

BUILDING STANDARDS COMMISSION

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



February 24, 2014

Brian Gerving
Chief Building Official
City of Eureka
531 K Street
Eureka, CA 95501

RE: Ordinance #800-C.S. and #801-C.S.

Dear Mr. Gerving:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on January 6, 2014.

Our review finds the submittal to contain two ordinances 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 modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

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

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

Sincerely,

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

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



CITY OF EUREKA
COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING & HOUSING DIVISION
Robert S. Wall, AICP, Director
Brian J. Gerving, Deputy Director/Chief Building Official
531 K Street • Eureka, California 95501-1146
Phone (707) 441-4155 • Fax (707) 441-4202
building@ci.eureka.ca.gov • www.ci.eureka.ca.gov

January 3, 2014

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

Re: City of Eureka Local Amendments to the California Building Standards Code

To Whom It May Concern:

Enclosed are copies of the following:

- City of Eureka Ordinance No. 800-C.S. adopting and amending the 2013 California Fire Code
- City of Eureka Ordinance No. 801-C.S. adopting and amending the remaining portions of the 2013 California Building Standards Code
- City of Eureka Resolution No. 2013-45 setting forth findings for amendments to the California Residential Code
- City of Eureka Resolution No. 2013-44 setting forth findings for amendments to the California Building Code
- City of Eureka Resolution No. 2013-43 setting forth findings for amendments to the California Fire Code

The City Council of the City of Eureka adopted the attached resolutions on November 19, 2013 and the ordinances on December 3, 2013. Thirty days have passed since the adoption of the ordinances and they are now in effect at the local level.

If you have any questions or concerns regarding any of the enclosed documents, please feel free to contact me at 707-441-4152 or bgerving@ci.eureka.ca.gov.

Sincerely,

Brian Gerving
Chief Building Official

cc: Rusty Goodlive, Fire Marshal, Humboldt Bay Fire
Pamela Powell, City Clerk

**BILL NO. 870 - C.S.
ORD. NO.800- C.S.**

**AN ORDINANCE OF THE CITY OF EUREKA AMENDING EUREKA
MUNICIPAL CODE TITLE 9, CHAPTER 92, SECTIONS 92.01
THROUGH 92.07 ADOPTING THE 2013 EDITIONS OF THE
CALIFORNIA CODES AND RELATED MODEL CODES WITH
APPENDICES AND AMMENDMENTS ALL RELATING TO FIRE AND
LIFE SAFETY**

Be it ordained by the City Council of the City of Eureka as follows:

Section 92.01 through Section 92.06 of the Eureka Municipal Code is amended to read as follows:

§ 92.01 ADOPTION OF CALIFORNIA FIRE CODE.

Those certain documents including their appendices, supplements, and errata, as adopted by the City of Eureka in the Eureka Municipal Code Title 15, §§ 150.015 through 150.029, copies of which are on file in the respective designated offices as referenced in §§ 150.015 through 150.029, are adopted as amended, deleted, and/or added to as the Fire and Life Safety Code of the city for regulation and providing minimum standards for the nationally recognized good practices for safeguarding to a reasonable degree of life and property from the storage, handling, and use of hazardous substances, material, and devices and from conditions hazardous to life or property in the use or occupancy of buildings or premises in the city; providing penalties for the violation of such codes; and each and all of the regulations, provisions, penalties, conditions and terms of the aforementioned codes, published by said organizations, and amended by the state, on file in the office of the city are hereby referred to, adopted and made part hereof as amended, deleted and/or added to as if fully set out in this section.

§ 92.02 CALIFORNIA FIRE CODE AMENDMENTS.

The 2013 California Fire Code, Title 24, Part 9, Based on the 2012 International Fire Code is hereby amended as follows:

(A) Chapter 1 – Scope and Administration, the following sections are added to the Fire Code:

- a. Section 101 - General. Entire section is adopted.
- b. Section 102 - Applicability. Entire section is adopted.
- c. Section 103 - Department of Fire Prevention. Entire section is adopted.
- d. Section 104 - General Authority and Responsibilities. Entire section is adopted.
- e. Section 106 - Inspections. Entire section is adopted.

