

**BUILDING STANDARDS COMMISSION**

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



February 10, 2014

Miriam Lens  
City Clerk  
City of Hayward  
777 B Street  
Hayward, CA 94541

RE: Ordinance #13-20 thru #13-24

Dear Ms. Lens:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on January 17, 2014.

Our review finds the submittal to contain five 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 black ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings



CITY OF  
**HAYWARD**  
HEART OF THE BAY

JAN - 3 2014

RECEIVED  
2014 JAN 17 P 3:09

CITY CLERK BUILDING  
580 LARSEN COMMISSION

JAN 02 RECD

December 26, 2013

California Department of Housing and Community Development  
2020 West El Camino Avenue  
Sacramento, CA 95833

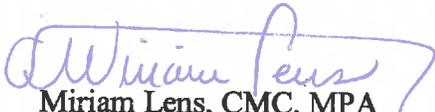
Dear Sir/Madam:

Enclosed are copies of Resolutions 13-180, 13-181, 13-182, 13-183 and 13-184, which the Hayward Council approved at its special meeting on December 10, 2013.

Also enclosed are copies of Ordinances 13-20, 13-21, 13-22, 13-23 and 13-24, which the Hayward Council approved at its regular meeting on December 17, 2013.

Should you have any questions, please call my office at 510.583.4401.

Regards,

  
Miriam Lens, CMC, MPA  
City Clerk

ML:yc

Encl. Resolutions 13-180, 13-181, 13-182, 13-183, 13-184  
Ordinances 13-20, 13-21, 13-22, 13-23, 13-24

cc: Development Services Director, David Rizk  
City Building Official, Gary Lepori

Office of the City Clerk

777 B Street • Hayward • CA • 94541-5007  
Tel: 510/583-4400 • Fax: 510/583-3636 • TDD: 510/247-3340  
EMAIL: CityClerk@hayward-ca.gov



HAYWARD CITY COUNCIL

RESOLUTION NO. 13-180

Introduced by Council Member Zermeño

RESOLUTION FINDING AND DETERMINING THE NEED  
FOR CHANGES OR MODIFICATION TO THE CALIFORNIA  
FIRE CODE, 2013 EDITION

WHEREAS, California Health and Safety Code sections 13143.2 and 13143.5 permit a city to make such changes or modifications as deemed reasonably necessary because of local conditions to be made in specified uniform industry codes; and

WHEREAS, it is necessary that the City's Fire Code be revised to conform with parallel provisions in the City's Building Code as well as to address specialized needs presented by local conditions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward does hereby find and determine as follows:

1. In connection with the adoption by reference of the California Fire Code, 2013 Edition, the City needs to adopt changes or modifications to the following sections of the California Fire Code, 2013 Edition, by reason of local conditions: 1, 2, 3, 4, 5, 6, 7, 8, 104.10, 104.10.1, 104.12, 105.2.2, 105.8, 108.1, 202, 503.1.4, 507.5.1, 603.4, 605.11 through 605.11.6, 901.4.2, 901.4.5, 903.2, 903.2.19, 903.2.20, 903.3.1.1, 903.4.2, 905.1, 905.3, 905.4, 1413.1, 2703.1.5, 2905.3, 3401.4.1, 3403.1.4, 3404.1.1, 3406.2, 3406.2.8, 4901.3, 4902, 4905.2, 4905.2.1, 4905.2.2, 4905.2.3, 4906, 4907, APPENDIX B Section B105.1 and B 105.2, APPENDIX C TABLE C105.1, 9, 10, 11, 12, 13, and 14.

2. The amendments to the California Fire Code, 2013 Edition (published by the International Code Council) have been recognized by the City of Hayward to address the fire problems, concerns, and future directions by which this City can establish and maintain an environment which will afford an acceptable level of fire and life safety to its citizens and guests.

3. The "Findings of Facts" contained herein addresses present local conditions which either singularly or in combination cause the aforesaid amendments to be adopted. The following local conditions have an adverse effect on the prevention and control of major loss fires, thereby making it necessary to adopt the above changes or modifications in the California Fire Code in order to provide a reasonable degree of fire and life safety in this community.

## CLIMATIC

- (a) Precipitation: Precipitation ranges from 15 to 24 inches per year with an average of approximately 17.58 inches per year. Ninety-five percent falls during the months of October through April, and five percent from May through September.
- (b) Relative Humidity: Humidity during May through November ranges from 20 to 40 percent going as low as 10 percent on an average of 10 days during this period. During December through April, the humidity ranges from 41 to 68 percent.
- (c) Temperatures: High temperatures have been recorded in the low 100's F. Average summer highs are in the 73 F. range with an average annual maximum temperature of 66 F.
- (d) Winds: Prevailing winds are from the west, northwest (WNW). However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 14 to 23 miles-per-hour range, gusting to 25 to 35 miles-per-hour. Forty miles-per-hour winds are experienced occasionally, and higher have been registered. During the winter half of the year, strong, dry, gusty winds from the north move through the area for several days, creating extremely dry conditions.
- (e) Summary: These local climatic conditions effect the acceleration, intensity, and size of fires in the community. Times of little or no rainfall, of low humidity, and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and fires involving buildings. During wildland and wood shake and shingle roof fires, winds can carry sparks and burning brands to other roofs, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fire back into buildings and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts.

## GEOLOGICAL AND TOPOGRAPHIC

- (a) Vegetation: Dry grass and brush are common in the hills and open-space areas adjacent to built-up locations during six to eight months of each year. Many of these areas frequently experience wildland fires which threaten nearby buildings, particularly those with wood roofs or sidings.
- (b) Hills, Creeks, Canals, Freeways, Railways, Housing Tracts, Large Buildings, Building Complexes, and the Airport: All of these surface features, both natural and man-made, have a major adverse effect upon the road and street layout in the City including major traffic routes. These conditions limit the number, and cause indirect routing of major arterial streets for normal traffic as well as emergency vehicle response.

- (c) Terrain: Areas with buildings include level, sloping, and rolling terrain. This terrain is not dissimilar to terrain in other locations which have experienced major conflagrations.
- (d) Roads and Streets: As noted above, the limited number, and the indirect routing of roads and streets in the City create heavy, slow traffic conditions and excessively long travel routes from point to point.
- (e) Population: The current and rapidly growing population in the City creates two fire protection problems:
  - (1) The more people, the more emergency incidents requiring Fire Department response. The greater the frequency of alarms, the greater the chance there will be simultaneous emergency incidents requiring Fire Department response. This results in longer response times and/or fewer fire companies to respond to any emergency within the City; and
  - (2) The more people, the more traffic congestion during a greater part of the day. Such traffic congestion not only slows Fire Department response but often restricts access to fire scenes.
- (f) Buildings, Landscaping, and Clearances: Many building complexes are of designs which greatly limit the approach to and accessibility by Fire Department resources. Many houses and other buildings with wood roofs or sidings are close together, and fire will readily spread from one to another by both radiation and convection of flying brands.
- (g) Summary: Essentially, the above local geological and topographical conditions present fire frequency, magnitude, exposures, and accessibility problems and have a negative impact upon the response capability of the Fire Department. The quantity of Fire Department resources that can arrive within an effective time is limited. The time in which they can respond is extended due to lengthy travel distances and traffic congestion.

4. CONCLUSION. Local climatic, geological, and topographic conditions have a definite impact upon the frequency, spread, acceleration, intensity and size of fire involving buildings in Hayward. Furthermore, they have an adverse impact upon the number of Fire Department resources which can be brought to bear upon such fires within an expeditious period of time. Therefore, it is found to be reasonably necessary that the California Fire Code be changed or modified to adopt more stringent requirements to mitigate the effects of the above conditions.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the modifications or changes to the California Fire Code, to be filed with the State of California Department of Housing and Community Development, the state Building Standards Commission, and the state Fire Marshal, by registered mail.

BE IT FURTHER RESOLVED that, should any finding contained herein be declared for any reason invalid, it is the intent of the City Council that it would have passed all remaining portions of this resolution.

IN COUNCIL, HAYWARD, CALIFORNIA December 10, 2013.

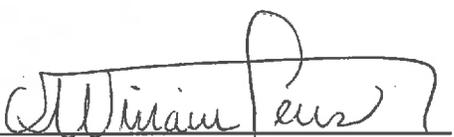
ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Zermefio, Jones, Halliday, Peixoto, Mendall  
MAYOR PRO TEMPORE: Salinas

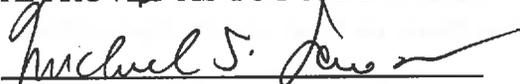
NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None  
MAYOR: Sweeney

ATTEST:   
City Clerk of the City Of Hayward

APPROVED AS TO FORM:

  
City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 13-181

Introduced by Council Member Zermeño

RESOLUTION FINDING AND DETERMINING THE NEED  
FOR CHANGES OR MODIFICATIONS TO THE 2013  
CALIFORNIA BUILDING CODE

WHEREAS, section 17958 of the California Health and Safety Code requires the adoption by the City of Hayward of regulations imposing the same requirements of certain uniform industry codes as specified in Health and Safety Code section 17922 and the California Housing and Community Development Commission regulations promulgated thereunder; and

WHEREAS, Health and Safety Code section 17958.5 permits a city to make such changes or modifications to the uniform industry codes as are deemed reasonably necessary because of local conditions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, pursuant to the requirements of Health and Safety Code section 17958.7, does hereby find and determine the need to adopt changes or modifications to the following sections of the 2013 California Building Code by reason of local climatic, geological, and topographical conditions:

ADMINISTRATIVE CHANGES

1. Certain sections in Volume 2 and Appendix Chapter 1 have been modified or changed to conform with provisions of other ordinances and the Charter of the City of Hayward; such changes are not technical in nature, but are administrative only, and as to those, pursuant to California Code of Regulations Title 25, Section 52, they are deemed equivalent to procedures provided by the state.

2. Amendments and modifications have been made to parallel the requirements as set forth in the Fire Code. Modifications are to the following sections: Chapter 4, Sections 412.4.6, 414.1.4, 415.6.2; Chapter 5, Section 508.2.5; Chapter 9, Sections 901.2, 903.1, 905.1, 905.4, and Sections 903.1.2, 903.1.3 have been added and new Section 1505.5 to Chapter 15 has been added. These modifications have been recognized by the City of Hayward to address the fire problems, concerns, and future directions by which this City can establish and maintain an environment which will afford a level of fire and life safety to its citizens and guests. The proposed Fire and Building Code change sets a lower mandatory limit for the installation of fire sprinklers by reducing to 5,000 square feet of total building floor area and the number of stories from 3 to 4. These proposed changes will provide increased ability to control fires.

3. The code sections 1614,1614.1,1614.1.3 and 1614.1.7 have been added to Chapter 16, Structural Design. Section 2308.9.3 of Chapter 23 Wood, Section 2308.9.3 has been modified. All of these modifications and additions are intended to increase the safety of buildings in a seismic event. This is necessitated by the proximity of the Hayward fault as well as several smaller faults throughout the City of Hayward.

4. A new section 3311.1 has been added to Chapter 33, Safeguards During Construction. This modification is necessary to make Building Code requirements consistent with the Fire Code.

5. Appendix I from Volume 2 and Appendix H from Volume 2.5, Patio Covers, are adopted.

6. All other appendices, except Appendix 1, Administration, have not been adopted since their requirements, where applicable to the City of Hayward are adequately covered by other ordinances of the City of Hayward.

## STRUCTURAL CHANGES

### **1. CODE REFERENCE**

2013 CRC Section R403.1.3

#### **ISSUES:**

Modify Section R403.1.3 by adding wording to the first sentence of the first paragraph to specify the minimum amount of longitudinal reinforcing, to read:

**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.

**RATIONALE:**

This proposed amendment to the CRC is made to be consistent with TUCC amendment 2 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.

**2. CODE REFERENCE**

2013 CRC Section R602.10.4 and Table R602.10.3(3)

**ISSUES:**

Add a new footnote "e" to the end of CRC Table R602.10.3(3), to read:

- e. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

Add the "e" footnote notation in the title of Table R602.10.3(3) to read:

**TABLE R602.10.3(3)e**

Add a new subsection R602.10.4.4, to read:

**R602.10.4.4 Limits on methods GB and PCP.** In Seismic Design Categories D0, D1, and D2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D0, D1, and D2, the use of Method PCP is limited to one-story single family dwellings and accessory structures.

**RATIONALE:**

The proposed amendment addresses the problem of poor performance of gypsum wallboard and Portland cement plaster as wall bracing materials in high seismic areas. 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 these bracing materials that were observed in 1994 Northridge earthquake.

### 3. CODE REFERENCE

2013 CBC Section 1905.1.8, ACI 318 Section 22.10.1.

#### ISSUES:

Revise section 1905.1.8. ACI 318 section 22.10.1 that allows the use of plain concrete in residential structures assigned to Seismic Design Category C, D, E or F.

**1905.1.8 ACI 318, section 22.10.** Delete ACI 318, Section 22.10, and replace with the following:

22.10 - Plain concrete in structures assigned to Seismic Design Category C, D, E or F.  
22.10.1- Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

- (a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

**Exception:** In detached one- and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

- (b) 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 reinforcement shall be provided at corners and intersections.

#### **Exception:**

1. In seismic design categories A, B and C, in detached one- and two-family dwellings three stories or less in height and constructed with stud bearing walls, are permitted to have plain concrete footings without longitudinal reinforcement 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 times the gross cross-sectional area of the footing.
2. For foundation systems consisting of a plain concrete footing and a plain concrete stem wall, a minimum of one bar shall be provided at the top of the stem wall and at the bottom of the footing.

3. Where a slab on ground is cast monolithically with the footing, one no. 5 bar is permitted to be located at either the top of the slab or bottom of the footing.

**RATIONALE:**

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.

**4. CODE REFERENCE:**

2013 CBC Section 1705.3 Concrete Construction.

**ISSUE:**

The proposed amendment modifies the type of exceptions from requiring special inspection for isolated spread concrete footings of buildings three stories or less above grade plane. Revise section 1705.3 Exception as follows.

**1705.3 Concrete construction.** The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.

**Exception:** 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 the structural design of the footing is based on a specified compressive strength,  $f'_c$ , no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

**RATIONALE:**

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.

BE IT FURTHER RESOLVED that the aforementioned amendments to the *2013 California Building Code*, are based on local climatic, geological, or topographical conditions. The "Findings of Facts" contained herein addresses present local conditions which either

singularly or in combination cause the aforementioned amendments to be adopted. The following local conditions have an adverse effect on the prevention and control of major loss fires, thereby making necessary the above changes or modifications in the *2013 California Building Code* in order to provide a greater degree of fire and life safety in this community.

1. CLIMATIC

a. Precipitation: Precipitation ranges from 15 to 24 inches per year with an average of approximately 17.58 inches per year. Ninety-five percent falls during the months of October through April, and 5 percent from May through September.

b. Relative Humidity: Humidity remains in the middle range most of the time. It ranges from 41 percent to 68 percent during the year.

c. Temperatures: High temperatures have been recorded in the low 100's F. Average summer highs are in the 73 F. range with an average annual maximum temperature of 66 F.

d. Winds: Prevailing winds are from the west, northwest (WNW). However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 14 to 23 mile-per-hour range, gusting to 25 to 35 miles per hour. Forty mile-per-hour winds are experienced occasionally, and higher have been registered. During the winter half of the year, strong, dry, gusty winds from the north move through the area for several days, creating extremely dry conditions.

2. TOPOGRAPHICAL

a. Vegetation: Dry grass and brush are common in the hills and open-space areas adjacent to built-up locations during six to eight months of each year. Many of these areas frequently experience wildland fires which threaten nearby buildings, particularly those with wood roofs or sidings.

b. Hills, Creeks, Canals, Freeways, Railways, Housing Tracts, Large Buildings, Building Complexes, and the Airport: All of these surface features, both natural and man-made, have a major adverse effect upon the road and street layout in the City, including major traffic routes. These conditions limit the number and cause indirect routing of major arterial streets for normal traffic as well as emergency vehicle response.

c. Terrain: Areas with buildings include level, sloping, and rolling terrain. This terrain is not dissimilar to terrain in other locations which have experienced major conflagrations.

d. Roads and Streets: As noted above, the limited number and the indirect routing of roads and streets in the City create heavy, slow traffic conditions and excessively long travel routes from point to point.

e. Population: The current and rapidly growing population in the City creates two fire protection problems:

1) The more people, the more emergency incidents requiring Fire Department response. The greater the frequency of alarms, the greater the chance there will be simultaneous emergency incidents requiring Fire Department response. This results in longer response times or fewer fire companies to respond to any emergency within the City; and

2) The more people, the more traffic congestion during a greater part of the day. Such traffic congestion not only slows Fire Department response but often restricts access to fire scenes.

f. Buildings, Landscaping and Clearances: Many building complexes are of designs which greatly limit the approach to and accessibility by Fire Department resources. Many houses and other buildings with wood roofs or sidings are close together and fire will readily spread from one to another by both radiation and convection of flying brands.

### 3. GEOLOGICAL

a. Seismic Activity: The City of Hayward is located in a zone of high seismic activity. A major seismic event may make roads impassable with damage so widespread that resources would not be available to meet all the anticipated needs. Buildings in this area need to be designed to ensure the maximum life safety of occupants and to minimize economic loss as the region struggles to overcome the devastation that would follow after such a seismic event.

