

BUILDING STANDARDS COMMISSION

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



February 20, 2014

Tracey Rossine
Senior Administrative Assistant
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

RE: Ordinance #377U and #377

Dear Ms. Rossine:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on February 3, 2014.

Our review finds the submittal to contain two ordinances modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

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

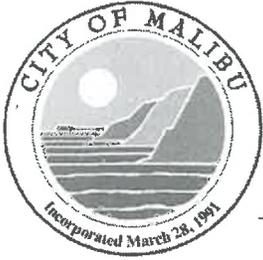
On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development,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

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

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



City of Malibu

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January 31, 2014

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

Re: City of Malibu Code Adoption and Amendments:

Pursuant to Health and Safety Code Section 17958.7(a), the City of Malibu hereby submits to the California Building Standards Commission for processing Ordinance No. 377U, an urgency ordinance of the City of Malibu, and Ordinance No. 377 adopting by reference Title 26 of the Los Angeles County Code, incorporating the California Building Code, 2013 Edition; Title 27 of the Los Angeles County Code, incorporating the California Electrical Code, 2013 Edition; Title 28 of the Los Angeles County Code, incorporating the California Plumbing Code, 2013 Edition; Title 29 of the Los Angeles County Code, incorporating the California Mechanical Code, 2013 Edition; Title 30 of the Los Angeles County Code, incorporating the California Residential Code, 2013 Edition; Title 31 of the Los Angeles County Code, incorporating the California Green Building Standards Code, 2013 Edition; and Title 32 of the Los Angeles County Code, incorporating the California Fire Code, 2013 Edition.

Please contact me should you have any questions.

Regards,

Tracey Rossine
Senior Administrative Assistant
Extension 274
trossine@malibucity.org

Enclosure

ORDINANCE NO. 377U

AN ORDINANCE OF THE CITY OF MALIBU ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA BUILDING CODE, 2013 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2013 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA PLUMBING CODE, 2013 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2013 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2013 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2013 EDITION; AND TITLE 32 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA FIRE CODE, 2013 EDITION; AND MAKING AMENDMENTS TO SAID CODES AND DECLARING THE URGENCY THEREOF

The City Council of the City of Malibu does hereby ordain as follows:

Section 1. Findings.

Pursuant to California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5, the City Council hereby makes each finding of reasonable necessity for modifications as stated separately in Attachment No. 2 to the November 25, 2013 City Council Agenda Report for Item No. 4.A., for each such modification as identified in Los Angeles County Titles 26, 27, 28, 29, 30, 31 and 32. These modifications to the California Building Standards Code, incorporating the model codes, are reasonably necessary due to the local climate, characterized by hot, dry summers and the high potential for seismic activity which make structures particularly vulnerable to rapidly spreading fires and structural damage.

Section 2. Section 15.04.010 of the Malibu Municipal Code is hereby amended to read as follows:

15.04.010 Adoption of Building Code.

Except as hereinafter provided, Title 26, Building Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Building Code, 2013 Edition (Part 2 of Title 24 of the California Code of Regulations) is incorporated herein by reference as if fully set forth below and shall be known and may be cited as the Building Code of the City of Malibu.

The provisions of the Building Code applying to dwellings, lodging houses, congregate residences, hotels, motels, apartment houses, convents, monasteries or other uses classified by the Building Code as a group R occupancy and including Chapters 1, 2, 3, 98 and 99 shall

constitute and may be cited as the Housing Code of the City of Malibu.

In the event of any conflict between provisions of the California Building Code, 2013 Edition, Title 26 of the Los Angeles County Code, or any amendment to the Building Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 3. Section 15.04.040 of the Malibu Municipal Code is hereby amended to read as follows:

15.04.040 Violation—Penalty.

Every person violating any provision of Title 26 of the Los Angeles County Code and appendices, adopted by reference by Section 15.04.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 4. Section 15.04.050 of the Malibu Municipal Code is hereby amended to read as follows:

15.04.050 Amendments to Building Code.

Notwithstanding the provisions of Section 15.04.010 of this Chapter, Title 26 of the Los Angeles County Code is hereby amended to read as follows:

A. Section 105.1.1 is hereby amended to read as follows:

105.1.1 General.

Unless otherwise provided for below, in order to conduct the hearings provided for in this code and also to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code, there shall be a building board of appeals consisting of five members who are qualified by experience and training to pass upon matters pertaining to building construction. The building official shall be an *ex officio*-member and shall act as secretary to the board. The members of the building board of appeals shall be appointed by the City Council and shall hold office at its pleasure. The building board of appeals shall adopt reasonable rules and regulations for conducting its investigations. The board shall establish that the approval for alternate materials and the

modifications granted for individual cases are in conformity with the intent and purpose of this code and that such alternate material, modification or method of work offered is at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability, safety and sanitation and does not lessen any fire-protection requirements or any degree of structural integrity. The building board of appeals shall document all decisions and findings in writing to the building official with a duplicate copy to the applicant, and the board may recommend to the City Council such new legislation as is consistent therewith.

B. Section 105.3 is hereby deleted in its entirety.

C. Section 105.6 is hereby deleted in its entirety.

D. Section 106.1.1 is hereby added to Title 26 of the Los Angeles County Code to read as follows:

106.1.1 Parking Lots.

A plan review and permit shall be required for the surfacing, resurfacing, replacement, reconfiguration and striping of parking lots and parking structures serving commercial and multifamily occupancies.

Any of the aforementioned activities in or on existing parking lots must comply with current zoning, the National Pollution Discharge Elimination System (N.P.D.E.S.) permit program and accessibility requirements as required by applicable codes and standards. Fees are determined by the current fee schedule.

E. Section 106.3 is hereby amended to read as follows:

106.3 Work Exempted.

A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 120 square feet and the plate height does not exceed 12 feet (3.69 m) in height above the grade plane at any point and the maximum roof projection does not exceed 24 inches.

2. Fences and walls not over 6 feet (1829 mm) in height.

3. Steel tanks supported on a foundation not more than two feet (610 mm) above grade when the height does not exceed 1 1/2 times the diameter.

4. Gantry cranes and similar equipment.
5. Retaining walls that retain not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding a Class I, II, or III-A liquids.
6. Motion picture, television and theater stage sets and scenery, except when used as a building.
7. Ground mounted radio and television antennae towers which do not exceed 45 feet (13 716 mm) in height and ground support dish antennas not exceeding 15 feet (4572 mm) in height above finished grade in any position.
8. Light standards which do not exceed 30 feet (9144 mm) in height.
9. Flagpoles not erected upon a building and not more than 15 feet (4572 mm) high.
10. A tree house provided that:
 - 10.1. It does not exceed 64 square feet (5.94 m²) in area nor 8 feet (2438 mm) in height from floor to roof.
 - 10.2. The ceiling height as established by door height or plate line does not exceed 6 feet (1829mm).
11. Canopies or awnings attached to a Group R or U Occupancy and extending not more than 54 inches (1372 mm) from the exterior wall of the building.
12. Sheds, office or storage buildings, and other structures incidental to and work authorized by a valid grading or building permit. Such structures must be removed upon expiration of the permit or completion of the work covered by the permit.
13. Oil derricks.
14. Platforms, walks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.
15. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18 927 L). Fences, gates, door alarms, and other protection devices that are accessory to the prefabricated swimming pool are not exempt from the permit requirements.

16. Playground equipment.

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of other laws or ordinances.

F. Section 107.9 is hereby deleted in its entirety.

G. Section 108.1.1 is hereby added to Title 26 of the Los Angeles County Code to read as follows:

108.1.1 Occupancy Inspection.

All existing commercial occupancies are required to apply for an occupancy inspection prior to occupancy of a building or tenant space by a new owner or occupant.

Upon successful completion of the occupancy inspection the Building Official shall issue a new certificate of occupancy to the building or tenant space as required in Section 109 of the California Building Code.

The certificate of occupancy issued will remain valid and in effect until a change of occupant occurs or is revoked for cause by the Building Official or as required by this code.

Fees determined by the current fee schedule.

H. Section 108.4.2 is hereby amended to read as follows:

108.4.2 Foundation inspection.

Inspection shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job site; however, where concrete is ready mixed in accordance with approved nationally recognized standards, the concrete need not be on the job site. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official. Required set back and pad elevations shall be established by survey prior to approval by the Building Official.

I. Section 108.4.6 is hereby amended to read as follows:

108.4.6 Final inspection.

Inspection shall be made after finish grading is approved and the building is completed and ready for occupancy and all other required agency approvals have been obtained.

Section 5. Section 15.08.010 of the Malibu Municipal Code is hereby amended to read as follows:

15.08.010 Adoption of Electrical Code.

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Electrical Code, 2013 Edition (Part 3 of Title 24 of the California Code of Regulations) is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the Electrical Code of the City of Malibu.

In the event of any conflict between provisions of the California Electrical Code, 2013 Edition, Title 27 of the Los Angeles County Code, or any amendment to the Electrical Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 6. Section 15.08.030 of the Malibu Municipal Code is hereby amended to read as follows:

15.08.030 Violation—Penalty.

Every person violating any provision of Title 27 of the Los Angeles County Code and appendices, adopted by reference by Section 15.08.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 7. Section 15.12.010 of the Malibu Municipal Code is hereby amended to read as follows:

15.12.010 Adoption of Plumbing Code.

Except as hereinafter provided, Title 28, Plumbing Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Plumbing Code, 2013 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the Plumbing Code of the City of Malibu.

In the event of any conflict between provisions of the California Plumbing Code, 2013 Edition, Title 28 of the Los Angeles County Code, or any amendment to the Plumbing Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 2013 Edition, has been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 8. Section 15.12.030 of the Malibu Municipal Code is hereby amended to read as follows:

15.12.030 Violation—Penalty.

Every person violating any provision of Title 28 of the Los Angeles County Code and appendices, adopted by reference by Section 15.12.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 9. Section 15.12.050 of the Malibu Municipal Code is hereby amended to read as follows:

15.12.050 Amendment to Plumbing Code.

Notwithstanding the provisions of section 15.12.010 of this chapter, Title 28 of the Los Angeles County Code, adopting the California Plumbing Code, 2013 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby amended to read as follows:

A. Section 710.9 is hereby amended by adding the following:

All such sumps and receiving tanks shall be automatically discharged. All sumps shall be provided with pumps or ejectors of the duplex type, simplex pumps are prohibited, and shall be so arranged to function alternately with each pump or ejector cycle, and to function independently in case of overload or mechanical failure. The lowest inlet shall have a minimum clearance of two (2) inches for the high water “starting” level of the sump.

All such sumps and receiving tanks shall be equipped with an automatic alarm system. The alarm system shall be activated upon failure of either pumps or ejectors, whether independently or simultaneously. The alarm shall emit an audible alarm, which can be detected from any location within the building and immediately outside the building served by such sumps and receiving tanks. The Building Official may approve other alarm systems, which provide equivalent enunciation of failure of the pumps or ejectors.

B. Subsection H 1.7 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

H 1.7 No onsite wastewater treatment system, or part thereof, shall be located in any other property other than the property which is the site of the building or structure served by such onsite wastewater treatment system, nor shall any onsite wastewater treatment system or part thereof be located at any point having less than the minimum distances indicated in Table K-1.

Nothing contained in this Code shall be construed to prohibit the use of all or part of another property for an onsite wastewater treatment system or part thereof, where secondary sewage effluent treatment, or better, is provided, when proper cause, transfer of ownership, or change of boundary not in violation of other requirements has been first established to the satisfaction of the Building Official. The instrument recording such action shall constitute an agreement with the Building Official which shall clearly state and show that the areas so joined or used shall be maintained as a unit during the time they are so used. Such agreement shall be recorded in the office of the County Recorder as part of the conditions of ownership of said properties, and shall be binding on all heirs, successors, and assigns to such properties. A copy of the instrument recording such proceedings shall be filed with the Building Official.

