five feet and a minimum length of one hundred feet. The City Council further finds that emergency escape and rescue windows may open on to a yard without direct access to a public way by requiring a minimum twenty foot deep rear yard extending to the full width of the parcel. In addition the exterior wall where the bedroom window is located shall be protected by installing 5/8 inch thick Type "X" gypsum board on the interior side of the wall and 7/8" thick cement plaster on the exterior side of the wall. Openings in the protected fire rated wall are not required to be fire rated assemblies. This meets the intent of providing a safe protected area.

12. Finding of Facts Section R313.

The City Council finds and determines that Sec. 313 of the California Residential Code 2013 Edition is deleted and substituted with Daly City Municipal Code 15.32. where enforcement of Automatic Fire Sprinkler System is reviewed and enforced the North County Fire Authority.

13. Finding of Facts Section R319

The City Council finds and determines for administrative purposes, Section R319 of the California Residential Code, 2013 Edition, referencing "Site Address", is not necessary and shall be deleted in their entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

14. Finding of Facts Section R403.1.3

The City Council finds and determines the proposed amendment to the CRC R403.1.3 is made to be consistent that modifies the plain concrete provisions in CBC Section 1905.1.8 and ACI 318 Section 22.10.1.

This proposed amendment addresses the problem of poor performance of plain or under-reinforced concrete footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake."

15. Finding of Facts Section R703.13.

The City Council finds and determines for administrative clarification purposes, Section R703 of the California Residential Code 2010 Edition is amended by adding R703.13 with subsections:

R703.13.1 Defining what materials are required for exterior property line walls of wood frame construction in close proximity to a property line, with the exception of exterior walls facing the public right of way.

R703.13.2. Additional requirements are necessary to provide separation between buildings, prohibit common party walls and specify materials used when buildings are of wood frame construction with exterior walls in close proximity to property lines.

15. Finding of Facts Section R901.2.

The City Council finds and determines that R901.2 of the California Residential Code 2013 Edition is amended by adding thereto certain requirements, including the requirement of non-combustible roofing materials to lower fire intensity and slow the rate of fire spread due to climatic conditions, specifically winds, the probability of earthquakes, proximity to major earthquake fault zones, and the close proximity of housing stock.

## CHAPTER 15.14

### FINDINGS OF FACT

1. Finding of Facts Section 103

The City Council finds and determines for administrative purposes that the title of Section of the International Property Maintenance Code 2012 Edition, be changed to "ENFORCEMENT OF THE ORDER OF THE BUILDING OFFICIAL OR THE CITY COUNCIL OF THE CITY OF DALY CITY" to conform with the manner in which the City regulates appeals.

2. Finding of Facts Section 103

The City Council finds and determines for administrative purposes that the references to "Terms Explained" under the general definition and anywhere used in the International Property Maintenance Code 2012 Edition, identifies the position.

3. Finding of Facts Section 106.3.1

The City Council finds and determines subsections 106.3.1 of the International Property Maintenance Code 2012 Edition, should be added to provide for compliance with any order of the Building Official or City Council of the City of Daly City.

4. Finding of Facts Section 106.4

The City Council finds and determines for administrative purposes Section 106.4 of the International Property Maintenance Code 2012 Edition, referencing to " Violation Penalties", is not necessary and is deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the City Municipal Code, Chapter 15.00, Titled "General Regulations".

5. Finding of Facts Section 109.4.1

The City Council finds and determines for administrative purposes inasmuch as Authorized Emergency Repair to abate or temporarily fix an unsafe condition of a building that is of a "Life and Safety Hazard" of the International Property Maintenance Code, 2012 Edition, should be added to recover the cost spent authorized emergency repair.

6. Finding of Facts Section 109.6

The City Council finds and determines that for administrative purposes Section 109.6 of the International Property Maintenance Code 2012 Edition, referencing "Hearing" is not necessary and is deleted in its entirety inasmuch as regulation setting forth equivalent regulations are now set forth in the City Municipal Code, Chapter 15.00, Titled "General Regulations".

7. Finding of Facts Section 111

The City Council finds and determines that for administrative purposes Section 111 of the International Property Maintenance Code 2012 Edition, referencing "Means of Appeals" is not necessary and is deleted in its entirety from the International Property Maintenance Code 2012 Edition inasmuch as regulation setting forth equivalent regulations are now set forth in the City Municipal Code, Chapter 15.00, Titled "General Regulations".

**MECHANICAL CODE  
CHAPTER 15.16**

**FINDINGS OF FACT**

**1. Finding of Facts Section 108**

The City Council finds and determines that for administrative purposes Section 108 Board of Appeals of the California Mechanical Code, 2013 Edition, is not necessary and is deleted in its entirety from the California Mechanical Code inasmuch as regulations setting forth equivalent regulations are now set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

**2. Finding of Facts Section 113.4**

The City Council finds and determines that for administrative purposes Section 113.4 Expiration of the California Mechanical Code, 2013 Edition, is not necessary and is deleted in its entirety from the California Mechanical Code inasmuch as regulations setting forth equivalent regulations are now set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

**3. Finding of Facts Section 114.1**

The City Council finds and determines for administrative purposes that by amending Sec. 114.1 of the California Mechanical Code, 2013 Edition, referencing "Fees", is setting forth established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

**4. Finding of Facts Section 114.3**

The City Council finds and determines that Section 114.3 Plan Review Fees of the California Mechanical Code, 2013 Edition, is not necessary and is therefore deleted in its entirety inasmuch as equivalent regulations are now set forth in the Daly City Municipal Code, Chapter 15.00 titled "General Regulations".

**5. Finding of Facts Section 114.5.1**

The City Council finds and determines that Section 114.5.1 Expiration of Plan Review of the California Mechanical Code, 2013 Edition, is not necessary and is therefore deleted in its entirety inasmuch as equivalent regulations are now set forth in the Daly City Municipal Code, Chapter 15.00 titled "General Regulations".

**PLUMBING CODE  
CHAPTER 15.20**

**FINDINGS OF FACT:**

**1. Finding of Facts Section 102.3**

The City Council finds and determines that for administrative purposes Section 102.3 Board of Appeals of the California Mechanical Code, 2013 Edition, is not necessary and is deleted in its entirety from the California Plumbing Code inasmuch as regulations setting forth equivalent regulations are now set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

**2. Finding of Facts Section 103.4.5**

The City Council finds and determines for administrative purposes that by adding of Sec. 103.4.5 of the California Plumbing Code, 2013 Edition, referencing "Fees", is referenced to the established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

**3. Finding of Facts Section 301.1.4**

The City Council finds and determines because of the proximity to known earthquake faults with risk of fractured piping and local soil conditions leading to severe electrolysis damaging underground water supply piping, it is necessary to assure a healthy safe potable water system. Section 301.1. of the California Plumbing Code 2013 Edition is amended by addition of subsection 301.1.4 to define allowable materials.

**4. Finding of Facts Section 301.2 (A)**

The City Council finds and determines that Section 301.2 "Alternate Materials and Methods of Construction Equivalency" of Chapter 3 of the California Plumbing Code 2013 Edition, shall be amended by adding to subparagraph 301.2 and a new subsection 301.2(A) thereto be added because of the proximity to the San Andreas Fault and the potential for severe earthquake damage, that plumbing system materials shall be of materials more resistant to fracture or separation at joints or connections, and that certain materials be prohibited and approved materials clearly defined.

5. Finding of Facts Section 310.6.1

The City Council finds and determines that a high incidence of electrolysis has been found where plumbing installations are altered, repaired for renovated and wherein dissimilar metals are joined particularly in water systems and therefore, it is necessary that Section. 310.6., of the California Plumbing Code 2013 Edition, thereof be amended and that a new subsection 311.6.1 thereof be added to set forth electrolytic protection.

7. Finding of Facts Section 403 Sub Sections 403.2, 403.3, 403.4, 403.5, 403.6, 403.7, 403.8, including 408.2

The City Council finds and determines subsections 403.2, 403.3, 402.4, 403.5, 403.6, 403.7, 403.8 of section 403 including Section 408.2 of the California Plumbing Code 2013 Edition, with references to water to average water consumption are deleted and substituted with Daly City Municipal Code 15.66.040 Minimum Indoor Fixture Requirement. The City council further finds the adoption and enforcement of this ordinance is necessary to manage the City of Daly City's potable water supply in the short and long term and to avoid or minimize the effect of drought and shortage within the City of Daly City. This ordinance is essential to ensure a reliable and sustainable minimum supply of water for public health, safety and welfare

8. Finding of Facts Section 507.27 and subsections 507.27.1, 507.27.2 and 507.27.3

The City Council finds and determines that a significant history of fires caused by water heaters demonstrates the need to add Section 507.27 of the California Plumbing Code, 2013 Edition, by addition of subparagraph 507.27.1 and subsections 507.27.2 and 507.27.3 thereto, to protect existing properties and prevent fires by requiring that existing water heaters be raised when a building permit is issued based on a valuation of \$1,000 or more for work to be performed or prior to sale or transfer of the property .

9. Finding of Facts Section 602.5

The City Council finds and determines for administrative purposes, in order to assure a healthy, safe potable water system, that subsection 602.5 shall be added to Sec. 602.0 of the California Plumbing Code, 2010 Edition, setting forth regulations for the connection of residential fire sprinkler systems to the domestic water supply piping.

11. Finding of Facts Section 604.9

The City Council finds and determines for administrative purposes, in order to assure a proper electrical grounding system, that subsection 604.9 be deleted from the California Plumbing Code, 2013 Edition, setting forth where plastic pipe for conveying domestic water is not allowed, and all grounding systems are referred to the California Electrical Code.