### 4. SUMMARY

Local climatic conditions affect the acceleration, intensity, and size of fires in the community. Times of little or no rainfall, of low humidity and high temperatures, create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and fires involving buildings. During wildland and wood shake and shingle roof fires, winds can carry sparks and burning brands to other roofs, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fire back into buildings and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts.

Local geological and topographical conditions present fire frequency, magnitude, exposure, and accessibility problems and have a negative impact upon the response capability of the Fire Department. The quantity of Fire Department resources that can arrive within an effective time is limited. The time in which they can respond is extended due to lengthy travel distances and traffic congestion.

### 5. CONCLUSION

Local climatic, geological, and topographic conditions have a definite impact upon the frequency, spread and acceleration, intensity, and size of fire involving buildings in

Hayward. Furthermore, they have an adverse impact upon the number of Fire Department resources which can be brought to bear upon such fires within an expeditious period of time. Therefore, it is found to be reasonably necessary that the *2013 California Building Code* be changed or modified to mitigate the effects of the above conditions.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the modifications or changes to the 2013 California Building Code, to be filed with the California Department of Housing and Community Development.

IN COUNCIL, HAYWARD, CALIFORNIA December 10, 2013.

ADOPTED BY THE FOLLOWING VOTE:

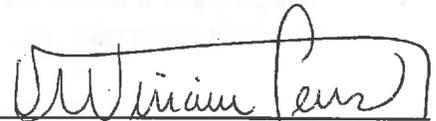
AYES: COUNCIL MEMBERS: Zermefio, Jones, Halliday, Peixoto, Mendall  
MAYOR PRO TEMPORE: Salinas

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None  
MAYOR: Sweeney

ATTEST:



City Clerk of the City Of Hayward

APPROVED AS TO FORM:



City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 13-182

Introduced by Council Member Zermeño

RESOLUTION FINDING AND DETERMINING THE NEED  
FOR CHANGES OR MODIFICATIONS TO THE 2013  
CALIFORNIA MECHANICAL CODE

WHEREAS, section 17958 of the California Health and Safety Code requires the adoption by the City of Hayward of regulations imposing the same requirements of certain uniform industry codes as specified in Health and Safety Code section 17922 and California Housing and Community Development Commission regulations promulgated hereunder; and

WHEREAS, said Health and Safety Code section 17958.5 permits a city to make changes or modifications to the uniform industry code as deemed reasonably necessary because of local conditions; and

WHEREAS, pursuant to section 17958.7 of the Health and Safety Code, local substantive amendments shall be based upon findings of local climatic, geological, or topographical conditions, but such findings are not necessary for merely administrative changes, or changes unrelated to apartment houses, hotels, motels, and dwellings.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby finds and determines the need to adopt the administrative, commercial, or industrial changes or modifications to the following sections of the *2013 California Mechanical Code* by reason of local conditions:

ADMINISTRATIVE PROVISIONS

Certain administrative provisions in Appendix Chapter 1 and in Chapter 2 have been amended to conform to the provisions of the City Charter and other City ordinances; such changes are not technical in nature, but are administrative only. The City Council finds pursuant to California Code of Regulations Title 25, Section 52, that enforcement procedures of local ordinances are equivalent to those provided by the State for abatement of violations of this code.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the modifications or changes to the Uniform Mechanical Code, to be filed with the California Department of Housing and Community Development.

IN COUNCIL, HAYWARD, CALIFORNIA December 10, 2013.

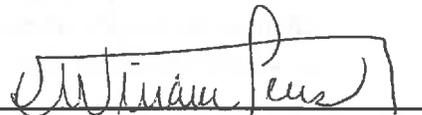
ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Zermefio, Jones, Halliday, Peixoto, Mendall  
MAYOR PRO TEMPORE: Salinas

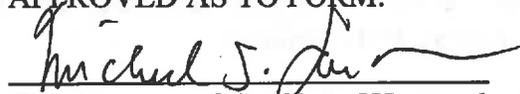
NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None  
MAYOR: Sweeney

ATTEST:   
City Clerk of the City Of Hayward

APPROVED AS TO FORM:

  
City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 13-183

Introduced by Council Member Zermeño

RESOLUTION FINDING AND DETERMINING THE NEED  
FOR CHANGES OR MODIFICATIONS TO THE 2013  
CALIFORNIA ELECTRICAL CODE

WHEREAS, section 17958 of the California Health and Safety Code requires the adoption by the City of Hayward of regulations imposing the same requirements of certain National Industry Codes as specified in Health and Safety Code section 17922 and Housing and Community Development Commission regulations promulgated there under; and

WHEREAS, Health and Safety Code section 17958.5 permits a city to make changes or modifications to the National Industry Codes as deemed reasonably necessary.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby finds and determines that, in addition to administrative changes, there is a need to adopt the modifications of the following sections of the *2013 California Electrical Code*, by reason of local climatic, geological, and topographical conditions.

1. ANNEX CHAPTER H ADMINISTRATIVE PROVISIONS. The *2013 California Electrical Code*, as printed, includes detailed administrative provisions, however, they are mostly applicable to State agencies. The City of Hayward only uses these provisions where the local jurisdiction has authority for inspections covered by the State agency regulations. Annex Chapter H of the *2013 California Electrical Code* contains certain administrative procedures which the City of Hayward has adopted and amended. These are supplemented by using the administrative procedures of Appendix Chapter 1 of the *2013 California Building Code* as amended by the City of Hayward.

2. ARTICLE 210 BRANCH CIRCUITS. Many neutral conductors of multiwire branch circuits are overloaded due to improper phasing of conductors, splices, and connection of devices. Color coding of the ungrounded conductors of a multiwire branch circuit is a safety as well as a design consideration of safe and proper wiring. Many electrical installations are installed with the NEC minimum requirements as the only design criteria. Failure to connect the proper conductor to devices supplied by multiwire branch circuits can result in overloading of the unprotected neutral conductor to as much as three times its allowable ampacity or, in the case of two four-wire circuits, to as much as six times its allowable ampacity. The resultant overheating of a neutral wire is no less a hazard than that of an ungrounded conductor.

The identification of ungrounded conductors of a multiwire branch circuit permits the electrician to install devices in a manner that will result in a balancing of the phase loadings and neutral load. Detection of improper phasing of a multiwire branch circuit by the inspecting authority is extremely difficult without conductor identification and virtually impossible when making a final inspection of work that is not energized, as is often the case. The proposal, as

written, would offer a simple means for the electrician, inspector, and subsequent electricians to determine and maintain correct circuit phasing in industrial and commercial construction where this is likely to occur.

These amendments are enacted pursuant to earthquake vulnerability as a result of having a substantial portion of the residential, commercial, and industrial areas of the City of Hayward within the Alquist-Priolo Act Special Studies Zone, requiring special geologic studies prior to development. This fact increases the likelihood of seismic disturbances of substantial magnitude occurring and causing consequent damage.

3. ARTICLE 230 SERVICES. The need for this addition to the model code requirements is justified by safety considerations. The need to disconnect all current carrying conductors within a structure by occupants or Fire Department personnel in case of fire or other emergency, and the replacement of wire seals by locking rings on meter bases by Pacific Gas and Electric, make this requirement necessary.

4. ARTICLE 300 WIRING METHODS. The need for this addition to the model code is for the purpose of increasing safety within buildings in an active seismic area. By requiring that these systems be supported, the proposal as written, should increase safety in low voltage circuits and avoid the problem of cables falling through the ceiling in case of seismic activity. It should also provide easier response for emergency personnel as they conduct rescue operations through the building.

5. ARTICLE 770 OPTICAL FIBER CABLES. (See UPS). The proposal, as written, will bring it into conformity with Article 300 requirements, and should also provide the increased safety needed in an active seismic area as a result of these cables being supported.

BE IT FURTHER RESOLVED that the aforementioned amendments to the *2013 California Electrical Code*, are based on local climatic, geological, or topographical conditions. The "Findings of Facts" contained herein address present local conditions which either singularly or in combination cause the aforementioned amendments to be adopted. The following local conditions have an adverse effect on the prevention and control of major loss fires, thereby making necessary the above changes or modifications in the National Electrical Code and the California Electrical Code in order to provide a reasonable degree of fire and life safety in this community.

1. CLIMATIC

a. Precipitation: Precipitation ranges from 15 to 24 inches per year with an average of approximately 17.58 inches per year. Ninety-five percent falls during the months of October through April, and 5 percent from May through September.

b. Relative Humidity: Humidity remains in the middle range most of the time. It ranges from 41 percent to 68 percent during the year.

c. Temperatures: High temperatures have been recorded in the low 100's F. Average summer highs are in the 73 range with an average annual maximum temperature of 66 F.

d. Winds: Prevailing winds are from the West, Northwest (WNW). However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 14 mph to 23 mph range, gusting to 25 to 35 mph. Forty mile-per-hour winds are experienced occasionally and higher have been registered. During the winter season, strong, dry, and gusty winds from the north move through the areas for several days, creating extremely dry conditions.

e. Summary: These local climatic conditions affect the acceleration, intensity, and size of fires in the community. Times of little or no rainfall or of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and fires involving buildings. During wild land and wood shake and shingle roof fires, winds can carry sparks and burning brands to other roofs, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fire back into buildings and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts.

## 2. GEOLOGICAL AND TOPOGRAPHIC

a. Vegetation: Dry grass and brush are common in the hills and open-space areas adjacent to built-up locations during six to eight months of each year. Many of these areas frequently experience wild land fires which threaten nearby buildings, particularly those with wood roofs or sidings.

b. Hills, Creeks, Canals, Freeways, Railways, Housing Tracts, Large Buildings, Building Complexes, and the Airport: These entire surface features, both natural and man-made, have a major adverse effect upon the road and street layout in the City of Hayward, including major traffic routes. These conditions limit the number, and cause indirect routing, of major arterial streets for normal traffic as well as emergency vehicle response.

c. Terrain: Areas with buildings include level, sloping, and rolling terrain. This terrain is not dissimilar to terrain in other locations which have experienced major conflagrations. The City of Hayward is in an active seismic area and may be subject to ground shaking and surface rupture.

d. Roads and Streets: As noted above, the limited number and the indirect routing of roads and streets in the City of Hayward create heavy, slow traffic conditions and excessively long travel routes from point to point.

e. Population: The current and rapidly growing population in the City creates two fire protection problems:

1) The more people, the more emergency incidents requiring fire department response. The greater the frequency of alarms, the greater the chance there will be

simultaneous emergency incidents requiring fire department response. This results in longer response times and/or few fire companies to respond to any emergency within this jurisdiction; and

2) The more people, the more traffic congestion during a greater part of the day. Such traffic congestion not only slows fire department response but often restricts access to fire scenes.

f. Buildings, Landscaping and Clearances: Many building complexes are of designs which greatly limit the approach to and accessibility by Fire Department and other emergency resources. Many houses and other buildings with wood roofs and/or sidings are close together and fire will readily spread from one to another by both radiation and convection of flying brands.

g. Summary: Essentially, the above local geological and topographical conditions present fire frequency, magnitude, exposure, and accessibility problems and have a negative impact upon the response capability of the Fire Department and other emergency response efforts. The quantity of emergency resources that can arrive within an effective time is limited. The time in which they can respond is extended due to lengthy travel distances and traffic congestion.

3. CONCLUSION. Local climatic, geological and topographic conditions have a definite impact upon the frequency, spread and acceleration, intensity and size of fire and other structural threats involving buildings in Hayward. Furthermore, they have an adverse impact upon the number of Fire Department and other emergency resources which can be brought to bear in an expeditious period of time to resolve or reduce threats to life and property. Therefore, it is found to be reasonably necessary that the *2013 California Electrical Code* as adopted by the City of Hayward be changed or modified to mitigate the effects of the above conditions.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the modifications or changes to the California Electrical Code, to be filed with the State Department of Housing and Community Development.

IN COUNCIL, HAYWARD, CALIFORNIA December 10, 2013.

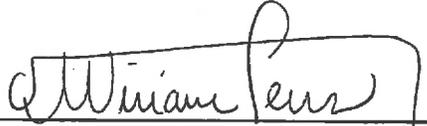
ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Zermeño, Jones, Halliday, Peixoto, Mendall  
MAYOR PRO TEMPORE: Salinas

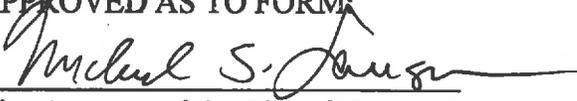
NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None  
MAYOR: Sweeney

ATTEST:   
City Clerk of the City Of Hayward

APPROVED AS TO FORM:

  
City Attorney of the City of Hayward



HAYWARD CITY COUNCIL

RESOLUTION NO. 13-184

Introduced by Council Member Zermeño

RESOLUTION FINDING AND DETERMINING THE NEED  
FOR CHANGES OR MODIFICATIONS TO THE 2013  
CALIFORNIA PLUMBING CODE

WHEREAS, section 17958 of the California Health and Safety Code requires the adoption by the City of Hayward of regulations imposing the same requirements of certain uniform industry codes as specified in Health and Safety Code section 17922 and California Housing and Community Development Commission regulations promulgated hereunder; and

WHEREAS, said Health and Safety Code section 17958.5 permits a city to make changes or modifications to the uniform industry code as deemed reasonably necessary because of local conditions; and

WHEREAS, pursuant to section 17958.7 of the Health and Safety Code, local substantive amendments shall be based upon findings of local climatic, geological, or topographical conditions, but such findings are not necessary for merely administrative changes, or changes unrelated to apartment houses, hotels, motels, and dwellings.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby finds and determines the need to adopt the administrative, commercial, or industrial changes or modifications to the following sections of the *2013 California Plumbing Code*, by reason of local conditions:

1. ADMINISTRATIVE PROVISIONS. Certain administrative provisions in Section 1 and in Section 2 have been amended to conform to the provisions of the City Charter and other City ordinances; such changes are not technical in nature, but are administrative only. The City Council finds pursuant to California Code of Regulations Title 25, Section 52, that enforcement procedures of local ordinances are equivalent to those provided by the State for abatement of violations of this code.
2. CHAPTER 3 GENERAL REGULATIONS. ABS, PVC, CPVC, PEX and PEX-Al-PEX shall not be considered as approved materials.
3. CHAPTER 6 WATER SUPPLY AND DISTRIBUTION. Certain provisions of this chapter have been amended to require additional protection for water supply piping installed underground and also at the joints of such piping.

Table 6-4 all plastic materials are deleted from this table.

4. CHAPTER 7 SANITARY DRAINAGE.

Sections 701.1, 701.1.2, 701.2 and 707.1 are deleted.

5. CHAPTER 9 VENTS.

Sections 903.1 and 903.1.2 are amended to disallow the use of ABS and PVC plastic piping as approved materials.

6. CHAPTER 10 TRAPS.

Section 1003.1 is amended to disallow the use of ABS and PVC piping as approved materials.

7. CHAPTER 11 STORM DRAINAGE

Section 1101.1 is hereby amended by the addition of the following paragraph:

All such water which could flow by gravity over the public right of way or onto adjacent property shall be carried in approved conduits sufficient in size to convey accumulated water, through the curb to the street gutter, as required by City Standard Detail SD-118. Conduits under the sidewalk, when conducted through the curb, shall be steel or cast iron piping, or other approved material.

Section 1102.1 amended to disallow the use of plastic piping as approved materials for conducting storm water drainage.

Section 1102.2.1 deleted and replaced with:

Roof Drainage – All Occupancy Groups, is hereby added to read as follows:

1. Rainwater piping placed within interior of a building or run within a vent or shaft shall be of cast iron, galvanized steel, wrought iron, brass, copper, or other approved materials.

1.1 Rainwater piping located on the exterior building shall be not less than 26 gauge galvanized sheet metal or other approved material.

1.2 Rainwater piping located underground within a building shall be of service weight cast iron soil pipe, Type DWV copper tube, or other approved materials

Local amendments are necessary in order to lessen the threat to life, safety and property presented by certain local climatic, geological and topographical conditions existing in the City of Hayward. The local amendments are enacted pursuant to the authority of Section 17958.5 of the California Health and Safety Code for the purpose of addressing conditions which are more specifically described as follows:

1. CLIMATIC

a. Precipitation: Precipitation ranges from 15 to 24 inches per year with an average of approximately 17.58 inches per year. Ninety-five percent falls during the months of October through April, and 5 percent from May through September.

b. Relative Humidity: Humidity remains in the middle range most of the time. It ranges from 41 percent to 68 percent during the year.

c. Temperatures: High temperatures have been recorded in the low 100's F. Average summer highs are in the 73 range with an average annual maximum temperature of 66 F.

d. Winds: Prevailing winds are from the West, Northwest (WNW). However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 14 mph to 23 mph range, gusting to 25 to 35 mph. Forty mile-per-hour winds are experienced occasionally and higher have been registered. During the winter season, strong, dry, and gusty winds from the north move through the areas for several days, creating extremely dry conditions.