- f. Section 107 - Maintenance. Entire section is adopted.
 - g. Section 108 Board of Appeals: Section is adopted and amend section to read: Board of Appeals shall be established in § 150.024 of the Eureka Municipal Code
 - h. Section 109 - Violations. Entire section is adopted. Violation penalties as noted in section 109.4 are set at an infraction and/or misdemeanor. Fines and imprisonment are set at the levels found in Eureka Municipal Code § 10.99.
 - i. Section 110 - Unsafe Buildings. Entire section is adopted.
 - j. Section 111 - Stop Work Order. Entire section is adopted.
 - k. Section 112 – Service Utilities. Entire section is adopted
 - l. Section 113 – Fees. Entire section is adopted
- (B) Chapter 3- General Precautions Against Fire, is added to the Fire Code, and the entire chapter is adopted with the following amendment.
- a. Exception: Section 308.1.6 Open Flames Devices, Permit required, is omitted.
 - b. Exception: Section 308.2 Open Flames, Permit required, is omitted.
- (C) Chapter 5 - Fire Service Features, is added to the Fire Code, and the entire chapter is adopted with the following amendments.
- a. Section 505.1.1 is added to read: For other than one and two family dwellings and individual mobile homes, address numbers shall be a minimum of 6 inches in height. Where buildings are set back from the street, larger numbers may be required.
Exception: Existing legible identification
 - b. Section 505.1.2 is added to read: In multi-tenant buildings individual tenant spaces shall be identified with characters a minimum of 2 inches in height located on the entry door or on the wall at the strike-side of the entry door.
Exception: Existing legible identification
 - c. Section 506.1.2 is added to read: Approved key boxes shall be installed in new buildings equipped with fire alarm systems, fire sprinkler systems, elevators, and/or as required by 506.1. Key boxes shall be installed in existing buildings where new fire alarm systems, fire sprinkler systems, and/or elevators are installed, or as required by 506.1.
 - d. Section 506.1.3 is added to read: Motorized gates providing access to facilities or property shall be provided with an approved gate key switch or other approved means of emergency operation. The switch shall be installed so it will open the gate and the gate will remain in the open position until re-set by the fire department.
- (D) Chapter 8 – Interior Finish, Decorative Materials, and Furnishings
- a. Section 806 Decorative Vegetation in New and Existing Buildings is adopted
Exception: Section 806.1 (1) is omitted.

(E) Chapter 9— Fire Protection Systems

- a. Section 903.4.4 is added to read: In addition to the requirements of 903.4, valves on connections to water supplies, sectional control and isolation valves, and other valves in supply pipes to sprinklers and other fixed water-based fire suppression systems shall be locked in the correct position.

(F) Chapter 26 - Fumigation and Thermal Insecticidal Fogging, is added to the Fire Code, and the entire chapter is adopted.

(G) Appendix B- Fire Flow Requirements for Buildings. The entire Appendix is adopted.

(H) Appendix C- Fire Hydrant Locations and Distribution. The entire Appendix is adopted.

(I) Appendix D- Fire Apparatus Access Roads. The entire Appendix is adopted

§ 92.03 ENFORCEMENT BY BUREAU OF FIRE PREVENTION.

(A) The 2013 California Fire Code, Title 24, Part 9, based on the 2010 International Fire Code, shall be enforced by the Bureau of Fire Prevention in the Fire Department of the city which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.

(B) The Chief (or Fire Marshal) in charge of the Bureau of Fire Prevention shall be appointed by the Chief of the Fire Department on the basis of examination to determine his qualifications.

(C) The Chief of the Fire Department may detail such members of the Fire Department as Inspectors as shall from time to time be necessary. The Chief of the Fire Department shall recommend to the City Manager of the city the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the Fire Department, and appointments made after examination shall be for an indefinite term with removal only for cause.

§ 92.04 LIMITS OF DISTRICTS FOR STORAGE OF EXPLOSIVES AND BLASTING AGENTS.

The limits referred to in Section 5601.1 of said 2013 California Fire Code, Title 24, Part 9, as referenced to the California Code of Regulations, Title 19, Division 1, Chapter 10, in which a permit is required for the storage of explosives and blasting agents, such storage is prohibited within the boundaries of the city.

§ 92.05 LIMITS OF DISTRICTS FOR STORAGE OF FLAMMABLE AND COMBUSTIBLE LIQUIDS AND LIQUEFIED PETROLEUM GAS.

(A) The geographic limits referred to in Section 5704.2.9.6.1 of said 2013 California Fire Code, Title 24, Part 9, in which the storage of flammable or combustible liquids in aboveground tanks outside of buildings is prohibited, and the limits referred to in Section 5706.5.1.1 of said Code in which construction of new bulk plants for the storage of flammable or combustible liquids is prohibited, and the geographic limits referred to in Section 6104.2 of said Code, in which the bulk storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas, are hereby established as all zone districts except the "MG" General Industrial District as said district is defined and established by the zoning regulations of the city set forth in Chapter 155 of this Code.

(B) The geographic limits referred to in Section 5706.2.4.4 of said 2013 California Fire Code, Title 24, Part 9, in which the storage of Class I and II flammable and combustible liquids in above-ground tanks at farms and construction sites are prohibited, are hereby established as the boundaries of the city.

(C) The geographic limits referred to in Section 5806.2 of said 2013 California Fire Code, Title 24, Part 9, in which the storage of flammable cryogenic fluids in stationary containers is prohibited, is hereby established as the boundaries of the city.

§ 92.06 APPEALS.

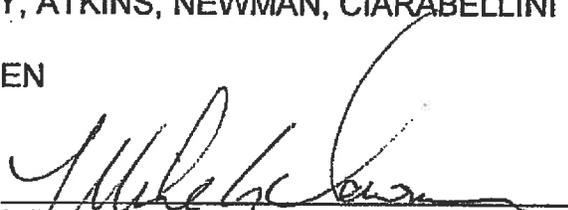
Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief to the Board of Appeals of the city created by Eureka Municipal Code § 150.029.

§ 92.07 NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.