C. Subsections H 1.11 and H 1.12 are hereby added to Appendix H (Private Sewage Disposal Systems) of the 2013 California Plumbing Code to read as follows:

H 1.11 Commercial buildings and multiple family dwellings to be constructed, or remodeled, after the effective date of this section shall have a onsite wastewater treatment system which provides tertiary sewage effluent treatment as defined by the Building Official, prior to final sewage effluent disposal, unless otherwise approved by the Building Official.

H 1.12 Commercial buildings and multiple family dwellings served by an existing onsite wastewater treatment system which is to be replaced, renovated, or repaired, after the effective date of this section shall have an onsite wastewater treatment system that provides tertiary sewage effluent treatment as defined by the Building Official, prior to final sewage effluent disposal, unless otherwise approved by the Building Official.

D. Subsection H 2.1 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

H 2.1 The liquid capacity of all septic tanks shall conform to Tables H2.1 and H2.1(1) as determined by the number of bedrooms or apartment units in dwelling occupancies or the

estimated waste/sewage design flow rate or the number of plumbing fixture units as determined from Table 7-3 of this Code, whichever is greater.

E. Section H 3.0 and Subsection H 3.1(3), (4), and (5) of Appendix H (Private Sewage Disposal Systems) are hereby amended to read as follows:

The minimum effective absorption area in disposal fields in square feet (m^2), and in seepage pits in square feet (m^2) of side wall, shall be predicated on the required septic tank capacity in gallons (liters) and/or estimated waste/sewage flow rate, whichever is greater, and shall be as follows:

(3) No excavation for a leach line or leach bed shall extend within five (5) feet (1524 mm) of ground water nor to a depth where sewage may contaminate the underground water stratum.

Exception: When approved by the Building Official, this separation distance may be reduced. The applicant shall supply evidence of ground water depth to the satisfaction of the Building Official.

(4) The minimum effective absorption area in any seepage pit shall be calculated as the excavation sidewall area below the inlet exclusive of any hardpan, rock, clay, or other impervious formations. The minimum required area of porous formation should be provided in one or more seepage pits. No excavation shall extend within ten (10) feet (3.08 m) of ground water, nor to a depth where sewage may contaminate underground water stratum.

Exception: When approved by the Building Official, this separation distance may be reduced. The applicant shall supply evidence of ground water depth to the satisfaction of the Building Official.

(5) Leaching chambers shall be sized on the bottom absorption area (nominal until width) in square feet.

F. Subsection H 4.1 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

H 4.1 The construction dimensions of the subsurface sewage effluent disposal area of an onsite wastewater treatment system shall be based on soils analysis and/or percolation tests. Soils analysis shall be conducted by a licensed soils engineer and the results expressed in United States Department of Agriculture classification terminology. Percolation tests shall be conducted by a licensed geologist, a licensed soils engineer, a licensed civil engineer, or a California Registered Environmental Health Specialist.

G. Subsections H 5.5 and H 5.12 of Appendix H (Private Sewage Disposal Systems) are hereby amended to read as follows:

H 5.5 Access to each septic tank shall be provided by at least two (2) manholes twenty (20) inches (508 mm) in minimum diameter. One (1) access manhole shall be located over the

inlet and one (1) access manhole shall be located over the outlet. Wherever a first compartment exceeds twelve (12) feet (3658 mm) in length, an additional manhole shall be provided over the baffle wall.

H 5.12 Septic tanks shall have the required manholes accessible by extending the manhole openings to grade in a manner acceptable to the Building Official.

H. Subsection H 5.13(2) of Appendix H (Private Sewage Disposal Systems) is hereby deleted.

I. Subsections H 6.1, H 6.2, H 6.3, H 6.4, and H 6.9 of Appendix H (Private Sewage Disposal Systems) are hereby amended to read as follows:

H 6.1 Distribution lines shall be constructed of perforated ABS pipe, perforated PVC pipe, or other materials approved by the Building Official, provided that sufficient openings are available for distribution of the effluent into the trench area.

H 6.2 Before placing filter material or drain lines in a prepared excavation, all smeared or compacted surfaces shall be removed by raking to a depth of one (1) inch (25.4 mm) and the loose material removed. Clean stone, gravel, slag, or similar material acceptable to the Building Official, varying in size from three fourths (3/4) inch to two and one-half (2-1/2) inches (19.1 mm to 64 mm) shall be placed in the trench to the depth and grade required by this section. Drain pipe shall be placed on the filter material in an approved manner. The drain lines shall then be covered with filter material to the minimum depth required by this section and this covered with material approved by the Building Official to prevent closure of voids with earth backfill. No earth backfill shall be placed over the filter material until after inspection and acceptance.

Exception: Listed or approved plastic leaching chambers may be used in lieu of pipe and filter material. Chamber installations shall follow the rules for disposal fields, where applicable, and shall conform to manufacturer's installation instructions.

H 6.3 A grade board staked in the trench to the depth of filter material shall be utilized when the distribution line is constructed of material which will not maintain alignment without continuous support.

H 6.4 When seepage pits are used in combination with disposal fields, the filter material in the trenches shall terminate at least five (5) feet (1524 mm) from the seepage pit excavation.

H 6.9 Disposal fields shall be constructed as follows:

	Minimum	Maximum
Number of drain lines per field	1	---
Length of each line	---	100 ft. (30480 mm)
Bottom width of trench	18 in. (457 mm)	36 in. (914) mm
Spacing of lines, center-to-center		6 ft. (1829 mm)
Depth of earth cover of lines (preferred - 18 in. (457 mm))	12 in. (305 mm)	---
Grade of lines	level	3 in./100 ft. (25 mm/m)
Filter material under drain lines	12 in. (305 mm)	36 in. (914 mm)
Filter material over drain lines	2 in. (51 mm)	---

Minimum spacing between trenches or leaching beds shall be four (4) feet (1219 mm) plus two (2) feet (610 mm) for each additional foot (305 mm) of depth in excess of one (1) foot (305 mm) below the bottom of the drain line. Distribution drain lines in leaching beds shall not be more than six (6) feet (1829 mm) apart on centers, and no part of the perimeter of the leaching bed shall be more than three (3) feet (914 mm) from a distribution drain line. The terminal ends of all disposal fields and trenches shall have an inspection riser constructed of minimum eight (8) inch white PVC. The rise is to be extended to grade and shall terminate in an approved, accessible screw type cover approved by Building Official. The riser shall also extend to the bottom of the disposal field, and shall have one half (1/2) inch holes spaced at four (4) inches on center within the disposal area. Disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or any material that can reduce or inhibit any possible evaporation of sewer effluent accept as approved by the Building Official.

J. Subsections H 7.2, H 7.3, and H 7.4 of Appendix H (Private Sewage Disposal Systems) are hereby amended to read as follows:

H 7.2 Multiple seepage pits installations shall be served through an approved distribution box. Distribution boxes shall have their locations permanently marked with a steel post, concrete marker or other durable material. Additionally, each distribution box shall have an inspection riser of white PVC or concrete of at least eight (8) inches in diameter. The inspection riser shall allow inspection access to the distribution box. Each riser shall terminate with an approved screw type cap.

H 7.3 Each seepage pit shall be circular in shape and shall have an excavated diameter of not less than four (4) feet (1219 mm). -Approval shall be obtained prior to construction for any pit having an excavated diameter greater than six (6) feet (1829).

H 7.4 Seepage pits may be constructed in one of two ways:

(1) An eight (8) inch (204 mm) white, or other similar approved color, sewer pipe of approved material shall be installed true and plumb in the center of the seepage pit excavation extending from the bottom of the seepage pit excavation to the inlet depth. The sewer pipe shall have one (1) inch (25.5 mm) holes drill each 120 degrees of the sewer pipe circumference at twelve (12) inch (306 mm) intervals on center minimum for the entire

length of the sewer pipe to the inlet depth. The sewer pipe shall then extend watertight to grade and shall be capped with an approved screw type, accessible cap. The void between the sewer pipe and the seepage pit excavation shall then be filled with clean stone, gravel, or similar filter material acceptable to the Building Official, varying in size from the three-fourths (3/4) inch to two and one-half (2-1/2) inches (19.1 mm to 64 mm).

(2) Pre-cast concrete circular sections approved by the Building Official may be used. The void between the pre-cast circular sections and the seepage pit excavation shall have a minimum of six (6) inches (152 mm) of clean three-fourths (3/4) inch (19.1) gravel or rock filter material. An approved type one or two piece reinforced concrete slab cover shall be installed on top of the pre-cast concrete circular sections. Each such cover shall have twenty-five hundred (2500) pounds per square inch (17238 kPa) minimum compressive strength shall be not less than five (5) inches (127 mm) thick and shall be designed to support an earth load of not less than four hundred (400) pounds per square foot (19.2 kPa). Each such cover shall be provided with an eight (8) inch (204 mm) minimum inspection hole and shall be coated on the underside with an approved bituminous or other nonpermeable protective compound. An eight (8) inch (204 mm) white, or similar approved color, sewer pipe of approved material shall be installed true and plumb extending watertight from the cover inspection hole to grade and shall be capped with an approved accessible cap.

K. Subsection H 7.5 of Appendix H (Private Sewage Disposal Systems) is hereby deleted in its entirety and the subsequent sections renumbered.

L. Section H 8.0 of Appendix H (Private Sewage Disposal Systems) is hereby deleted in its entirety.

M. Subsections H 9.2, H 9.3, H 9.4, and H 9.6 of Appendix H (Private Sewage Disposal Systems) are hereby amended to read as follows:

H 9.2 Installation of such interceptors shall comply with Section 1009.0 of this code, and their locations shall be in accordance with Table H-1 of this appendix. The Building Official may require and approve additional more restrictive standards.

H 9.3 A sampling box shall be installed when required by the Building Official.

H 9.4 Interceptors shall be of approved design and be of not less than two (2) compartments unless otherwise approved by the Building Official. Structural requirements shall be in compliance with the applicable subparts of Section H 5.0 of this appendix.

H 9.6 Waste discharge from interceptors may be connected to a septic tank or other primary system or be disposed into a separate disposal system.

N. Subsection H 10.1(3) of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

(3) Septic tanks and other primary systems shall be installed as required by the Building Official.

O. Subsection H 11.4 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

H 11.4 No person owning or controlling any cesspool, septic tank, or seepage pit on the premises or private property of such person or in any public street, alley, or other public property shall fail, refuse, or neglect to comply with the provisions of this section.

P. Subsection H 12.1 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

The Building Official may require any or all of the following information before a permit is issued for an onsite wastewater treatment system, or at any time during the construction thereof:

(1) Plot plan drawn to scale, completely dimensioned, showing direction and approximate slope of surface, location of present or proposed retaining walls, drainage channels, water supply lines or wells, paved areas and structures on the plot, number of bedrooms or plumbing fixtures in each structure, and location of the private sewage disposal system with relation to lot lines and structures.

(2) Details of construction necessary to ensure compliance with the requirements of this appendix together with a full description of the complete installation including quality, kind, and grade of materials, equipment, construction, workmanship, and methods of assembly and installation.

(3) A log of soil formations and groundwater levels as determined by test holes dug in close proximity to a proposed seepage pit or disposal field, together with a statement of water absorption characteristics of the soil at the proposed site, as determined by approved percolation tests.