## 2. TOPOGRAPHICAL

a. Vegetation: Dry grass and brush are common in the hills and open-space areas adjacent to built-up locations during six to eight months of each year. Many of these areas frequently experience wild land fires which threaten nearby buildings, particularly those with wood roofs or sidings.

b. Hills, Creeks, Canals, Freeways, Railways, Housing Tracts, Large Buildings, Building Complexes, and the Airport: All of these surface features, both natural and man-made, have a major adverse effect upon the road and street layout in the City, including major traffic routes. These conditions limit the number and cause indirect routing of major arterial streets for normal traffic as well as emergency vehicle response.

c. Terrain: Areas with buildings include level, sloping, and rolling terrain. This terrain is not dissimilar to terrain in other locations which have experienced major conflagrations.

d. Roads and Streets: As noted above, the limited number and the indirect routing of roads and streets in the City create heavy, slow traffic conditions and excessively long travel routes from point to point.

e. Population: The current and rapidly growing population in the City creates two fire protection problems:

1) The more people, the more emergency incidents requiring Fire Department response. The greater the frequency of alarms, the greater the chance there will be simultaneous emergency incidents requiring Fire Department response. This results in longer response times or fewer fire companies to respond to any emergency within the City; and

2) The more people, the more traffic congestion during a greater part of the day. Such traffic congestion not only slows Fire Department response but often restricts access to fire scenes.

f. Buildings, Landscaping and Clearances: Many building complexes are of designs which greatly limit the approach to and accessibility by Fire Department resources. Many houses and other buildings with wood roofs or sidings are close together and fire will readily spread from one to another by both radiation and convection of flying brands.

### 3. GEOLOGICAL

a. Seismic Activity: The City of Hayward is located in a zone of high seismic activity. A major seismic event may make roads impassable with damage so widespread that resources would not be available to meet all the anticipated needs. Buildings in this area need to be designed to ensure the maximum life safety of occupants and to minimize economic loss as the region struggles to overcome the devastation that would follow after such a seismic event.

### 4. FINDINGS:

a. The Hayward fault lies within the City of Hayward and in fact, a substantial portion of the residential area of the City lies within the Alquist-Priolo Act Special Studies Zone, requiring special geologic studies prior to development. This fact increases the likelihood of seismic disturbances of substantial magnitude occurring and causing consequent damage. Such damage is often accompanied by structural fire. Because ABS, PVC and PEX plastic piping is combustible, emits toxic gases and acids, and generates large amounts of smoke, its presence in interior water distribution systems would increase the threat to life and property in the event of a seismic disturbance. Additionally

b. The travel time to a fire or other emergency within Hayward may be impeded by the following conditions:

(1) Three major railway lines, the elevated BART line, two major freeways, and natural creeks divide the City into numerous sections, and equipment responding to emergencies face potential delays and obstruction of access in crossing these barriers.

(2) The City of Hayward contains five major water reservoirs which, upon failure, would inundate a large portion of the City, further delaying the response to a fire or other emergency.

(3) The major north-south and east-west emergency response routes aside from the freeways are dependent upon bridges and grade separations. Failure of these structures would isolate a heavily populated section of the City.

(4) In the event of a fire, toxic gases and acid emitted by plastic pipe and the smoke generated by plastic pipe represent an increased life hazard, and since most loss of life in fires is from asphyxiation, a rapid response by emergency equipment becomes more critical.

c. All drain and waste pipes flow into the City of Hayward Waste Water Treatment Plant. Any chemical reaction between the plastic pipe and the waste flowing through it, may produce contaminants, threatening the biological process of the treatment Plant itself and in turn thereby threatening the marine life in the San Francisco Bay. Extensive use presents an unacceptable threat.

d. High wind conditions normally exist in the hillside and shoreline areas of the City, increasing the potential for fire spread. The presence of plastic pipe increases the life hazard.

e. Prevailing temperatures in the City of Hayward periodically reaches levels that may cause excessive expansion of plastic pipe resulting in its failure.

f. A substantial portion of the residential area of Hayward is the natural habitat of various species of animals and rodents. Plastic pipe has been known to be damaged by such animals and rodents.

g. Prevailing soil conditions within the City of Hayward have been found to be highly acidic and corrosive to both ferrous and non-ferrous piping. Without protection these piping systems have shown failure on an accelerated rate. A high rate of failure in unprotected under slab copper tubing has been found to occur due to electrolysis. The use of plastic piping for the pressurized potable water systems within structures constitutes a possible hazard to such structures in case of joint failure and pipe breakage, As the City of Hayward sits astride the Hayward fault which is considered a major California fault system, the likelihood of a high magnitude earthquake is predicted by geologists to be highly likely within the next thirty years. Metal piping with threaded or soldered joints has by the nature of the material considerably greater strength to resist breakage and is considered by the Building Official to be necessary to reduce possible structural damage to buildings in the case of a major seismic event.

5. CONCLUSION. Local climatic, geological and topographic conditions have a definite impact upon the frequency, spread and acceleration, intensity and size of fire and other structural threats involving buildings in Hayward. Furthermore, they have an adverse impact upon the number of Fire Department and other emergency resources which can be brought to bear in an expeditious period of time to resolve or reduce threats to life and property. Therefore, it is found to be reasonably necessary that the *2013 California Plumbing Code* as adopted by the City of Hayward be changed or modified to mitigate the effects of the above conditions.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the modifications or changes to the *2013 California Plumbing Code* to be filed with the California Department of Housing and Community Development.

IN COUNCIL, HAYWARD, CALIFORNIA December 10, 2013.

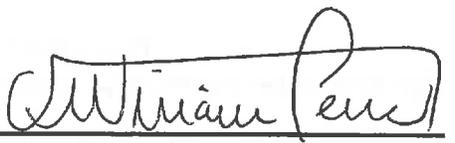
ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Zermefio, Jones, Halliday, Peixoto, Salinas, Mendall

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None  
MAYOR: Sweeney

ATTEST:   
City Clerk of the City of Hayward

APPROVED AS TO FORM:

  
City Attorney of the City of Hayward

ORDINANCE NO. 13-20

AN ORDINANCE ESTABLISHING A FIRE PREVENTION CODE FOR THE CITY OF HAYWARD; ADOPTING THE CALIFORNIA FIRE CODE, 2013 EDITION, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR PENALTIES FOR VIOLATION, AND REPEALING ORDINANCE NO. 10-14, AS AMENDED, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH

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

Section 1. Effective January 1, 2014, Ordinance No. 10-14, and all amendments thereto, is hereby repealed and in substitution thereof a new fire code for the City of Hayward is hereby enacted to read as follows:

SEC. 1. FIRE PREVENTION CODE OF THE CITY OF HAYWARD.  
ADOPTION OF CALIFORNIA FIRE CODE. The City Council of the City of Hayward for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, hereby adopts that certain code and standards known as the 2013 California Fire Code and based on the International Fire Code being particularly the 2012 edition thereof and the whole thereof (including Appendices Chapter 4, B, C, D, E, F, G, H, I, J, K) save and except such portions as are hereunder deleted, modified, or amended as set forth hereinafter, as the Fire Code of the City of Hayward. A copy of each said California Fire Code is on file in the office of the City Clerk, to which reference is hereby made for further particulars.

Said code is adopted by reference pursuant to Section 50022.2 et seq. of the Government Code of the State of California, and the same is hereby adopted and incorporated as fully as if set out at length herein and, from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Hayward except as otherwise noted herein.

SEC. 2. ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION OFFICE.

- 2.1 The California Fire Code shall be enforced by the Fire Prevention Bureau and the Operations Division in the Fire Department of the City of Hayward.
- 2.2 The chief officer in charge of the Fire Prevention Bureau shall be appointed by the Fire Chief.

- 2.3 The Chief of the Fire Department shall recommend to the City Manager the employment of technical personnel responsible for code enforcement. The Chief of the Fire Department may also detail such members of the Fire Department as inspectors as shall from time to time be necessary.

**SEC. 3. DEFINITIONS.**

- 3.1 Whenever the word "jurisdiction" is used in the California Fire Code, it shall be held to mean the City of Hayward.
- 3.2 Whenever the term "Corporation Counsel" is used in the California Fire Code, it shall be held to mean the City Attorney of the City of Hayward.
- 3.3 Whenever the term "Fire Code Official" or "Fire Marshal" is used, it shall be held to mean the Chief Officer in charge of the Fire Prevention Bureau for the Fire Department or his or her designated representative.

**SEC. 4. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN ABOVEGROUND TANKS IS TO BE PROHIBITED.**

- 4.1 The storage and use of flammable or combustible liquids (including flammable cryogenic liquids) in aboveground tanks is prohibited, within the city limits of Hayward unless approved by the Fire Chief upon a finding that such an approval would minimize a danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.
- 4.2 New bulk plants for flammable or combustible liquids are prohibited within the city limits of Hayward unless approved by the Fire Chief upon a finding that such an approval would minimize a danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

**SEC. 5. ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED.** The limits referred to in Section 6104.2 of the California Fire Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows: Within the city limits of Hayward, unless approved by the Fire Chief upon a finding that such an approval would minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

**SEC. 6. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED.** The storage and use of explosives and blasting agents is prohibited within the city limits of Hayward, unless approved by the Fire Chief upon a finding that such an approval would

minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

**SEC. 7. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED.** The storage of compressed natural gas is prohibited within the city limits of Hayward, unless approved by the Fire Chief upon a finding that such an approval would minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties.

**SEC. 8. AMENDMENTS MADE IN THE CALIFORNIA FIRE CODE.** The California Fire Code is amended in the following respects, with the reference numbers being taken from the California Fire Code, including deletions, additions and text changes.

**GENERAL  
CHAPTER 1 - SCOPE AND ADMINISTRATION  
DIVISION II ADMINISTRATION**

**SECTION 104 - GENERAL AUTHORITY AND RESPONSIBILITIES**

**104.10 FIRE INVESTIGATIONS.** Amend section to read:

**104.10 FIRE INVESTIGATIONS.** The Fire Department shall investigate promptly the cause, origin, and circumstances of each and every fire occurring in the jurisdiction involving loss of life or injury to person or destruction or damage to property and, if it appears that such fire is of suspicious origin, the department shall then initiate efforts for the immediate collection of all physical evidence relating to the cause of the fire.

The Fire Chief is authorized to investigate the cause, origin, and circumstances of unauthorized releases of hazardous materials.

**104.10.1 ASSISTANCE FROM OTHER AGENCY.** Amend subsection to read:

**104.10.1 ASSISTANCE FROM OTHER AGENCY.** The Police Department shall assist the Fire Department in its investigations whenever requested to do so, unless otherwise directed by the Chief of Police.

Add new Section 104.12 to read:

**104.12 FIRE PROTECTION.** The Fire Chief shall designate the type and number of fire appliances to be installed and maintained in and upon all buildings and premises in the jurisdiction. This shall be done according to the relative severity of probable fire, including the rapidity with which it may spread. Such appliances shall be of a type suitable for the probable class of fire associated with such buildings or premises and shall have approval of the Fire Chief.

SECTION 105 - PERMITS.

105.2.2 INSPECTION AUTHORIZED Amend section to read:

105.2.2 INSPECTION AUTHORIZED. Before a permit is issued, the Fire Chief or his or her designated representative is authorized to inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces, or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Department, joint approval shall be obtained from all departments concerned.

105.8 PERMIT FEES. Add new subsection 105.8 to read:

105.8 PERMIT FEES. The City Council of the City of Hayward may, if it so desires establish by resolution, permit fees in connection with any permits required or authorized to be issued by the Fire Chief or any other authorized representative of the Fire Department.

SECTION 108 - BOARD OF APPEALS.

108.1 BOARD OF APPEALS ESTABLISHED Amend section to read:

108.1. BOARD OF APPEALS ESTABLISHED. In order to determine the suitability of alternate materials and type of construction, there shall be and hereby is created an appropriate board consisting of five members who are qualified by experience and training to pass judgment upon pertinent matters. The Fire Chief shall be an ex-officio member and shall act as secretary of the board. The Fire Appeal Board shall be appointed by the City Manager and shall hold office at his or her pleasure. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Fire Chief, with a duplicate copy to the appellant, and may recommend to the executive body such new legislation as is consistent therewith.

CHAPTER 2 – DEFINITIONS

SECTION 202 - GENERAL DEFINITIONS.

HIGH-RISE BUILDING. Add a paragraph to read:

The Fire Chief may determine that a building is a “high-rise structure” based on site/building configuration and the lack of viable exterior access to the upper floors for firefighting, rescue operations and where firefighters must place almost complete reliance on the building’s life safety features, fire protection systems and components of building construction.

## CHAPTER 5 - FIRE SERVICE FEATURES

### SECTION 503 - FIRE APPARATUS ACCESS ROADS.

503.1 WHERE REQUIRED. Add new subsection 503.1.4 to read:

503.1.4 FIRE LANES. Where necessary to maintain adequate emergency vehicle approaches to buildings or fire apparatus access roads, the Fire Chief may establish designated "Fire Lanes."

1. Restrictions and requirements as specified in the California Vehicle Code sections 22500.1 and 22658 shall apply to fire lanes established by this section.

### SECTION 503 - FIRE APPARATUS ACCESS ROADS

Add new subsection 503.6.1 to read:

503.6.1 KEY SWITCHES. A key switch shall be provided and mounted on a stationary place on the outside of the security gate. The key switch shall be mounted on a permanently affixed monument three (3) to five (5) feet above ground.

### SECTION 505 - PREMISES IDENTIFICATION

505.1 ADDRESS IDENTIFICATION. Amend section to read:

505.1 ADDRESS IDENTIFICATION. New and existing buildings shall have approved address numbers, building numbers or approved building identification plate in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the Fire Department, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6) high with a minimum stroke width of 0.5 inch (12.7 mm) and installed on the front of the dwelling (R-3, R-3.1 and R-4) in a location so as to be visible from the street. Otherwise, a minimum 6-inch address shall be installed in a location approved by the Fire Department. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

### SECTION 507 - FIRE PROTECTION WATER SUPPLIES.

507.5 FIRE HYDRANT SYSTEMS.

507.5.1 WHERE REQUIRED. Amend subsection to read:

507.5.1 WHERE REQUIRED. Fire hydrant systems and fire hydrants shall be in accordance with Section 507.5. Hydrants shall be of the type approved in the City of Hayward and have not less than a six-inch connection with the mains. A shutoff valve shall be installed in the hydrant connection, a minimum distance of five feet from the hydrant. Hydrants should be tested annually for proper functioning in accordance with the requirements of the authority having jurisdiction or upon request of the Fire Chief.

Hydrants shall be placed at least 40 feet from the buildings to be protected. Where it is not feasible to place them at that distance, they may be in closer proximity in locations approved by the Fire Chief.

CHAPTER 6 – BUILDING SERVICES AND SYSTEMS

SECTION 603 FUEL FIRED APPLIANCES.

603.4 PORTABLE UNVENTED HEATERS. Amend section to read:

603.4. PORTABLE UNVENTED HEATERS. The use of listed portable unvented oil-burning heating appliances shall be limited to supplemental heating in Group U Occupancies.

EXCEPTION: When approved by the Fire Chief, portable unvented oil-burning heating appliances may be used in any occupancy during construction when such use is necessary for the construction and the use does not represent a hazard to life or property.

SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

605.11 SOLAR PHOTOVOLTAIC POWER SYSTEMS.

605.11.1.2 MARKING CONTENT. Amend section to read:

605.11.1.2 MARKING CONTENT. Marking content shall be provided in accordance with Section 605.11.1.2.1 and 605.11.1.2.2.

605.11.1.2.1 MARKING AND LABELING OF DISCONNECTING MEANS.

Each photovoltaic system disconnecting means shall be permanently labeled to identify it as a photovoltaic system disconnect. A warning sign shall be placed adjacent to the power disconnect in a location clearly visible from the location where the power disconnect is operated. The marking shall contain the words:

WARNING: ELECTRIC SHOCK HAZARD.  
DO NOT TOUCH TERMINAL.  
TERMINALS ON BOTH THE LINE AND LOAD SIDES MAY BE ENERGIZED  
IN THE OPEN POSITION.

605.11.1.2.2 MARKING OF DC CONDUIT, RACEWAYS, ENCLOSURES  
AND CABLE ASSEMBLIES. The marking shall contain the words:

WARNING: PHOTOVOLTAIC POWER SOURCE.

Add new subsections 605.11.5 through 605.11.5.2 to read:

605.11.5 PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS.

Photovoltaic system disconnecting means shall be provided in the locations described in Section 605.11.5.1 through 605.11.5.2.

605.11.5.1 MAIN SERVICE DISCONNECTS. A main service disconnect shall be provided to disconnect all conductors in a building or other structures from the photovoltaic system conductors. The power disconnect shall be installed at a readily accessible location on the outside of a building or structure.

605.11.5.2 ROOF DC POWER DISCONNECTS. A roof power disconnect shall be provided in proximity of the photovoltaic array to de-energize the DC circuits from the array to the mains service disconnect and inverter. Power disconnects on the one- and two- family residential roof shall be located within 3 feet of the photovoltaic array along roof access and pathways and located together when possible. Power disconnects on roof other than the one- and two- family residential shall be located as close as practically possible to the photovoltaic array and installed along the center line axis pathways when possible.

Add new subsection 605.11.6 to read:

605.11.6 NON-HABITABLE BUILDINGS OR STRUCTURES. Detached Group U non-habitable structures, such as parking shade structures, carports, solar trellises, and similar type structures shall comply with Section 605.11 through 605.11.3.

## CHAPTER – 9 FIRE PROTECTION SYSTEMS

### SECTION 901 - GENERAL.

#### 901.4 INSTALLATION.

Add new subsection 901.4.7 to read:

901.4.7 FIRE SPRINKLER CONTRACTORS. All design and on-site installation work for automatic sprinkler systems shall be done by people whose qualifications

satisfy applicable State of California requirements and whose expertise in the field is demonstrable through documentation of their appropriate education, experience, or license to the Fire Chief's satisfaction.

## SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS.

### 903.2 WHERE REQUIRED. Amend 903.2 to read

903.2 WHERE REQUIRED. An automatic sprinkler system shall be installed in all new construction, regardless of occupancy classification, where the total floor area is 5,000 square feet (465 m<sup>2</sup>) or more (area separation walls may not be used in lieu of a sprinkler system except when buildings are separated by fire wall constructed in accordance with Section 706 FIRE WALLS of the 2013 California Building Code), building height exceeds two stories, or floor heights exceed 15feet (4,572 mm) from the lowest level of Fire Department access and locations described in Section 903.2.1 through 903.2.21. In cases where multiple requirements may apply, the most restrictive requirement shall prevail. Floor areas of mezzanines shall be included in calculating the total floor area to be used in determining automatic fire-extinguishing requirements.

### 903.3 INSTALLATION REQUIREMENTS

Add new subsection 903.2.8.2 to read:

903.2.8.2 GROUP R-3 TOWNHOUSE OR R-2 MULTI-FAMILY RESIDENTIAL. In buildings with 3 or more Group R-3 dwelling units, the automatic fire sprinkler systems shall be installed in accordance with Section 903.3.1.1.

903.3.1.2 NFPA 13R SPRINKLER SYSTEM. Deleted.

903.3.1.2.1 BALCONIES AND DECKS. Deleted.

903.3.1.3 NFPA 13D SPRINKLER SYSTEMS. Amend 903.3.1.3 to read:

903.3.1.3 NFPA 13D SPRINKLER SYSTEMS. Automatic sprinkler systems installed in one- and two-family dwellings (R-3) and R-3.1 shall be permitted to be installed throughout in accordance with NFPA 13D. Multipurpose sprinkler systems shall be permitted provided the systems are installed in accordance with NFPA 13D and City of Hayward Standard Details. Sprinkler systems in Group R-3.1 facilities shall be installed in accordance with this section, Section 903.2.8 and NFPA 13D with modifications listed in Section 903.3.1.3.1.

#### **903.3.1.3.1 MODIFIED NFPA 13D SPRINKLER SYSTEMS.**

When a modified NFPA 13D system is required, the system shall be installed to meet the following requirements.

1. Complete sprinkler coverage shall be provided in attics, garages, decks, porches, foyers and crawl spaces 3 feet or higher or having storage.
2. For sprinkler systems in buildings with R-3.1 use, sprinkler coverage shall be provided in bathrooms and closets.
3. An interior audible alarm device shall be installed within the dwelling in a location so as to be heard throughout the home. The device shall activate upon any water flow activity in the fire sprinkler system.
4. Provide a minimum of two replacement sprinklers for emergency replacement along with an appropriate wrench for changing sprinkler heads.
5. Control valve shall be secured with a chain and breakaway lock.

Add new subsection 903.2.20 to read:

**903.2.20 EXISTING BUILDINGS.** An automatic sprinkler system shall be installed in an existing building when cumulative additions, repairs, or alterations are made to the building and such additions, repairs, or alterations meet any of the following conditions:

1. Additions, repairs, or alterations are valued at 50 percent or more of the current assessed value of the building. (Value is based only on the structure involved. If owner disputes valuation, an appraisal can be performed at the owner's expense, by an appraiser acceptable to the Fire Chief.)
2. Any addition or additions to the original building which will add 10 percent or more to the total floor area of the existing building and the resulting floor area is 5,000 square feet (465 m<sup>2</sup>). The floor area shall be calculated in accordance with Section 903.2.
3. Additions, repairs, or alterations that will result in a change in occupancy or use and with the resulting floor area is 5,000 square feet (465 m<sup>2</sup>) or more and shall comply with the most current CBC and CFC edition. The floor area shall be calculated in accordance with Section 903.2.

4. Accumulative area of alteration, addition or repair is 5,000 square feet (465 m<sup>2</sup>) or more. The floor area shall be calculated in accordance with Section 903.2. Building owners are to be held responsible.
5. Extensive remodeling in existing one- and two-family dwellings and townhouses, where roofs/ceilings are reconstructed or altered, and new sprinkler systems can be installed without inconvenience upon the Fire Chief's determination.

Add new subsection 903.2.21 to read:

**903.2.20.1 EXISTING BUILDINGS IN HAYWARD DOWNTOWN CORE AREA.** Alternative design in lieu of fire sprinkler systems in Hayward's Downtown Core Area shall be permitted when it satisfies all provisions established by the Hayward Fire Department.

1. The Hayward Downtown Core is bounded by A St., Foothill Blvd., D St., and Grand St. and includes a four- block strip along the south side of D St. and a two-block area west of Grand St.
2. The alternative design option is only available to a renovation, improvement, or redevelopment project on an existing building used as Group A, B, E, F, M, R and S.
3. The alternative design is not applicable to newly constructed projects.
4. The project shall satisfy all provisions listed in the supplemental document - *Alternative Design in Lieu of Fire Sprinkler Systems in Hayward's Downtown Core.*

Add new subsection 903.2.21 to read:

**903.2.21 HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE.** Developments located in the hillside urban/wildland interface zone identified in Section 4901.3 of the ordinance shall be fully sprinkler per NFPA 13. Single family residence fire sprinkler system shall be installed in accordance with NFPA 13D with modifications listed in Section 903.3.1.3.1.

**903.3.1.1 NFPA 13 SPRINKLER SYSTEMS.** Add to the end of this section to read:

"When automatic sprinkler systems are required in buildings of undetermined use, they shall be designed and installed to have a sprinkler density of 0.33 GPM for 3,750 square feet with a maximum coverage of 100 square feet per head. Use is considered undetermined if not

classified at time permit is issued. Where subsequent use requires a system with greater capability, the system shall be reinforced to the required code in order to obtain clearance for the new use.”

903.3.5 WATER SUPPLY. Amend 903.3.5 to read:

903.3.5 WATER SUPPLY. Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. Water supplies for automatic sprinkler systems shall be connected to the city water main. The potable water supply shall be protected against backflow in accordance with *Health and Safety Code, Section 13114.7* and the City of Hayward installation standards.

Add new subsections 903.3.5.3 to 903.3.5.4.2 to read:

903.3.5.3 FIRE SERVICE CONNECTIONS. Each fire service shall have installed therein a detector check valve of such pattern and design in accordance with City of Hayward Standard Details.

903.3.5.3.1 FIRE SERVICE MAINS SUPPLYING HYDRANTS. Pipe smaller than six inches in diameter shall not be installed as private fire service main supplying hydrants.

903.3.5.3.2 FIRE SERVICE MAINS NOT SUPPLYING HYDRANTS. For a fire service main that does not supply hydrants, diameter smaller than 6 inches shall be permitted to be used when all the following conditions are met:

- It supplies fire suppression systems only, including automatic fire suppression systems, water spray fixed systems, foam systems and standpipe systems; and
- Hydraulic calculations shall show that the main is able to supply the total demand at the appropriate pressure.

903.3.5.3.3 COMMERCIAL OR INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL BUILDINGS. When an application is made for commercial or industrial/multi-family residential fire service connections, such fire service installation shall be not less than four inches in diameter. Fire service line smaller than four inches in diameter shall be permitted when all the following conditions are met:

- A fire service main is dedicated to supplying a single automatic fire sprinkler system in one building; and

- Hydraulic calculations shall show that the fire service line is able to supply the demand at the appropriate pressure for automatic fire sprinkler systems.

**903.3.5.3.4 ONE- AND TWO- FAMILY RESIDENTIAL BUIDLINGS.** When an application is made for one- and two- family residential fire service connection serving residential fire sprinkler systems installed in accordance with NFPA 13D including modified NFPA 13D, such fire service installation shall not be less than one inch in diameter. For an application utilizing existing underground water line, a minimum  $\frac{3}{4}$  inch in diameter shall be permitted.

**903.3.5.4 WATER FLOW TEST DATA.** Water flow test data applied in automatic fire sprinkler system design shall be less than five years old. Adjustments shall be made to the flow test results in order to take into account daily and seasonal fluctuations and uncertainties of overall water supply.

**903.3.5.4.1 SAFETY MARGIN.** A safety margin of 10% or 10 PSI may be used as a guideline. The projections prepared by the water utility shall be used when they are available.

Add new subsections 903.3.9 to 903.3.9.2 to read:

**903.3.9 POST INDICATOR VALVES.** One dedicated post indicator valve shall be provided for each sprinkler system water supply.

**903.3.9.1 CONTROL INDICATOR VALVES.** Use of control indicator valves which are parts of a backflow preventer assembly in lieu of the dedicated post indicator valve shall be allowed, subject to the approval of the Fire Department, when all of the following conditions are met:

1. The city water main is the only source of water supply to the fire service line.
2. The underground fire service line serves the wet fire sprinkler system(s) for only one (1) building.
3. The control valves of the backflow preventers are indicator valves, such as OS&Y valves.
4. A backflow preventer has at least one indicator valve not less than 40 feet away from the building, except in the following circumstances:
  - For buildings less than 40 feet in height, a backflow preventer with at least one indicator valve shall be permitted to be installed closer than 40

feet, but at least as far from the building as the height of the wall facing the backflow preventer.

- For buildings located in the Hayward Downtown Area, a backflow preventer with at least one indicator valve shall be permitted to be installed closer than 40 feet, but shall be at the farthest possible location from the building.
5. The backflow preventer is located no farther than 150 feet away from the building, measured by underground fire service line. The backflow preventer shall be located in a way to avoid confusion in the field.

**903.3.9.2 OTHER TYPE POST INDICATOR VALVES.** The following valves controlling fire service water supply shall also be allowed in lieu of the dedicated post indicator valves.

1. An approved wall-type post indicator valve; or
2. Control valves installed in a fire-rated room accessible from the exterior.

**903.4.1 MONITORING.** Amend 903.4.1 to read:

**903.4.1 MONITORING.** Alarm, supervisory and trouble signals shall be distinctly different from one another and shall be automatically transmitted to an approved central supervising station and shall sound an audible signal at a constantly attended location in accordance with Section 903.4.2. This system shall have a supervised alarm and local alarm signaling capability.

**903.4.2 - ALARMS.** Add new subsection 903.4.2.1 and 903.4.2.2 to this section to read:

**903.4.2.1 COMMERCIAL OR INDUSTRIAL BUILDINGS.** At least one interior audible alarm device shall be installed within each tenant space of the building at a constantly attended location in the building and shall be placed in a location so as to be heard throughout the constantly attended areas in accordance with NFPA 72. The device shall activate upon any water flow activity in the fire sprinkler system.

**903.4.2.2 ONE- AND TWO- AND MULTI-FAMILY RESIDENTIAL BUILDINGS.** At least one interior audible alarm device shall be installed within the dwelling units in a location so as to be heard throughout the home with bedroom doors closed. The device shall activate upon any water flow activity in the fire sprinkler system.

**SECTION 904 – ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS**

**904.3.5 MONITORING.** Amend 904.3.5 to read:

**904.3.5 MONITORING.** Where a building fire alarm system or fire sprinkler monitoring system is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm system or the fire sprinkler monitoring system in accordance with NFPA 72. This system shall have a supervised alarm and local alarm signaling capability. Central station monitoring is required, which shall be done by an approved and/or listed central station monitoring company.

**SECTION 905 - STANDPIPES**

**905.1 GENERAL.** Add sentence to the end of this section to read: “Buildings three stories or more in height shall have an approved standpipe system.”

**905.3 REQUIRED INSTALLATIONS.** Amend to substitute any reference to “4 Stories” with “3 Stories.”

**905.4 LOCATION OF CLASS I STANDPIPE HOSE CONNECTIONS.** Add new number 6 to read:

6. **DUAL OUTLETS.** All Class I standpipe outlets located as required in Section 905.3 shall have added outlets located in enclosed corridors adjacent to enclosed stairway access doors at each level of every required stairway.

**CHAPTER 33 – FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION**

**SECTION 3301 - GENERAL.**

**3313 STANDPIPES.** Amend subsection 3313.1 to read:

**3313.1 WHERE REQUIRED.** Every building three stories or more in height shall be provided with not less than one standpipe for use during construction. Such standpipe shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

In each floor there shall be provided a 2 ½-inch (64 mm) valve outlet for Fire Department use. Where construction height requires installation of a Class I standpipe, fire pumps and water main connections shall be provided to serve the standpipe.

## CHAPTER 49 – WILDLAND-URBAN INTERFACE FIRE AREA

Add new subsection 4901.3 to read:

**4901.3 WHERE REQUIRED.** Development in the area east of Mission Boulevard from the south side of D Street to the city limits south to Union City shall be constructed in accordance with this chapter.

### **SECTION 4902 - DEFINITIONS**

Amend “WILDLAND-URBAN INTERFACE FIRE AREA” definition to read:

“WILDLAND-URBAN INTERFACE FIRE AREA” is land designated which is covered with grass, grain, brush or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. Such areas are designated by the Fire Chief on a map maintained in the office of the Fire Chief. The “WILDLAND-URBAN INTERFACE FIRE AREA” has been defined as:

"The areas east of Mission Boulevard Blvd. from the south side of D Street to the city limits south to Union City."

**SECTION 4905.2.** Amend Section 4905.2 to read:

**4905.2 CONSTRUCTION METHODS AND REQUIREMENTS**  
**WITHIN ESTABLISHED LIMITS.** Within the limits established by Section 4901.3, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements described in Section 4905.2.1, 4905.2.2 and 4905.2.3. In cases where multiple requirements may apply, the most restrictive requirement shall prevail.

Add new subsection 4905.2.1 to read:

**4905.2.1** The building construction shall comply with the requirements contained in the California Building Standards Code including the following:

1. California Building Code Chapter 7A,
2. California Residential Code Section R327,
3. California Reference Standards Code Chapter 12-7A

Add new subsection 4905.2.2

4905.2.2 The building constructed shall comply with the following requirements:

1. Within ten feet of a structure, construct fences with an open wire mesh or non-combustible material to prevent fire from spreading to the structure.
2. Design roofs shall comply with a 'Class A' non-combustible roof rating as outlined in the California Building Code. (Do not use wood shake or treated wood shake roofs.)
3. Provide spark arrestors with 1/4" metal mesh screens on all chimneys. Homeowners should inspect spark arrestors every year to ensure mesh screen integrity.
4. Additions to existing decks are subject to review by the Fire Marshal and may be required to meet building construction and fire protection standards.
6. Restrict outdoor storage of firewood, kindling, or compost material within 30 feet of any structure, unless the material is stored in an approved bin or enclosure.
7. Locate chimney at least ten feet away from existing tree canopies.
8. Enclose all roof eaves.

Add new subsection 4905.2.3 to read:

4905.2.3 In addition, the building construction shall comply with other City standards and regulations including but not limited to the Zoning Ordinance, Subdivision Ordinance, Building Ordinance, Fire Code Ordinances, Grading Ordinance, Tree Preservation Ordinance, and Water Efficient Landscape Ordinance.

SECTION 4906. Amend Section 4906 to read:

SECTION 4906 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES. As adopted by Resolution No. 93-037.

## CHAPTER 50 – HAZARDOUS MATERIALS - GENERAL PROVISIONS

### SECTION 5003 - GENERAL REQUIREMENTS.

Add new subsection 2703.1.5 to read:

SECTION 5003.1.5 - PROHIBITED LOCATION. – Hazardous materials are not allowed below grade plane in buildings.

SECTION 5004.2.2 – SECONDARY CONTAINMENT FOR HAZARDOUS MATERIALS LIQUIDS AND SOLIDS. Where required by Table 5004.2.2, buildings, rooms or areas used for the storage of hazardous materials liquids or solids shall be provided with secondary containment in accordance with this section when the capacity of an individual vessel or aggregate capacity of multiple vessels equals or exceeds 55 gallons. Additionally, the Fire Chief or his designee may require secondary containment at quantities less than 55 gallons or as specified in Chapter 50 in order to protect life safety, emergency responders, or the environment.

## CHAPTER 52 – COMBUSTIBLE FIBERS

### SECTION 5205 - BALED STORAGE.

Add new subsection 5205.3 to read:

5205.3 FIRE PROTECTION. Baled storage under any roof or overhang shall be protected by an approved automatic sprinkler system.

## CHAPTER 57 – FLAMMABLE AND COMBUSTIBLE LIQUIDS

### SECTION 5701 - GENERAL.

#### 5701.4 PERMITS.

Add new subsection 5701.4.1 to read:

5701.4.1 PLANS. Plans shall be submitted with each application for a permit to store more than 60 gallons of flammable and combustible liquids in drums or tanks. The plans shall indicate the methods of storage, quantities to be stored, distances from buildings and property lines, access ways, fire-protection facilities, and provisions for drainage and runoff. Storage shall be in accordance with approved plans.

**SECTION 5703 - GENERAL REQUIREMENTS.**

Add new subsection 5703.1.4 to read:

**SECTION 5703.1.4 - PROHIBITED LOCATION.** Flammable and combustible liquids are not allowed below grade plane in buildings.

**SECTION 5704 - STORAGE.**

Add new subsection 5704.1.1 to read:

**5704.1.1 APPLICABILITY.** Storage and use of flammable and combustible liquids in aboveground tanks over 60 gallons is prohibited within the city limits of Hayward unless approved by the Fire Chief upon a finding that such approval would minimize the danger to the health, safety, and welfare of the population of Hayward or to neighboring properties. When allowed, storage and use of flammable and combustible liquids in containers, cylinders, and tanks shall be in accordance with sections 5701 and 5704. For permits see Section 105.1 and 5701.4.