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

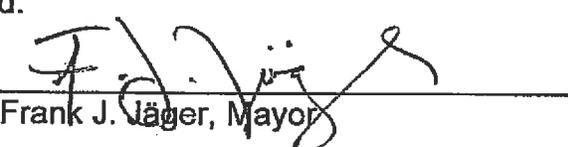
PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 3rd day of December, 2013 by the following vote:

AYES: COUNCILMEMBERS BRADY, ATKINS, NEWMAN, CIARABELLINI
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS MADSEN
ABSTAIN: COUNCILMEMBERS



Mike L. Newman, Mayor Pro Tem

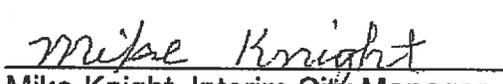
THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the 10th day of December, 2013, and hereby approved.



Frank J. Jäger, Mayor

Approved as to Administration:

Approved as to form:

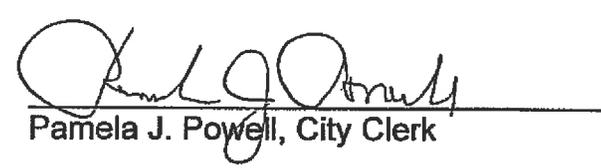


Mike Knight, Interim City Manager



Cyndy Day-Wilson, City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the 12th day of December, 2013.



Pamela J. Powell, City Clerk

**BILL NO. 869 - C.S.
ORD. NO. 801- C.S.**

**AN ORDINANCE OF THE CITY OF EUREKA AMENDING EUREKA
MUNICIPAL CODE TITLE 15, CHAPTER 150, INCLUDING
SECTIONS 150.002, 150.015 THROUGH 150.029 AND ADDING NEW
SECTION 150.030 ADOPTING BY REFERENCE THE 2013 EDITIONS
OF THE CALIFORNIA BUILDING STANDARD CODE AND
RELATED MODEL CODES WITH APPENDICES AND
AMENDMENTS ALL RELATING TO BUILDING REGULATIONS.**

Be it ordained by the City Council of the City of Eureka as follows:

Sections 150.002, 150.015 through 150.029 of the Eureka Municipal Code are amended and Section 150.030 is added to read as follows:

§ 150.002 LOT AND HOUSE NUMBERING.

(A) *Numbering system.* All lots and houses in the city shall be numbered. The Building Inspector shall project the numbers from two base lines. The north and south base line shall be First Street, and the east and west base line shall be A Street.

1. *Streets intersecting First Street.* All streets intersecting First Street shall be numbered as follows:

Commencing at the south line of First Street at the point of intersection with No. 100 on the west side thereof and 101 on the east side thereof, and numbering thence south, allowing 100 numbers to each block, odd numbers to be on the east side and even numbers on the west side thereof, numbering one number for each 12 lineal feet, using numbers from 100 through 199 in the first block, numbers 200 through 299 in the second block, and so on consecutively from said base line south to the boundaries of the city. Streets shall be numbered from the north line of First Street to the water front, commencing with 99 on the east side thereof and 98 on the west side thereof and decreasing toward Humboldt Bay, allowing 12 lineal feet for each number.

2. *Streets intersecting A Street.* All streets intersecting A Street shall be numbered as follows:

Commencing at the east line of A Street, at the point of intersection with No. 1 on the north side thereof and No. 2 on the south side thereof, and numbering thence east, allowing 100 numbers to each block, odd numbers to be on the north side and even numbers on the south side thereof, numbering one number for each 12 lineal feet, using numbers from 1

through 99 in the first block, numbers 100 through 199 in the second block, and so on consecutively from said base line east to the boundaries of the city. Streets shall be numbered on the west side of A Street, running west to the boundary line of the city in the same manner as on the east side thereof, using even numbers on the north side and odd numbers on the south side, all numbers on streets east of A Street to be designated, for example, as No. 41 Grant Street, and all numbers on streets west of A Street to be designated, for example, as No. 41 W. Grant Street.

3. *Other streets.* All other streets shall be numbered in the manner designated on the official map of numbers, and on all such streets east of A Street, the even numbers shall be on the west and south sides thereof, and the odd numbers shall be on the north and east sides thereof, allowing 12 lineal feet for each number.

(B) *Size of numbers.* Numbers shall be sized in accordance with California Building Code Sections 501.2 and 501.3 or, for one- and two-family dwellings, in accordance with California Residential Code Section R319.1..

(C) *Failure to comply with provisions.* Any owner or occupant of any lot refusing to place the number of the lot over the main entrance of any building erected thereon, after any owner or occupant has been informed of such number by the Building Inspector, shall be guilty of a misdemeanor.

§ 150.015 CONSTRUCTION CODES ADOPTED.

An ordinance of the City adopting by reference the 2013 editions of the California Building Standards Code and related model codes with appendices as specified, providing minimum standards for the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, location, design, quality of materials, operation, installation, replacement, and maintenance of all buildings, and/or structures; heating, ventilation, cooling, refrigeration systems; electrical systems; plumbing and drainage systems; signs and solar energy systems in the city; providing for the issuance of permits and collection of fees therefor, providing penalties for the violation thereof, as amended, deleted and/or added to by the provisions of this chapter.

§ 150.016 CALIFORNIA BUILDING CODE ADOPTED.