10. Finding of Facts Section 604.14

The City Council finds and determines for administrative purposes, in order to assure a healthy, safe potable water system, that subsection 604.14 be added to 604.0 of the California Plumbing Code, 2013 Edition, setting forth approved materials clearly defined.

12. Finding of Facts Section 604.15

The City Council finds and determines for administrative purposes, that subsection 604.15 be added to section 604 of the California Plumbing Code 2013 Edition, in order to assure a healthy, safe potable water system and proper operation of approved appliances or fixtures with Plastic Parts included with the approved listing of such appliances and fixtures when readily accessible for repair or replacement is acceptable as determined by the Administrative Authority.

13. Finding of Facts Section 703.1.1

The City Council finds and determines due to the geographic location of Daly City in the Bay Area and the need for additional housing that minimum size lots have been created upon which multi-story construction is allowed. Alterations frequently occur later resulting in added fixture units, which result in the need for replacement of small diameter sewer laterals. To prevent unnecessary damage both to street paving and expense to property owners a minimum size sewer lateral is required, and that Section 703.1.1 of Chapter 7 of the California Plumbing Code, 2013 Edition, is amended to define said minimum size.

14. Finding of Facts Section 707.4

The City Council finds and determines due to the topographical nature of the vacant hillside lots available for new construction in the City, that subsection 707.4 be added to Section 707.0 of the California Plumbing Code 2013 Edition, to provide requirements for the locations of wasteline cleanouts.

15. Finding of Facts Section 713.8

The City Council finds and determines for administrative purposes Section 713.0 of the California Plumbing Code 2013 Edition is amended by addition of subsection 713.8 thereto, referencing the North San Mateo County Sanitation District and the Bayshore Sanitary District for further requirements.

16. Finding of Facts Section 1208.6.1

The City Council finds and determines that Section 1208.0 of the California Plumbing Code, 2013 Edition, shall be amended to add subparagraph 1208.6.1 thereto regarding gas meter locations, due to the geographic location of Daly City in the Bay Area and State regulations that gas meters are required to be placed on the exterior of the building. Further that gas meters are unsightly and there is a need for regulations providing that gas meters be screened from public view.

## FINDINGS OF FACT:

1. Finding of Facts Section 4.303.1.4.5

The City Council finds and determines section 4.303.1 of the California Green Building Code Standards 2013 Edition, with references to Plumbing Fixtures and Fittings, Water Use Baseline Table 4.303.1.4.5 for residential building is deleted and substituted with Daly City Municipal Code 15.66.040 Minimum Indoor Fixture Requirement. The City council further finds the adoption and enforcement of this ordinance is necessary to manage the City of Daly City's potable water supply in the short and long term and to avoid or minimize the effect of drought and shortage within the City of Daly City. This ordinance is essential to ensure a reliable and sustainable minimum supply of water for public health, safety and welfare

2. Finding of Facts Section 5.303.5

The City Council finds and determines section 5.303.5 of the California Green Building Code Standards 2013 Edition, with references to Plumbing Fixtures and Fittings, Water Use Baseline Table 5.303.2.2 for non-residential building is amended by adding 5.303.5 with references to the Daly City Municipal Code 15.66.040 Minimum Indoor Fixture Requirement. The City council further finds the adoption and enforcement of this ordinance is necessary to manage the City of Daly City's potable water supply in the short and long term and to avoid or minimize the effect of drought and shortage within the City of Daly City. This ordinance is essential to ensure a reliable and sustainable minimum supply of water for public health, safety and welfare

3. Finding of Facts Appendix A4.

The City Council finds and determines for administrative purposes Appendix A4 of the California Green Building Standards Code 2013 Edition Tier 1 and Tier 2 enhanced residential voluntary Measures deleted and not mandatory under this code.

4. Finding of Facts Appendix A5.

The City Council finds and determines for administrative purposes Appendix A5 of the California Green Building Standards Code 2013 Edition Calgreen Tier 1 and Tier 2 enhanced non-residential voluntary measures deleted and not mandatory under this edition of the code.

ELECTRICAL CODE  
CHAPTER 15.24

FINDINGS OF FACT

FINDINGS OF FACT:

1. Finding of Facts Section 89.4.2.1

The City Council finds and determines for administrative purposes that Section 89.4.2.1 of the California Electrical Code, 2013 Edition, referencing "Fees As Prescribed to Defray Cost", is not necessary and is deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations". The City Council finds and determines for administrative purposes that 89.4.2.1 of the California Electrical Code, 2013 Edition, referencing "Fees As Prescribed to Defray Cost", is referenced to the established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

2. Finding of Facts Section 89.108.4.3.1

The City Council finds and determines for administrative purposes that Section 89.108.4.3.1 of the California Electrical Code, 2013 Edition, referencing "Plan Review and Time Limitation", is not necessary and is deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

3. Finding of Facts Article 230-43

The City Council finds and determines that Article 230-43 of the California Electrical Code, 2013 Edition, be amended because of Daly City's proximity to the ocean and resultant climatic salt and fog conditions require overhead service conduits to have a degree of resistance to rust and deterioration beyond the minimum standards of the California Electrical Code.

4. Finding of Facts Article 230-70(A)(1)

The City Council finds and determines because of Daly City's geographic location in the Bay Area and resultant dense construction that Article 230-70(A)(1) of the California Electrical Code, 2013 Edition, be amended to provide readily accessible means of disconnecting the electricity to a building, if necessary, by the Fire Department for safer and faster fire fighting operations.

5. Finding of Facts Article 310-1 (A)

The City Council finds and determines that Article 310-1 (A) of the California Electrical Code, 2013 Edition, shall be amended to require the use of copper conductor material because of the corrosive fog and salt atmosphere encountered in Daly City

**BUILDING STANDARDS COMMISSION**

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



October 6, 2014

Richard Johnson  
Deputy Fire Chief/Fire Marshal  
City of Daly City  
10 Wembley Drive  
Daly City, CA 94015

RE: Ordinance # 1375

Dear Mr. Johnson:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on October 1, 2014.

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, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

**O'Brien, Laurie@DGS**

---

**From:** Richard Johnson <rjohnson@dalycity.org>  
**Sent:** Wednesday, October 01, 2014 9:42 AM  
**To:** OrdinanceFilings@DGS  
**Cc:** Rose Zimmerman; Kelly Schott  
**Subject:** Daly City Amendments to the California Code of Regulations Title 24, Part 9  
**Attachments:** CBSC.pdf; Ordinance 1375.pdf

**California Building Standards Commission**

**Daly City CFR amendments**

**Please find the attached filings for our fire Code Amendments**

**Richard A Johnson  
Deputy Fire Chief /Fire Marshal  
Fire Prevention Services Bureau  
North County Fire Authority  
Serving Brisbane, Daly City, Pacifica  
10 Wembley Drive  
Daly City, California 94015  
(650) 991-8138 (Administration)  
(650) 746-8371 (Office)  
(650) 438-4592 (Cell)  
(650) 991-8090 (Fax)**

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2014 OCT -1 A 10:43  
CALIFORNIA BUILDING  
STANDARDS COMMISSION



# North County Fire Authority

Serving the Cities of Brisbane, Daly City, Pacifica

Ron D. Myers  
Fire Chief

10 Wembley Drive  
Daly City, California 94015-4314

Administration  
Phone 650-991-8138  
Fax 650-991-8090

October 1, 2014

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

**Subject:** Daly City Amendments to the California Code of Regulations Title 24. Part 9

**To Whom It May Concern:**

Enclosed are copies of the City of Daly City's local amendments to the California Code of Regulations, Title 24 Part 9 and express findings that supports the amendments. The first reading of the ordinance was held on December 9, 2013 and the second reading was held on January 13, 2014.

If you have any questions or comments, I may be reached at (650) 991-8138

Sincerely,

Richard A Johnson  
Deputy Fire Chief / Fire marshal

**Attachments:** Executed Ordinance 1375 w/ Findings of Fact

**cc:** Rose Zimmerman, City Attorney

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CALIFORNIA DEPARTMENT  
OF BUILDING STANDARDS

ORDINANCE NO. 1375

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DALY CITY REPEALING AND REPLACING CHAPTER 15.32 OF THE MUNICIPAL CODE RE: ADOPTION OF THE 2013 CALIFORNIA FIRE CODE BASED ON THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE WITH CHANGES, ADDITIONS, AMENDMENTS AND DELETIONS

---

WHEREAS, pursuant to California Government Code Section 50022.1 et seq., the City Council of the City of Daly City ("City") may adopt by reference the 2013 California Fire Code based on the International Fire Code, 2012 Edition, with errata, published by the International Code Council, as adopted by the State of California pursuant to Title 24, Part 9 of the California Code of Regulations ("2013 California Fire Code"); and

WHEREAS, California Health & Safety Code Section 17958.5 and 18941.5 authorize cities to adopt the 2013 California Fire Code, with changes and modifications determined to be reasonably necessary because of local climatic, topographic or geologic conditions; and

WHEREAS, the City desires to adopt the 2013 California Fire Code, based on the International Fire Code, 2012 Edition, with errata, published by International Code Council, with necessary amendments to assure the 2013 California Fire Code is tailored to the particular fire protection needs of the City as required by local climatic, topographic and geologic conditions and assure the maximum level of fire protection is provided to residents, businesses and other occupants; and

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DALY CITY DOES ORDAIN as follows:

The City Council of the City of Daly City, DOES ORDAIN as follows:

SECTION 1. Findings. The Findings of Fact are contained in Exhibit "A", attached and herein incorporated to this ordinance by reference.