**EXCEPTION:** Allowance shall be granted in the industrial area of Hayward for stationary, monitored, and double-walled aboveground flammable and combustible liquid storage tanks as follows:

- a. Emergency power diesel generator tanks that do not exceed an aggregate site capacity of 5500 gallons. Tanks shall meet Underwriter Laboratory UL142 standard when manufactured as part of an emergency power generator package (generator belly tank) or Underwriter Laboratory UL2085 standard when tanks are separate from the generator package. Interstitial space shall be electronically monitored.
- b. Gasoline fueling tanks that meet the Underwriter Laboratory UL2085 standard and do not exceed a site capacity of 550 gallons. Interstitial space shall be electronically monitored.
- c. Combustible IIIB liquid storage tanks that do not exceed a site capacity of 5500 gallons. Tanks shall meet the Underwriter Laboratory UL142 standard.
- d. Hydraulic oil tanks for elevators that meet California Division of Industrial Safety standards.

For motor-vehicle-fuel-dispensing stations, see Chapter 23.

SECTION 5706 - SPECIAL OPERATIONS.

5706.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES.

5706.2 Amend the subsection to read:

5706.2 STORAGE AND DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS ON FARMS AND CONSTRUCTION SITES.

The storage of Class I, flammable and Class II or III combustible liquids in aboveground tanks is prohibited within the city limits of Hayward unless approved by the Fire Chief upon a finding that such approval would minimize danger to the health, safety, and welfare of the population of Hayward or to neighboring properties. When allowed, permanent and temporary storage and dispensing of Class I, flammable and Class II and III combustible liquids for private use on farms and rural areas and at construction sites, earth-moving projects, gravel pits or burrow pits shall be in accordance with Sections 5706.2.1 through 5706.2.8.1. For permits see section 105.1 and 5701.4.

**EXCEPTION:** Storage and use of fuel-oil in containers connected with oil-burning equipment regulated by Section 603 and the California Mechanical Code.

5706.2.8 DISPENSING FROM TANK VEHICLES.

5706.2.8. Amend number 2 to read:

2. The dispensing hose does not exceed 50 feet (15,240 mm) in length.

Add item 9 and 10 to read:

9. Vapor-recovery systems are provided in accordance with Section 2306.7.9.
10. Tank vehicles shall not be permitted to serve as portable or temporary storage tanks.

**CHAPTER 49 – “WILDLAND-URBAN INTERFACE FIRE AREA”**

Add new subsection 4901.3 to read:

4901.3 WHERE REQUIRED. Development in the area east of Mission Boulevard from the south side of D Street to the city limits south to Union City shall be constructed in accordance with this chapter.

SECTION 4902 - DEFINITIONS.

Amend "Wildland-Urban Interface Fire Area" definition to read:

"WILDLAND-URBAN INTERFACE FIRE AREA" is land designated which is covered with grass, grain, brush or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. Such areas are designated by the Fire Chief on a map maintained in the office of the Fire Chief. The "WILDLAND-URBAN INTERFACE FIRE AREA" has been defined as:

"The areas east of Mission Boulevard Blvd. from the south side of D Street to the city limits south to Union City."

SECTION 4905.2. Amend Section 4905.2 to read:

4905.2 CONSTRUCTION METHODS AND REQUIREMENTS WITHIN ESTABLISHED LIMITS. Within the limits established by Section 4901.3, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements described in Section 4905.2.1, 4905.2.2 and 4905.2.3. In cases where multiple requirements may apply, the most restrictive requirement shall prevail.

Add new subsection 4905.2.1 to read:

4905.2.1 The building construction shall comply with the requirements contained in the California Building Standards Code including the following:

1. California Building Code Chapter 7A,
2. California Residential Code Section R327,
3. California Reference Standards Code Chapter 12-7A

Add new subsection 4905.2.2

4905.2.2 The building constructed shall comply with the following requirements:

1. Within ten feet of a structure, construct fences with an open wire mesh or non-combustible material to prevent fire from spreading to the structure.

2. Design roofs shall comply with a 'Class A' non-combustible roof rating as outlined in the California Building Code. (Do not use wood shake or treated wood shake roofs.)
3. Provide spark arrestors with 1/4" metal mesh screens on all chimneys. Homeowners should inspect spark arrestors every year to ensure mesh screen integrity.
4. Additions to existing decks are subject to review by the Fire Marshal and may be required to meet building construction and fire protection standards.
6. Restrict outdoor storage of firewood, kindling, or compost material within 30 feet of any structure, unless the material is stored in an approved bin or enclosure.
7. Locate chimney at least ten feet away from existing tree canopies.
8. Enclose all roof eaves.

Add new subsection 4905.2.3 to read:

**4905.2.3** In addition, the building construction shall comply with other City standards and regulations including but not limited to the Zoning Ordinance, Subdivision Ordinance, Building Ordinance, Fire Code Ordinances, Grading Ordinance, Tree Preservation Ordinance, and Water Efficient Landscape Ordinance.

**SECTION 4906.** Amend Section 4906 to read:

**SECTION 4906 - CITY OF HAYWARD HILLSIDE DESIGN AND URBAN/WILDLAND INTERFACE GUIDELINES.** As adopted by Resolution No. 93-037.

**APPENDIX B  
FIRE-FLOW REQUIREMENTS FOR BUILDINGS**

**SECTION B105 - FIRE-FLOW REQUIREMENTS FOR BUILDINGS.** Amend subsections B105.1 and B105.2 to read:

**B105.1 ONE- AND TWO-FAMILY DWELLINGS.** The minimum fire-flow requirements for one- and two-family dwellings shall be 1,500 gallons per minute, at 20 PSI.

**EXCEPTION:** Fire-flow may be reduced 50 percent when the building is provided with approved automatic sprinkler system. The resulting fire flow shall not be less than 1,500 gallons per minute at 20 PSI.

**B105.2 BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS.** The fire-flow for buildings other than one-and two-family dwellings shall not be less than specified in Table No. B105.1.

**EXCEPTION:** A reduction in required fire-flow of up to 50 percent, as approved by the Fire Chief, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire-flow shall not be less than 1,500 gallons per minute at 20 PSI. (5,677.5 L/min.).

**APPENDIX C  
FIRE HYDRANT LOCATIONS AND DISTRIBUTION**

TABLE C105.1 amended to read:

**TABLE C105.1  
NUMBER AND DISTRIBUTION OF FIRE HYDRANTS**

<b>FIRE FLOW REQUIREMENT (GPM)<sup>1</sup></b>	<b>MINIMUM NUMBER OF HYDRANTS</b>	<b>DISTRICT</b>	<b>AVERAGE SPACING BETWEEN HYDRANTS (FEET)<sup>2, 3, 4</sup></b>	<b>MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT<sup>5</sup></b>	<b>HYDRANT TYPE</b>
1,750 or less	1	Low Density Residential	400	225	Modified Steamer
		Median Density	400	200	Double Steamer
		Others	300	180	Double Steamer
2,000	2	Low Density Residential	400	225	Modified Steamer
		Median Density	400	200	Double Steamer
		Others	300	180	Double Steamer
2,500	3	Low Density Residential	400	225	Modified Steamer
		Median Density	400	200	Double Steamer
		Others	300	180	Double Steamer
3,500	4	Low Density Residential	400	225	Modified Steamer
		Median Density	400	200	Double Steamer
		Others	300	180	Double Steamer
4,500	5	All	300	180	Double Steamer
5,500	6	All	300	150	Double Steamer
6,500	7	All	250	150	Double Steamer
7,500 or more	8	All	250	120	Double Steamer

1. Measured at 20 PSI residual pressure.
2. Reduce by 100 feet for dead-end streets or roadways.

3. Where streets are provided with median dividers or arterial streets are provided with four or more traffic lanes, hydrants spacing shall average 500 feet on each side.
4. Where new water mains are extended along streets, where hydrants are not needed for protection of structures or similar fire problems, fire hydrants should be provided at not less than 1,000-foot spacing to provide for transportation hazards.
5. Reduce by 50 feet for dead-end streets or roadways.

**APPENDIX D  
FIRE APPARATUS ACCESS ROADS**

**SECTION D103 MINIMUM SPECIFICATIONS**

**D103.1 ACCESS ROAD WIDTH WITH A HYDRANT.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders

Delete "MINIMUM CLEARANCE AROUND A FIRE HYDRANT" in Figure D103.1.

**D103.3 TURNING RADIUS.** Amend Section D 103.3 to read:

**D103.3 TURNING RADIUS.** The minimum inside turning radius shall be 17 feet. The minimum outside turning radius shall be 45 feet.

**SECTION D105 AERIAL FIRE APPARATUS ACCESS ROADS**

**SEC. 9. APPEALS.**

Whenever the Fire Chief shall disapprove an application or refuse to grant a permit 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 Fire Chief to the City Manager.

**SEC. 10. FEES.** Fees may be established by resolution of the City Council for permits required by the code, and the fee required for any permit shall accompany the application for such permit. Unless the permit specifies otherwise, the permit shall be issued for a one-year period.

**SEC. 11. PENALTIES.**

- 11.1 Any person who shall violate any of the provisions of this code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City Council of the City of Hayward or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a criminal offense and subject to the penalties set forth in the Hayward Municipal Code, Chapter 1, Article 3, Section 1-3.00 et. seq.
- 11.2 The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions or to prohibit the use of any other criminal or civil remedy.

**SEC. 12. REPEAL OF CONFLICTING ORDINANCES.** All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the California Fire Code as adopted and amended herein are hereby repealed.

**SEC. 13. VALIDITY.** The City Council of the City of Hayward hereby declares that should any section, paragraph, sentence, or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the City Council of the City of Hayward that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

**SEC. 14. DATE OF EFFECT.** This ordinance shall take effect and be in force from and after its approval as required by law.

INTRODUCED at a special meeting of the City Council of the City of Hayward, held the 10<sup>th</sup> day of December 2013, by Council Member Zermeño .

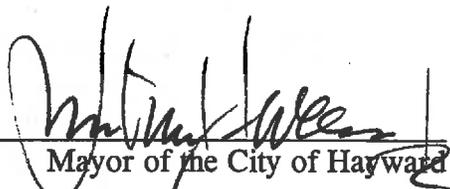
ADOPTED at a regular meeting of the City Council of the City of Hayward held the 17<sup>th</sup> day of December 2013, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Jones, Halliday, Peixoto, Salinas,  
MAYOR: Sweeney

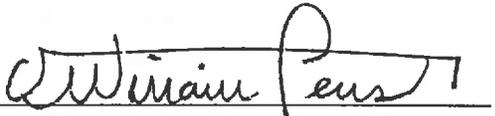
NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

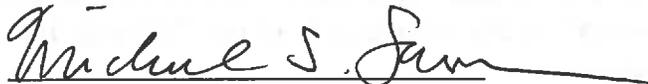
ABSENT: COUNCIL MEMBERS: Mendall

APPROVED:   
Mayor of the City of Hayward

DATE: December 19, 2013

ATTEST:   
City Clerk of the City of Hayward

APPROVED AS TO FORM:

  
City Attorney of the City of Hayward

ORDINANCE NO. 13-21

AN ORDINANCE ESTABLISHING A BUILDING CODE FOR THE CITY OF HAYWARD; REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; REPEALING ORDINANCE NO. 10-17, AND ALL AMENDMENTS THERETO; AND REPEALING ARTICLE 22 OF CHAPTER 10 OF HAYWARD MUNICIPAL CODE (GREEN BUILDING REQUIREMENTS FOR PRIVATE DEVELOPMENT)

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

Section 1. In accordance with state law, effective January 1, 2014, Ordinance No. 10-17, and all amendments thereto, is hereby repealed and in substitution thereof a new Building Code for the City of Hayward is hereby enacted to read as follows:

BUILDING CODE  
OF THE CITY OF HAYWARD

SECTION.1.00 2013 CALIFORNIA BUILDING CODES, ADOPTION BY REFERENCE. The *2013 California Building Code Part 1 and the two volumes of Part 2, the 2013 California Residential Building Code Part 2.5, the 2013 California Historical Building Code Part 8, the 2013 California Existing Building Code Part 10, the 2013 California Green Building Standards Code Part 11 and the 2012 International Code for Property Maintenance, based on the 2012 International Building Code and the 2012 International Residential Code, and Appendices thereto, published by the International Code Council, as amended by the State of California pursuant to Health and Safety Code section 17922, and as further modified by the amendments, additions, and deletions as set forth hereinafter, is hereby adopted by reference as the Building Code of the City of Hayward.*

A printed copy of such *2013 California Building Codes*, which is in five parts, together with the State and local amendments thereto, is on file in the office of the City Clerk, to which reference is hereby made for further particulars.

Reference is also made to the States' Matrix Adoption Tables which identify local Building Official's responsibility to enforce certain amendments.

SECTION 2.00 Applicability of CBC Appendix Chapters. Wherever in the CBC reference is made to an appendix chapter, the provisions of the said appendix shall not apply unless specifically adopted by this code. The following table is provided for reference:

Appendix Chapter Volume 2	Subject	Applicability
1	Administration	Adopted & Amended the Administrative Code Applicable to all Adopted Codes
A	Employee Qualifications	Not Applicable
B	Board of Appeals	Not Applicable
C	Group U Agricultural Buildings	Not Applicable
D	Fire Districts	Not Applicable
E	Reserved	Not Applicable
F	Rodent Proofing	Not Applicable
G	Flood Resistant Construction	Not Applicable
H	Signs	Not Applicable
I	Patio Covers	Applicable
J	Grading	Not Applicable
K	Group R-3 and Group R-3.1 Occupancies of the Central Valley Flood Protection Plan	Not Applicable
Appendix Chapter Volume 2.5	Subject	Applicability
A	Sizing of Gas Piping	Not Applicable
B	Sizing of Vent Piping	Not Applicable
C	Exit Terminals	Not Applicable
D	Existing Appliance Installation	Not Applicable
E	Manufactures Housing	Not Applicable
F	Radon Control	Not Applicable
G	Swimming Pools	Not Applicable
H	Patio Covers	Applicable
I	Private Sewage Disposal	Not Applicable
J	Existing Buildings	Not Applicable
K	Sound Transmission	Not Applicable
L	Permit Fees	Not Applicable
M	Home Day Care	Not Applicable
N	Venting Methods	Not Applicable
O	Gray Water Recycling	Not Applicable
P	Sizing Water Piping	Not Applicable
Q	ICC Residential Electric Code	Not Applicable
R	Areas Protected Central Valley Flood Protection Plan	Not Applicable

APPENDIX CHAPTER I  
ADMINISTRATIVE

SECTION 101 GENERAL

Appendix Chapter 1, "Administration", is hereby adopted as the administrative chapter for the building codes for the City of Hayward with amendments as follows:

SECTION 101 TITLE

Section 101.1 is revised to read as follows:

101.1 Title. The CBC, as amended herein, shall be known as the "Building Code of the City of Hayward." The provisions contained herein are adopted, and together with the amended CBC, are referred to hereafter as "these regulations" or "these building standards" or "this code."

SECTION 102.4.1 ABSENCE OF REFERENCED STANDARDS

A new section, 102.4.1 is added to read as follows:

102.4.1 Absence of referenced codes or standards. Where, in any specific case, applicable code sections are absent due to the fact they have not been adopted by the State of California, the building official may require or allow use of alternative codes as a reference document. These codes may include but are not limited to the *2012 International Residential Code*, *2012 Uniform Plumbing Code*, *2012 Uniform Mechanical Code*, *2011 National Electric Code*. The use of alternative referenced code will be at the sole discretion of the building official.

SECTION 103.1 CREATION OF ENFORCEMENT AGENCY

Section 103.1 is revised to read as follows:

103.1 Creation of Enforcement Agency. The Building Division of the Development Services Department is hereby created and the official in charge thereof shall be known as the building official.

### SECTION 104.11.3 PEER REVIEW

Section 104.11.3 Peer Review is hereby deleted.

### SECTION 105.1.1 ANNUAL PERMITS

Section 105.1.1 Annual Permits is hereby deleted.

### SECTION 105.1.2 ANNUAL PERMIT RECORDS

Section 105.1.2 Annual Permit Records is hereby deleted.

### SECTION 105.3

A new Section 105.3.1 is hereby added to read as follows:

- (a) Permits may only be issued to a person holding a valid State of California Contractors license except when otherwise provided in this section.
- (b) Any permit required by this code may be issued to any person to do any work regulated by this code in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings provided the applicant is the owner and resident in such buildings, accessory buildings, or quarters.

### SECTION 105.5 EXPIRATION

Section 105.5 is hereby deleted and new section 105.5 is added as follows:

105.5 Expiration. With the following exceptions, 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 completed within 1 year from the date of issuance:

1. The building official shall have the authority to authorize longer time periods for specific projects.
2. Whenever a permit is issued specifically to correct a violation of this code or of any pertinent law, rule, regulation, or ordinance, or to rehabilitate, repair, modify, remove, or demolish a dangerous or illegal building or structure or equipment, or to otherwise abate a nuisance, the building official shall establish a reasonable time period for the completion of the work.
3. Whenever a permit is issued for certain short-term projects, the building official shall have the authority to establish a time period of less than 1 year. These projects may include, but not be limited to, termite repairs, free-standing fireplace stoves, solar system installations, spas and hot tubs, demolition, and electrical service alterations.