(A) Except as provided in this chapter, those certain building codes known and designated as the California Building Code, 2013 Edition, (Part 2 of Title 24) Volumes 1 and 2, including Chapter 1 Division II Administration, Appendix I Patio Covers and Appendix J Grading, based on the 2012 International Building Code as published by the International Code Council, shall become the building codes of the City of Eureka for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all

buildings and/or structures in the city, except those classified one and two family dwellings or townhouses and structures accessory thereto. The California Building Code and its appendices shall be on file for public examination in the office of the Building Official.

(B) *Amendments to the California Building Code.* The California Building Code is hereby amended as follows:

Section 501.2 is hereby amended to read as follows:

§ 501.2 Address identification. For other than one and two family dwellings, new and existing buildings shall be provided with approved address numbers or letters. Each character shall be a minimum 6 inches (152.4 mm) high and a minimum of 0.5 inches (12.7 mm) wide. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. 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.

Exception: Existing legible identification.

Section 501.3 is hereby added to read as follows:

§ 501.3 Address identification for multi-tenant buildings. In multi-tenant buildings, individual tenant spaces shall be identified with characters a minimum of 2 inches in height located on the entry door or on the wall at the strike side of the entry door.

Exception: Existing legible identification.

Section 1808.1.1 is hereby added to Chapter 18 to read as follows:

§ 1808.1.1 Minimum floor elevation and site grading requirements. The ground floor level of all buildings, building enlargements, or extensions of structures shall be at a minimum elevation of twelve and one-half feet (12.50') based on City of Eureka Datum. In addition, the site shall be graded to drain to the adjacent design finish grade of streets or alleyways.

EXCEPTIONS:

1. The provisions of this section shall not apply to general areas protected by dikes, if approved by the Building Official and the Director of Public Works or to areas where the existing ground elevation exceeds twelve and one-half feet (12.50') based upon city datum. This section shall not be construed to be applicable to dikes for individual properties.
2. In areas where a setback from property lines is not required and is not proposed, the ground floor level of all buildings, building enlargements or extensions of structures may be reduced upon documentation that flooding to the building and adjacent property as a result of the development will not occur as prepared by a

Registered Civil Engineer and approved by the Building Official and Director of Public Works. In no event, however, will the ground floor level be less than an elevation of eleven feet (11.00') based upon city datum.

3. Exceptions may be granted upon documentation of adequate measures to preclude flooding to the subject property and adjacent properties. Documentation shall be provided by a Registered Civil Engineer and approved by the Building Official and Director of Public Works.

§ 150.017 CALIFORNIA RESIDENTIAL CODE ADOPTED.

(A) Except as provided in this chapter, those certain building codes known and designated as the California Residential Code, 2013 Edition, (Part 2.5 of Title 24), including Appendix H Patio Covers, based on the 2010 International Residential Code as published by the International Code Council, shall become the building codes of the City of Eureka for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all one and two family dwellings or townhouses and structures accessory thereto in the city. The California Residential Code and its appendices shall be on file for public examination in the office of the Building Official.

(B) *Amendments to the California Residential Code.* The California Residential Code is hereby amended as follows:

The exception to Section R403.1.3 allowing plain concrete footings for detached one- and two- family dwellings which are three stories or less in height is removed.

Subsection R403.3.1 is hereby added to Chapter 4 to read as follows:

§ R403.3.1 Minimum Floor Elevation and Site Grading Requirements. The ground floor level of all buildings, building enlargements, or extensions of structures shall be at a minimum elevation of twelve and one-half feet (12.50') based on City of Eureka Datum. In addition, the site shall be graded to drain to the adjacent design finish grade of streets or alleyways.

EXCEPTIONS:

1. The provisions of this section shall not apply to general areas protected by dikes, if approved by the Building Official and the Director of Public Works or to areas where the existing ground elevation exceeds twelve and one-half feet (12.50') based upon city datum. This section shall not be construed to be applicable to dikes for individual properties.
2. In areas where a setback from property lines is not required and is not proposed, the ground floor level of all buildings, building enlargements or extensions of

structures may be reduced upon documentation that flooding to the building and adjacent property as a result of the development will not occur as prepared by a Registered Civil Engineer and approved by the Building Official and Director of Public Works. In no event, however, will the ground floor level be less than an elevation of eleven feet (11.00') based upon city datum.

3. Exceptions may be granted upon documentation of adequate measures to preclude flooding to the subject property and adjacent properties. Documentation shall be provided by a Registered Civil Engineer and approved by the Building Official and Director of Public Works.

§ 150.018 CALIFORNIA ELECTRICAL CODE ADOPTED.

Except as provided in this chapter, the California Electrical Code, 2013 Edition, (Part 3 of Title 24) based on the 2011 National Electrical Code as published by the National Fire Protection Association (NFPA), shall be and become the Electrical Code of the City of Eureka, regulating all installation, arrangement, alteration, repair, use and other operation of electrical wiring, connections, fixtures and other electrical appliances on premises within the city. The California Electrical Code shall be on file for public examination in the office of the Building Official.

§ 150.019 CALIFORNIA MECHANICAL CODE ADOPTED.

Except as provided in this chapter, the California Mechanical Code, 2013 Edition, (Part 4 Title 24) based on the 2012 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials (IAPMO), shall be and become the Mechanical Code of the City of Eureka, regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat producing appliances. The California Mechanical Code shall be on file for public examination in the office of the Building Official.