Q. Section H 13.0 is hereby added to Appendix H (Private Sewage Disposal Systems) of the 2013 California Plumbing Code / Los Angeles County Plumbing Code to read as follows:

The Building Official shall require the following before a permit is issued for any new or reconstructed onsite wastewater treatment system on any parcel adjacent to the Pacific Ocean:

(a) Buildings permitted to be constructed, or remodeled, on beachfront property shall have adequate and properly designed bulkheads, or other approved structural protection from wave action for all portions of the onsite wastewater treatment system. All approved Coastal Engineering Reports shall also be required to determine the need and extent of this protection.

(b) Owners or possessors of real property with buildings constructed on beachfront property

with an existing onsite wastewater treatment system to be renovated, or repaired, shall have adequate and properly designed bulkheads, or other approved structural protection from wave action, as provided by the Building Official, for all portions of the onsite wastewater treatment system. An approved Coastal Engineering Report shall also be required to determine the need and extent of this protection.

(c) Owners or possessors of real property with buildings constructed on beachfront property with an existing onsite wastewater treatment system damaged by storm, tide, or wave action shall have adequate and properly designed bulkheads, or other approved structural protection from wave action for all portions of the onsite wastewater treatment system. An approved Coastal Engineering Report shall also be required to determine the need and extent of this protection.

(d) Issuance of Permit. Upon review of the application and compliance with all of the requirements contained in this section and all other applicable laws, rules, and regulations, the Building Official shall issue a permit for the installation of bulkheads, or other protective structures required, imposing those conditions and restrictions necessary, and setting a time limit for the completion of the installation of bulkheads, or other protective structures required.

(e) Noncompliance and Right of Entry

(1) Upon expiration of the time limit established in the permit, including such additional time as may have been granted by the Building Official upon further application, if the installation of the bulkheads, or other protective structures required, has not been accomplished, the Building Official may take all reasonable actions to install the bulkheads, or other protective structures required, upon the real property for which the permit was issued. The Building Official shall have the right of entry upon the owner's or possessor's real property to the extent necessary to effect the installation. A failure, refusal, or neglect of the owner or possessor of the real property to comply with the provisions of the permit for the installation of the bulkhead, or other protective structures required, within the period of time set by the Building Official shall be considered a violation of this section, subjecting the owner or possessor of the real property to the penalties and remedies provided in this Code.

(2) The actual cost incurred by the Building Official in taking the above action, including the cost of equipment, labor (including the cost of City of Malibu consultants and employees), administrative, and other indirect costs shall be charge assessed against the real property benefited, and shall be added to the annual property taxes next levied upon the real property and shall constitute a lien upon the real property in the same manner and to the same extent as does the tax lien securing the annual real property taxes, and may be collected and enforced in the same manner as secured ad valorem property taxes.

R. Table H 1.7 of Appendix H.(Private Sewage Disposal Systems) is hereby amended to read as follows:

**TABLE H 1.7
LOCATION OF SEWAGE DISPOSAL SYSTEM**

Minimum Distance In Clear From:	Horizontal Clear Required	Building Sewer	Septic Tank	Disposal Field	Seepage Pit or Cesspool
Buildings or structures ¹		2 feet (610 mm)	5 feet (1524 mm)	8 feet (2438mm)	8 feet (2438 mm)
Property line adjoining private property	Clear ²		5 feet (1524 mm)	5 feet (1524 mm)	8 feet (2438 mm)
Water supply wells		50 feet ³ (15240 mm)	50 feet (15240 mm)	100 feet (30.5 m)	150 feet (45.7 m)
Streams and Lakes		50 feet (15240 mm)	50 feet (15240 mm)	100 feet (30.5 mm)	150 feet (45.7 m)
Trees		--	10 feet (3048 mm)	--	10 feet (3048 mm)
Seepage pits or cesspools		--	5 feet (1524 mm)	5 feet (1524 mm)	12 feet (3658 mm)
Disposal field		--	5 feet (1524 mm)	4 feet ⁴ (1219 mm)	5 feet (1524 mm)
On site domestic water service line		1 foot ⁵ (305 mm)	5 feet (1524 mm)	5 feet (1524 mm)	5 feet (1524 mm)
Distribution box		--	--	5 feet (1524 mm)	5 feet (1524 mm)
Pressure public water main		10 feet ⁶ (3048 mm)	10 feet (3048 mm)	10 feet (3048 mm)	10 feet (3048 mm)

Note:

When disposal fields and/or seepage pits are installed in sloping ground, the minimum horizontal distance between any part of the leaching system and ground surface shall be fifteen (15) feet (4572 mm).

1. Including porches and steps, whether covered or uncovered, breezeways, roofed porte-cocheres, roofed patios, carports, covered walks, covered driveways and similar structures or appurtenances.
2. See also Section 313.3 of the Uniform Plumbing Code.
3. All drainage piping shall clear domestic water supply wells by at least fifty (50) feet (15240 mm). This distance may be reduced to not less than twenty-five (25) feet (7620 mm) when the drainage piping is constructed of materials approved for use within a building.
4. Plus two (2) feet (610 mm) for each additional (f) foot (305 mm) of depth in excess of one (1) foot (305 mm) below the bottom of the drain line. (See also Section K6).
5. See Section 720.0 of the Uniform Plumbing Code.
6. For parallel construction - For crossings, approval by the Health Department shall be required.
7. Where special hazards are involved, the distance required shall be increased as may be directed by the Authority Having Jurisdiction.

S. Table H 2.1 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

**TABLE H 2.1
CAPACITY OF SEPTIC TANKS***

Single Family Multiple Dwellings ** Number of Bedrooms	Dwelling Units or Apartments B One Bedroom Each	Maximum Fixture Units Served per Table 7-3	Minimum Septic Tank Capacity in Gallons	(liters)
		15	750	(2838)
		20	1000	(3785)
4		25	1200	(4542)
<u>1 to 6</u>	2 or 3 units	33	1500	(5678)
	4	45	2000	(7570)
	5	55	2250	(8516)
	6	60	2500	(9463)
	7	70	2750	(10,409)
	8	80	3000	(11,355)
	9	90	3250	(12,301)
	10	100	3500	(13,248)

*** Note:**

Extra bedroom, 150 gallons (568 liters) each.

Extra dwelling units over 10, 250 gallons (946 liters) each.

Extra fixture units over 100, 25 gallons (95 liters) per fixture unit.

Septic tank sizes in this table include sludge storage capacity and the connection of domestic food waste disposal units without further volume increase.

** Applies to mobile homes not installed in a mobile home park.

T. Table H 2.1(1) of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

**TABLE H 2.1(1)
ESTIMATED WASTE/SEWAGE FLOW RATES**

Because of the many variables encountered, it is not possible to set absolute values for waste/sewage flow rates for all situations. The designer should evaluate each situation and, if figures in this table need modification, they should be made with the concurrence of the Building Official.

<u>Type of Occupancy</u>	<u>Unit Gallons (liters) Per Day</u>
1. Airport	15 (56.8) per employee 5 (18.9) per passenger
2. Auto Washers	Check with equipment manufacturer

<u>Type of Occupancy</u>	<u>Unit Gallons (liters) Per Day</u>
3. Bowling Alleys (snack bar only)	75 (283.9) per lane
4. Camps:	
Campground with central comfort station	35 (132.5) per person
Campground with flush toilets, no showers	25 (94.6) per person
Day camps (no meals served)	15 (56.8) per person
Summer and seasonal	50 (189.3) per person
5. Churches (Sanctuary)	5 (18.9) per seat
with kitchen waste	7 (26.5) per seat
6. Dance Halls	5 (18.9) per person
7. Factories	
No showers	25 (94.6) per employee
With showers	35 (132.5) per employee
Cafeteria, add	5 (18.9) per employee
8. Hospitals	250 (946.3) per bed
Kitchen waste only	25 (94.6) per bed
Laundry waste only	40 (151.4) per bed
9. Hotels (no kitchen waste)	60 (227.1) per bed (2 person)
10. Institutions (Resident)	75 (283.9) per person
Nursing Home	125 (473.1) per person
Rest Home	125 (473.1) per person
11. Laundries, self-service	300 per machine
Commercial	Per manufacturer=s specifications
12. Motel	50 (189.3) per bed space
with kitchen	60 (227.1) per bed space
13. Office	20 (75.7) per employee
14. Parks B mobile homes	
Picnic parks (toilets only)	20 (75.7) per parking space
Recreational vehicles -	
without water hookup	75 (283.9) per space
with water and sewer hookup	100 (378.5) per space
15. Restaurants - Cafeterias	50 (189.3) per seat

<u>Type of Occupancy</u>	<u>Unit Gallons (liters) Per Day</u>
<u>Toilet</u>	
16. Schools B Staff and office	20 (75.7) per person
Elementary students	15 (56.8) per person
Intermediate and High	20 (75.7) per student
with gym and showers, add	5 (18.9) per student
with cafeteria, add	3 (11.4) per student
Boarding, total waste	100 (378.5) per person
17. Service stations, toilets	1000 (378.5) for 1 st bay 500 (189.5) for each additional bay
<u>Recreational vehicle dump station</u>	<u>750</u>
18. Stores	20 (75.7) per employee
Public restrooms, add	1 per 10 sq. ft. (4.1/m ²) of floor space
19. Swimming pools, public	10 (37.9) per person
20. Theaters, auditoriums	5 (18.9) per seat
Drive-in	10 (37.9) per space

(a) Recommended Design Criteria. Sewage Disposal Systems sized using the estimated waste/sewage flow rates should be calculated as follows:

- (1) Waste/sewage flow, up to 1500 gallons/day (5677.5 L/day)
Flow x 1.5 = septic tank size
 - (2) Waste/sewage flow, over 1500 gallons/day (5677.5 L/day)
Flow x 0.75 + 1125 = septic tank size
 - (3) Secondary system shall be sized for total flow per 24 hours.
- (b) Also see Section H 2.0 of this appendix.

U. Table H2.1(3) of Appendix H (Private Sewage Disposal Systems) is deleted in its entirety.

V. The introduction ("Intent") to Chapter 16 (Alternate Water Sources for Nonpotable Applications) is hereby amended as follows:

Intent

This part is applicable to occupancies under the authority of the Department of Housing and Community Development as specified in Section 1.8.2.1.1 and is intended to:

1. Conserve water by facilitating greater reuse of laundry, shower, lavatory, and similar sources of discharge for irrigation and/or indoor use.
2. Reduce the number of non-compliant graywater systems by making legal compliance easily achievable.
3. Provide guidance to eliminate adverse environmental impacts by the use of the

graywater.

4. Provide guidance for avoiding potentially unhealthful conditions.
5. Provide an alternative way to relieve stress on a private sewage disposal system by diverting the graywater.

W. Subsection 1602.1(C) is hereby amended to read as follows:

(C) Graywater shall not be used in spray irrigation, allowed to pond or runoff and shall not be discharged directly into or be conveyed to, including but not limited to, the ocean or any creek, any surface body of water, any water way, any storm sewer system, any drainage channel, or any drainage device.

X. Subsection 1602.1(J) is hereby added to the 2013 California Plumbing Code / Los Angeles County Plumbing Code to read as follows:

(J) No construction permit for any graywater system shall be issued until a plot plan with appropriate data satisfactory to the City has been submitted and approved. When there is insufficient lot area or inappropriate soil conditions to prevent the ponding or runoff of the graywater, as determined by the City, no graywater system shall be allowed.

Y. Subsection 1602.1.1 is hereby amended to read as follows:

1602.0 Graywater Systems.

A written construction permit shall be obtained from the City prior to the erection, construction, reconstruction, installation, relocation, or alteration of any graywater system. A permit for a clothes washer system shall be fee exempt for review and inspection services. Permits for simple and complex systems shall be required with fees for such systems determined by City Council Resolution.