4. The permit holder may renew a permit for a period of no longer than 1 year after the original date of expiration, provided that the request for renewal is submitted to the building official prior to the said expiration date along with the payment of a renewal fee, that no changes have been made or will be made in the original plans and specifications, and that no laws, regulations, rules, or ordinances have been changed in such a manner as to prohibit the completion of the proposed work. This renewed permit shall require that all incomplete work conform to the laws, regulations, rules, and ordinances in effect at the time of renewal. The permit renewal fee shall be established as indicated in Sections 108.

#### SECTION 105.5.1 COMPLETION PERMITS

New Section 105.5.1 is added as follows:

105.5.1 Completion permits. In the event that an initial or a renewed permit expires before the work is complete, the completion of the work shall require the issuance of a "completion" permit and the payment of an additional permit fee; moreover, the building official shall have the authority to require the resubmittal of plans, a new plan review, and/or the updating or reassessment of the valuation of the incomplete work. This completion permit will require that all incomplete work conform to the laws, regulations, rules, and ordinances in effect at the time of issuance and that all work be completed prior to the expiration date; no further extensions or renewals shall be allowed. The completion permit fee shall be established as indicated in Section 108.7 and in accordance with the schedule of previously completed and inspected work.

Notwithstanding the above, in the event that a permittee fails to complete the work and to obtain a completion permit within 1 year following the expiration of an initial or a renewal permit, the work may not be completed pending the issuance of a new permit. The building official shall have the authority to require the resubmittal of some or all of the plans and specifications, a partial or complete plan review, the payment of additional review and filing fees, and that all work conform to the laws, regulations, rules, and ordinances in effect at the time of the latest permit application.

#### SECTION 107 SUBMITTAL DOCUMENTS

Paragraph 1 of Section 107.1 is revised to read as follows:

106.1 Submittal documents. Plans, topographic plats, specifications, engineering calculations, stress diagrams, heat loss calculations demonstrating compliance with California Energy Conservation Standards, soil investigation reports, geotechnical investigation reports, test data, flood elevation certifications, flood design certifications, electrical load calculations, gas and water supply demand calculations, sewer service documentation, air quality releases, and other data sufficient to show the correctness of the plans and specifications and to assure that the proposed building or work will conform to the requirements of this code and to all other applicable laws, rules, regulations, and ordinances, shall be submitted when and in the quantity required by the building official.

## SECTION 107.2 CONSTRUCTION DOCUMENTS

Section 107.2.1 is hereby deleted and replaced by new Section 107.2.1 as follows:

107.2.1 Information on construction documents. Plans and specifications shall be drawn to scale upon substantial and adequately sized paper using a semi-permanent medium and shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, rules, regulations, and ordinances. The building official shall have the authority to reject plans and specifications that are drawn using pencil or other readily changeable medium or that are drawn on unsuitable or improperly sized paper.

The first sheet of each set of plans shall contain the address or legal description of the property where the work is proposed to be done, the name and address of the owner of the property and the name, and the address and signature of the person who has prepared the plans.

The plans shall include a plot plan that shall show the location of existing buildings and structures, any proposed additions or modifications thereto, and all proposed buildings or structures. The plan shall also show any designated flood, earthquake, or seismic hazard zones on or adjacent to the premises along with topographic features and accessory structures such as waterways, slopes, driveways, retaining walls, fences, poles, wells, etc., and any affected underground structures, lines, pipes, and conduits.

If the permit application is for a new building or structure, a moved building, or a substantially improved building in a floodplain, the applicant shall submit the plot plan in the form of a topographic plat prepared and signed by a licensed land surveyor, or a registered civil engineer qualified under the provisions of the State Business and Professions Code to prepare such a document. The plat shall be drawn to scale and shall show contours at intervals of 1 foot (.3 m) or less on slopes up to 3% and not more than 5 feet (1.5 m) on slopes more than 3%. The plat shall show the location under or above ground, of all existing or proposed gas mains and services; water mains, water services, fire hydrants, sewer mains; power and communication lines; poles and transformers; storm drains, inlets, culverts, curbs, gutters, sidewalks, pavement, building and private sewers, wells, septic tanks and leach fields. The plat shall also delineate all easements and special building setback lines established by covenants or restrictions on the property, all watercourse setback, floodplain, earthquake fault, and seismic hazard boundaries designated by the county, and the width, alignment, grade, and surface treatment of all driveways or access roadways that will be used by emergency services personnel. The building official may require that the plat include the plotting of a boundary line survey whenever the exact location of the line is necessary for the enforcement of any of the provisions of this code. If a question as to the location of a property line or any other boundary line arises at any time before or after the issuance of a permit, the building official shall have the authority to require that a survey of the line be performed, the line be located by appropriate stakes or monuments, and that 3 copies of a plat of the survey be filed with the building official.

### EXCEPTIONS:

1. A topographic plat is not required for any lot shown on a subdivision tract map, if the said map was filed at the county recorder's office within 5 years of the date of the application for a permit.

2. The building official may upon written request waive the requirements for a topographic plat map under any one of the following conditions:

- a. Properties that contain substantial existing development; or
- b. Properties where a topographic plat map has been previously submitted to the building official and where there have been no significant changes to the finished grades shown on the said map; or
- c. Properties where the building official determines that the information that would be provided by a plat completed in accordance with this Section is not necessary to show that the work proposed by a particular permit application can be completed in compliance with this code.

The plans shall also include a grading and drainage plan showing existing elevations or contours and all proposed final elevations within 100 feet of any proposed buildings or structures, including the adjacent grade at the buildings or structures. This plan shall also show how all portions of the lot are to be drained, all necessary drainage structures, and the contours or a profile of any proposed access roadways. The grading and drainage plan may be combined with the plot plan if such information can be clearly shown on the plot plan.

Plans for buildings other than group R – division 3 and group U occupancies, as defined in the 2013 CBC, shall indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical, mechanical, plumbing and communication conduits, pipes, and similar systems.

The building official shall have the authority to waive the requirements for a plot plan and a grading plan if the proposed work is minor, and does not involve the construction of new buildings or structures or the change in configuration of existing buildings or structures.

### SECTION 107.3 EXAMINATION OF DOCUMENTS

A second paragraph is added to Section 107.3 Examination of Documents, to read as follows:

107.3 Examination of Documents. The application, plans, specifications, computations, certifications, and other data filed by an applicant for a permit shall be reviewed by the building official. Such plans may also be reviewed by other departments of the City of Hayward as required by the applicable laws, rules, regulations, and ordinances, including but not limited to the review required by Section 13146 of the state Health and Safety Code of those occupancies regulated by the State Fire Marshal. If the building official finds that the work described in the application for a permit and the plans, specifications, computations, certifications and other data filed therewith conform to the requirements of this code and other pertinent laws, rules, regulations, and ordinances, and that the fees specified by the City of Hayward's master fee schedule as shall be amended from time to time, have been paid, the building official shall issue a building permit to the applicant.

## SECTION 107.6 EXPIRATION OF PLAN REVIEW

New Section 107.6 is added as follows:

107.6 Expiration of Plan Review. Applications for which no permit is issued within 1 year following the date of completion of the initial review of the submitted plans, or applications for which no permit is issued within 18 months following the date of application, shall expire by limitation. The building official may extend either of these expiration dates for an additional period, not exceeding 180 days, upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.

Following final expiration of the application, plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

## SECTION 107.5 MAINTENANCE OF BUILDING PLANS

Section 107.5 Retention of construction documents is hereby deleted and is replaced with a new section 107.5 as follows:

107.5 Maintenance of building plans. The building department of Hayward shall maintain an official copy, which may be on laser fiche, microfilm or other type of photographic copy, of the plans of every building, during the life of the building, for which the department issued a building permit. "Building department" means the department, bureau, or officer charged with the enforcement of laws or ordinances regulating the erection, construction, or alteration of buildings. Except for plans of a common interest development as defined in Section 1351 of the Civil Code, plans need not be copied for:

- (a) Single or multiple dwellings not more than two stories and basement in height.
- (b) Garages and other structures appurtenant to buildings described under subdivision.
- (c) Farm or ranch buildings.
- (d) Any one-story building where the span between bearing walls does not exceed 25 feet.

The exemption in this subdivision does not, however, apply to a steel frame or concrete building.

## SECTION 109 FEES.

Section 109.1 is revised to read as follows:

109.1 Payment of fees. Prior to the issuance of any permit required by this code, the applicant shall pay the pertinent permit fee as assessed by the building official in accordance with the schedule described in Section 109.2 along with all other appropriate fees required by

this code and by the Municipal Code of the City of Hayward. The said fee shall cover both the administrative costs of preparing and issuing the permit and the normal inspection requirements as described in 109; however, when an inspection requires corrections and the said corrections require more than one reinspection, or when an inspection is called for by the permittee but the work is not ready for the inspection, or where the plans, specifications, or other material required for the inspection is not available to the inspector, the building official may require that a reinspection fee be paid to the building official prior to the required reinspection.

The fees for reinspections and for other inspections, including but not limited to the inspection of existing buildings or structures being prepared for movement into or out of the county, shall be set by the building official in accordance with the schedule described in Section 109.

#### SECTION 109.1.1 PLAN REVIEW FEES

New Section 109.1.1 is added as follows:

109.1.1 Plan Review Fees. When submittal documents are required by Section 107.1, a plan review fee shall be paid at the time of submitting the said documents for review. Said plan review fee shall be assessed by the building official in accordance with the schedule described in Section 109.2.

The plan review fee specified in this Section is separate from and in addition to the permit fee specified in Section 109.2. This review fee shall cover both the initial review of the submitted plans and a single re-check of the corrected plans. Any further re-checking shall be subject to the additional plan checking fee established in the fee schedule described in Section 109.2; moreover, when submittal documents are incomplete or changed so as to require additional plan review, or when the project involves deferred submittal items, the additional plan review fee shall be charged as specified in the said fee schedule.

#### SECTION 109.2 SCHEDULE OF PERMIT FEES

Section 109.2 is revised to read as follows:

109.2 Schedule of permit fees. Fees shall be as set forth in a fee schedule adopted, for this purpose, by resolution of the City Council. The said schedule shall establish, but not be limited to, fees for permit issuance and inspections, filing of certain permit exemptions, regular plan reviews, Title 24 energy conservation reviews, termite report reviews, special or additional plan checking, off-hour inspections, re-inspections, movement of buildings or structures, demolition of buildings or structures, permit renewals, completion permits, and permit re-issuance.

The fees for the plan checking and permit issuance of related items shall also be included in the said fee schedule.

## SECTION 109.6 FEE REFUNDS

Section 109.6 is revised to read as follows:

109.6 Fee Refunds. The building official shall not authorize refunding of any fee paid to the building department except on written application filed by the original permittee.

The building official may authorize refunding of any fee paid under this code that was erroneously paid or collected.

The building official may authorize the refunding of a maximum of 60% of the initial permit fee paid to the building official when no work has been done under an unexpired permit issued in accordance with this code. If no work has been done and an issued permit has expired, the building official may authorize refunding of not more than 30% of the said permit fee, provided that the request for refund is submitted within 1 year following the permit expiration; after 1 year beyond the permit expiration date, no refund of the permit fee shall be authorized.

The building official may authorize the refunding of a maximum of 60% of the plan review fee paid to the building official if no plan review comments have been issued by the building official prior to the receipt of the request for refund. No refund of this fee shall be authorized following the issuance of the initial plan review comments by the building official.

## SECTION 109.7 INVESTIGATION FEES: WORK WITHOUT A PERMIT

New Section 109.7 is added as follows:

109.7 Investigation Fees: Work without a Permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, the building official shall perform an investigation prior to the issuance of the permit authorizing the work.

An investigation fee shall be charged to offset the cost of the said investigation. This fee shall be in addition to any other regular plan review or permit fee, and shall be collected whether or not a permit is then or subsequently issued. The amount of the investigation fee shall be assessed by the building official in accordance with the schedule described in Section 109.2 and based upon the circumstances and extent of the violation, but in no case shall be less than the amount of the permit fee required by this code. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

## SECTION 109.8 FEES FOR COMPLETION PERMITS

New Section 109.8 is added as follows:

109.8 Fees for completion permits. Fees for completion permits as described in Section 105.5.1 shall be based upon the percentage of work that has passed inspection prior to the expiration of the renewed permit. If either valuation or fees have changed since the original

permit was issued the fees or the valuation shall be updated to the new fees or valuations in effect at the time the completion permit is issued. The percentages to be charged will remain the same.

This schedule is intended to apply to conventional wood frame building construction. In the event that the work is not conventional wood frame construction, or does not constitute a complete building, or is a type of structure other than a building, the building official shall determine the fee based upon the number of the inspections remaining to be performed.

Completed Inspections <sup>1</sup>	% of Updated Valuation
None	60
Foundation	55
Under-floor	50
Shear Wall	40
Rough Frame	30
Lath or Gypsum Board	20
Gas Test	15
All, except Final	10

**SECTION 109.9 REINSPECTION FEES**

Section 109.9 is added as follows:

109.9 Reinspections. If reinspections are required, fees for the same may be assessed in accordance with Section 109. To obtain a re-inspection, the permittee shall file an application therefore in writing on a form furnished for that purpose, by the building official, and pay any assessed re-inspection fee. In those instances where the building official has assessed a re-inspection fee, the building inspector shall perform no additional inspections of the work until the required fee has been paid.

**SECTION 110.3.12 INSPECITONS OF MOVED BUILDINGS**

Section 110.3.12 is added as follows:

Inspections of moved buildings: Prior to the issuance of a permit to move any building or structure or equipment into, within, or out of the unincorporated areas of the county, the building official shall inspect the same to assure compliance with this code and with all pertinent laws, rules, regulations, and ordinances, including but not limited to the capability of the building or structure or equipment to be moved without endangering the public safety. The building official may require that portions of the building or structure or equipment be removed or uncovered in order to determine such compliance. If after inspection, the building official determines that the building or structure or equipment cannot be safely moved or cannot reasonably be altered, modified, or improved to meet any other requirement of this code or of the pertinent laws, rules, regulations, and ordinances, he/she shall have the authority to deny the application for a permit. In the event of such denial, the building official shall notify the applicant, in writing, stating the reasons for such denial.

In the event that the building or structure or equipment is proposed to be removed from the unincorporated county into another jurisdiction, the building official shall coordinate all permit issuances or denials with that jurisdiction.

#### SECTION 110.3.9 SPECIAL INSPECTIONS

Section 110.3.9 is deleted and new section 110.3.9 is added as follows:

110.3.9 Special Inspections. When this code requires tests, inspections, or observations per Chapter 17 of the CBC, the architect or engineer of record shall submit, upon a special form provided by the building official, an inspection program that must be approved by the building official prior to the issuance of the building permit. This program shall include the description of all work requiring special tests and inspections, the nature of the tests and inspections, the names and qualifications of the designated testing and inspecting persons, the specific duties of the special inspectors, samples of the required inspection reports, and time limits for the submittal of the reports.

Special inspectors shall be employed by the owner, the architect or engineer of record, or an agent of the owner, but shall not be employed by the contractor or other persons doing the work.

#### SECTION 110.5 INSPECTION REQUESTS

Section 110.5 is revised to read as follows:

110.5 Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official shall provide each permittee with detailed instructions for requesting such inspections.

It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work. Any work that has been covered or concealed prior to a required inspection shall be uncovered for such inspection after notice has been given by the building official.

#### SECTION 110.7 INSPECTION RECORD CARD

Section 110.7 is added as follows:

110.7 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available the inspection record card provided by the building official. The building official shall make the required entries on the said card so as to indicate the inspection status of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

### SECTION 111.3 TEMPORARY OCCUPANCY

Two new paragraphs are added at the end of Section 111.3 as follows:

111.3 Temporary occupancy. If the building official finds that no substantial hazard will result from occupancy or use of any building or structure, or portion thereof, before the same is completed, he/she may authorize such a temporary occupancy or use pending the completion of the entire building or structure.

The building official, in authorizing temporary occupancy or use, may impose any reasonable conditions that may be necessary to protect life, health, and property and may include a time limit on such occupancy or use. In the event that any such condition is violated, the building official may revoke a temporary occupancy or use.

### SECTION 111.5 ABANDONMENT OF LEGAL OCCUPANCY

Section 111.5 is added as follows:

111.5 Abandonment of Legal Occupancy. Whenever the legal occupancy or use of a building or structure, other than a 1 or 2 family dwelling, is abandoned continuously for a period of 1 year or more, the said building or structure shall be considered to have no legal occupancy and shall be so declared by the building official. When this building or structure is next occupied or used after such declaration, it shall be made to comply fully with the requirements for the new occupancy or use pursuant to the requirements of this code.

### SECTION 111.6 OCCUPANCY VIOLATIONS

New Section 111.6 is added as follows:

111.6 Occupancy violations. Whenever any building or structure or equipment therein, or portion thereof, as is regulated by this code or by any other pertinent law, rule, regulation, or ordinance, is being used or occupied contrary to this code or to such law, rule, regulation, or ordinance, or when the use or occupancy of the same is changed without the approval of the building official, the building official shall have the authority to order such use or occupancy discontinued, and the building or structure, or portion thereof, vacated, by serving written notice to any persons causing such use or occupancy to be continued. All vacation notices shall state the specific nature of the violation(s), including a reference to the code provision, law, ordinance, rule, or regulation being violated, the time limit when the said use or occupancy must be discontinued, and if necessary, the time when the building or structure, or portion thereof, must be vacated. If there are no persons present on the premises, the building official shall post the notice in a conspicuous place.