§ 150.020 CALIFORNIA PLUMBING CODE ADOPTED.

Except as provided in this chapter, the California Plumbing Code, 2013 Edition, (Part 5 of Title 24) based on the 2012 Uniform Plumbing Code as published by IAPMO, shall be and become the Plumbing Code of the City of Eureka, regulating erection, installation, alteration, repair, relocation, replacement, maintenance or use of plumbing systems within the city. The California Plumbing Code shall be on file for public examination in the office of the Building Official.

§ 150.021 CALIFORNIA ENERGY CODE ADOPTED.

Except as provided in this chapter, the California Energy Code, (Part 6 of Title 24) 2013 Edition, is hereby adopted to provide regulations for energy efficiency in all structures

within the City of Eureka, including additions and alterations thereto. The California Energy Code shall be on file for public examination in the office of the Building Official.

§ 150.022 RESERVED

§ 150.023 CALIFORNIA HISTORICAL BUILDING CODE ADOPTED.

Except as provided in this chapter, the California Historical Building Code, (Part 8 of Title 24) 2013 Edition, contained in California Building Code Volume 2, is hereby adopted to provide regulations for the preservation, restoration, rehabilitation, relocation or reconstruction of buildings or properties designated as qualified historical buildings for properties within the City of Eureka. The California Historical Building Code shall be on file for public examination in the office of the Building Official.

§ 150.024 CALIFORNIA FIRE CODE ADOPTED.

(A) Except as provided in this chapter, the California Fire Code, 2013 Edition, (Part 9 of Title 24) based on the 2012 International Fire Code as published by the International Code Council, shall be and become the Fire Code of the City of Eureka, to establish the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety and general welfare from the hazards of fire, explosion or dangerous conditions in the new and existing buildings, structures, and premises, and to provide safety and assistance to fire fighters and emergency responders during emergency operations. The California Fire Code shall be on file for public examination in the office of the Fire Marshal.

(B) *Amendments to the California Fire Code.* Amendments to the 2013 California Fire Code are found and listed in § 92.02.

§ 150.025 CALIFORNIA EXISTING BUILDING CODE ADOPTED.

Except as provided in this chapter, the 2013 California Existing Building Code Appendix A-1 (Part 10 of Title 24) based on the 2012 International Existing Building Code as published by the International Code Council, shall become the Existing Building Code of the City of Eureka for regulating existing unreinforced masonry (URM) buildings in the city. The California Existing Building Code shall be on file for public examination in the office of the Building Official.

§ 150.026 CALIFORNIA GREEN BUILDING STANDARDS CODE ADOPTED.

Except as provided in this chapter, the California Green Building Standards Code (CALGreen), (Part 11 of Title 24) 2013 Edition, is hereby adopted to provide regulations for the preservation, restoration, rehabilitation, relocation or reconstruction of buildings in the City of Eureka. The California Green Building Standards Code shall be on file for public examination in the office of the Building Official.

§ 150.027 UNIFORM HOUSING CODE ADOPTED.

The Uniform Housing Code of the International Conference of Building Officials, 1997 edition, is hereby adopted by reference, with the exception of any provisions of that Code that conflict with or are less stringent than any section or sections of the Eureka Municipal Code.

§ 150.028 PERMIT FEES.

Permit fees are adopted by resolution.

§ 150.029 BOARD OF APPEALS.

(A) In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the provisions of the California Building Codes and the California Fire Code, there shall be and is hereby created a Board of Appeals, consisting of seven members, five of whom shall be qualified by experience and training in matters pertaining to building construction and two of whom may, but need not be qualified by experience and training in matters pertaining to building construction. The members of the Board of Appeals shall be appointed by the Mayor with the approval of the Council. The Board of Appeals shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the Building Official, and may recommend to the Council such new legislation as is consistent therewith. The Building Official or his or her designee shall be the Executive Secretary of the Board of Appeals, except when matters pertaining to an appeal from the provisions of the California Fire Code are being considered, the Fire Chief of the City of Eureka or his or her designee shall serve as the Executive Secretary of the Board.

(B) The Board of Appeals shall review annually the various construction codes listed in this chapter and the California Fire Code listed in Chapter 92 of the Eureka Municipal Code together with the later editions and revisions of these codes as they become available and shall recommend to the City Council the adoption of such editions or amendments as the Board deems necessary.

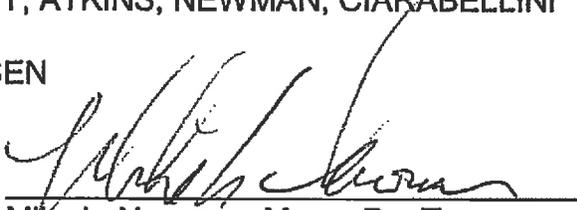
(C) *Limitations of authority.* The Board of Appeals shall have no authority relative to interpretation of the administrative provisions of this Code nor shall the Board be empowered to waive requirements of this Code.

§ 150.030 CONTINUITY OF PREVIOUS INFORMATION.