SECTION 2. Chapter 15.32 of the Municipal Code is hereby repealed.

SECTION 3. Chapter 15.32 of the Municipal Code is hereafter added to read as follows:

CHAPTER 15.32

FIRE CODE

Sections:

- |           |   |
|-----------|---|
| 15.32.010 | California Fire Code, Title 24, Part 9, 2013 and International Fire Code as Adopted—Amended |
| 15.32.020 | Bureau of Fire Prevention—Established-Enforcement Duties—Amended                            |

15.32.030	New Materials, processes or occupancies which may require permits--Amended
15.32.040	Section 108--Amended
15.32.050	Section 105--Amended
15.32.060	Section 105.1.1--Amended
15.32.070	Section 505--Amended
15.32.080	Section 507.5.1--Amended
15.32.090	Section 914.3.8--Added
15.32.100	Section 903.2--Amended
15.32.110	Section 903.4.2--Amended
15.32.120	Section 904.2.2--Added
15.32.130	Section 907.19--Amended
15.32.140	Section 907.9.5--Amended
15.32.150	Section 319--Added
15.32.160	Section 5608.1--Amended
15.32.170	Section 5608--Amended
15.32.180	Violations--Penalty
15.32.190	Authority to Cite
15.32.200	Appendix D Fire Apparatus Access Roads
15.32.210	Vegetation Management Program for Southern Hills Area

**15.32.010 2013 California Fire Code, Title 24, Part 9 and International Fire Code as Adopted:**

There is hereby adopted by the City of Daly City, for the purpose of prescribing regulations governing conditions hazardous to the life and property and for protection from fire or explosion, those non-building standards contained within the International Fire Code and Building Standards contained within the California Fire Code, 2013 Edition [California Code of Regulations, Title 24, Part 9], published by the International Code Council, amended by the State of California and as adopted and/or amended by the Office of the State Fire Marshall, and the whole thereof, including Appendix B ("Fire-Flow Requirements for Buildings"), Appendix C ("Fire Hydrant Locations and Distributions") Appendix D (Fire Apparatus Access Roads"), and Appendix F ("Hazard Ranking") save and except such portions as are hereinafter deleted, modified or amended by this chapter, of which code and standards not less than one copy has been and is now filed in the office of the City Clerk of the City and the same is adopted and incorporated as fully set out at length in this chapter, and from the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City.

**15.32.020 Bureau of Fire Prevention--Established--Enforcement Duties:**

- A. This code shall be enforced by the fire prevention serviced bureau in the fire department which is established and which shall be operated under the supervision of the chief of the fire department.
- B. The fire marshal in charge of the fire prevention services bureau shall be appointed by the city manager on the basis of examination to determine his/her qualifications.

**15.32.030 New materials, processes, or occupancies which may require permits:**

The city manager, or designated representative, the chief and the fire marshal of the fire prevention services bureau, shall act as a committee to determine and specify, after giving affected persons the opportunity to be heard, any new materials, processes, or occupancies which

shall require permits, in addition to those now encumbered in the code. The fire marshal of the Fire Prevention Services Bureau shall post such list in a conspicuous place in his/her office, and distribute copies thereof to interested persons.

**15.32.040 Section 108--Amended:** Section 108 of this code is deleted in its entirety and replaced by the following sections to read as follows:

**Section 108 Appeals**

- A. If a person is aggrieved by the decision of the fire chief or fire marshal, he/she shall have the right to appeal said decision to the city council
- B. Said appeal shall be in writing and shall be submitted to the city council within ten days of the decision of the fire chief or fire marshal. The city council shall, thereafter, at the next regular meeting of the city council after receipt of notice of appeal, set a time for hearing on said appeal, which time shall be not less than fourteen nor more than forty-five days from the date of the regular meeting.
- C. A copy of the notice of hearing shall be mailed to the appellant not less than ten days before the date of hearing by the city clerk.
- D. The time of hearing may be continued at the request of the party aggrieved at any time, which continuance shall not exceed a maximum of sixty days from the date originally set for hearing.
- E. Said right of continuance shall be subject to approval by the city council and the decision of the city council shall be final.
- F. Notice of the decision of the city council shall be delivered to appellant personally, or sent by certified mail, return receipt requested.
- G. The effective date of such decision shall be the date of mailing of such notice of the decision, or the date the same is personally delivered to the appellant.
- H. Failure of any person to file an appeal in accordance with the provisions of this code shall constitute a waiver of his/her right to an administrative hearing an adjudication of the notice and order, or to any portion thereof.

**15.32.050 Section 105--Amended:**

Section 105 of this code is amended by adding the following required permits:

105.6.48 Christmas Tree Lot. To operate a Christmas tree lot for the seasonal sale of Christmas trees.

105.6.49 Fire Alarm. To operate a manually or automatically actuated fire alarm in any building. Exception: smoke detectors in one and two-family dwellings.

105.6.50 Institutions and day care. To operate any and all occupancies that are set forth under Group I Occupancies, and Group E Occupancy of Title 24 of the California Code of Regulations, each accommodating more than six people.

105.6.51 Residential care facility. To operate a residential care/assisted living facility as set forth under Group R, Division 4 Occupancies.

**15.32.060 Section 105.1.1--Amended:** Section 105.1.1 is amended by adding the following paragraph at the end of the section:

The city council of the city of Daly City may if it so desires, establish by resolution permit fees in connection with any permit required or authorized to be issued by the fire chief or any other authorized representative of the fire department.

**15.32.070 Section 505.1--Amended:** Section 505.1 is amended by adding the following at the end of the section:

Said numbers shall be internally or externally illuminated in all new construction, or when alterations or repairs of existing construction occur.

The size and location of address numbers for multi-family dwellings and all other occupancies shall be as designated by the fire marshal.

Buildings shall be placarded in accordance with NFPA 704. The locations and size of placards shall be as required by the fire marshal.

**15.32.080 Section 507.5.1--Amended.** Section 507.5.1 of this code is amended to read as follows:

Section 507.5.1 Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions: For group R-3 and U occupancies, the distance requirements shall be 250 feet.

**15.32.090 Section 914.3.8--Added.** Section 914.3.8 is added to this code and shall read as follows:

**Section 914.3.8 Multistoried. High-rise Safety Requirements**

All Group B and Group R occupancies, each having floors used for human occupancy located more than seventy-five feet (75') above the lowest level of fire department vehicular access, shall be equipped with an approved Firefighter Breathing Air Replenishment System. Such a system shall provide an adequate pressurized fresh air supply through a permanent piping system for the replenishment of portable life sustaining air equipment carried by fire department, rescue, and other personnel in the performance of their duties. Location and specifications of access stations to, and the installation of, such air replenishment systems shall be made in accordance with the requirements of the fire chief.

**15.32.100 Section 903.2.** Section 903.2 of this code is deleted in its entirety and is replaced with the following:

**Section 903.2 Where Required**

A fire extinguishing system shall be installed in all occupancies and locations as set forth in this section.

A. **All Occupancies.** All occupancies shall be protected throughout by an automatic fire sprinkler system installed in accordance with NFPA 13.

Exceptions: Detached garages less than 400 square feet in size. Detached carports and greenhouses. Sheds and auxiliary structures under 200 square feet in size and not used for human habitation.

B. **Existing Occupancies.** When an existing building undergoes any alteration, renovation, addition, or repair which exceeds 50% of the building's original gross area, the entire building shall be protected by an automatic fire sprinkler system. Gross area shall be the area included within surrounding exterior walls.

Exceptions: Work involving exterior surfaces only, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck.

C. **Other Areas.** An automatic fire sprinkler system shall be installed in all garbage compartments, rubbish and linen chutes, linen rooms, incinerator compartments, dumb waiter shafts, and storage rooms when located in all occupancies except Group R, Division 3. An accessible indicating shut off valve shall be installed.

D. **Condominium Conversions.** An automatic fire sprinkler system shall be installed for all condominium conversions.

**15.32.110 Section 903.4.2 Sprinkler System Supervision and Alarms.** Section 903.4.2 is amended by added the following to the end of the paragraph:

In addition to the audible device(s) required by this section, an approved strobe light shall be located on the exterior of the building in an approved location.

**15.32.120 Section 904.2.2 – Added**

**Section 904.2.2 Floor Markings**

The location(s) of all cooking appliances that are protected by an approved automatic fire extinguishing system shall be permanently identified either by a wall mounted "approved" appliance floor plan or marked on the floor in a manner approved by the Fire Marshal.

**15.32.130 Section 907.7.3.** Section 907.7.3 of this code is amended by adding the following paragraph:

Each fire alarm system shall have posted at the main control panel instructions for silencing and resetting the system, the day and night phone numbers of the person responsible for

the property, and the company or individual providing maintenance services for the alarm system.

**15.32.140 Section 907.8.5** Section 907.8.5 of this code is amended by adding the following paragraph:

Each operator of a fire alarm system is required to have a maintenance/inspection contract with a company or individual licensed by the California Department of Consumer Affairs to perform work on a fire alarm system. Individuals performing maintenance or inspection services must be appropriately licensed or directly employed by an appropriately licensed contractor. A current copy of the maintenance/inspection contract shall be submitted to the fire department each year before the issuance of an annual fire alarm permit. This contract shall provide for inspections and service in accordance with NFPA 72.