Exception: A construction permit shall not be required for a clothes washer system which does not require the cutting of the existing plumbing piping provided it is in compliance with Section 1602.1.1.

1602.1.1 Clothes Washer System.

A clothes washer system shall require the issuance of a fee exempt construction permit for the installation or alteration of the system.

Z. Section 1602.1.1 (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), and (12) of the 2013 California Plumbing Code / Los Angeles County Plumbing Code shall be retained unamended following the above amendment.

AA. Section 1602.1.2 is hereby amended to read as follows:

1602.1.2 Simple System.

Simple systems exceed a clothes washer system and shall comply with the following:

1. The discharge capacity of a graywater system shall be determined by Section 1606A.0. Simple systems have a discharge capacity of 250 gallons (947 L) per day or less.
2. A simple system shall require a construction permit issued by the City.
3. The design of simple systems shall be acceptable to the City and shall meet generally acceptable graywater system design criteria.

BB. Section 1602.1.3 is hereby amended to read as follows:

1602.1.3 Complex System.

Any graywater system that is not a clothes washer system or simple system shall comply with the following:

1. The discharge capacity of a graywater system shall be determined by Section 1602.8. Complex systems have a discharge capacity over 250 gallons (947 L) per day.
2. Complex systems shall require a construction permit issued by the City.
3. A complex system shall be designed by a person who can demonstrate competence to the satisfaction of the Enforcing Agency.

CC. Table 1601.3 is hereby amended to read as follows:

**TABLE 1601.3
CONSTRUCTION PERMIT REQUIREMENTS**

TYPE OF SYSTEM	PERMIT REQUIREMENTS
Clothes Washer System	Construction permit required
Simple System	Permit and plans required
Complex System	Permit and plans required
Treated Graywater	Permit and plans required

DD. Subsection 1602.13.3 is hereby added to the 2013 California Plumbing Code / Los Angeles County Plumbing Code to read as follows:

1602.13.3 New Construction, Remodels, Alterations

1. All new single family residential dwelling units, single family residential remodels, and single family residential alterations proposing to construct, reconstruct, install, relocate, or alter any clothes washing drainage plumbing shall include either a separate multiple pipe outlet or a diverter valve, and outside stubout installation on the clothes washing machine connection to allow separate discharge of graywater for irrigation.

Exception: Separate clothes washer drainage is not required where it has been demonstrated to the City that such clothes washer facilitation is infeasible due to the location of the fixture and/or compliance with other provisions of this code.

2. All new single family residential dwelling units, single family residential remodels, and single family residential alterations proposing to construct, reconstruct, install, relocate, or alter any drains or drainage for any lavatories, showers, and bathtubs, shall provide separate segregated drainage from all other plumbing fixtures and connect a minimum three (3) feet from the limits of the foundation to allow for future installation of a distributed graywater system.

Exception: Separate clothes washer drainage is not required where it has been demonstrated to the City that such clothes washer facilitation is infeasible due to the location of the fixture and/or compliance with other provisions of this code.

EE. Subsection 1602.13.4 is hereby added to the 2013 California Plumbing Code / Los Angeles County Plumbing Code to read as follows:

1602.13.4 Prohibited Areas for Graywater Installations.

The following areas are designated as inappropriate for the installation of any graywater system. Graywater drainage to these areas has been determined to pose a significant risk to public health, the environment, and the City's coastal and natural resources. These prohibited areas are in addition to the minimum horizontal distances required from a graywater system described in TABLE 16A-1.

(A) All beach front properties where the dispersal area for the graywater system is within 150 feet of the ocean mean higher high tide line.

(B) Within 250 feet of any impaired body of water as designated on the 303d listed water bodies by the State of California Water Resources Control Board.

Exception: Compliance with (A) above.

(C) Within 100 feet of a bluff top.”

Section 10. Section 15.16.010 of the Malibu Municipal Code is hereby amended to read as follows:

15.16.010 Adoption of Mechanical Code.

Except as hereinafter provided, Title 29, Mechanical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Mechanical Code, 2013 Edition (Part 4 of Title 24 of the California Code of Regulations) is hereby incorporated by reference as if fully set forth below, and shall be known and may be cited as the Mechanical Code of the City of Malibu.

In the event of any conflict between provisions of the California Mechanical Code, 2013 Edition, Title 29 of the Los Angeles County Code, or any amendment to the Mechanical Code contained in the Malibu Municipal Code, the provision contained in the later listed

document shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 11. Section 15.16.030 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.16.030 Violations—Penalty.

Every person violating any provision of Title 29 of the Los Angeles County Code and appendices, adopted by reference by Section 15.16.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 12. Section 15.24.010 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.24.010 Adoption of Green Building Standards Code.

Except as hereinafter provided, Title 31, Green Building Standards Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Green Building Standards Code, 2013 Edition (Part 11 of Title 24 of the California Code of Regulations) is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the Green Building Code of the City of Malibu.

In the event of any conflict between provisions of the California Green Building Standards Code, 2013 Edition, Title 31 of the Los Angeles County Code, or any amendment to the Green Building Standards Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 31 of the Los Angeles County Code and the California Green Building Standards Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 13. Section 15.24.040 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.24.040 Violations—Penalties.

Every person violating any provision of the California Green Building Standards Code, 2013 Edition and appendices, adopted by reference by Section 15.24.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 14. Section 15.24.050 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.24.050 Amendment to Green Building Standards Code.

Notwithstanding the provisions of section 15.24.010 of this chapter, Title 31 of the Los Angeles County Code, adopting the California Green Building Standards Code, 2013 Edition (Part 11 of Title 24 of the California Code of Regulations), is hereby amended to read as follows:

4.403.1 Irrigation Controllers.

Automatic irrigation system controllers for landscaping provided and installed at the time of final inspection and shall comply with the following:

1. Controllers shall be weather- or soil moisture-based controllers that automatically adjust irrigation in response to changes in plant' needs as weather conditions change.
2. Weather-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-base controllers are not required to have rain sensor input.

Section 15. Section 15.28.010 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.28.010 Adoption of Residential Code.

Except as hereinafter changed, Title 30, Residential Code, of the Los Angeles County Code, adopting Sections 102 through 119 of Chapter 1, Section 1207 of Chapter 12, Chapter 34,67, 69, 98, 99 and Appendix J of Title 26 of the Los Angeles County Code and Chapters 2 through 10, Chapter 44, and Appendix H of that certain code known as and designated as the 2013 California Residential Code as published by the California Building Standards Commission, is hereby incorporated herein by reference as if fully set forth below, and shall be known the Residential Code of the City of Malibu.

In the event of any conflict between provisions of the California Residential Code, 2013

Edition, Title 30 of the Los Angeles County Code, or any amendment to the Residential Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 30 of the Los Angeles County Code and the California Residential Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 16. Section 15.28.020 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.28.020 Definitions.

“Building and Safety Division of the Department of County Engineer-facilities” means the Building Safety Division of the City of Malibu.

“County,” “County of Los Angeles” or “unincorporated areas of the county of Los Angeles” mean the City of Malibu.

Section 17. Section 15.28.030 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.28.030 Residential Code Fees.

Fees are as established by the current City of Malibu fee schedule.

Section 18. Section 15.28.040 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.28.040 Violations—Penalties.

Every person violating any provision of the Title 30 of the Los Angeles County Code and appendices, adopted by reference by Section 15.28.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 19. Section 8.12.010 of the Malibu Municipal Code is hereby amended to read as follows:

Section 8.12.010 Adoption of Fire Code.

Except as hereinafter provided, Title 32, Fire Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Fire Code, 2013 Edition (Part 9 of Title 24 of the California Code of Regulations) is hereby incorporated herein by

reference as if fully set forth below, and shall be known and may be cited as the Fire Code of the City of Malibu.

In the event of any conflict between provisions of the California Fire Code, 2013 Edition, Title 32 of the Los Angeles County Code, or any amendment to the Fire Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 32 of the Los Angeles County Code and the California Fire Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 20. Section 8.12.020 of the Malibu Municipal Code is hereby amended to read as follows:

Section 8.12.020 Violation—Penalty.

Every person violating any provision of Title 32 of the Los Angeles County Code and appendices, adopted by reference by Section 8.12.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 21. Severability.

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

Section 22. Effective Date.

This Ordinance shall take effect on January 1, 2014, and shall apply to all projects submitted to the City for plan check and/or permit application on or after that date.

Section 23. California Environmental Quality Act.

This Ordinance has been determined to be exempt from the California Environmental Quality Act pursuant to State Guidelines Section 15061(b)(3) because it is not a project that has the potential for causing a significant effect on the environment.

Section 24. Certification.

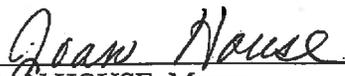
The City Clerk shall certify the adoption of this Ordinance.

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

Section 25. Urgency Findings.

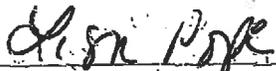
State law requires the City to adopt the 2013 California Building, Plumbing, Mechanical, Electrical, Green Building, Residential, and Fire Codes and any modifications thereto, by January 1, 2014. It is essential that the City adopt the above-stated Codes and modifications necessitated by local topographical, geological, and climatic conditions by that date. In the absence of legislation effective by that date, technical codes adequate to meet the City's special circumstances will not be in effect and hazards will be posed which would immediately threaten the public peace, health, and safety. Accordingly, this ordinance shall be an Urgency Ordinance and shall take effect immediately and become operative January 1, 2014.

PASSED, APPROVED AND ADOPTED this 25th day of November, 2013.



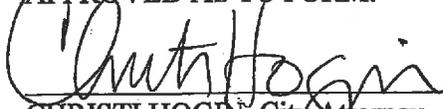
JOAN HOUSE, Mayor

ATTEST:



LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 377U was passed and adopted at the regular City Council meeting of November 25, 2013, by the following vote:

AYES: 5 Councilmembers: La Monte, Rosenthal, Sibert, Peak, House
NOES: 0
ABSTAIN: 0
ABSENT: 0



LISA POPE, City Clerk
(seal)

ORDINANCE NO. 377

AN ORDINANCE OF THE CITY OF MALIBU ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA BUILDING CODE, 2013 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2013 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA PLUMBING CODE, 2013 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2013 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2013 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2013 EDITION; AND TITLE 32 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA FIRE CODE, 2013 EDITION; AND MAKING AMENDMENTS TO SAID CODES

The City Council of the City of Malibu does hereby ordain as follows:

Section 1. Findings.

Pursuant to California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5, the City Council hereby makes each finding of reasonable necessity for modifications as stated separately in Attachment No. 2 to the November 25, 2013 City Council Agenda Report for Item No. 4.A., for each such modification as identified in Los Angeles County Titles 26, 27, 28, 29, 30, 31 and 32. These modifications to the California Building Standards Code, incorporating the model codes, are reasonably necessary due to the local climate, characterized by hot, dry summers and the high potential for seismic activity which make structures particularly vulnerable to rapidly spreading fires and structural damage.

Section 2. Section 15.04.010 of the Malibu Municipal Code is hereby amended to read as follows:

15.04.010 Adoption of Building Code.

Except as hereinafter provided, Title 26, Building Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Building Code, 2013 Edition (Part 2 of Title 24 of the California Code of Regulations) is incorporated herein by reference as if fully set forth below and shall be known and may be cited as the Building Code of the City of Malibu.

The provisions of the Building Code applying to dwellings, lodging houses, congregate residences, hotels, motels, apartment houses, convents, monasteries or other uses classified by the Building Code as a group R occupancy and including Chapters 1, 2, 3, 98 and 99 shall constitute and may be cited as the Housing Code of the City of Malibu.