Publications, handouts, applications, notices, or other documents provided by the City referencing previous editions of codes adopted by the City shall be deemed to refer to the pertinent section(s) of current editions of the adopted code.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 3rd day of December, 2013 by the following vote:

AYES: COUNCILMEMBERS BRADY, ATKINS, NEWMAN, CIARABELLINI
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS MADSEN
ABSTAIN: COUNCILMEMBERS


Mike L. Newman, Mayor Pro Tem

THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the 10th day of December, 2013, and hereby approved.


Frank J. Jäger, Mayor

Approved as to Administration:

Approved as to form:


Mike Knight, Interim City Manager


Cyndy Day-Wilson, City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the 12th day of December, 2013.


Pamela J. Powell, City Clerk

RESOLUTION NO. 2013-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS WHICH MAKE CERTAIN MODIFICATIONS AND CHANGES TO THE CALIFORNIA RESIDENTIAL CODE REASONABLY NECESSARY

BE IT RESOLVED by the City Council of the City of Eureka, as follows:

WHEREAS, California Health and Safety Code Section 18938 mandates that the most recent edition of the Building Standards shall apply to all occupancies throughout the State and shall become effective 180 days after publication in the California Building Standards Code; and

WHEREAS, Health and Safety Code Section 17958.5 permits a local jurisdiction to make modifications or changes to the Building Standards Code, which are reasonably necessary because of local climatic, geographic or topographic conditions; and

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

WHEREAS, The City of Eureka is located near numerous faults which have been the source of strong earthquakes in the historical period; and

WHEREAS, Residential structures may be located atop soils which may be prone to differential settlement; and

WHEREAS, Plain concrete footings lacking reinforcement are more prone to earthquake-related damage than those provided with minimum reinforcement; and

WHEREAS, The City of Eureka is situated along the shores of Humboldt Bay with many low lying waterfront properties; and

WHEREAS, Historic high tides in Humboldt Bay have been recorded at 10.35 feet and local average annual rainfall recorded more than 39 inches; and

WHEREAS: the Building Division of the City of Eureka has recommended that changes and modifications be made to the 2013 California Residential Code (Title 24, Part 2.5) to establish that minimum floor elevation and site grading requirements are reasonably necessary due to local conditions in the City of Eureka to minimize the risk of flooding.

NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Eureka hereby amends the 2013 California Residential Code (Title 24, Part 2.5) by deleting the exception to section R403.1.3 allowing plain concrete footings for one- and two- family dwellings which are three stories or less in height and adding new section R403.3.1 to read as follows:

§ R403.3.1 Minimum Floor Elevation and Site Grading Requirements.

The ground floor level of all buildings, building enlargements, or extensions of structures shall be at a minimum elevation of twelve and one-half feet (12.50') based on City of Eureka Datum.

In addition, the site shall be graded to drain to the adjacent design finish grade of streets or alleyways.

EXCEPTIONS:

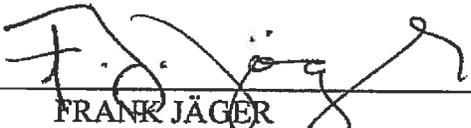
1. The provisions of this section shall not apply to general areas protected by dikes, if approved by the Building Official and the Director of Public Works or to areas where the existing ground elevation exceeds twelve and one-half feet (12.50') based upon City Datum. This section shall not be construed to be applicable to dikes for individual properties.

2. In areas where a setback from property lines is not required and is not proposed, the ground floor level of all buildings, building enlargements or extensions of structures may be reduced upon documentation that flooding to the building and adjacent property as a result of the development will not occur as prepared by a Registered Civil Engineer and approved by the Building Official and Director of Public Works. In no event however will the ground floor level be less than an elevation of eleven feet (11.00') based upon City Datum.

3. Exceptions may be granted upon documentation of adequate measures to preclude flooding to the subject property and adjacent properties. Documentation shall be provided by a Registered Civil Engineer and approved by the Building Official and Director of Public Works.

Passed, Approved, and Adopted by the City Council of the City of Eureka, County of Humboldt, State of California on the 19TH of November, 2013, by the following vote:

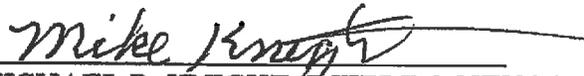
AYES: COUNCILMEMBERS BRADY, ATKINS, NEWMAN, CIARABELLINI,
MADSEN
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS


FRANK JÄGER
MAYOR OF THE CITY OF EUREKA

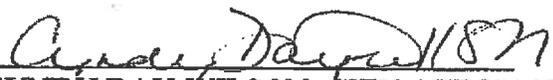
ATTEST:


PAMELA J. POWELL, CITY CLERK

APPROVED AS TO ADMINISTRATION:


MICHAEL R. KNIGHT, INTERIM CITY MANAGER

APPROVED AS TO FORM:


CYNDY DAY-WILSON, CITY ATTORNEY

RESOLUTION NO. 2013-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS WHICH MAKE CERTAIN MODIFICATIONS AND CHANGES TO THE CALIFORNIA BUILDING CODE REASONABLY NECESSARY

BE IT RESOLVED by the City Council of the City of Eureka, as follows:

WHEREAS, California Health and Safety Code Section 18938 mandates that the most recent edition of the Building Standards shall apply to all occupancies throughout the State and shall become effective 180 days after publication in the California Building Standards Code; and