**15.32.150 Section 319.** Section 319 is added to this code to read as follows:

Section 318 Utility Marking All gas and electric utility services in multi-family tenant buildings shall be visibly and legibly marked with the unit identification.

**15.32.160 Section 5608.1** Section 5608.1 of this code is amended by adding the following paragraph:

The sale and discharge of fireworks is permitted only as provided in Title 8, Chapter 8.24 et seq., of the Daly City Municipal Code.

**15.32.170 Section 5608.** Section 5608 of this code is amended by adding Section 5608.1.2 as follows:

Section 5608.1.2. The foregoing provisions of Chapter 33 shall be subject to the provisions of Title 8, Chapter 8.24 of the Daly City Municipal Code whenever same are in conflict therewith.

**15.32.180 Violation—Penalty.** Any person who shall violate any provision of this code adopted by this chapter, or fail to comply therewith, or who shall build in violation of any detailed statement of specifications or plans submitted and approved hereunder, and from which no appeal has been taken, or shall fail to comply with such and order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed therein, shall severally for each and every such violation and non compliance respectively, be guilty of a misdemeanor, punishable as set forth in section 1.12.010 of the Daly City Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

**15.32.190 Authority to Cite** The fire chief and/or fire marshal may, pursuant to section 836.5 of the Penal Code, and subject to the provisions thereof, cite a person whenever he/she has reasonable cause to believe that the person to be cited has committed a misdemeanor in his/her presence which is a violation of the International/California Fire Code adopted by the city and any amendments thereto, which the fire chief and/or fire marshal have duty to enforce.

**15.32.200 Appendix D – Fire Apparatus Access Roads.**

Appendix D is amended by deleting figure D103.1 Dead-End Fire Apparatus Access Road Turnaround and replacing it with a new Amended Figure D103.1 Dead-End Fire Apparatus Access Road Turnaround, Attached at the end of the Ordinance.

**15.32.210 Vegetation Management Program for the Southern Hills Area.**

- A. Purpose and Intent. The purpose and intent of these regulations is to identify areas which present a fire hazard due to the accumulation of gorse plants near residential areas so that public officials are able to identify measures that will retard the rate of spread and reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.
- B. Designation of vegetation management program areas. Areas identified by the fire chief shall be deemed a fire hazard and it is the duty and responsibility of property owners within such area(s) to maintain such designated property in accordance with this section.
- C. Authority to designate and designation of vegetation management program areas.
- a. The Daly City fire chief is authorized to designate area(s) within the boundaries of the city, as area(s) meeting the criteria governed section B.
  - b. The Daly City fire chief has designated the following area as an area meeting the criteria governed by section B:
    - i. Southern Hills: located in the northeast portion of Daly City north and east of Crocker Avenue including but not limited to South Hill Boulevard, Alta Vista Way, Oakridge Street and surrounding areas abutting San Bruno Mountain County Park which lies to the south. An exact area is delineated upon a map attached to the ordinance codified in this section as Appendix 1. An original map of the area is located within the administrative offices of the Daly City fire department.
- D. General Requirements as to Dwellings or Structures In, Upon or Adjoining Specified Areas or Lands Within an Area(s) Meeting Criteria Governed by section B – Maintenance.
- a. Any person who owns, leases, controls, operates, or maintains any land within an area meeting criteria governed by Section B and designated by the fire chief pursuant to this section shall at all times do all of the following:
    - i. All properties shall be entirely cleared of all flammable vegetation including but not limited to gorse, grass, weeds, and brush. This subdivision does not apply to single specimens of trees, ornamental shrubbery, or similar plants that are used as groundcover, if they do not form a means of rapidly transmitting fire from native growth to any dwelling or structure; grass and other vegetation less than twelve inches in height above the ground may be maintained to stabilize the soil and prevent erosion;
    - ii. Remove that portion of any trees that extend within ten feet of the outlet of any chimney or stovepipe;
    - iii. Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than one-half inch in size;
    - iv. Maintain any tree adjacent to or overhanging any building free of dead or dying wood; and

- v. Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth.
  - b. A person is not required under this section to maintain a clearing on any land if that person does not have legal right to maintain the clearing, nor is any person required to enter upon or damage property that is owned by any other person without the consent of the owner of the property.
- E. Application of maintenance standards to specified land or water areas.
- a. This section shall not apply to any land or water area acquired or managed for one or more of the following purposes or uses:
    - i. Habitat for endangered or threatened species, or any species that is a candidate for listing as an endangered or threatened species by the state or federal government;
    - ii. Lands kept in a predominately natural state as habitat for wildlife, plant or animal communities; and
    - iii. Open space lands that are environmentally sensitive parklands.
  - b. This exemption applies whether the land or water area is held in fee title or any lesser interest. This exemption applies to any public agency, any private entity that had dedicated the land or water areas to one or more of those purposes or uses, or any combination of public agencies, and private entities making that decision.
- F. Enforcement
- a. The provisions for Section 1507 and any subsequent subsections or local amendments to Section 1507 (roof coverings) of the latest edition of the California (International) Building Code as adopted by the city, shall apply in all areas so designated in the city. The building official shall enforce the provisions of Section 1507 in all areas so designated by the fire chief and as locally amended.
  - b. The Daly City fire department shall have authority to enforce all requirements in this section as well as the enabling statutes. Violations of this section, or of the enabling state statutes may be prosecuted under Sections 51185 through 51187 of the Government Code, or alternatively under the general penalty provisions of Chapter 1.12 of this code, or under this section as specified below.
    - i. Notification of violation. Whenever the fire department determines that any property within the city is being maintained contrary to one or more of the provisions of this section, (s)he shall give written notice to the owners and/or tenant of the property stating the sections being violated.
    - ii. Referral to City Attorney. In the event an owner shall fail, neglect, or refuse to comply with the notice to correct a violation, the fire department may refer the violation to the city attorney for legal action, including the institution of a civil or criminal proceeding to achieve compliance, as an alternative to the administrative appeal committee process set out in the sections below.
    - iii. Referral to Administrative Appeal Committee. In the event an owner shall fail, neglect or refuse to comply with the notification, the fire department may seek compliance through the administrative appeal committee process as set forth in Part II of this section, in addition to, or as an alternative to any other remedy allowed by law or by this section.
    - iv. Referral to City Council for abatement. In the event an owner shall fail, neglect, or refuse to comply with this notification, the fire department may seek compliance through abatement or physical security of the property as

set forth in Part III of this section in addition to, or as an alternative to any other remedy allowed by law or by this section.

Part II – Administrative Appeals, Hearings, Orders, Penalties, and Costs.

A. Applicability of administrative appeal process.

- a. This subsection provides for administrative remedies, which are in addition to all other legal remedies, criminal or civil, which may be pursued by the city to address any violation of this section.
- b. Use of this subsection shall be at the sole discretion of the city in general, and of the fire department in particular.

B. Purpose of administrative appeal process.

- a. The administrative appeal process serves to provide the full opportunity of a person subject to a notification of violation to object to the determination that a violation has occurred and/or that the violation has continued to exist. The failure of any person subject to a notification of violation, pursuant to this section, to appear at the hearing shall constitute a failure to exhaust administrative remedies.
- b. In the absence of an appeal, the administrative appeal process is provided to review the facts of any issued notification of violation, where necessary, and upon review of such facts the administrative appeal board may:
  - i. Discharge the notification of violation
  - ii. Re-issue the notification of violation; or
  - iii. Without further hearing, declare such property to be a violation, and order abatement, issue administrative orders, impose administrative penalties, and recover administrative costs pursuant to the provisions of this section.
- c. In appropriate cases, the administrative appeals board may decide or order the direct abatement of the subject property, subject to the property owner's right to timely appeal that decision to the Daly City Council.

C. Administrative Appeal Committee.

- a. The administrative appeal committee shall be the body designated to conduct an administrative hearing to ascertain whether the violation exists, the abatement of which is appropriate under the police powers of the city.
- b. The membership of the administrative appeal committee shall consist of one or more city employees appointed by the city manager or his or her designated representative, with sufficient supervisory, professional or practical experience to review the matters brought before the administrative appeals committee.

D. Notices.

- a. Notice of administrative appeal committee hearing, or other actions shall be served upon the owner in accordance with the provisions of this section, and shall be served upon the property owner not less than fourteen days before the time fixed for the hearing.
- b. Notice shall be given by delivering a written notice personally to the owner(s) of the property upon which the violation is located, or by depositing such notice in the United States mail, postage prepaid, and addressed to the owner(s) thereof at his or her last known address as the same appears on the last equalized assessment roll of the county. In the event a notice is given to the person(s) in apparent possession or

control of the property, such notice shall be given in either manner specified in this section and may be addressed to "occupant" or "to whom it may concern", if the name of such person(s) is unknown.

- c. Notice of hearing before the administrative appeal committee or notice of an action by the administrative appeal committee shall substantially contain the information as set forth below:
  - i. The date and location of the violation;
  - ii. The section of this code, the adopted International codes, state law or regulations or other such statutes violated and a description of the violation;
  - iii. The actions required to correct the violation;
  - iv. The time period after which administrative penalties will begin to accrue if compliance with the notification has not been achieved;
  - v. Either a copy of this section or an explanation of the consequences of noncompliance with this section and a description of the hearing procedure and appeals process, or
  - vi. The fact that this matter will be sent to the city attorney's office to seek compliance if the matter poses an immediate threat or danger.
- d. The failure of any owner or other person to receive such notice shall not affect in any manner the validity of any proceedings taken under this section of this section.