No person shall continue to use or occupy the said building or structure or equipment, or portion thereof, contrary to the terms of such notice, pending the correction of the stated violation(s) and the approval of the use or occupancy by the building official.

CHAPTER 2  
DEFINITIONS AND ABBREVIATIONS

SECTION. 202 DEFINITIONS New definitions are added to this section as follows:

"CITY OF" or "THE CITY" shall mean the City of Hayward, as the text may require.

"CITY COUNCIL" shall mean the City Council of the City of Hayward.

"BOARD OF APPEALS" shall mean the "Building Advisory Committee" of the City of Hayward.

"BUILDING DEPARTMENT" or "ADMINISTRATIVE AUTHORITY" shall mean the Building Official.

"HAZARDOUS FIRE AREA" is land which is covered with grass, grain brush, or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. Such areas are designated by the Fire Chief on a map are maintained in the office of the Fire Marshal. The "Hazardous Fire Area" has been generally defined as:

The areas East of Mission Blvd. from the South side of D Street to the city limits South to Union City.

(Refer to Resolution No. 93-037, City of Hayward hillside design and urban/wildland interface guidelines)

CHAPTER 4  
SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

SECTION 412.4.6 FIRE SUPPRESSION

Exception to this section is hereby deleted.

SECTION 414.1.4 HAZARDOUS MATERIALS

A new Section 414.1.4 is hereby added to read as follows:

Hazardous materials are not allowed below grade plane in buildings.

SECTION 415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS

A new sentence is hereby added at the end of this section to read as follows:

Flammable and combustible liquids are **not** allowed below grade plane in buildings.

CHAPTER 5  
GENERAL BUILDING LIMITATIONS

TABLE 508.2.5 INCIDENTAL ACCESSORY OCCUPANCIES

Where the phrase “automatic fire extinguishing system” appears it is to be replaced with the following phrase:

“automatic sprinkler system”.

CHAPTER 9  
FIRE PROTECTION SYSTEMS

SECTION 901.2 FIRE PROTECTION SYSTEMS

Section 901.2 exception is hereby deleted and a new exception is inserted to read as follows:

Any fire protection system not required by this code shall be permitted to be installed provided that such system meets the requirements of this code.

SECTION 903  
AUTOMATIC SPRINKLER SYSTEMS

SECTION 903.1 GENERAL

Section 903.1 is amended to read as follows:

Automatic sprinkler systems shall be installed in the occupancies and locations as set forth in this section.

For provision on special hazards, hazardous materials, and hazardous fire areas (as designated by the Fire Marshal), see CFC Section 305, Articles 23, 27 thru 44 and 47.

SECTION 903.1.2 NEW CONSTRUCTION

New Section 903.1.2 is added to read as follows:

An automatic sprinkler system shall be installed in all new construction, regardless of occupancy classification, where the total floor area is 5,000 square feet (465 m<sup>2</sup>) or more, (Area Separation Walls may not be used in lieu of a sprinkler system except when buildings are separated by continuous area separation walls of at least four-hour fire-resistive construction without openings), building height exceeds two stories, or floor heights exceed 15 feet (4572 mm) from the lowest level of Fire Department access. In cases where multiple requirements may apply, the most restrictive requirement shall prevail. Floor areas of

mezzanines shall be included in calculating the total floor area to be used in determining automatic fire-extinguishing requirements.

### SECTION 903.1.3 EXISTING BUILDINGS

New Section 903.1.3 is added to read as follows:

An automatic sprinkler system shall be installed in an existing building when cumulative additions, repairs, or alterations are made to the building and such additions, repairs, or alterations meet any of the following conditions:

- 1) Additions, repairs, or alterations are valued at 50 percent or more of the current assessed value of the building. (Value is based only on the structure involved. If owner disputes valuation, an appraisal can be performed at the owner's expense, by an appraiser acceptable to the Fire Chief.)
- 2) Any addition or additions to the original building which will add 10 percent or more to the total floor area of the existing building and the resulting floor area is 5,000 square feet (465 m<sup>2</sup>) or more, except where the occupancy classification for the building is Group S-1, in which case, the resulting total floor area required is 3,000 square feet (279m<sup>2</sup>) or more.
- 3) Additions where items 1 or 2 do not apply that will result in a total floor area that exceeds the maximum floor area allowed by the Building Code under which the building was originally constructed.
- 4) Additions, repairs, or alterations that will result in a change in occupancy or use shall comply with section 3406 of the *2013 California Building Code*.

### SECTION 905 STANDPIPE SYSTEMS

#### SECTION 905.1 GENERAL

Add a sentence at the end of this section to read as follows:

Buildings three stories or more in height shall have the appropriate class standpipe.

#### SECTION 905.4 LOCATION OF CLASS I STANDPIPE AND HOSE CONNECTIONS.

Section 905.4 add new subsection number 7 to read as follows:

DUAL OUTLETS All Class I standpipe outlets located as required in section 905.4 shall have added outlets located in enclosed corridors adjacent to enclosed stairway access doors at each level of every required stairway.

**CHAPTER 15**  
**ROOF ASSEMBLIES AND ROOFTOP STRUCTURES**

Section 1505.5 is hereby amended to read as follows:

Nonclassified roofing is not allowed in the City of Hayward.

**CHAPTER 16**  
**STRUCTURAL ENGINEERING DESIGN PROVISIONS**

**SECTION 1614 MODIFICATIONS TO ASCE (AMERICAN SOCIETY OF CIVIL ENGINEERS) STANDARDS**

Sections 1614, 1614.1, 1614.1.3 and 1614.1.7 are added to Chapter 16 of the 2013 California Building Code to read as follows:

**SECTION 1614.1 GENERAL**

The following text is hereby added to read as follows:

The text of ASCE 7 shall be modified as indicated in this Section.

**SECTION 1614.1.3 ASCE 7, SECTION 12.8.1.1**

Modify ASCE 7 Section 12.8.1.1 by amending Equation 12.8-5 as follows;

$$C_s = 0.044S_{DS}I \geq 0.01$$

**SECTION 1614.1.7 REPLACE ASCE 7, SECTION 12.12.3.**

ASCE 7 Section 12.12.3 is hereby replaced as follows:

All structures shall be separated from adjoining structures. Separations shall follow for the maximum inelastic response displacement ( $\Delta_M$ ).  $\Delta_M$  shall be determined at critical locations with consideration for both translational and torsional displacements of the structure as follows:

$$\Delta_M = C_d \delta_{\max} \quad (\text{Equation 16-45})$$

Where  $\delta_{\max}$  is the calculated maximum displacement at level x as defined in ASCE 7 Section 12.8.4.3

Adjacent buildings on the same property shall be separated by at least a distance  $\Delta_{MT}$ , where

$$\Delta_{MT} = \sqrt{(\Delta_{M1})^2 + (\Delta_{M2})^2} \quad (\text{Equation 16-46})$$

And  $\Delta_{M1}$  and  $\Delta_{M2}$  are the maximum inelastic response displacements of the adjacent buildings.

Where a structure adjoins a property line not common to a public way, the structure shall also be set back from the property line by at least the displacement,  $\Delta_M$ , of that structure.

Exception: Smaller separations or property line setbacks shall be permitted when justified by rational analyses.

## CHAPTER 17 STRUCTURAL TESTS AND SPECIAL INSPECTIONS

Revise section 1705.3 Exception as follows:

**1705.3 Concrete construction.** The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.

Exception: 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 the structural design of the footing is based on a specified compressive strength,  $f'_c$ , no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

## CHAPTER 19 CONCRETE

Revise section 1905.1.8. ACI 318 section 22.10.1 that allows the use of plain concrete in residential structures assigned to Seismic Design Category C, D, E or F.

**1905.1.8 ACI 318, section 22.10.** Delete ACI 318, Section 22.10, and replace with the following:

22.10 - Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

22.10.1- Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(a) Structural plain concrete basement, foundation or other walls below the base are permitted in detached one and two-family dwellings three stories or less in height constructed with stud bearing walls. In dwellings assigned to seismic design category D or E, the height of the wall shall not exceed 8 feet (2438 mm), the thickness shall not be less than 7 1/2 inches (190 mm), and the wall shall retain no more than 4 feet (1219 mm) of unbalanced fill. Walls shall have reinforcement in accordance with 22.6.6.5.

(a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one- and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

(b) 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. For footings that exceed 8" inches (203 mm) in thickness, A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception:

1. In seismic design categories A, B and C, In detached one- and two-family dwellings three stories or less in height and constructed with stud bearing walls, are permitted to have plain concrete footings without longitudinal reinforcement. 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 times the gross cross- sectional area of the footing.
2. For foundation systems consisting of a plain concrete footing and a plain concrete stem wall, a minimum of one bar shall be provided at the top of the stem wall and at the bottom of the footing.
3. Where a slab on ground is cast monolithically with the footing, one no. 5 bar is permitted to be located at either the top of the slab or bottom of the footing.

## CHAPTER 23 WOOD

### SECTION 2308.9.3 BRACING

Section 2308.9.3 is hereby amended by deleting Item(s) 1, 2, 5 and 7.

## CHAPTER 33 SAFEGUARDS DURING CONSTRUCTION

### SECTION 3311.1 WHERE REQUIRED

Section 3311.1 is hereby deleted and replaced with a new section to read as follows:

Every building three stories or more in height shall be provided with not less than one standpipe for use during construction. Such standpipe shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

In each floor there shall be provided a 2 ½-inch valve outlet for Fire Department use. Where construction height requires installation of a Class I standpipe, fire pumps and water main connections shall be provided to serve the standpipe.

Modify Section R403.1.3 by adding wording to the first sentence of the first paragraph to specify the minimum amount of longitudinal reinforcing, to read:

CHAPTER 4 OF THE RESIDENTIAL CODE  
FOUNDATIONS

**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.

CHAPTER 6 OF THE RESIDENTIAL CODE  
WALL CONSTRUCTION

Add a new footnote "e" to the end of CRC Table R602.10.3(3), to read:

e. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

Add the "e" footnote notation in the title of Table R602.10.3(3) to read:

TABLE R602.10.3(3)e

Add a new subsection R602.10.4.4, to read:

**R602.10.4.4 Limits on methods GB and PCP.** In Seismic Design Categories D0, D1, and D2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D0, D1, and D2, the use of Method PCP is limited to one-story single family dwellings and accessory structures.”

Section 2. Effective January 1, 2014, Article 22 of Chapter 10 of the Hayward Municipal Code, relating to Green Building Requirements for Private Development, is repealed.

INTRODUCED at a special meeting of the City Council of the City of Hayward, held the 10th day of December, 2013, by Council Member Zermeño .

ADOPTED at a regular meeting of the City Council of the City of Hayward held the 17th day of December , 2013, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Jones, Halliday, Peixoto, Salinas  
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ATTEST: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Mendall

APPROVED: William Sweeney  
Mayor of the City of Hayward

DATE: December 19, 2013

ATTEST: William Peixoto  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

Guadalupe S. Ferrer  
City Attorney of the City of Hayward



ORDINANCE NO. 13-22

AN ORDINANCE ESTABLISHING A MECHANICAL CODE FOR THE CITY OF HAYWARD, REGULATING THE ALTERATION, CONSTRUCTION, INSTALLATION AND REPAIR OF VENTILATING, REFRIGERATION, AND HEAT PRODUCING EQUIPMENT (MECHANICAL EQUIPMENT); PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES AND PRESCRIBING PENALTIES FOR VIOLATION OF SAID MECHANICAL CODE; AND REPEALING ORDINANCE NO. 10-20 AND ALL AMENDMENTS THERETO

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

Section 1. In accordance with state law, effective January 1, 2014, Ordinance No. 10-20, and all amendments thereto, is repealed and in substitution thereof a new Mechanical Code for the City of Hayward is hereby enacted to read as follows:

MECHANICAL CODE  
OF THE CITY OF HAYWARD

SECTION 1.00 2013 MECHANICAL CODE ADOPTION BY REFERENCE

The *2013 California Mechanical Code*, which is based on the 2012 Uniform Mechanical Code and Appendices thereto, published by International Association of Plumbing and Mechanical Officials as amended by the State pursuant to Health and Safety Code Section 17922, and as further modified by these amendments, additions, alterations and deletions set forth hereinafter, is hereby adopted by reference as the Mechanical Code of the City of Hayward.

A printed copy of such Mechanical Code is on file in the office of the City Clerk to which reference is hereby made for further particulars.

Reference is also made to the State's Matrix Adoption Tables which identify local Building Official's responsibility to enforce certain amendments.

SECTION 2.00 AMENDMENTS, ADDITIONS, AND DELETIONS TO 2013 CALIFORNIA MECHANICAL CODE. Set forth below are the local amendments, additions, and deletions to the *2013 California Mechanical Code*. Chapter and section numbers used herein are those of the California Mechanical Code.

APPENDIX CHAPTER I  
TITLE AND SCOPE

APPENDIX CHAPTER 1 ADMINISTRATION

Appendix Chapter 1 is hereby adopted as the administrative chapter for this code.

Reference is made to Appendix Chapter 1, Division II Administration of 2013 California Building Code, which is based on the 2012 International Building Code as published by the International Code Conference and amended by the City of Hayward. Where there is a conflict between administrative requirements of each code, the administrative requirements of the Building Code shall prevail.

CALIFORNIA CHAPTER 1  
GENERAL CODE PROVISIONS

SECTION 101.0 TITLE

The first sentence of Section 101.0 is hereby deleted and a new sentence is substituted to read as follows:

This ordinance may be cited and shall be known as the "Mechanical Code of the City of Hayward."

SECTION 114.1.1 TO WHOM PERMIT MAY BE ISSUED

A new Section 114.1.1 To Whom Permit May be Issued is hereby added to read as follows:

Permits may only be issued to a person holding a valid State of California Mechanical License except when otherwise provided in this section.

Any permit required by this code may be issued to any person to do any work regulated by this code in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided the applicant is the owner and resident of such buildings, accessory buildings, or quarters.

CHAPTER II  
DEFINITIONS

SECTION 205.0-C

Two new definitions shall be added to Section 205.0 to read as follows:

"CITY OF" or "THE CITY" shall mean the City of Hayward as the text may require.

"CITY COUNCIL" shall mean the City Council of the City of Hayward.

INTRODUCED at a special meeting of the City Council of the City of Hayward, held the 10th day of December, 2013, by Council Member Zermeño.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the 17th day of December, 2013, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Jones, Halliday, Peixoto, Salinas  
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ATTEST: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Mendall

APPROVED: William Halliday  
Mayor of the City of Hayward

DATE: December 19, 2013

ATTEST: William Peixoto  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

Michael S. Jara  
City Attorney of the City of Hayward



ORDINANCE NO. 13-23

AN ORDINANCE TO BE KNOWN AND DESIGNATED AS THE ELECTRICAL CODE OF THE CITY OF HAYWARD; REGULATING THE INSTALLATION, ALTERATION, REPAIR, AND MAINTENANCE OF ELECTRICAL WIRING, ELECTRICAL FIXTURES, AND OTHER ELECTRICAL APPLIANCES AND EQUIPMENT; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 10-21 AND ALL AMENDMENTS THERETO

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

Section 1. In accordance with state law, effective January 1, 2014, Ordinance No. 10-21, and all amendments thereto, is repealed and, in substitution thereof, a new Electrical Code for the City of Hayward is enacted to read as follows:

ELECTRICAL CODE  
OF THE CITY OF HAYWARD

SECTION 1.00 CALIFORNIA ELECTRICAL CODE, ADOPTION BY REFERENCE

The *2013 California Electrical Code*, Part 3, Title 24, California Code of Regulations (which is based upon the National Electrical Code, 2011 Edition, published by the National Fire Protection Association), as modified by the amendments, additions, and deletions set forth hereinafter, are hereby adopted by reference as the Electrical Code of the City of Hayward, regulating the installation, alteration, repair, and maintenance of electrical wiring, electrical fixtures, and other electrical appliances and equipment in the City of Hayward.

A copy of the California Electrical Code is on file in the office of the City Clerk, to which reference is hereby made for further particulars. Reference is also made to the State's Matrix Adoption Tables which identify local Building Official's responsibilities and enforce certain amendments.

SECTION 2.00 AMENDMENTS, ADDITIONS AND DELETIONS TO THE 2013 CALIFORNIA ELECTRICAL CODE. Set forth below are the local amendments, additions and deletions of the *2013 California Electrical Code*. Chapter and section numbers used herein are those of the California Electrical Code.

SECTION 3.00 APPLICABILITY OF CALIFORNIA ELECTRICAL CODE ANNEX CHAPTERS Wherever in the California Electrical Code reference is made to an annex chapter, the provisions of the said annex shall not apply unless specifically adopted by this code.

ANNEX CHAPTER H  
ADMINISTRATION AND ENFORCEMENT

Annex H "Administration", is hereby adopted as the administrative chapter for the "Hayward Electrical Code" with amendments as follows:

For administrative requirements not covered in this Chapter, the *2013 California Building Code*, Appendix Chapter 1, Division II, as amended by the City of Hayward shall be applied.

SECTION 80.15 ELECTRICAL BOARD

Section 80.15 is hereby deleted and is replaced by Section 112 of Appendix Chapter 1 of the 2013 California Building Code, Board of Appeals.

SECTION 80.19 PERMITS AND APPROVALS.