WHEREAS, Health and Safety Code Section 17958.5 permits a local jurisdiction to make modifications or changes to the Building Standards Code, which are reasonably necessary because of local climatic, geographic or topographic conditions; and

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

WHEREAS, The City of Eureka experiences measurable precipitation an average of 222 days per year and cloudy or foggy skies an average of 244 days per year; and

WHEREAS, These climatic conditions act to obscure address numbers posted on buildings, making them less visible to emergency responders; and

WHEREAS, The City of Eureka is situated along the shores of Humboldt Bay with many low lying waterfront properties; and

WHEREAS, Historic high tides in Humboldt Bay have been recorded at 10.35 feet and local average annual rainfall recorded more than 39 inches; and

WHEREAS, the Building Division of the City of Eureka has recommended that changes and modifications be made to the 2013 California Building Code (Title 24, Part 2) to establish that larger address numbers and minimum floor elevation and site grading requirements are reasonably necessary due to local conditions in the City of Eureka to minimize the risk of flooding.

NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Eureka hereby amends the 2013 California Building Code (Title 24, Part 2) by adding new sections 501.2, 501.3, and 1801.1.1 to read as follows:

§ 501.2 Address identification.

For other than one and two family dwellings, new and existing buildings shall be provided with approved address numbers or letters. Each character shall be a minimum 6 inches (152.4 mm) high with a minimum stroke width of 0.75 inches (19 mm). They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. 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.

Exception: Existing legible identification.

§ 501.3 Address identification for multi-tenant buildings.

In multi-tenant buildings, individual tenant spaces shall be identified with characters a minimum of 2 inches in height located on the entry door or on the wall at the strike side of the entry door.

Exception: Existing legible identification.

§1801.1.1 Minimum Floor Elevation and Site Grading Requirements

The ground floor level of all buildings, building enlargements, or extensions of structures shall be at a minimum elevation of twelve and one-half feet (12.50') based on City of Eureka Datum. In addition, the site shall be graded to drain to the adjacent design finish grade of streets or alleyways.

EXCEPTIONS:

1. The provisions of this section shall not apply to general areas protected by dikes, if approved by the Building Official and the Director of Public Works or to areas where the existing ground elevation exceeds twelve and one-half feet (12.50') based upon City Datum. This section shall not be construed to be applicable to dikes for individual properties.
2. In areas where a setback from property lines is not required and is not proposed, the ground floor level of all buildings, building enlargements or extensions of structures may be reduced upon documentation that flooding to the building and adjacent property as a result of the development will not occur as prepared by a Registered Civil Engineer and approved by the Building Official and Director of Public Works. In no event however will the ground floor level be less than an elevation of eleven feet (11.00') based upon City Datum.
3. Exceptions may be granted upon documentation of adequate measures to preclude flooding to the subject property and adjacent properties. Documentation shall be provided by a Registered Civil Engineer and approved by the Building Official and Director of Public Works.

Passed, Approved, and Adopted by the City Council of the City of Eureka, County of Humboldt, State of California on the 19TH Day of November 2013, by the following vote:

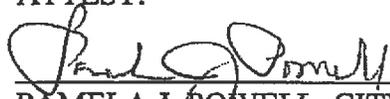
AYES: COUNCILMEMBERS BRADY, ATKINS, NEWMAN, CIARABELLINI,
MADSEN

NOES: COUNCILMEMBERS

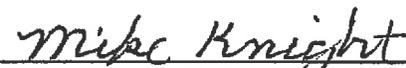
ABSENT: COUNCILMEMBERS


FRANK J. JÄGER
MAYOR OF THE CITY OF EUREKA

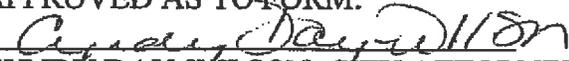
ATTEST:


PAMELA J. POWELL, CITY CLERK

APPROVED AS TO ADMINISTRATION:


MICHAEL R. KNIGHT, INTERIM CITY MANAGER

APPROVED AS TO FORM:


CYNDY DAY-WILSON, CITY ATTORNEY

RESOLUTION NO. 2013- 43

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EUREKA SETTING FORTH FINDINGS WITH RESPECT TO LOCAL
CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS WHICH MAKE
CERTAIN MODIFICATIONS AND CHANGES TO THE CALIFORNIA FIRE CODE
REASONABLY NECESSARY**

WHEREAS, California Health and Safety Code Sections 18938 mandates that the most recent edition of the Building Standards shall apply to all occupancies throughout the State and shall become effective 180 days after publication in the California Building Standards Code; and

WHEREAS, Health and Safety Code Section 17958.5 permits a local jurisdiction to modifications or changes in the Building Standards Code which are reasonably necessary because of local climatic, geological, or topographical conditions;" and

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

WHEREAS, the City is located in a region with a climate system capable of producing uniquely major winds, rain and flood related events and disasters; and

WHEREAS, the City is located in a geologic region where unusually large earthquakes cause extraordinary stresses on buildings and structures and Fire Department resources which require more stringent fire and life safety regulations than would otherwise be required; and