E. Hearing – Findings and Order.

- a. At the place and time set forth in the notice set out above, the administrative appeal board shall conduct a hearing on the notification of violation issued pursuant to this section.
- b. The board shall consider any written or oral evidence consistent with its rules and procedures regarding the violation and compliance by the violator or by the real property owner.
- c. Within a reasonable time following the conclusion of the hearing, the board shall make findings and issue its determination regarding:
  - i. The existence of the violation;
  - ii. The failure of the violator/owner to take required corrective action within the required time period.
- d. The board shall issue written findings. The findings shall be supported by evidence received at the hearing.
- e. If the board finds by a preponderance of the evidence that a violation has occurred and that the violation was not corrected within the time period specified in the notification of violation, the board shall issue an administrative order. Such administrative order may direct abatement by the City.
- f. If the board finds that no violation has occurred or that the violation was corrected within the time period specified in the notification of violation, the board shall issue a finding of those facts.

F. Administrative Order. If the administrative appeal board determines that a violation occurred which was not corrected within the time period specified in the notification of violation, the board shall issue an administrative order which imposes any or all of the following:

- a. An order to correct, including a schedule for correction where appropriate;
- b. An order to abate, by city forces or contract, with allowance for timely appeal to the city council, and cost recovery for the costs of abatement;

- c. Administrative penalties provided below;
- d. Administrative costs as provided below;

G. Administrative penalties.

- a. The administrative appeal board may impose administrative penalties for the violation of any provision of this code in an amount not to exceed a maximum of two thousand five-hundred dollars per day for each ongoing violation, except that the total administrative penalty shall not exceed ten thousand dollars exclusive of administrative costs, interest and restitution for compliance inspections, for any related series of violations.
- b. In determining the amount of the administrative penalty, the board may take any and all of the following factors into consideration:
  - i. The duration of the violation;
  - ii. The good-faith efforts of the violator to come into compliance;
  - iii. The economic impact of the penalty on the violator;
  - iv. The impact of the violation on the community;
  - v. Such other factors as justice may require.
- c. Administrative penalties imposed by the board shall accrue from the date specified in the notification of violation and shall cease to accrue on the date the violation is corrected as determined by the fire department or the board.
- d. The board, in its discretion, may suspend the imposition of applicable penalties for any period of time during which the violator had made good-faith efforts to achieve compliance.
- e. Administrative penalties assessed by the board shall be due by the date specified in the administrative order.
- f. Administrative penalties assessed by the board are a debt owed to the city, and, in addition to all other means of enforcement, may be enforced by means of a lien against the real property on which the violation occurred.
- g. If the violation is not corrected as specified in the board's administrative order, administrative penalties shall continue to accrue on a daily basis until the violation is corrected, subject to the maximum amount set forth.
- h. If the violator gives written notice to the fire department that the violation has been corrected and if the fire department finds that compliance has been achieved, the city shall deem the date the written notice was postmarked or personally delivered to the fire department or the date of the city's site inspection, whichever first occurred, to be the date the violation was corrected. If no written notice is provided, the violation will be deemed corrected on the date of the city's site inspection.

H. Administrative Costs.

- a. The administrative appeal board may assess administrative costs against the violator when it finds that a violation has occurred, and that compliance has not been achieved within the time specified in the notification of violation.
- b. The administrative costs may include any and all costs incurred by the city in connection with the matter before the administrative appeal board, including but not limited to costs of investigation, staffing costs incurred in the preparation for the hearing and for the hearing itself, and costs for all re-inspections necessary to enforce the notification of violation.

- I. Failure to comply with administrative compliance order. Failure to pay the assessed administrative penalties and administrative costs specified in the administrative order of the administrative appeals board may be enforced as:
  - a. A personal obligation of the violator, and/or
  - b. A lien upon the real property. The lien shall remain in effect until all of the administrative penalties, interest and administrative costs are paid in full.
  
- J. Right to city council review. Any person aggrieved by an administrative order or determination following a hearing by the administrative appeal board on a compliance dispute, may obtain review of the administrative order with the Daly City council as set out below.
  
- K. Recovery of abatement costs and/or administrative civil penalties. The City may collect abatement costs and/or the assessed administrative penalties and administrative costs by use of all available means, including recordation of a lien.
  
- L. Compliance dispute.
  - a. If a violator believes that compliance has been achieved but not agreed to or accepted as complete by the fire department, he or she may request a compliance hearing before the administrative appeal board by filing a request for a hearing with the fire department.
  - b. The hearing shall be noticed and conducted in the same manner as a hearing on a notification of violation as provided in earlier subsections of the section. The board shall determine if compliance has been achieved and, if so, when it was achieved.

### Part III – Appeals to City Council and Abatement

- A. Appeals Procedure – Hearing by City Council.
  - a. The owner receiving an abatement order, administrative order, or an order of the administrative appeal board following a compliance hearing, may request a hearing before the city council (“council”) by filing its request with the city clerk within ten calendar days of the date of service of the administrative order or an order of the administrative appeal board following a compliance hearing. The request shall contain:
    - i. A specific identification of the subject property;
    - ii. The names and addresses of all legal parties requesting the hearing;
    - iii. A statement of the parties legal interest in the subject property;
    - iv. A statement in ordinary and concise language of the specific order or action protested and the grounds for the hearing, together with all material facts in support thereof;
    - v. The date and signatures of all requesting parties;
    - vi. The verification of at least one party as to the truth of the matters stated in the request.
  - b. As soon as practical after receiving the request, the city clerk shall set a date for the council to hear the matter which date shall not be less than ten calendar days nor more than thirty calendar days from the date the appeal was filed. The city clerk shall give each party written notice of the time and place of the hearing, either by causing a copy of such notice to be delivered to the party personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his or her address

shown on the request. Continuances of the hearing may be granted by the council on the council's own motion.

- c. For each appeal to the city council, there shall be assessed a fee at the time of the filing of the appeal of one hundred dollars, which fee will be refunded should the person prevail in the appeal.
  - d. Property owners who have not availed themselves of the administrative appeal process of the previous section of this ordinance shall not have right to appeal to the council the issues concerning the notification of violation, any administrative orders, administrative penalties, administrative costs, compliance matters or other issues provided for in the previous section of this section.
- B. Decision by City Council. Upon conclusion of the hearing, the council shall determine whether the property or any part thereof, as maintained, constitutes a violation. If the council so finds, the council shall adopt a resolution declaring such property to be in violation, setting forth its findings and ordering or confirming the abatement of the violation. The decision and order of the council shall be final.
- C. Service of order to abate. A copy of the resolution of the council shall be served upon the owner(s) of the property in accordance with the provisions of this section. Upon abatement or compliance in full by the owner, the proceedings hereunder shall terminate.
- D. Abatement by the City.
- a. If such violation is not abated as ordered by the administrative appeals board or by the city council, the fire chief, or his/her designee shall cause the same to be abated by city employees or private contract. The city manager or his/her designee is expressly authorized to enter upon the property for such purposes. The cost, including incidental expenses, of abating the violation shall be billed to the owner and shall become due and payable thirty days thereafter. The term "incidental expenses" shall include, but not be limited to, personnel costs incurred in documenting the violation, the actual expenses and cost of the city in preparation of notices, specifications and contracts, and in inspecting the work, and the costs of printing and mailing required hereunder.
  - b. A person shall not obstruct, impede or interfere with the fire chief, or his/her designee, or his/her representative, or with any person who owns, or holds any interest or estate in, any property in the performance of any necessary act, preliminary to or incidental to, carrying out an abatement order issued pursuant to this section.
- E. Filing of judicial action. Any action appealing the council's decision and order shall be commenced within thirty calendar days of the date of service of the decision.
- F. Recording cost of abatement. The fire chief or his/her designee shall keep an account of the cost, including incidental expenses, of abating such violation on such private lot or parcel of land where the work of abatement is done by the city or under private contract, and shall render an itemized statement showing the cost of abatement. The cost accounting of abatement, including expenses, shall be provided to any person liable to be assessed for the cost of abatement.

- G. Protests and objection to cost report. Any person liable to be assessed for the cost of an abatement action may file written protest or objection to the fire chief's statement with the city clerk within fourteen days following mailing of such cost to the assessee. The city clerk shall endorse each protest or objection received and shall present such protest or objections to the city council at the time set forth for the hearing upon the imposition of a lien, in accordance with the lien and cost recovery procedures of Part IV of this section. No other protests or objections shall be considered.

#### Part IV – Liens and Cost Recovery

A. Lien Procedure.

- a. Whenever:
- i. The amount of any administrative penalty and/or administrative cost is imposed by the administrative appeal board pursuant to this section in connection with real property has not been satisfied in full within ninety days and/or has not been successfully challenged by a timely appeal to the city council; or
  - ii. Any cost of abatement and/or costs imposed by means of the administrative appeals board or the city council as a result of the abatement proceedings have not been satisfied in full within ninety days of issuance of a cost report by the city clerk for such abatement proceedings; then these obligations may constitute a lien against the real property on which the violation occurred.
- b. The lien provided herein shall have no force and effect until recorded with the county recorder. Once recorded, the administrative order or abatement cost report shall have the force and effect and priority of a judgment lien governed by the provisions of Section 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 and 683.220, inclusive, of the Code of Civil Procedure.
- c. Interest shall accrue on the principle amount of the judgment remaining unsatisfied pursuant to law.
- d. Prior to recording any such lien, city staff shall prepare and file with the city clerk, a report stating the amounts due and owing.
- e. The city clerk shall fix a time, date and place for hearing the cost report and any protests or objections thereto by the city council.
- f. The fire chief or his/her designee shall cause the written notice to be served on the property owner not less than ten days prior to the time set for the hearing.