In the event of any conflict between provisions of the California Building Code, 2013 Edition, Title 26 of the Los Angeles County Code, or any amendment to the Building Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 3. Section 15.04.040 of the Malibu Municipal Code is hereby amended to read as follows:

15.04.040 Violation—Penalty.

Every person violating any provision of Title 26 of the Los Angeles County Code and appendices, adopted by reference by Section 15.04.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 4. Section 15.04.050 of the Malibu Municipal Code is hereby amended to read as follows:

15.04.050 Amendments to Building Code.

Notwithstanding the provisions of Section 15.04.010 of this Chapter, Title 26 of the Los Angeles County Code is hereby amended to read as follows:

A. Section 105.1.1 is hereby amended to read as follows:

105.1.1 General.

Unless otherwise provided for below, in order to conduct the hearings provided for in this code and also to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code, there shall be a building board of appeals consisting of five members who are qualified by experience and training to pass upon matters pertaining to building construction. The building official shall be an *ex officio*-member and shall act as secretary to the board. The members of the building board of appeals shall be appointed by the City Council and shall hold office at its pleasure. The building board of appeals shall adopt reasonable rules and regulations for conducting its investigations. The board shall establish that the approval for alternate materials and the modifications granted for individual cases are in conformity with the intent and purpose of this code and that such alternate material, modification or method of work offered is at least

the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability, safety and sanitation and does not lessen any fire-protection requirements or any degree of structural integrity. The building board of appeals shall document all decisions and findings in writing to the building official with a duplicate copy to the applicant, and the board may recommend to the City Council such new legislation as is consistent therewith.

B. Section 105.3 is hereby deleted in its entirety.

C. Section 105.6 is hereby deleted in its entirety.

D. Section 106.1.1 is hereby added to Title 26 of the Los Angeles County Code to read as follows:

106.1.1 Parking Lots.

A plan review and permit shall be required for the surfacing, resurfacing, replacement, reconfiguration and striping of parking lots and parking structures serving commercial and multifamily occupancies.

Any of the aforementioned activities in or on existing parking lots must comply with current zoning, the National Pollution Discharge Elimination System (N.P.D.E.S.) permit program and accessibility requirements as required by applicable codes and standards. Fees are determined by the current fee schedule.

E. Section 106.3 is hereby amended to read as follows:

106.3 Work Exempted.

A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 120 square feet and the plate height does not exceed 12 feet (3.69 m) in height above the grade plane at any point and the maximum roof projection does not exceed 24 inches.
2. Fences and walls not over 6 feet (1829 mm) in height.
3. Steel tanks supported on a foundation not more than two feet (610 mm) above grade when the height does not exceed 1 1/2 times the diameter.
4. Gantry cranes and similar equipment.

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5. Retaining walls that retain not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding a Class I, II, or III-A liquids.
 6. Motion picture, television and theater stage sets and scenery, except when used as a building.
 7. Ground mounted radio and television antennae towers which do not exceed 45 feet (13 716 mm) in height and ground support dish antennas not exceeding 15 feet (4572 mm) in height above finished grade in any position.
 8. Light standards which do not exceed 30 feet (9144 mm) in height.
 9. Flagpoles not erected upon a building and not more than 15 feet (4572 mm) high.
 10. A tree house provided that:
 - 10.1. It does not exceed 64 square feet (5.94 m²) in area nor 8 feet (2438 mm) in height from floor to roof.
 - 10.2. The ceiling height as established by door height or plate line does not exceed 6 feet (1829mm).
 11. Canopies or awnings attached to a Group R or U Occupancy and extending not more than 54 inches (1372 mm) from the exterior wall of the building.
 12. Sheds, office or storage buildings, and other structures incidental to and work authorized by a valid grading or building permit. Such structures must be removed upon expiration of the permit or completion of the work covered by the permit.
 13. Oil derricks.
 14. Platforms, walks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.
 15. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18 927 L). Fences, gates, door alarms, and other protection devices that are accessory to the prefabricated swimming pool are not exempt from the permit requirements.

16. Playground equipment.

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of other laws or ordinances.

F. Section 107.9 is hereby deleted in its entirety.

G. Section 108.1.1 is hereby added to Title 26 of the Los Angeles County Code to read as follows:

108.1.1 Occupancy Inspection.

All existing commercial occupancies are required to apply for an occupancy inspection prior to occupancy of a building or tenant space by a new owner or occupant.

Upon successful completion of the occupancy inspection the Building Official shall issue a new certificate of occupancy to the building or tenant space as required in Section 109 of the California Building Code.

The certificate of occupancy issued will remain valid and in effect until a change of occupant occurs or is revoked for cause by the Building Official or as required by this code.

Fees determined by the current fee schedule.

H. Section 108.4.2 is hereby amended to read as follows:

108.4.2 Foundation inspection.

Inspection shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job site; however, where concrete is ready mixed in accordance with approved nationally recognized standards, the concrete need not be on the job site. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official. Required set back and pad elevations shall be established by survey prior to approval by the Building Official.

I. Section 108.4.6 is hereby amended to read as follows:

108.4.6 Final inspection.

Inspection shall be made after finish grading is approved and the building is completed and ready for occupancy and all other required agency approvals have been obtained.

Section 5. Section 15.08.010 of the Malibu Municipal Code is hereby amended to read as follows:

15.08.010 Adoption of Electrical Code.

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Electrical Code, 2013 Edition (Part 3 of Title 24 of the California Code of Regulations) is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the Electrical Code of the City of Malibu.

In the event of any conflict between provisions of the California Electrical Code, 2013 Edition, Title 27 of the Los Angeles County Code, or any amendment to the Electrical Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 6. Section 15.08.030 of the Malibu Municipal Code is hereby amended to read as follows:

15.08.030 Violation—Penalty.

Every person violating any provision of Title 27 of the Los Angeles County Code and appendices, adopted by reference by Section 15.08.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 7. Section 15.12.010 of the Malibu Municipal Code is hereby amended to read as follows:

15.12.010 Adoption of Plumbing Code.

Except as hereinafter provided, Title 28, Plumbing Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Plumbing Code, 2013 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the Plumbing Code of the City of Malibu.

In the event of any conflict between provisions of the California Plumbing Code, 2013 Edition, Title 28 of the Los Angeles County Code, or any amendment to the Plumbing Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 2013 Edition, has been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 8. Section 15.12.030 of the Malibu Municipal Code is hereby amended to read as follows:

15.12.030 Violation—Penalty.

Every person violating any provision of Title 28 of the Los Angeles County Code and appendices, adopted by reference by Section 15.12.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 9. Section 15.12.050 of the Malibu Municipal Code is hereby amended to read as follows:

15.12.050 Amendment to Plumbing Code.

Notwithstanding the provisions of section 15.12.010 of this chapter, Title 28 of the Los Angeles County Code, adopting the California Plumbing Code, 2013 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby amended to read as follows:

A. Section 710.9 is hereby amended by adding the following:

All such sumps and receiving tanks shall be automatically discharged. All sumps shall be provided with pumps or ejectors of the duplex type, simplex pumps are prohibited, and shall be so arranged to function alternately with each pump or ejector cycle, and to function independently in case of overload or mechanical failure. The lowest inlet shall have a minimum clearance of two (2) inches for the high water "starting" level of the sump.

All such sumps and receiving tanks shall be equipped with an automatic alarm system. The alarm system shall be activated upon failure of either pumps or ejectors, whether independently or simultaneously. The alarm shall emit an audible alarm, which can be detected from any location within the building and immediately outside the building served by such sumps and receiving tanks. The Building Official may approve other alarm systems, which provide equivalent enunciation of failure of the pumps or ejectors.

B. Subsection H 1.7 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

H 1.7 No onsite wastewater treatment system, or part thereof, shall be located in any other property other than the property which is the site of the building or structure served by such onsite wastewater treatment system, nor shall any onsite wastewater treatment system or part thereof be located at any point having less than the minimum distances indicated in Table K-1.

Nothing contained in this Code shall be construed to prohibit the use of all or part of another property for an onsite wastewater treatment system or part thereof, where secondary sewage effluent treatment, or better, is provided, when proper cause, transfer of ownership, or change of boundary not in violation of other requirements has been first established to the satisfaction of the Building Official. The instrument recording such action shall constitute an agreement with the Building Official which shall clearly state and show that the areas so joined or used shall be maintained as a unit during the time they are so used. Such agreement shall be recorded in the office of the County Recorder as part of the conditions of ownership of said properties, and shall be binding on all heirs, successors, and assigns to such properties. A copy of the instrument recording such proceedings shall be filed with the Building Official.

C. Subsections H 1.11 and H 1.12 are hereby added to Appendix H (Private Sewage Disposal Systems) of the 2013 California Plumbing Code to read as follows:

H 1.11 Commercial buildings and multiple family dwellings to be constructed, or remodeled, after the effective date of this section shall have a onsite wastewater treatment system which provides tertiary sewage effluent treatment as defined by the Building Official, prior to final sewage effluent disposal, unless otherwise approved by the Building Official.

H 1.12 Commercial buildings and multiple family dwellings served by an existing onsite wastewater treatment system which is to be replaced, renovated, or repaired, after the effective date of this section shall have an onsite wastewater treatment system that provides tertiary sewage effluent treatment as defined by the Building Official, prior to final sewage effluent disposal, unless otherwise approved by the Building Official.

D. Subsection H 2.1 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

H 2.1 The liquid capacity of all septic tanks shall conform to Tables H2.1 and H2.1(1) as determined by the number of bedrooms or apartment units in dwelling occupancies or the

estimated waste/sewage design flow rate or the number of plumbing fixture units as determined from Table 7-3 of this Code, whichever is greater.

E. Section H 3.0 and Subsection H 3.1(3), (4), and (5) of Appendix H (Private Sewage Disposal Systems) are hereby amended to read as follows:

The minimum effective absorption area in disposal fields in square feet (m^2), and in seepage pits in square feet (m^2) of side wall, shall be predicated on the required septic tank capacity in gallons (liters) and/or estimated waste/sewage flow rate, whichever is greater, and shall be as follows:

(3) No excavation for a leach line or leach bed shall extend within five (5) feet (1524 mm) of ground water nor to a depth where sewage may contaminate the underground water stratum.

Exception: When approved by the Building Official, this separation distance may be reduced. The applicant shall supply evidence of ground water depth to the satisfaction of the Building Official.

(4) The minimum effective absorption area in any seepage pit shall be calculated as the excavation sidewall area below the inlet exclusive of any hardpan, rock, clay, or other impervious formations. The minimum required area of porous formation should be provided in one or more seepage pits. No excavation shall extend within ten (10) feet (3.08 m) of ground water, nor to a depth where sewage may contaminate underground water stratum.

Exception: When approved by the Building Official, this separation distance may be reduced. The applicant shall supply evidence of ground water depth to the satisfaction of the Building Official.

(5) Leaching chambers shall be sized on the bottom absorption area (nominal until width) in square feet.

F. Subsection H 4.1 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

H 4.1 The construction dimensions of the subsurface sewage effluent disposal area of an onsite wastewater treatment system shall be based on soils analysis and/or percolation tests. Soils analysis shall be conducted by a licensed soils engineer and the results expressed in United States Department of Agriculture classification terminology. Percolation tests shall be conducted by a licensed geologist, a licensed soils engineer, a licensed civil engineer, or a California Registered Environmental Health Specialist.

G. Subsections H 5.5 and H 5.12 of Appendix H (Private Sewage Disposal Systems) are hereby amended to read as follows:

H 5.5 Access to each septic tank shall be provided by at least two (2) manholes twenty (20) inches (508 mm) in minimum diameter. One (1) access manhole shall be located over the

inlet and one (1) access manhole shall be located over the outlet. Wherever a first compartment exceeds twelve (12) feet (3658 mm) in length, an additional manhole shall be provided over the baffle wall.