WHEREAS, the City requires the extra margin of safety due to the necessity of providing on site fire and life safety protection in a climatic or seismic emergency;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Eureka, in order to provide adequate protection under the unique local geologic and climatic conditions set forth above, the Council City of Eureka makes the following findings and determinations relative to the adoption of more restrictive Building Standards Code provisions than those of 2013 California Fire Code:

Section 505.1.1-

Amendment is necessary for local climatic conditions. The amendment requires that for other than one and two family dwellings and individual mobile homes, address numbers shall be a minimum of 6 inches in height. Where buildings are set back from the street, larger numbers may be required. Existing legible identification is excepted. The City of Eureka experiences measurable precipitation an average of 222 day per year, cloudy or foggy skies an average of 224 days per year and annual winter storms. These climatic conditions act to obscure address numbers and deteriorate existing numbers posted on buildings, making them less visible to emergency responders.

Section 505.1.2 –

Amendment is necessary for local climatic conditions. The amendment requires that in multi-tenant buildings individual tenant spaces shall be identified with characters a minimum of 2 inches in height located on the entry door or on the wall at the strike-side of the entry door. Existing legible identification is excepted. The City of Eureka experiences measurable precipitation an average of 222 day per year, cloudy or foggy skies an average of 224 days per year and annual winter storms. These climatic conditions act to obscure tenant space numbers and deteriorate existing numbers on tenant spaces posted on buildings, making them less visible to emergency responders.

Section 506.1.2 –

Amendment is necessary for local geologic and climatic conditions. The amendment requires that approved key boxes shall be installed in new buildings equipped with fire alarm systems, fire sprinkler systems, elevators, and/or as required by 506.1 and that key boxes shall be installed in existing buildings where new fire alarm systems, fire sprinkler systems, and/or elevators are installed, or as required by 506.1. The City of Eureka is located in a highly seismically active area, directly adjacent to the Cascadia Subduction Zone and the Triple Junction of the American, Pacific and the Gorda tectonic plates. Since 1906 there have been approximately 40 earthquakes of a magnitude greater than 6.0 including a 6.5 magnitude earthquake on January 9th, 2013 resulting in approximately \$43 in damages and loss of power to 28,000 local residents. The City of Eureka also experiences measurable precipitation an average of 222 day per year, cloudy or foggy skies an average of 224 days per year and annual winter storms. These geological and climatic conditions can result in the failure and accidental activation of fire alarm systems, fire sprinkler systems, and elevators, requiring access to buildings so equipped to determine if an emergency condition exists, limit property loss, and rescue trapped persons

RESOLUTION NO. 2013-43

Page 3

Section 506.1.3 –

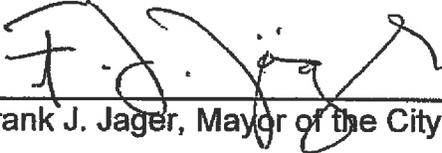
Amendment is necessary for local geologic and climatic conditions. The amendment requires motorized gates providing access to facilities or property shall be provided with an approved gate key switch or other approved means of emergency operation. The switch shall be installed so it will open the gate and the gate will remain in the open position until re-set by the fire department. The City of Eureka is located in a highly seismically active area, directly adjacent to the Cascadia Subduction Zone and the Triple Junction of the American, Pacific and the Gorda tectonic plates. Since 1906 there have been approximately 40 earthquakes of a magnitude greater than 6.0 including a 6.5 magnitude earthquake on January 9th, 2013 resulting in approximately \$43 in damages and loss of power to 28,000 local residents. The City of Eureka also experiences measurable precipitation an average of 222 day per year, cloudy or foggy skies an average of 224 days per year and annual winter storms. These geological and climatic conditions can result in medical emergencies, fires, structural collapses and other emergencies on properties secured by motorized gates requiring access to properties so equipped for emergency response.

Section 903.4.4 –

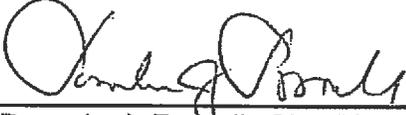
Amendment is necessary for local geologic conditions. The amendment requires that in addition to the requirements of 903.4, valves on connections to water supplies, sectional control and isolation valves, and other valves in supply pipes to sprinklers and other fixed water-based fire suppression systems shall be locked in the correct position. The City of Eureka is located in a highly seismically active area, directly adjacent to the Cascadia Subduction Zone and the Triple Junction of the American, Pacific and the Gorda tectonic plates. Since 1906 there have been approximately 40 earthquakes of a magnitude greater than 6.0 including a 6.5 magnitude earthquake on January 9th, 2013 resulting in approximately \$43 in damages and loss of power to 28,000 local residents. These geological and climatic conditions can result the failure of domestic water or utility service lines and the accidental or intentional operation of a fire protection system control valves.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 19th day of November, 2013 by the following vote:

AYES: COUNCILMEMBERS BRADY, ATKINS, NEWMAN, CIARABELLINI,
MADSEN
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS
ABSTAIN: COUNCILMEMBERS



Frank J. Jager, Mayor of the City of Eureka

Attest:


Pamela J. Powell, City Clerk

Approved as to Administration:



Michael Knight, Interim City Manager

Approved as to form:



Cyndy Day-Wilson, City Attorney