B. Public hearing and protests.

- a. Any person whose real property is subject to a lien pursuant to this section may file a written protest with the city clerk and/or may protest orally with the city clerk and/or may protest orally at the city council meeting.
- b. Each written protest or objection must contain a description of the property in which the protesting party is interested and the grounds for such protest or objection.
- c. The City Council, after the hearing, shall adopt a resolution confirming, discharging, or modifying the amount of the lien.

- C. Recording of lien. Thirty days following the adoption of a resolution or other determination imposing a lien, the city clerk shall file the same as a judgment lien in the

office of the county recorder of San Mateo County, California. The lien may carry such additional administrative charges as set forth herein.

- D. Satisfaction of lien. Once payment in full is received by the city for outstanding penalties and costs the city shall either record a notice of satisfaction or provide the property owner or financial institution with the notice of satisfaction so they may record this notice with the office of the county recorder. Such notice of satisfaction shall cancel the city's lien.
- E. Abatement proceedings costs – collections. All costs associated with abatement proceedings or as a result of the administrative appeal process either before the administrative appeals board or the city council which are not satisfied through the procedures of the above sections shall be collected on behalf of the city by the city attorney using the appropriate legal remedies.

#### Part V – Criminal Enforcement

- A. Alternative actions available.
- a. Nothing in this section shall be deemed to prevent the administrative appeals board or the city council from ordering the commencement of alternative civil or criminal proceedings to abate or otherwise address a violation in conjunction with the proceedings set forth in this section.
- B. Violation and penalties.
- a. Violation of this section shall constitute a misdemeanor; however, any city official with citation authority may prosecute such violations as infractions wherein each infraction may be punishable by a fine not exceeding one hundred dollars for a first violation, two hundred and fifty dollars for a second violation within one year and five hundred dollars for each additional violation within one year.
  - b. Every day that any such violation continues shall constitute a separate offense.
  - c. Each violation shall be re-inspected until compliance with this section is completed. A cost of not less than one hundred dollars may be assessed for each inspection of the property beginning with the third inspection.
- C. Criminal enforcement authority.
- a. The City Council authorizes the fire department to issue citations (notice to appear) for any violation of:
    - i. This ordinance of the City of Daly City;
    - ii. The adopted and amended fire code(s), and/or any appendices or standards of such code(s).
  - b. This ordinance may be enforced by the sworn personnel of the Daly City Police Department.
  - c. The Daly City city manager may further designate any Daly City employee with the full or limited authority to issue criminal citations for any violations of this section.
  - d. The Daly City city attorney's office is authorized to criminally prosecute and/or civilly enforce any violations of this section.
- D. Liability for Damage. The expenses for fighting fires which result from a violation of this section shall be a charge against the person whose violation caused and/or contributed to the fire. Damages caused by such fires shall constitute a debt of such

person and are collectable by the city in the same manner as in the case of an obligation under contract, expressed or implied.

SECTION 3. Severability. If any section, subsection, sentence, clause, or portion of this ordinance or any part thereof is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Daly City hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 4. Environmental Determination. The City Council finds pursuant to Title 14 of the California Code of Regulations, Section 15378, that this ordinance is categorically and statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

- A. It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly or ultimately as provided in Title 14, California Code of Regulations, Section 15378(a);
- B. In that it is further exempt under the definition of Project in Section 15378(b)(3) in that it concerns general policy and procedure making;
- C. In that it can be seen with certainty that there is no possibility that the activity may have a significant effect upon the environment pursuant to Title 14, California Code of Regulations, Section 15061(b)(3); and
- D. In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and therefore is categorically exempt pursuant to Title 14, California Code of Regulations, Section 15308.

SECTION 5. Compliance.

Compliance with the requirements set forth in this ordinance will commence with the initial inspections conducted by the Daly City Fire Department. Thereafter all properties shall be maintained free of all flammable vegetation or other combustible growth as spelled out in this ordinance. Inspections and verification of compliance will be undertaken by the Daly City Fire Department or such other agency as the Fire Chief may so indicate.

SECTION 6. Publication/Summary.

Pursuant to the provisions of Government Code Section 36933, a summary of this ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this ordinance is scheduled to be adopted, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's office a certified copy of this ordinance. Within fifteen (15) days after the adoption of this ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's office a certified copy of the full text of this ordinance along with the names of those City Council members voting for and against this ordinance or otherwise voting. This ordinance shall become effective thirty (30) days from and after its adoption.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DALY CITY REPEALING  
AND REPLACING CHAPTER 15.32 OF THE MUNICIPAL CODE RE: ADOPTION OF THE  
2013 CALIFORNIA FIRE CODE BASED ON THE 2012 EDITION OF THE  
INTERNATIONAL FIRE CODE WITH CHANGES, ADDITIONS,  
AMENDMENTS AND DELETIONS

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RECEIVED  
2014 OCT - 1 A 10:15  
FIRE DEPARTMENT  
FIRE STANDARDS COMMISSION

Introduced this 9th day of December, 2013

Passed and adopted as an Ordinance of the City of Daly City at a regular meeting of the  
City Council of the City of Daly City held on the 13<sup>th</sup> day of January, 2014  
by the following votes:

AYES, Councilmembers	<u>Buenaventura. Guingona. Klatt</u>
	<u>Torres. Canepa</u>
NOES, Councilmembers	<u>None</u>
Absent, Councilmembers	<u>None</u>

  
CITY CLERK OF THE CITY OF DALY CITY

Approved:

DAVID J. CANEPA  
MAYOR OF THE CITY OF DALY CITY

EXHIBIT A  
FIRE CODE  
CHAPTER 15.32

FINDING OF FACTS

FINDING OF FACTS

The Council of the City of Daly City finds the following:

A. Pursuant to Section 17958.5 and 18941.5 of the California Health and Safety Code, the report contained herein is submitted as the "Findings of Fact" with regard to the adoption of the Daly City Municipal Code, Chapter 15.32 which would adopt the California Fire Code 2013 Edition and amendments. Under this adopting ordinance, specific amendments have been established which are more restrictive in nature than those adopted by the State of California and State Fire Marshal.

B. These local amendments to the California Fire Code, 2013 Edition, have been evaluated and recognized by the City of Daly City as tools for addressing the fire problem, concerns and future direction by which the city will establish and maintain an environment which will afford a high level of fire and life safety to all those who work and live within the city's boundaries.

C. Those local amendments are based upon the following climatic, geographical, and topographical conditions:

1. Climatic: Daly City received an annual average rainfall of approximately 12.1 inches between October and April. During the summer months from June through September the city experiences a great deal of fog and wind. Winds generally prevail from the west at velocities ranging from approximately 15 to 20 mph. Temperatures range from approximately 32 to 90 degrees F.

In summary, due to these climatic conditions, driving is extremely hazardous and visibility is very poor. Therefore, arriving on scene at an emergency may require a long response time. Winds can have an impact on structure fires of buildings in close proximity to one another, common to Daly City. In building fires, winds can literally force fires back into the building and can create a blow torch effect, in addition to preventing "natural" ventilation and cross ventilation efforts.

2. Geographical: Daly City resides on the San Andreas Fault and is subject to seismic activity. An earthquake can happen at any time and cause severe stress on the department's ability to provide emergency response, i.e. water mains may rupture and traffic congestion will cause increased delay. Parts of the city are built upon portions which contain dense shrub-type vegetation (gorse), grasses and trees or are on sloped terrain. The city responds to wildland fires on San Bruno Mt. on an annual basis. The city is surrounded by San Francisco on the north, Brisbane and Colma on the east and

southeast, and South San Francisco on the south. To the west and southwest are the Pacific Ocean and the City of Pacifica.

3. Topographical: Daly City is essentially built on steep slopes and hillsides. Many streets are narrow and winding with congested vehicle parking. New construction is inevitably built on more slopes or areas where access is difficult. Narrow roads make response times longer and makes it difficult to place fire apparatus and equipment close to a fire scene. Additionally, many areas have structures built on zero lot lines creating difficulty in controlling fire spread and exposure. Delays in response may also be attributed to traffic patterns where major thoroughfares are often congested with traffic.

In order to mitigate the problems required in quick response to a fire, built-in automatic fire-extinguishing systems, standpipe systems or fire alarm systems are required over and above code requirements. The requirement and installation of such appliances will allow faster notification to occupants to evacuate and allow the fire to be controlled before the arrival of fire apparatus. Additional standpipe outlets will allow firefighters access to a water supply once inside a structure.

Finding of Facts (15.32.010) – Adoption

Every three years the International Code Council publishes a new edition of the International Fire Code. The City of Daly City is presently using the 2010 California Fire. Title 24 of the California Code of Regulations contains all of the Building Standards of the State of California and is divided into ten parts. Part 9, California Fire Code, references the International Fire Code. To maintain consistent current practices in the field of fire safety and building technology, changes in materials, processes, and construction, we recommend adopting the 2013 edition of the California Fire Code and appendices as indicated.

Finding of Facts (15.32.020)

Establishment of local fire prevention division, no deviation from adopted fire code.

Finding of Facts (15.32.030)

Provides a committee to review when new materials, processes or occupancies not otherwise covered under the code would require permits. This is administrative only and does not require a finding of facts.

Finding of Facts (15.32.040)

This provision outlines the appeals process for persons who are aggrieved by a decision of the fire chief or fire marshal. This is administrative only and does not require a finding of facts.