H 5.12 Septic tanks shall have the required manholes accessible by extending the manhole openings to grade in a manner acceptable to the Building Official.

H. Subsection H 5.13(2) of Appendix H (Private Sewage Disposal Systems) is hereby deleted.

I. Subsections H 6.1, H 6.2, H 6.3, H 6.4, and H 6.9 of Appendix H (Private Sewage Disposal Systems) are hereby amended to read as follows:

H 6.1 Distribution lines shall be constructed of perforated ABS pipe, perforated PVC pipe, or other materials approved by the Building Official, provided that sufficient openings are available for distribution of the effluent into the trench area.

H 6.2 Before placing filter material or drain lines in a prepared excavation, all smeared or compacted surfaces shall be removed by raking to a depth of one (1) inch (25.4 mm) and the loose material removed. Clean stone, gravel, slag, or similar material acceptable to the Building Official, varying in size from three fourths (3/4) inch to two and one-half (2-1/2) inches (19.1 mm to 64 mm) shall be placed in the trench to the depth and grade required by this section. Drain pipe shall be placed on the filter material in an approved manner. The drain lines shall then be covered with filter material to the minimum depth required by this section and this covered with material approved by the Building Official to prevent closure of voids with earth backfill. No earth backfill shall be placed over the filter material until after inspection and acceptance.

Exception: Listed or approved plastic leaching chambers may be used in lieu of pipe and filter material. Chamber installations shall follow the rules for disposal fields, where applicable, and shall conform to manufacturer's installation instructions.

H 6.3 A grade board staked in the trench to the depth of filter material shall be utilized when the distribution line is constructed of material which will not maintain alignment without continuous support.

H 6.4 When seepage pits are used in combination with disposal fields, the filter material in the trenches shall terminate at least five (5) feet (1524 mm) from the seepage pit excavation.

H 6.9 Disposal fields shall be constructed as follows:

	Minimum	Maximum
Number of drain lines per field	1	---
Length of each line	---	100 ft. (30480 mm)
Bottom width of trench	18 in. (457 mm)	36 in. (914) mm
Spacing of lines, center-to-center		6 ft. (1829 mm)
Depth of earth cover of lines (preferred - 18 in. (457 mm))	12 in. (305 mm)	---
Grade of lines	level	3 in./100 ft. (25 mm/m)
Filter material under drain lines	12 in. (305 mm)	36 in. (914 mm)
Filter material over drain lines	2 in. (51 mm)	---

Minimum spacing between trenches or leaching beds shall be four (4) feet (1219 mm) plus two (2) feet (610 mm) for each additional foot (305 mm) of depth in excess of one (1) foot (305 mm) below the bottom of the drain line. Distribution drain lines in leaching beds shall not be more than six (6) feet (1829 mm) apart on centers, and no part of the perimeter of the leaching bed shall be more than three (3) feet (914 mm) from a distribution drain line. The terminal ends of all disposal fields and trenches shall have an inspection riser constructed of minimum eight (8) inch white PVC. The rise is to be extended to grade and shall terminate in an approved, accessible screw type cover approved by Building Official. The riser shall also extend to the bottom of the disposal field, and shall have one half (1/2) inch holes spaced at four (4) inches on center within the disposal area. Disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or any material that can reduce or inhibit any possible evaporation of sewer effluent accept as approved by the Building Official.

J. Subsections H 7.2, H 7.3, and H 7.4 of Appendix H (Private Sewage Disposal Systems) are hereby amended to read as follows:

H 7.2 Multiple seepage pits installations shall be served through an approved distribution box. Distribution boxes shall have their locations permanently marked with a steel post, concrete marker or other durable material. Additionally, each distribution box shall have an inspection riser of white PVC or concrete of at least eight (8) inches in diameter. The inspection riser shall allow inspection access to the distribution box. Each riser shall terminate with an approved screw type cap.

H 7.3 Each seepage pit shall be circular in shape and shall have an excavated diameter of not less than four (4) feet (1219 mm). -Approval shall be obtained prior to construction for any pit having an excavated diameter greater than six (6) feet (1829).

H 7.4 Seepage pits may be constructed in one of two ways:

(1) An eight (8) inch (204 mm) white, or other similar approved color, sewer pipe of approved material shall be installed true and plumb in the center of the seepage pit excavation extending from the bottom of the seepage pit excavation to the inlet depth. The sewer pipe shall have one (1) inch (25.5 mm) holes drill each 120 degrees of the sewer pipe circumference at twelve (12) inch (306 mm) intervals on center minimum for the entire length of the sewer pipe to the inlet depth. The sewer pipe shall then extend watertight to grade and shall be capped with an approved screw type, accessible cap. The void between the sewer pipe and the seepage pit excavation shall then be filled with clean stone, gravel, or similar filter material acceptable to the Building Official, varying in size from the three-fourths (3/4) inch to two and one-half (2-1/2) inches (19.1 mm to 64 mm).

(2) Pre-cast concrete circular sections approved by the Building Official may be used. The void between the pre-cast circular sections and the seepage pit excavation shall have a minimum of six (6) inches (152 mm) of clean three-fourths (3/4) inch (19.1) gravel or rock filter material. An approved type one or two piece reinforced concrete slab cover shall be installed on top of the pre-cast concrete circular sections. Each such cover shall have twenty-five hundred (2500) pounds per square inch (17238 kPa) minimum compressive strength shall be not less than five (5) inches (127 mm) thick and shall be designed to support an earth load of not less than four hundred (400) pounds per square foot (19.2 kPa). Each such cover shall be provided with an eight (8) inch (204 mm) minimum inspection hole and shall be coated on the underside with an approved bituminous or other nonpermeable protective compound. An eight (8) inch (204 mm) white, or similar approved color, sewer pipe of approved material shall be installed true and plumb extending watertight from the cover inspection hole to grade and shall be capped with an approved accessible cap.

K. Subsection H 7.5 of Appendix H (Private Sewage Disposal Systems) is hereby deleted in its entirety and the subsequent sections renumbered.

L. Section H 8.0 of Appendix H (Private Sewage Disposal Systems) is hereby deleted in its entirety.

M. Subsections H 9.2, H 9.3, H 9.4, and H 9.6 of Appendix H (Private Sewage Disposal Systems) are hereby amended to read as follows:

H 9.2 Installation of such interceptors shall comply with Section 1009.0 of this code, and their locations shall be in accordance with Table H-1 of this appendix. The Building Official may require and approve additional more restrictive standards.

H 9.3 A sampling box shall be installed when required by the Building Official.

H 9.4 Interceptors shall be of approved design and be of not less than two (2) compartments unless otherwise approved by the Building Official. Structural requirements shall be in compliance with the applicable subparts of Section H 5.0 of this appendix.

H 9.6 Waste discharge from interceptors may be connected to a septic tank or other primary system or be disposed into a separate disposal system.

N. Subsection H 10.1(3) of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

(3) Septic tanks and other primary systems shall be installed as required by the Building Official.

O. Subsection H 11.4 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

H 11.4 No person owning or controlling any cesspool, septic tank, or seepage pit on the premises or private property of such person or in any public street, alley, or other public property shall fail, refuse, or neglect to comply with the provisions of this section.

P. Subsection H 12.1 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

The Building Official may require any or all of the following information before a permit is issued for an onsite wastewater treatment system, or at any time during the construction thereof:

(1) Plot plan drawn to scale, completely dimensioned, showing direction and approximate slope of surface, location of present or proposed retaining walls, drainage channels, water supply lines or wells, paved areas and structures on the plot, number of bedrooms or plumbing fixtures in each structure, and location of the private sewage disposal system with relation to lot lines and structures.

(2) Details of construction necessary to ensure compliance with the requirements of this appendix together with a full description of the complete installation including quality, kind, and grade of materials, equipment, construction, workmanship, and methods of assembly and installation.

(3) A log of soil formations and groundwater levels as determined by test holes dug in close proximity to a proposed seepage pit or disposal field, together with a statement of water absorption characteristics of the soil at the proposed site, as determined by approved percolation tests.

Q. Section H 13.0 is hereby added to Appendix H (Private Sewage Disposal Systems) of the 2013 California Plumbing Code / Los Angeles County Plumbing Code to read as follows:

The Building Official shall require the following before a permit is issued for any new or reconstructed onsite wastewater treatment system on any parcel adjacent to the Pacific Ocean:

(a) Buildings permitted to be constructed, or remodeled, on beachfront property shall have adequate and properly designed bulkheads, or other approved structural protection from wave

action for all portions of the onsite wastewater treatment system. All approved Coastal Engineering Reports shall also be required to determine the need and extent of this protection.

(b) Owners or possessors of real property with buildings constructed on beachfront property with an existing onsite wastewater treatment system to be renovated, or repaired, shall have adequate and properly designed bulkheads, or other approved structural protection from wave action, as provided by the Building Official, for all portions of the onsite wastewater treatment system. An approved Coastal Engineering Report shall also be required to determine the need and extent of this protection.

(c) Owners or possessors of real property with buildings constructed on beachfront property with an existing onsite wastewater treatment system damaged by storm, tide, or wave action shall have adequate and properly designed bulkheads, or other approved structural protection from wave action for all portions of the onsite wastewater treatment system. An approved Coastal Engineering Report shall also be required to determine the need and extent of this protection.

(d) Issuance of Permit. Upon review of the application and compliance with all of the requirements contained in this section and all other applicable laws, rules, and regulations, the Building Official shall issue a permit for the installation of bulkheads, or other protective structures required, imposing those conditions and restrictions necessary, and setting a time limit for the completion of the installation of bulkheads, or other protective structures required.

(e) Noncompliance and Right of Entry

(1) Upon expiration of the time limit established in the permit, including such additional time as may have been granted by the Building Official upon further application, if the installation of the bulkheads, or other protective structures required, has not been accomplished, the Building Official may take all reasonable actions to install the bulkheads, or other protective structures required, upon the real property for which the permit was issued. The Building Official shall have the right of entry upon the owner's or possessor's real property to the extent necessary to effect the installation. A failure, refusal, or neglect of the owner or possessor of the real property to comply with the provisions of the permit for the installation of the bulkhead, or other protective structures required, within the period of time set by the Building Official shall be considered a violation of this section, subjecting the owner or possessor of the real property to the penalties and remedies provided in this Code.

(2) The actual cost incurred by the Building Official in taking the above action, including the cost of equipment, labor (including the cost of City of Malibu consultants and employees), administrative, and other indirect costs shall be charge assessed against the real property benefited, and shall be added to the annual property taxes next levied upon the real property and shall constitute a lien upon the real property in the same manner and to the same extent as does the tax lien securing the annual real property taxes, and may be collected and enforced in the same manner as secured ad valorem property taxes.

R. Table H 1.7 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

**TABLE H 1.7
LOCATION OF SEWAGE DISPOSAL SYSTEM**

Minimum Distance In Clear From:	Horizontal Clear Required	Building Sewer	Septic Tank	Disposal Field	Seepage Pit or Cesspool
Buildings or structures ¹		2 feet (610 mm)	5 feet (1524 mm)	8 feet (2438mm)	8 feet (2438 mm)
Property line adjoining private property	Clear ²		5 feet (1524 mm)	5 feet (1524 mm)	8 feet (2438 mm)
Water supply wells	50 feet ³ (15240 mm)	50 feet (15240 mm)		100 feet (30.5 m)	150 feet (45.7 m)
Streams and Lakes	50 feet (15240 mm)	50 feet (15240 mm)		100 feet (30.5 m)	150 feet (45.7 m)
Trees	--		10 feet (3048 mm)	--	10 feet (3048 mm)
Seepage pits or cesspools	--		5 feet (1524 mm)	5 feet (1524 mm)	12 feet (3658 mm)
Disposal field	--		5 feet (1524 mm)	4 feet ⁴ (1219 mm)	5 feet (1524 mm)
On site domestic water service line	1 foot ⁵ (305 mm)		5 feet (1524 mm)	5 feet (1524 mm)	5 feet (1524 mm)
Distribution box	--		--	5 feet (1524 mm)	5 feet (1524 mm)
Pressure public water main	10 feet ⁶ (3048 mm)		10 feet (3048 mm)	10 feet (3048 mm)	10 feet (3048 mm)

Note:

When disposal fields and/or seepage pits are installed in sloping ground, the minimum horizontal distance between any part of the leaching system and ground surface shall be fifteen (15) feet (4572 mm).