A new Section 80-19.1 is hereby added to read as follows:

- (a) Permits may only be issued to a person holding a valid State of California Electrical Contractors license except when otherwise provided in this section.
- (b) Any permit required by this code may be issued to any person to do any work regulated by this code in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings provided that the applicant is the owner and resident in such buildings, accessory buildings, or quarters.

Section 80.19 (A) (2) is hereby deleted and a new section 80.19 (A) (2) is added to read as follows:

Work requiring a permit shall not be commenced until the permit holder or their agent shall have posted an inspection record card in a conspicuous place on the premises and in such position as to allow the authority having jurisdiction conveniently to make the required entries thereon regarding inspection of the work. This card shall be maintained in such position by the permit holder until final approval has been granted by the Building Official.

There shall be a final inspection and approval on all buildings and structures when completed and ready for occupancy or use.

Section 80.19 (D) Annual Permits is hereby deleted.

Section 80.19 (E) Fees is replaced to read as follows:

**Section E.1 Plan Review Fees.** When a plan or other data is required to be submitted by subsection (b) of section 302 of this code and not otherwise included in the plan review of a new building or addition, a plan review fee shall be paid at the time of issuance of the permit. When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged based on project valuation at the rate established from time to time by applicable resolution of the City of Hayward.

**Section E.2 Investigation Fees.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee established by City of Hayward ordinance for building code violations. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Code nor from any penalty prescribed by law.

**Section E.3 Reinspection Fees.** To obtain a reinspection, the applicant shall pay the prescribed fee as set forth in the City Council resolution establishing fees. Payment shall be made prior to reinspection.

## CALIFORNIA CHAPTER 1 GENERAL CODE PROVISIONS

### SEC. 89.101.1 TITLE

Section 89.101.1 is revised to read as follows:

89.101.1 Title. The California Electrical Code as amended by this Chapter, shall be known as the *Electrical Code of the City of Hayward*. The provisions contained in this Chapter are adopted, and together with the amended CEC, are referred to hereafter as “these regulations” or “this code.”

## CHAPTER 1 GENERAL

**ARTICLE 100 DEFINITIONS** is hereby amended by the addition of the following words or phrases:

“CITY” or “THE CITY”: The City of Hayward unless the context requires otherwise.

“CITY COUNCIL”: The City Council of the City of Hayward.

“ELECTRICAL CONTRACTOR”: A contractor in possession of a valid license issued in accordance with the provisions of the State of California Contractors License Law.

“ELECTRICAL INSPECTOR”: The Building Official of the City of Hayward or his or her authorized representative.

“ELECTRICAL WORK”: The installation, construction, maintenance, and repair of electrical equipment.

“EXPOSED WIRING”: Electric wiring not rendered inaccessible by the structure or finish of the building. Open wiring within basements or under floors rendered accessible by means of doors or openings shall be considered as exposed wiring.

“H.E.C.”: The Hayward Electrical Code.

“PERSON”: A natural person, his or her heirs, executors, administrators, or assignees, and also includes a firm, partnership, or corporation, its or their successors or assignees, or the agent of any of the aforesaid.

“SINGLE FAMILY DWELLING”: A residential building containing one or two dwelling units.

## CHAPTER 2 WIRING AND PROTECTION

ARTICLE 210 BRANCH CIRCUITS is hereby amended as follows:

SEC. 210.5 (C) UNGROUNDED CONDUCTORS OF MULTIWIRE BRANCH CIRCUITS IN RACEWAY. A second paragraph is hereby added to this section to read as follows:

In commercial or industrial occupancies ungrounded conductors of a multi-wire branch circuit shall each be of a color or other distinguishing marking to identify the feeder phase by which it is supplied and each conductor of the same identification shall be connected to the same feeder.

Required colors for identification are as follows:

- 120/240 volt 3 wire conductors: Black, Red
- 120/240 volt 4 wire conductors: Black, Orange, Red or Blue
- 120/208 volt 4 wire conductors: Black, Red, Blue
- 277/480 volt 4 wire conductors: Brown, Purple, Yellow

ARTICLE 230 SERVICES, SECTION VI SERVICE EQUIPMENT – DISCONNECTING MEANS is hereby amended as follows:

SEC. 230.70 (a) LOCATION is deleted and replaced as follows:

The service disconnecting means shall be installed on the exterior of any residential structure or within a cabinet or electrical equipment room with Fire Department access provided.

ARTICLE 250 GROUNDING AND BONDING, SEC. 250.66.SIZE OF ALTERNATING-CURRENT GROUNDING ELECTRODE CONDUCTOR is hereby amended as follows:

- (A) Connection to Rod, Pipe, or Plate Electrodes is hereby deleted.
- (B) Connection to Concrete Encased Electrodes is hereby deleted.

CHAPTER 3  
WIRING METHODS AND MATERIALS

ARTICLE 300 Wiring Methods is hereby amended as follows:

SEC.300.11Securing and Supporting

A new sentence is added to the end of this section to read as follows:

Low voltage (50 volts and less) communications, alarm, signaling systems, and similar systems shall be supported as provided above at not to exceed 4-1/2 foot intervals within buildings.

EXCEPTION: In suspended ceilings, low voltage (50 volts and less) systems referred to above shall be supported at intervals not to exceed eight feet.

CHAPTER 7  
SPECIAL CONDITIONS

ARTICLE 770 OPTICAL FIBER CABLE AND RACEWAYS is amended as follows:

SEC. 770-8 is added to read as follows:

Optical fiber cables shall be supported at intervals not to exceed 4-1/2 feet.

EXCEPTION: The ceiling support system shall be permitted to support wiring and equipment that have been tested as part of the fire-rated assembly.

INTRODUCED at a special meeting of the City Council of the City of Hayward, held the 10th day of December, 2013, by Council Member Zermeño.

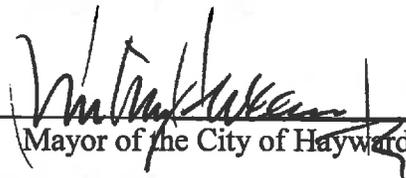
ADOPTED at a regular meeting of the City Council of the City of Hayward held  
the 17th day of December, 2013, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Jones, Halliday, Peixoto, Salinas  
MAYOR: Sweeney

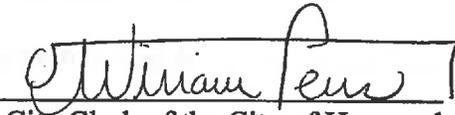
NOES: COUNCIL MEMBERS: None

ATTEST: COUNCIL MEMBERS: None

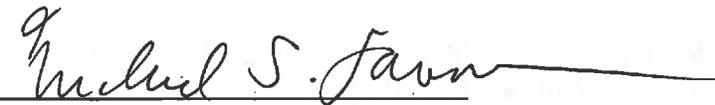
ABSENT: COUNCIL MEMBERS: Mendall

APPROVED:   
Mayor of the City of Hayward

DATE: December 19, 2013

ATTEST:   
City Clerk of the City of Hayward

APPROVED AS TO FORM:

  
City Attorney of the City of Hayward

ORDINANCE NO. 13-24

AN ORDINANCE REPEALING ORDINANCE NO. 10-22 AND ALL AMENDMENTS THERETO, AND ESTABLISHING A PLUMBING CODE FOR THE CITY OF HAYWARD, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE OF PLUMBING; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES

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

Section 1. In accordance with state law, effective January 1, 2014, Ordinance No. 10-22, and all amendments thereto, is repealed and in substitution thereof a new Plumbing Code for the City of Hayward is hereby enacted to read as follows:

PLUMBING CODE  
OF THE CITY OF HAYWARD

SECTION 1.00 2013 CALIFORNIA PLUMBING CODE, ADOPTION BY REFERENCE. The *2013 California Plumbing Code*, based the *2012 Uniform Plumbing Code*, and Appendices thereto, published by the International Association of Plumbing and Mechanical Officials, as modified by the California Building Standards Commission and as further modified by the amendments, additions, and deletions set forth herein, is hereby adopted as the Plumbing Code of the City of Hayward.

A copy of such Plumbing Code is on file in the office of the City Clerk, to which reference is hereby made for further particulars. Reference is also made to the State's Matrix Adoption Tables which identify local Building Official's responsibilities to enforce certain amendments.

SECTION 2.00 AMENDMENTS, ADDITIONS AND DELETIONS TO THE UNIFORM PLUMBING CODE Set forth below are the local amendments, additions, and deletions to the *2013 California Plumbing Code*. Chapter and section numbers used herein are those of the California Plumbing Code.

CHAPTER 1  
ADMINISTRATION

SECTION 101.0 TITLE

The first sentence of Section 101.0 is hereby deleted and a new sentence is substituted to read as follows:

This ordinance may be cited and shall be known as the "Plumbing Code of the City of Hayward".

Chapter 1 Division II is hereby adopted as the administrative chapter for this code.

Reference is made to Appendix Chapter 1 Administration Division II of 2013 California Building Code, which is based on the *2012 International Building Code* as published by the International Code Conference and amended by the City of Hayward. Where there is a conflict between administrative requirements of each code the administrative requirements of the Building Code shall prevail.

SECTION 103.3 PERMIT ISSUANCE

SECTION 103.3.1.1 TO WHOM PERMIT MAY BE ISSUED

A new Section 103.3.1.1 is hereby added to read as follows:

(a) Permits may only be issued to a person holding a valid State of California Plumbing Contractors license except when otherwise provided in this section.

(b) Any permit required by this code may be issued to any person to do any work regulated by this code in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided the applicant is the owner and resident in such buildings, accessory buildings, or quarters.

CHAPTER 2  
DEFINITIONS

SECTION 203.0 DEFINITION OF TERMS

Section 203.0 a new definition is hereby added to read as follows:

ADMINISTRATIVE AUTHORITY shall mean the City Building Official of the City of Hayward or his or her duly authorized representative.

CHAPTER 3  
GENERAL REGULATIONS

SECTION 301.1.3.1 STANDARDS

A new sentence is hereby added to the end of this section to read as follows:

ABS, PVC, CPVC, PEX, and PEX-AL-PEX shall not be considered as approved materials. The gas piping, water piping and piping for DWV shall be of approved materials.

SECTION 316.1.1 THREADED JOINTS

A new sentence is hereby added to the end of this section to read as follows:

Screwed fittings shall be cast iron, copper, copper alloy, malleable iron, steel, or other approved materials. Threads shall be tapped out of solid metal. ABS and PVC shall not be considered an approved material.

SECTION 316.1.5.FLEXIBLE COMPRESSION FACTORY-FABRICATED

JOINTS

This section is hereby deleted.

SECTION 316.3 FLANGED FIXTURE CONNECTIONS

SECTION 316.3.1

This section is hereby replaced with new Section 316.3.1 to read as follows:

Fixture connections between drainage pipes and water closets, floor outlet service sinks, pedestal urinals, and earthenware trap standards shall be made by means of approved brass or iron flanges caulked, soldered, solvent cemented, or screwed to the drainage pipe. The connection shall be bolted with an approved gasket, washer, or setting compound between the earthenware and the connection. The bottom of the flange shall be set on an approved firm base. ABS and PVC shall not be considered an approved material.

CHAPTER 6  
WATER SUPPLY AND DISTRIBUTION

SECTION 604.0 MATERIALS

TABLE 6-4

The following materials are hereby deleted from this table:

CVPC, PE, PE-AL-PE, PEX, PEX-AL-PEX, PVC

### SECTION 604.1

After the first paragraph of this section two new sentences are added to read as follows:

Water pipe and fittings to supply potable water shall be of brass, copper, cast iron, galvanized malleable iron, galvanized wrought iron, galvanized steel, or other approved materials. CPVC, PB, PE, or PVC water pipe manufactured to recognized standards shall be limited to cold water irrigation systems outside a building.

### SECTION 609.3.2

A new sentence is hereby added to the end of this section to read as follows:

Underground copper tubing installed within a building must be sleeved or double spiral wrapped with minimum 10 mil tape in an approved manner.

## CHAPTER 7 SANITARY DRAINAGE

### SECTION 701.0 MATERIALS

**Table 7-1** The following materials are hereby deleted from this table as approved materials: ABS, Co-extruded ABS, Co-extruded PVC and PVC

### SECTION 701.1

Section 701.1.1 is hereby replaced with a new section 701.1.1 to read as follows:

Drainage piping shall be cast iron, galvanized steel, copper, brass, extra strength vitrified clay pipe, or other approved materials having a smooth and uniform bore. Schedule 40 ABS, DWV, schedule 40 PVC DWV are not approved materials.

### SECTION 701.1.2

This section is hereby deleted.

### SECTION 701.1.3

### SECTION 701.2

Section 701.2 is hereby replaced with a new section 701.2 to read as follows:

Drainage fittings shall be of cast iron, malleable iron, brass, copper, vitrified clay, stainless steel 304 and 316L (304 shall not be installed underground and shall be kept at least 6 inches aboveground), or other approved materials having a smooth interior waterway of the same diameter as the piping served and all such fittings shall conform to the type of pipe used. ABS and PVC shall not be an approved material.

#### SECTION 707.0 CLEANOUTS

##### SECTION 707.1

This section is hereby amended to read as follows:

Each cleanout fitting for cast iron pipe shall consist of a cast iron or brass body, and an approved plug. Each cleanout for galvanized wrought iron, galvanized steel, copper, or brass pipe shall consist of a brass plug as specified in Table 7-6 or a standard weight brass cap, or other approved materials. Plugs shall have raised square heads or approved countersunk rectangular slots. Countersink heads shall be used where raised heads may cause a hazard. ABS and PVC shall not be considered an approved material.

#### CHAPTER 9 VENTS

#### SECTION 903 MATERIALS

##### SECTION 903.1

This section is hereby amended to read as follows:

Vent pipe and vent fittings shall be cast iron, galvanized steel, galvanized wrought iron, copper, brass, stainless steel 304 or 316L (stainless steel 304 pipe and fittings shall not be installed underground and shall be kept at least six inches aboveground) or other approved materials having a smooth and uniform bore. Schedule 40 ABS, DWV, schedule 40 PVC DWV are not approved materials.

##### SECTION 903.1.2

This section is hereby deleted.

#### CHAPTER 10 TRAPS

#### SECTION 1003.1 TRAPS - DESCRIBED

##### SECTION 1003.1

Section 1003.1 is hereby amended to read as follows:

Each trap, except one for an interceptor or similar device, shall be self-cleaning. Traps for bathtubs, showers, lavatories, sinks, laundry tubs, floor drains, hoppers, urinals, drinking fountains, dental units, and similar fixtures shall be of standard design and weight and shall be of cast brass, cast iron, or other approved material. An exposed and readily accessible drawn brass tubing trap, not less than 17 B & S gauge (0.45") (1.1-mm) may be used on fixtures discharging domestic sewage but shall exclude urinals. Each trap shall have the manufacturer's name stamped legibly in the metal of the trap and each tubing trap shall have the gauge of the tubing in addition to the manufacturer's name. Every trap shall have a smooth and uniform interior waterway.

## CHAPTER 11 STORMWATER DRAINAGE

### Section 1101.0 GENERAL

Section 1101.1 is hereby amended by the addition of the following paragraph:

All such water which could flow by gravity over the public right of way onto adjacent property shall be carried in approved conduits sufficient in size to convey accumulated water through the curb to the street gutter as required by City Standard Detail SD-118. Conduits under the sidewalk, when conducted through the curb shall be steel or cast iron piping or other approved material.

### Section 1102.0 MATERIALS

Section 1102.1 is deleted and replaced with:

Conduits installed above ground shall be cast iron, galvanized steel, wrought iron, brass, copper or other approved material.

Section 1102.2 is deleted and replaced with:

#### Section 1102.2 Roof Drainage-All Occupancy Groups

1. Rainwater piping placed within the interior of a building or run within a vent or shaft shall be of cast iron, galvanized steel, wrought iron, brass, copper or other approved material.
2. Rainwater piping located on the exterior of a building shall not be less than 26 gauge galvanized sheet metal or other approved material.
3. Rainwater piping located underground within a building shall be of service weight cast iron soil pipe, type DWV copper tube or other approved material.

INTRODUCED at a special meeting of the City Council of the City of Hayward,  
held the 10th day of December, 2013, by Council Member Zermeño.

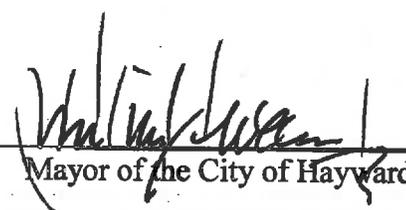
ADOPTED at a regular meeting of the City Council of the City of Hayward held  
the 17th day of December, 2013, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermeño, Jones, Halliday, Peixoto, Salinas  
MAYOR: Sweeney

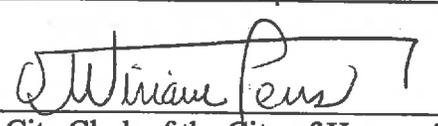
NOES: COUNCIL MEMBERS: None

ATTEST: COUNCIL MEMBERS: None

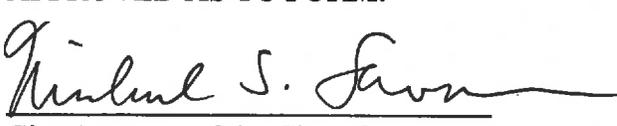
ABSENT: COUNCIL MEMBERS: Mendall

APPROVED:   
Mayor of the City of Hayward

DATE: December 19, 2013

ATTEST:   
City Clerk of the City of Hayward

APPROVED AS TO FORM:

  
City Attorney of the City of Hayward

JAN - 3 2014