Finding of Facts (15.32.050)

These changes are directly related to administrative and permit processes only, and are unchanged from prior ordinance amendments to the fire code, except for the section number. These changes confirm permits, appeals processes, imposition of costs and fees,

and right of entry to other established municipal code procedures in the City of Daly City, and are administrative rather than technical in nature.

Finding of Facts (15.32.060)

These changes are directly related to administrative and permit processes only, and are unchanged from prior ordinance amendments to the fire code. These changes confirm permits, appeals processes, imposition of costs and fees, and right of entry to other established municipal code procedures in the City of Daly City, and are administrative rather than technical in nature.

Finding of Facts (15.32.070)

Section 505.1 is amended to include additional addresses locations and the identification hazards under the NFPA 704 system. This section will assist in faster response for emergency response personnel due to climatic conditions (fog) which inhibit visibility. Previously adopted in the fire code. Duplicate language already in the fire code was deleted from this amendment.

Finding of Facts (15.32.080)

These changes relate to required locations for fire hydrants for newly constructed buildings, and are unchanged from prior ordinance amendments to the fire code except for language to conform to code. The above stated climatic, geographical and topographical conditions warrant more stringent requirements for locations of fire hydrants within the City of Daly City than those standards set in the International Fire Code.

Finding of Facts (15.32.090)

This section remains unchanged, from the prior code adopted by the City except the name of the system was changed to conform with other of the Building codes. The above stated climatic, geographical and topographical conditions warrant more stringent requirements for high-rise building safety in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations and firefighter safety.

Finding of Facts (15.32.100)

This section remains unchanged, from the prior code adopted by the City. The above stated climatic, geographical and topographical conditions warrant more stringent requirements for automatic fire extinguishing systems in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Slopes also

make it difficult to place ladders for rescue and to advance those hose lines. Response time is increased due to steep grades, narrow streets and congested traffic.

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple fires through our community. With on limited fire apparatus available after an earthquake, we must rely on built-in protection to contain a large number of incipient fires.

Access: the majority of buildings are built with zero lot lines and no direct access to rear yards. Initial fire attack is from the front of the building only. The time it may take for firefighters to reach the seat of a fire is greatly increased. The opportunity for occupants to safely exit the building is reduced. The time delay decreases the survival chances of victims in the building and increases property damage. Fire spread between buildings is more probable. An automatic fire sprinkler system will either extinguish the fire or control it until firefighters can arrive and extinguish it. Automatic fire sprinkler systems are proven to be the most effective method of saving lives and property.

Finding of Facts (15.32.110)

This section remains unchanged, except as to section title from the prior code adopted by the City. The above stated climatic, geographical and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation and firefighter safety.

Finding of Facts (15.32.120)

This section remains unchanged from the prior code adopted by the City. The above stated climatic, geographical and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation and firefighter safety.

Finding of Facts (15.32.130)

This section remains unchanged from the prior code adopted by the City. The above stated climatic, geographical and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation and firefighter safety.

Finding of Facts (15.32.140)

This section remains unchanged, except as to section number, from the prior code adopted by the City. The above stated climatic, geographical and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation and firefighter safety.

Findings of Facts (15.32.150)

This section remains unchanged, except as to section number, from the prior code adopted by the City. The above stated climatic, geographical and topographical conditions warrant more stringent requirements for marking of building utilities in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on prompt identification of utility shut-off locations to assist in firefighting operations, occupant evacuation and firefighter safety.

Finding of Facts (15.32.160)

These sections remain unchanged, except for the section number, from City Council action addressing fireworks in the City of Daly City. The more particular ordinance, found within Chapter 8.24 of the Municipal Code, take precedent and these amendments are made to make the International Code consistent with the Municipal Code.

Finding of Facts (15.32.170)

These sections remain unchanged, except for the section number, from City Council action addressing the use, storage and handling of explosives and fireworks in the City of Daly City. The more particular ordinance, found within Chapter 8.24 of the Municipal Code, take precedent and these amendments are made to make the International Code consistent with the Municipal Code.

Finding of Facts (15.32.180 and 15.32.190)

Government Code Section 50022.4 provides that when a code is adopted by reference, penalty clauses are not deemed adopted by reference but may be enacted only if set forth in full in the adopting ordinance. Such is the action taken with these two sections, and such is the intent of the City Council.

Finding of Facts (15.32.200)

The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire apparatus access roads in the City of Daly City than those standards as set forth in the International Code. In particular,

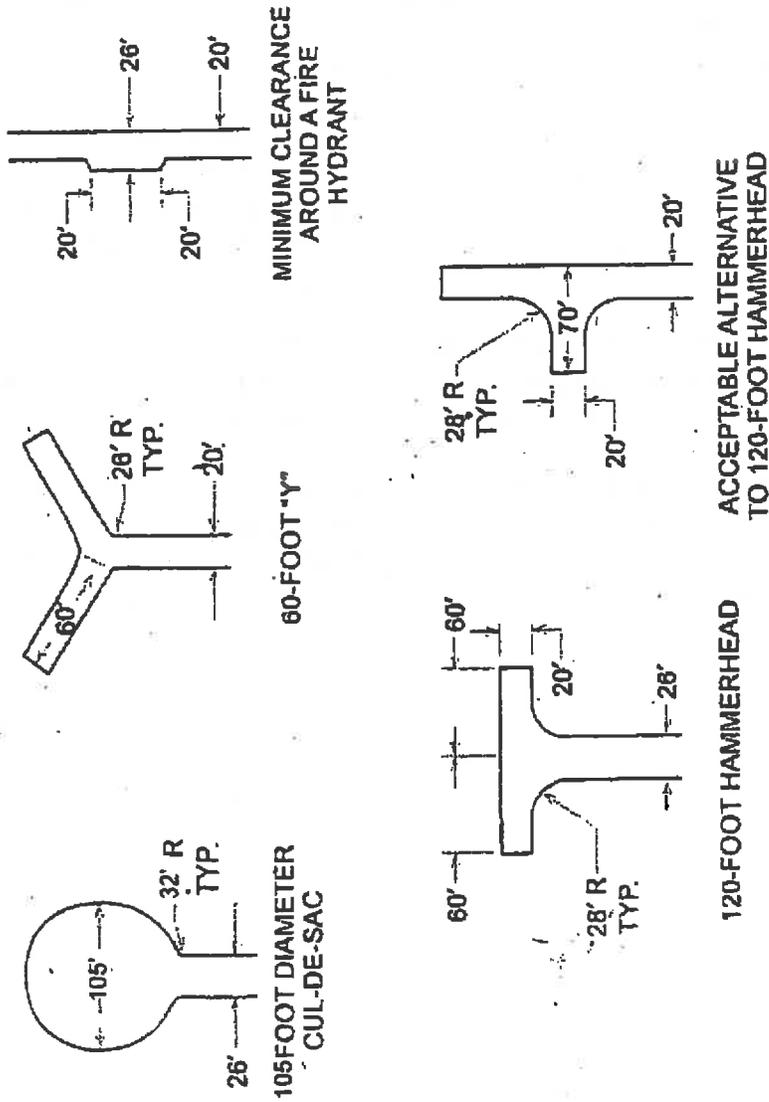
Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides with heavy vegetation. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Response time is increased due to steep grades, narrow streets and congested traffic.

Finding of Facts (15.32.210)

The above stated climatic, geographical and topographical conditions warrant more stringent requirements for automatic fire extinguishing systems in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides with heavy vegetation. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Response time is increased due to steep grades, narrow streets and congested traffic.

A



For SI: 1 foot = 304.8 mm.

(Amended)  
FIGURE D103.1  
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

**BUILDING STANDARDS COMMISSION**

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



October 23, 2015

Valentine Mandapat  
Chief Building Supervisor  
City of Daly City  
333 90<sup>th</sup> Street  
Daly City, CA 94015

RE: Ordinance #1393

Dear Mr. Mandapat:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on August 27, 2015.

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 Sections 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 California Building Standards Commission (CBSC). CBSC 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 CBSC 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 Section 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 CBSC. 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 Section 25402.1(h)(2).

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

Sincerely,

  
Enrique M. Rodriguez  
Associate Construction Analyst

cc: CBSC Chron  
Local Filings



# CITY OF DALY CITY

333 - 90TH STREET  
DALY CITY, CA 94015-1895  
PHONE: (650) 991-8000

August 24, 2015

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

Subject: Small Residential Rooftop Solar Systems and Amendment to the California Code of Regulations Title 24 Code Enforcement Time Limitation.

To Whom It May Concern:

Enclosed are copies of the City of Daly City's local amendments to AB 2188 and the California Code of Regulations Title 24 amendments. The first reading of the ordinance was held on July 13, 2015 and the second reading was held on August 10, 2015.

If you have any questions or comments, I may be reached at (650) 991-5787

Sincerely,

Valentino J. Mandapat  
Chief Building Supervisor / Building Official

Attachments: Ordinance 1393

cc: Rose Zimmerman, City Attorney  
Tatum Motherhead, Interim Director of Economic and Community Development

RECEIVED  
2015 AUG 27 A 10:14  
CALIFORNIA BUILDING  
STANDARDS COMMISSION

ORDINANCE NO. 1393

AN ORDINANCE OF THE CITY OF DALY CITY ADDING CHAPTER 15.26 TO THE MUNICIPAL CODE OF THE CITY OF DALY CITY TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS AND AMENDING CHAPTER 15.00 RE TIME LIMITS

WHEREAS, the City of Daly City seeks to implement AB 2188 (Chapter 521, Statutes 2014) through the creation of an expedited, streamlined permitting process for small residential rooftop solar energy systems; and

WHEREAS, the City of Daly City wishes to advance the use of solar energy by all of its citizens, businesses, and industries; and

WHEREAS, the City of Daly City seeks to meet the climate action goals set by the State of California; and

WHEREAS, solar energy creates local jobs and economic opportunity; and

WHEREAS, the City of Daly City recognizes that rooftop solar energy provides reliable energy and pricing for its residents and businesses; and

WHEREAS, it is in the interest of the health, welfare, and safety of the people of the City of Daly City to provide an expedited permitting process to assure the effective deployment of solar technology.