1. Including porches and steps, whether covered or uncovered, breezeways, roofed porte-cocheres, roofed patios, carports, covered walks, covered driveways and similar structures or appurtenances.
2. See also Section 313.3 of the Uniform Plumbing Code.
3. All drainage piping shall clear domestic water supply wells by at least fifty (50) feet (15240 mm). This distance may be reduced to not less than twenty-five (25) feet (7620 mm) when the drainage piping is constructed of materials approved for use within a building.
4. Plus two (2) feet (610 mm) for each additional (f) foot (305 mm) of depth in excess of one (1) foot (305 mm) below the bottom of the drain line. (See also Section K6).
5. See Section 720.0 of the Uniform Plumbing Code.
6. For parallel construction - For crossings, approval by the Health Department shall be required.
7. Where special hazards are involved, the distance required shall be increased as may be directed by the Authority Having Jurisdiction.

S. Table H 2.1 of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

**TABLE H 2.1
CAPACITY OF SEPTIC TANKS***

Single Family Dwellings ** Number of Bedrooms	Multiple Dwelling Units or Apartments One Bedroom Each	Maximum Fixture Units Served per Table 7-3	Minimum Septic Tank Capacity in Gallons	(liters)
		15	750	(2838)
		20	1000	(3785)
4		25	1200	(4542)
<u>1 to 6</u>	2 or 3 units	33	1500	(5678)
	4	45	2000	(7570)
	5	55	2250	(8516)
	6	60	2500	(9463)
	7	70	2750	(10,409)
	8	80	3000	(11,355)
	9	90	3250	(12,301)
	10	100	3500	(13,248)

* Note:

Extra bedroom, 150 gallons (568 liters) each.

Extra dwelling units over 10, 250 gallons (946 liters) each.

Extra fixture units over 100, 25 gallons (95 liters) per fixture unit.

Septic tank sizes in this table include sludge storage capacity and the connection of domestic food waste disposal units without further volume increase.

** Applies to mobile homes not installed in a mobile home park.

T. Table H 2.1(1) of Appendix H (Private Sewage Disposal Systems) is hereby amended to read as follows:

TABLE H 2.1(1)
ESTIMATED WASTE/SEWAGE FLOW RATES

Because of the many variables encountered, it is not possible to set absolute values for waste/sewage flow rates for all situations. The designer should evaluate each situation and, if figures in this table need modification, they should be made with the concurrence of the Building Official.

<u>Type of Occupancy</u>	<u>Unit Gallons (liters) Per Day</u>
1. Airport	15 (56.8) per employee 5 (18.9) per passenger
2. Auto Washers	Check with equipment manufacturer
3. Bowling Alleys (snack bar only)	75 (283.9) per lane
4. Camps:	
Campground with central comfort station	35 (132.5) per person
Campground with flush toilets, no showers	25 (94.6) per person
Day camps (no meals served)	15 (56.8) per person
Summer and seasonal	50 (189.3) per person
5. Churches (Sanctuary)	5 (18.9) per seat
with kitchen waste	7 (26.5) per seat
6. Dance Halls	5 (18.9) per person
7. Factories	
No showers	25 (94.6) per employee
With showers	35 (132.5) per employee
Cafeteria, add	5 (18.9) per employee
8. Hospitals	250 (946.3) per bed
Kitchen waste only	25 (94.6) per bed
Laundry waste only	40 (151.4) per bed
9. Hotels (no kitchen waste)	60 (227.1) per bed (2 person)
10. Institutions (Resident)	75 (283.9) per person
Nursing Home	125 (473.1) per person
Rest Home	125 (473.1) per person
11. Laundries, self-service	300 per machine
Commercial	Per manufacturer=s specifications

<u>Type of Occupancy</u>	<u>Unit Gallons (liters) Per Day</u>
12. Motel	50 (189.3) per bed space
with kitchen	60 (227.1) per bed space
13. Office	20 (75.7) per employee
14. Parks B mobile homes	
Picnic parks (toilets only)	20 (75.7) per parking space
Recreational vehicles -	
without water hookup	75 (283.9) per space
with water and sewer hookup	100 (378.5) per space
15. Restaurants - Cafeterias	50 (189.3) per seat
Toilet	
16. Schools B Staff and office	20 (75.7) per person
Elementary students	15 (56.8) per person
Intermediate and High	20 (75.7) per student
with gym and showers, add	5 (18.9) per student
with cafeteria, add	3 (11.4) per student
Boarding, total waste	100 (378.5) per person
17. Service stations, toilets	1000 (378.5) for 1 st bay
	500 (1892.5) for each additional bay
<u>Recreational vehicle dump station</u>	<u>750</u>
18. Stores	20 (75.7) per employee
Public restrooms, add	1 per 10 sq. ft. (4.1/m ²) of floor space
19. Swimming pools, public	10 (37.9) per person
20. Theaters, auditoriums	5(18.9) per seat
Drive-in	10 (37.9) per space

(a) Recommended Design Criteria. Sewage Disposal Systems sized using the estimated waste/sewage flow rates should be calculated as follows:

- (1) Waste/sewage flow, up to 1500 gallons/day (5677.5 L/day)
Flow x 1.5=septic tank size
 - (2) Waste/sewage flow, over 1500 gallons/day (5677.5 L/day)
Flow x 0.75 + 1125= septic tank size
 - (3) Secondary system shall be sized for total flow per 24 hours.
- (b) Also see Section H 2.0 of this appendix.

U. Table H2.1(3) of Appendix H (Private Sewage Disposal Systems) is deleted in its entirety.

V. The introduction (“Intent”) to Chapter 16 (Alternate Water Sources for Nonpotable Applications) is hereby amended as follows:

Intent

This part is applicable to occupancies under the authority of the Department of Housing and Community Development as specified in Section 1.8.2.1.1 and is intended to:

1. Conserve water by facilitating greater reuse of laundry, shower, lavatory, and similar sources of discharge for irrigation and/or indoor use.
2. Reduce the number of non-compliant graywater systems by making legal compliance easily achievable.
3. Provide guidance to eliminate adverse environmental impacts by the use of the graywater.
4. Provide guidance for avoiding potentially unhealthful conditions.
5. Provide an alternative way to relieve stress on a private sewage disposal system by diverting the graywater.

W. Subsection 1602.1(C) is hereby amended to read as follows:

(C) Graywater shall not be used in spray irrigation, allowed to pond or runoff and shall not be discharged directly into or be conveyed to, including but not limited to, the ocean or any creek, any surface body of water, any water way, any storm sewer system, any drainage channel, or any drainage device.

X. Subsection 1602.1(J) is hereby added to the 2013 California Plumbing Code / Los Angeles County Plumbing Code to read as follows:

(J) No construction permit for any graywater system shall be issued until a plot plan with appropriate data satisfactory to the City has been submitted and approved. When there is insufficient lot area or inappropriate soil conditions to prevent the ponding or runoff of the graywater, as determined by the City, no graywater system shall be allowed.

Y. Subsection 1602.1.1 is hereby amended to read as follows:

1602.0 Graywater Systems.

A written construction permit shall be obtained from the City prior to the erection, construction, reconstruction, installation, relocation, or alteration of any graywater system. A permit for a clothes washer system shall be fee exempt for review and inspection services. Permits for simple and complex systems shall be required with fees for such systems determined by City Council Resolution.

Exception: A construction permit shall not be required for a clothes washer system which does not require the cutting of the existing plumbing piping provided it is in compliance with Section 1602.1.1.

1602.1.1 Clothes Washer System.

A clothes washer system shall require the issuance of a fee exempt construction permit for the installation or alteration of the system.

Z. Section 1602.1.1 (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), and (12) of the 2013 California Plumbing Code / Los Angeles County Plumbing Code shall be retained unamended following the above amendment.

AA. Section 1602.1.2 is hereby amended to read as follows:

1602.1.2 Simple System.

Simple systems exceed a clothes washer system and shall comply with the following:

1. The discharge capacity of a graywater system shall be determined by Section 1606A.0. Simple systems have a discharge capacity of 250 gallons (947 L) per day or less.
2. A simple system shall require a construction permit issued by the City.
3. The design of simple systems shall be acceptable to the City and shall meet generally acceptable graywater system design criteria.

BB. Section 1602.1.3 is hereby amended to read as follows:

1602.1.3 Complex System.

Any graywater system that is not a clothes washer system or simple system shall comply with the following:

1. The discharge capacity of a graywater system shall be determined by Section 1602.8. Complex systems have a discharge capacity over 250 gallons (947 L) per day.
2. Complex systems shall require a construction permit issued by the City.
3. A complex system shall be designed by a person who can demonstrate competence to the satisfaction of the Enforcing Agency.

CC. Table 1601.3 is hereby amended to read as follows:

**TABLE 1601.3
CONSTRUCTION PERMIT REQUIREMENTS**

TYPE OF SYSTEM	PERMIT REQUIREMENTS
Clothes Washer System	Construction permit required
Simple System	Permit and plans required
Complex System	Permit and plans required
Treated Graywater	Permit and plans required

DD. Subsection 1602.13.3 is hereby added to the 2013 California Plumbing Code / Los Angeles County Plumbing Code to read as follows:

1602.13.3 New Construction, Remodels, Alterations

1. All new single family residential dwelling units, single family residential remodels, and single family residential alterations proposing to construct, reconstruct, install, relocate, or alter any clothes washing drainage plumbing shall include either a separate multiple pipe outlet or a diverter valve, and outside stubout installation on the clothes washing machine connection to allow separate discharge of graywater for irrigation.

Exception: Separate clothes washer drainage is not required where it has been demonstrated to the City that such clothes washer facilitation is infeasible due to the location of the fixture and/or compliance with other provisions of this code.

2. All new single family residential dwelling units, single family residential remodels, and single family residential alterations proposing to construct, reconstruct, install, relocate, or alter any drains or drainage for any lavatories, showers, and bathtubs, shall provide separate segregated drainage from all other plumbing fixtures and connect a minimum three (3) feet from the limits of the foundation to allow for future installation of a distributed graywater system.

Exception: Separate clothes washer drainage is not required where it has been demonstrated to the City that such clothes washer facilitation is infeasible due to the location of the fixture and/or compliance with other provisions of this code.

EE. Subsection 1602.13.4 is hereby added to the 2013 California Plumbing Code / Los Angeles County Plumbing Code to read as follows:

1602.13.4 Prohibited Areas for Graywater Installations.

The following areas are designated as inappropriate for the installation of any graywater system. Graywater drainage to these areas has been determined to pose a significant risk to public health, the environment, and the City's coastal and natural resources. These prohibited areas are in addition to the minimum horizontal distances required from a graywater system described in TABLE 16A-1.

(A) All beach front properties where the dispersal area for the graywater system is within 150 feet of the ocean mean higher high tide line.

(B) Within 250 feet of any impaired body of water as designated on the 303d listed water bodies by the State of California Water Resources Control Board.

Exception: Compliance with (A) above.

(C) Within 100 feet of a bluff top."

Section 10. Section 15.16.010 of the Malibu Municipal Code is hereby amended to read as follows:

15.16.010 Adoption of Mechanical Code.

Except as hereinafter provided, Title 29, Mechanical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Mechanical Code, 2013 Edition (Part 4 of Title 24 of the California Code of Regulations) is hereby incorporated by reference as if fully set forth below, and shall be known and may be cited as the Mechanical Code of the City of Malibu.

In the event of any conflict between provisions of the California Mechanical Code, 2013 Edition, Title 29 of the Los Angeles County Code, or any amendment to the Mechanical Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 11. Section 15.16.030 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.16.030 . Violations—Penalty.

Every person violating any provision of Title 29 of the Los Angeles County Code and appendices, adopted by reference by Section 15.16.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 12. Section 15.24.010 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.24.010 Adoption of Green Building Standards Code.

Except as hereinafter provided, Title 31, Green Building Standards Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Green Building Standards Code, 2013 Edition (Part 11 of Title 24 of the California Code of Regulations) is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the Green Building Code of the City of Malibu.

In the event of any conflict between provisions of the California Green Building Standards Code, 2013 Edition, Title 31 of the Los Angeles County Code, or any amendment to the Green Building Standards Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 31 of the Los Angeles County Code and the California Green Building Standards Code, 2013 Edition, have been deposited in the office of the City Clerk of the City

of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 13. Section 15.24.040 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.24.040 Violations—Penalties.

Every person violating any provision of the California Green Building Standards Code, 2013 Edition and appendices, adopted by reference by Section 15.24.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 14. Section 15.24.050 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.24.050 Amendment to Green Building Standards Code.

Notwithstanding the provisions of section 15.24.010 of this chapter, Title 31 of the Los Angeles County Code, adopting the California Green Building Standards Code, 2013 Edition (Part 11 of Title 24 of the California Code of Regulations), is hereby amended to read as follows:

4.403.1 Irrigation Controllers.

Automatic irrigation system controllers for landscaping provided and installed at the time of final inspection and shall comply with the following:

1. Controllers shall be weather- or soil moisture-based controllers that automatically adjust irrigation in response to changes in plant' needs as weather conditions change.
2. Weather-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-base controllers are not required to have rain sensor input.

Section 15. Section 15.28.010 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.28.010 Adoption of Residential Code.

Except as hereinafter changed, Title 30, Residential Code, of the Los Angeles County Code, adopting Sections 102 through 119 of Chapter 1, Section 1207 of Chapter 12, Chapter 34,67, 69, 98, 99 and Appendix J of Title 26 of the Los Angeles County Code and Chapters 2

through 10, Chapter 44, and Appendix H of that certain code known as and designated as the 2013 California Residential Code as published by the California Building Standards Commission, is hereby incorporated herein by reference as if fully set forth below, and shall be known the Residential Code of the City of Malibu.

In the event of any conflict between provisions of the California Residential Code, 2013 Edition, Title 30 of the Los Angeles County Code, or any amendment to the Residential Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 30 of the Los Angeles County Code and the California Residential Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 16. Section 15.28.020 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.28.020 Definitions.

“Building and Safety Division of the Department of County Engineer-facilities” means the Building Safety Division of the City of Malibu.

“County,” “County of Los Angeles” or “unincorporated areas of the county of Los Angeles” mean the City of Malibu.

Section 17. Section 15.28.030 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.28.030 Residential Code Fees.

Fees are as established by the current City of Malibu fee schedule.

Section 18. Section 15.28.040 of the Malibu Municipal Code is hereby amended to read as follows:

Section 15.28.040 Violations—Penalties.

Every person violating any provision of the Title 30 of the Los Angeles County Code and appendices, adopted by reference by Section 15.28.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 19. Section 8.12.010 of the Malibu Municipal Code is hereby amended to read as

follows:

Section 8.12.010 Adoption of Fire Code.

Except as hereinafter provided, Title 32, Fire Code, of the Los Angeles County Code, as amended and in effect on January 1, 2014, adopting the California Fire Code, 2013 Edition (Part 9 of Title 24 of the California Code of Regulations) is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the Fire Code of the City of Malibu.

In the event of any conflict between provisions of the California Fire Code, 2013 Edition, Title 32 of the Los Angeles County Code, or any amendment to the Fire Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 32 of the Los Angeles County Code and the California Fire Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 20. Section 8.12.020 of the Malibu Municipal Code is hereby amended to read as follows:

Section 8.12.020 Violation—Penalty.

Every person violating any provision of Title 32 of the Los Angeles County Code and appendices, adopted by reference by Section 8.12.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

Section 21. Severability.

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

Section 22. Effective Date.

This Ordinance shall take effect on January 1, 2014, and shall apply to all projects submitted to the City for plan check and/or permit application on or after that date.

Section 23. California Environmental Quality Act.

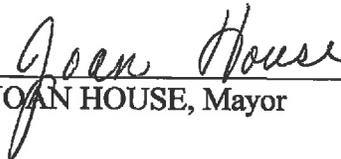
This Ordinance has been determined to be exempt from the California Environmental Quality Act pursuant to State Guidelines Section 15061(b)(3) because it is not a project that has the potential for causing a significant effect on the environment.

Section 24. Certification.

The City Clerk shall certify the adoption of this Ordinance.

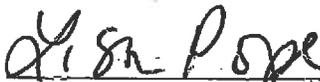
The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

PASSED, APPROVED AND ADOPTED this 9th day of December 2013.



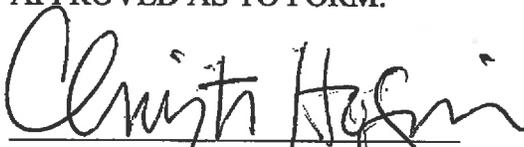
JOAN HOUSE, Mayor

ATTEST:



LISA POPE, City Clerk
(seal)

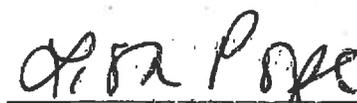
APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 377 was passed and adopted at the regular City Council meeting of December 9, 2013, by the following vote:

AYES: 5 Councilmembers: La Monte, Rosenthal, Sibert, Peak, House
NOES: 0
ABSTAIN: 0
ABSENT: 0



LISA POPE, City Clerk
(seal)

BUILDING STANDARDS COMMISSION

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



May 19, 2014

Tracey Rossine
Senior Administrative Assistant
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

RE: Ordinance #380

Dear Ms. Rossine:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on May 15, 2014.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

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

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

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

Sincerely,

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

Enrique M. Rodriguez

Associate Construction Analyst

cc: Chron
Local Filings

O'Brien, Laurie@DGS

From: Tracey Rossine <TRossine@malibucity.org>
Sent: Thursday, May 15, 2014 9:49 AM
To: OrdinanceFilings@DGS
Cc: Vic Peterson; Craig George
Subject: City of Malibu Fire Code Adoption
Attachments: 380.pdf

Pursuant to Health and Safety Code Section 17958.7(a), the City of Malibu hereby submits to the California Building Standards Commission for processing Ordinance No. 380, an ordinance of the City of Malibu adopting by reference Title 32 of the Los Angeles County Code, as amended, incorporating the California Fire Code, 2013 Edition, and ratifying the consolidated Fire Protection District of Los Angeles County's Building Standards contained in Title 32, as amended.

In addition to this email a hard copy has been placed in the mail. Please contact me should you have any questions.

Regards,

*Tracey Rossine
Senior Administrative Assistant*

*City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone: (310) 456-2489 ext. 274
Fax: (310) 456-7650
www.malibucity.org*

Connect with the Environmental Sustainability Department!





City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

May 15, 2014

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

Re: City of Malibu Fire Code Adoption

Pursuant to Health and Safety Code Section 17958.7(a), the City of Malibu hereby submits to the California Building Standards Commission for processing Ordinance No. 380, an ordinance of the City of Malibu adopting by reference Title 32 of the Los Angeles County Code, as amended, incorporating the California Fire Code, 2013 Edition, and ratifying the consolidated Fire Protection District of Los Angeles County's Building Standards contained in Title 32, as amended.

Please contact me should you have any questions.

Regards,

Tracey Rossine
Senior Administrative Assistant
Extension 274
trossine@malibucity.org

Enclosure

RECEIVED
2014 MAY 19 A 11:44
CALIFORNIA BUILDING
STANDARDS COMMISSION

ORDINANCE NO. 380

AN ORDINANCE OF THE CITY OF MALIBU ADOPTING BY REFERENCE TITLE 32 OF THE LOS ANGELES COUNTY CODE, AS AMENDED, INCORPORATING THE CALIFORNIA FIRE CODE, 2013 EDITION, AND RATIFYING THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY'S BUILDING STANDARDS CONTAINED IN TITLE 32, AS AMENDED

The City Council of the City of Malibu does hereby ordain as follows:

Section 1. Section 8.12.010 of the Malibu Municipal Code is hereby amended to read as follows:

Section 8.12.010 Adoption of Fire Code.

Except as hereinafter provided, Title 32, Fire Code, of the Los Angeles County Code, as amended and adopted on March 25, 2014 and in effect on April 27, 2014, adopting the California Fire Code, 2013 Edition (Part 9 of Title 24 of the California Code of Regulations) is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the Fire Code of the City of Malibu.

In the event of any conflict between provisions of the California Fire Code, 2013 Edition, Title 32 of the Los Angeles County Code, or any amendment to the Fire Code contained in the Malibu Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 32 of the Los Angeles County Code and the California Fire Code, 2013 Edition, have been deposited in the office of the City Clerk of the City of Malibu and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 2. Ratification of Building Standards.

Pursuant to Health and Safety Code section 13869.7, subdivision (a), as part of its amendments to Title 32 (Fire Code), the Consolidated Fire Protection District of Los Angeles County proposed building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Code. District amendments that constitute more restrictive building standards must be ratified by the City in order for those amendments to be enforceable with the City's jurisdiction. Pursuant to Health and Safety Code section 13869.7, subdivision (c), by adoption of this ordinance, the City Council hereby ratifies the building standards included within the ordinance amending Title 32 (Fire Code) adopted by the Board of Supervisors on March 25, 2014.

Section 3. Severability.

Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or

constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

Section 4. Effective Date.

This Ordinance shall take effect on 30 days after its final adoption, and shall apply to all projects submitted to the City for plan check and/or permit application on or after that date.

Section 5. California Environmental Quality Act.

This Ordinance has been determined to be exempt from the California Environmental Quality Act pursuant to State Guidelines Section 15061(b)(3) because it is not a project that has the potential for causing a significant effect on the environment.

Section 6. Certification.

The City Clerk shall certify the adoption of this Ordinance. The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission. The City Clerk shall also file a copy of the findings of the Consolidated Fire Protection District of Los Angeles County, together with the ordinance amending Title 32 (Fire Code) adopted by the Board of Supervisors on March 25, 2014, with the Department of Housing and Community Development.

PASSED, APPROVED AND ADOPTED this 28th day of April 2014.



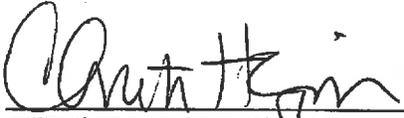
SKYLAR PEAK, Mayor

ATTEST:



LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:



CHRISTI HUGIN, City Attorney

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 380 was passed and adopted at the regular City Council meeting of April 28, 2014, by the following vote:

AYES: 4 Councilmembers: La Monte, Rosenthal, Sibert, Peak
NOES: 0
ABSTAIN: 0
ABSENT: 1 Councilmember: House



LISA POPE, City Clerk
(seal)