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

**SECTION 1.** Chapter 15.26 is hereby added to the Daly City Municipal Code to read as follows:

**Chapter 15.26**

**RESIDENTIAL ROOFTOP SOLAR SYSTEMS**

- 15.26.010 Streamlined permitting process for small residential rooftop solar systems**
- 15.26.020 Definitions**
- 15.26.030 Applicability**
- 15.26.040 Solar energy system requirements**
- 15.26.050 Submittal requirements**
- 15.26.060 Plan review, permit, and inspection requirements**

**15.26.010: Streamlined permitting process for small residential rooftop solar systems**

The purpose of the Ordinance is to adopt an expedited, streamlined solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 521, Statutes 2014) to achieve timely and cost-effective installations of small residential rooftop solar energy systems. The Ordinance encourages the use of solar systems by removing unreasonable barriers, minimizing costs to property owners and the City of Daly City, and expanding the ability of property owners to install solar energy systems. The Ordinance allows the City of Daly City to achieve these goals while protecting the public health and safety.

**15.26.020: Definitions.**

A. Solar Energy System means either of the following:

1. Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating.

2. Any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating.

B. Small residential rooftop solar energy system means all of the following:

1. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.

2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City of Daly City, and all state and City of Daly City health and safety standards including paragraph (3) of subdivision (c) of Section 714 of the Civil Code.

3. A solar energy system that is installed on a single-family or duplex family dwelling

4. A solar panel or module array that does not exceed the maximum legal building height as defined by the City of Daly City

C. Electronic submittal means the utilization of one or more of the following:

1. Email; or

2. The Internet

D. Association means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

E. Common interest development means any of the following:

1. A community apartment project; or
2. A condominium project; or
3. A planned development; or
4. A stock cooperative

F. Specific, adverse impact means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

G. Reasonable restrictions on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.

H. Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance means:

1. For Water Heater Systems or Solar Swimming Pool Heating Systems: an amount exceeding 10 percent of the cost of the system, but in no case more than one thousand dollars (\$1,000), or decreasing the efficiency of the solar energy system by an amount exceeding 10 percent, as originally specified and proposed.

2. For Photovoltaic Systems: an amount not to exceed one thousand dollars (\$1,000) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding 10 percent as originally specified and proposed.

#### **15.26.030 Applicability.**

This Ordinance applies to the permitting of all small residential rooftop solar energy systems in the City of Daly City. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of this Ordinance are not subject to the requirements of this Ordinance unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance shall not require a permit.

#### **15.26.040 Solar energy system requirements.**

All solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the City of Daly City and the North County Fire Department.

Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing Code and California Mechanical Code.

Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

**15.26.050 Submittal requirements.**

All documents required for the submission of an expedited solar energy system application shall be made available on the City of Daly City website.

Electronic submittal of the required permit application and associated documents for small, residential rooftop solar energy system permits shall be by email, or the Internet. As an alternative an applicant may submit a permit application and associated documents at the Building Division front counter during regular business hours.

An applicant's electronic signature will be accepted on all forms, applications, and other documents in lieu of a wet signature.

The City of Daly City shall adopt a standard plan and checklist of all requirements with which small residential rooftop solar energy systems must comply to be eligible for expedited review.

The small residential rooftop solar system permit process, standard plans, and the checklist shall substantially conform to recommendations for expedited permitting, including the checklist and standard plans contained in the most current version of the *California Solar Permitting Guidebook* adopted by the Governor's Office of Planning and Research.

All fees prescribed for the permitting of small residential rooftop solar energy system must comply with Government Code Section 65850.55, Government Code Section 66015, Government Code Section 66016, and State Health and Safety Code Section 17951.

**15.26.060 Plan review, permit, and inspection requirements.**

The Building Division shall provide an administrative, nondiscretionary plan check review process to expedite approval of small residential rooftop solar energy systems within 30 days of the adoption of this Ordinance.

The Building Division shall process, review, and approve the application for the installation or use of a solar system in the same manner as an application for review of an architectural modification to the property, and shall not be willfully avoided or delayed.

If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

If an application for the installation of a solar system is not denied in writing within 45 days of receipt of a complete application the application shall be deemed approved, unless the delay is the result of a reasonable request for additional information.

The City of Daly City Planning Division may require an applicant to apply for a use permit if the Planning Division finds, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to City of Daly City Planning Commission.

Review of the permit application shall be limited to the Building Division's review of whether the application meets local, state, and federal health and safety requirements. If a use permit is required, the building official may deny an application for the use permit if the building official makes written findings based upon substantive evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Such findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact. Such decisions may be appealed to the City of Daly City Planning Commission. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

A "feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City of Daly City on another similarly situated application in a prior successful application for a permit. The City of Daly City shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code defining restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance.

The City of Daly City shall not condition approval of an application for a small residential rooftop solar energy system on the approval of an association, as defined in Section 4080 of the Civil Code.

Only one inspection shall be required and performed by the Building Division for small residential rooftop solar energy systems eligible for expedited review. During the required inspection, if it is found that the installation does not conform to the approved plans and/or comply with the current California Code of Regulations title 24 requirements then an additional, follow-up inspection shall be required.

If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized and required but need not conform to the requirements of this Ordinance.

A separate fire inspection may be performed by the North County Fire Department. if required.

The inspection shall be done within three business days and may include consolidated inspections.

**SECTION 2.** Chapter 15.00.030 of the Daly City Municipal Code is hereby amended to read as follows:

**15.00.030 Time limitation of application.**

Applications for which no permit is issued within one hundred eighty days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the administrative authority.

Exception: Applications to abate enforcement violations shall not exceed ninety days.

The building official may extend the time for action by the applicant for a period not exceeding one hundred eighty days on request by the applicant showing that circumstances beyond the control of the application have prevented action from being taken.

Exception: A one-time extension shall be granted on an application to abate enforcement violations and shall not exceed ninety days.  
No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall pay a new plan review fee.

**SECTION 3.** Chapter 15.00.040 of the Daly City Municipal Code is hereby amended to read as follows:

**15.00.040 Permit Expiration and extension.**

The following provisions apply to all permits issued. Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty days.

Exceptions:

- A. Permits to abate enforcement violations shall have a duration not to exceed ninety days and shall expire if work is not completed and finalized by a city inspector.

- B. Permits for building maintenance work shall have a duration not to exceed one hundred eighty days and shall expire if work is not commenced or is suspended or abandoned after one hundred eighty days has expired.
- C. Building maintenance work shall include reroofing, water heater, furnace, siding, garage door, garage door opener, and window replacement, new electrical service installation, minor plumbing repairs and other similar work as determined by the administrative authority.

In the case of an expired permit, before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration exceeding one year, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The administrative authority may extend the time for action by the permittee for a period not exceeding one hundred eighty days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

Exceptions:

- A. Permits to abate enforcement violations may be granted a one-time extension for a period of time not to exceed ninety days.
- B. Permits for building maintenance work may be extended for a period of time not to exceed one hundred eighty days.
- C. No permit shall be extended more than once.

**SECTION 4. Environmental Determination.** The City Council of the City of Daly City finds and determines that the implementation of measures described in this Chapter is in furtherance police powers of the City of Daly City, and that these purposes are exempt from the provisions of the California Environmental Quality Act (CEQA); Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code, as provided in categorical exemption Classes 1, 4,5, 7, 8, 9, and or 21 of the CEQA Guidelines (Title 14, *California Code of Regulations*, Sections 15301-15329).

**SECTION 5. Severability:** If any section, subsection or sentence of this Ordinance is found by a court of competent jurisdiction to be invalid or unlawful, the City Council finds and declares that the remainder of this ordinance would be and is enforceable and would have been adopted notwithstanding the finding of invalidity as to any section, subsection or sentence

**SECTION 6.** Effective Date and Publication: Pursuant to the provisions of Government Code Section 36933, a summary of this ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this ordinance is scheduled to be adopted, the City Clerk shall (1) publish the summary, and (2) post it in the City Clerk's office a certified copy of this ordinance. Within fifteen (15) days after the adoption of this ordinance, the City Clerk shall (1) publish the summary and (2) post in the City Clerk's office a certified copy of the full text of this ordinance along with the names of those City Council members voting for and against this ordinance or otherwise voting. This ordinance shall become effective thirty (30) days from and after its adoption.

RECEIVED  
2015 AUG 27 A 10:15  
CALIFORNIA BUILDING  
STANDARDS COMMISSION

Introduced this 13<sup>th</sup> day of July, 2015.

Passed and adopted as an Ordinance of the City of Daly City at a regular meeting of the City Council of the City of Daly City held on the 10<sup>th</sup> day of August, 2015, by the following vote:

AYES, Councilmembers: Canepa, Christensen, Guingona  
Torres, Buenaventura

NOES, Councilmembers: None

Absent, Councilmembers: None

*K. Annette Dipone*  
CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

RAYMOND A. BUENAVENTURA  
MAYOR OF THE CITY OF DALY CITY