

BUILDING STANDARDS COMMISSION

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



May 7, 2014

Jeffery C. Elder
Deputy City Attorney
City of Montebello
13181 Crossroads Parkway North, Ste. 400-West Tower
City of Industry, CA 91746

RE: Ordinance #2356

Dear Mr. Elder:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on March 19, 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



ALVAREZ-GLASMAN & COLVIN

ATTORNEYS AT LAW

13181 Crossroads Parkway North
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April 22, 2014

Via Certified Mail, Return Receipt Requested

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833
Attention: James McGowan

Re: Local Amendments to California Building Standards Codes

Dear Mr. McGowan:

My office was recently contacted by the California Building Standards Commission (the "Commission") regarding the materials that were provided to the Commission reflecting the City of Montebello's (the "City") amendments to the California Building Standards Codes.

The City hereby submits Ordinance No. 2356, which has been passed, approved and certified. As required by law, Ordinance No. 2356 contains the local amendments to the various Building Standards Codes and the appropriate findings.

If you have any questions, please do not hesitate to contact me at (562) 699-5500.

Very truly yours,

ALVAREZ-GLASMAN & COLVIN

Jeffery C. Elder
Deputy City Attorney
City of Montebello

Enclosures

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2014 APR 25 A 10:29
CALIFORNIA BUILDING
STANDARDS COMMISSION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO ADOPTING BY REFERENCE, THE 2013 CALIFORNIA BUILDING STANDARDS CODES AND CERTAIN SPECIFIED APPENDICES THEREOF, INCLUDING THE 2013 CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE, 2013 CALIFORNIA BUILDING CODE, 2013 CALIFORNIA RESIDENTIAL CODE, 2013 CALIFORNIA ELECTRICAL CODE, 2013 CALIFORNIA MECHANICAL CODE, 2013 CALIFORNIA PLUMBING CODE, 2013 CALIFORNIA FIRE CODE, THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE; 2013 CALIFORNIA ENERGY CODE; AND 2013 CALIFORNIA REFERENCED STANDARDS CODE; AND MAKING CERTAIN FINDINGS IN SUPPORT OF SPECIFIC ADDITIONS, DELETIONS AND/OR AMENDMENTS THERETO

WHEREAS, the City Council of the City of Montebello ("City") finds that there is a need to enforce the most current editions of the California Building Standards Code as set forth by the California Building Standards Commission; and

WHEREAS, the California Building Standards Commission reviews proposed standards and amendments to the California Building Standards Code and adopts new editions and supplements every three (3) years; and

WHEREAS, the California Building Standards Commission recently adopted and approved the 2013 California Building Standards Code based on the latest national and international model building codes; and

WHEREAS, the California Building Standards Code became effective and applicable to any building or structure for which application for a building permit is made on or after January 1, 2014; and

WHEREAS, the City hereby desires to incorporate the California Building Standards Code into the Montebello Municipal Code by formally adopting, by reference, the published 2013 California Building Standards Code; and

WHEREAS, the State of California allows local jurisdictions to adopt the provisions of the California Building Standards codes with local amendments in accordance with Health and Safety Code Sections 17922, 17958, 17958.5, 17958.7 and 18941.5(b) where necessary to reasonably address adverse local conditions and protect the health wealth and safety of citizens of Montebello because of local climate, geology and/or topography; and

WHEREAS, the City Council of the City of Montebello finds and declares that the adoption of this ordinance is necessary to protect the general health, safety and welfare of the community.

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

SECTION 1. FINDINGS.

The City Council finds that there is a need to keep the existing local amendments and modify or add certain administrative provisions to its title 15 in order to effectively regulate and enforce building and construction as provided in the 2013 California Building Standards Codes. The Council makes the following findings in support of specific additions, deletions, and/or amendments to the California Building Standards:

A. That the Southern California Region, which includes the City, is within a very active seismic area where the local geology is located near active earthquake faults and subject to liquefaction presenting a significant earthquake risk. The aforementioned conditions within the

City create hazardous conditions for which departure from the California Building Standards Code is required.

B. That the local climate consists of hot and dry conditions during the summer months creating severe fire hazard areas. The hot, dry weather in combination with Santa Ana winds frequently results in fires. The aforementioned conditions within the City create hazardous conditions for which departure from the California Building Standards Code is required.

C. That the local topography consists of natural hillsides, basins and rugged terrain that can contribute to accelerated spread of wildfires, flooding damage, and erosion. The aforementioned conditions within the City create hazardous conditions for which departure from the California Building Standards Code is required.

The above findings apply to the following code amendments as specified in the justification column:

MMC Section	Section Title	Added	Amended	Justification
15.04.015	Automatic fire sprinkler system	X		B
15.04.033	CBC Section 1507.1 amended		X	A
15.04.036	CBC Section 1510.1, amended		X	A
15.04.040	CBC Section 903.2 amended.		X	A
15.04.100	Hillside areas—Building regulations.	X		C
15.04.110	Driveways—Construction standards.	x		A
15.20.040	Automatic fire sprinkler system plan review fee and installation permit.	X		B
15.20.060	Water piping prohibited within or under a concrete slab	X		A**
15.32.150	Fire apparatus access.	X		B
15.32.160	Installation or maintenance of obstructions on roof, parapet wall or fire department access opening.			B
15.32.170	Fire hydrant placement.	X		B
15.32.190	Automatic fire extinguishing systems.	X		B
15.32.195	Automatic fire extinguishing systems—Group R1 and R3 occupancy.	X		B
15.32.200	Sprinkler systems.	X		B
15.32.210	Group A occupancies.	X		B
15.32.240	Garages.	X		B
15.32.250	Supervision of automatic sprinkler systems.	X		B
15.32.260	Cooking equipment.	X		B
15.32.270	Chimney spark arrestors.	X		B
15.32.280	Alleys to be kept clean.	X		B
15.32.290	Housekeeping and fire nuisances.	X		B
15.32.300	Storage and overnight vehicle parking.	X		B
15.32.310	Gas leaks or spills of combustible liquids.	X		B
15.32.330	Door maintenance.	X		B
15.32.340	Nonresidential buildings—Fire alarm systems.	X		B
15.32.350	Fire alarm systems—Monitoring.	X		B
15.32.360	Fire alarm systems—Line use restrictions.	X		B
15.32.390	Pallet storage.	X		B
15.32.400	Pallet storage[—Driveways; aisles].	X		B
15.32.410	Pallet storage[—Fencing].	X		B
15.32.430	Spray finishing operations.	X		B
15.32.440	Spray booths.	X		B
15.32.450	Oil burning equipment, pumps, piping and valves installed inside buildings.	X		B
15.32.460	Low melting point materials.	X		B
15.32.470	Fuel oil.	X		B
15.32.480	Explosives—Storage permits.	X		B
15.32.490	Explosive routes.	X		B
15.32.500	Explosives.	X		B
15.32.510	Fireworks.	X		B
15.32.520	Gasoline.	X		B
15.32.530	Cleaning with flammable liquid.	X		B
15.32.540	Flammable and combustible liquid equipment	X		B
15.32.550	Vehicle impact protection.	X		B
15.32.560	Storage of automotive crankcase drainage.	X		B
15.32.570	Flammable liquids—Storage in certain places prohibited.	X		B
15.32.580	Flammable liquids—Empty containers and tanks storage.	X		B
15.32.590	Flammable liquids—Storage in aboveground tanks outside	X		B

	buildings.			
15.32.600	Flammable liquids—Labeling—Portable containers.	X		B
15.32.610	Flammable liquids—Dispensing.	X		B
15.32.620	Fueling station attendants.	X		B
15.32.670	New materials, processes or occupancies which may require permits.	X		B
15.32.680	Smoke detectors.	X		B
15.36.040	CBC Section 1613.2 amended—Definitions.		X	A
15.36.050	CBC Section 1613.6 added—Rating classifications.	X		A
15.36.060	CBC Section 1613.2.1 added—General requirements	X		A
15.36.080	CBC Section 1613.7 added—Historical buildings.	X		A
15.36.090	CBC Section 1613.8 added—Analysis and design.	X		A
15.36.100	CBC Section 1613.9 added—Materials of construction	X		A
15.36.110	CBC Section 1613.10 added—Information required on plans	X		A
15.36.120	Table 23-M added to CBC Chapter 16—Rating classifications.	X		A
15.36.130	Table 23-N added to CBC Chapter 16—Time limits for compliance.	X		A
15.36.140	Table 23-O added to CBC Chapter 16—Horizontal force factors based on rating classification.	X		A
15.36.150	Table 23-P added to CBC Chapter 16—Horizontal force factors "IS" for parts or portions of structures.	X		A
15.36.160	Table 23-Q added to CBC Chapter 16—Horizontal force factor "Cp" for parts or portions of buildings or other structures.	X		A
15.36.170	Table 23-R added to CBC Chapter 16—Allowable value of height-thickness ratio of unreinforced masonry walls with minimum quality mortar.	X		A
15.36.180	Table 23-S added to CBC Chapter 16—Values for existing materials.	X		A
15.36.190	Table 23-T added to CBC Chapter 16—Allowable values of new materials used in conjunction with existing construction.	X		A
15.36.200	Table 23-U added to CBC Chapter 16—Allowable shear stress for tested unreinforced masonry walls.	X		A

** There are areas of soil in the city of Montebello that are negatively reactive to water piping under building slabs. Over the last twenty (20) years there have been excessive amounts of water piping failings under building slabs due to "hot spots" or areas of soils that deteriorate water piping at a faster than normal rate causing owners to have their homes completely re-piped.

SECTION 2. Section .010 of Chapter 15.04 of the Montebello Municipal Code is hereby amended to read as follows:

15.04.010 Adoption.

Subject to certain changes and amendments as hereinafter set forth in this chapter, the City Council does adopt as the building regulations for the City, the California Building Code Volumes 1 and 2, ~~2010~~2013 edition with errata (Title 24, part 2, California Code of Regulations), based on the ~~2009~~2012 International Building Code, as published by the California Building Standards Commission (hereinafter referred to as the "code"). The code consists of a published compilation of rules, regulations, and standards pertaining to the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and all structures. The code shall govern, regulate and control all of the activities therein referred to be conducted within the City. One copy of the code is on file in the office of the City Clerk for public inspection, and the same is made a part thereof as though fully set in this chapter.

SECTION 3. Section .030 of Chapter 15.04 of the Montebello Municipal Code is hereby amended to read as follows:

15.04.030 Building permit fees.

Section ~~108.4.2~~109.2 of the California Building Code is amended to read as follows:

~~Section 108.4.2109.2.~~ Building Permit Fees. A fee for each building permit shall be paid to the City in an amount set by City Council resolution.

Plan Checking Fees. When the valuation of the proposed construction exceeds \$1,000.00 and a plan is required to be submitted by subsection ~~106.3.2105~~, a plan checking fee, in an amount set by City Council resolution, shall be paid to the City at the time of submitting plans and specifications for checking.

When plans are incomplete, or changed so as to require additional plan checking, an additional plan check fee shall be charged at a rate established by the Building Official.

SECTION 4. Section .031 of Chapter 15.04 of the Montebello Municipal Code is hereby amended to read as follows:

15.04.031 CBC Section ~~108.8.4113.1 added~~amended. Board of appeals designated.

Section ~~108.8.4113.1~~ of the California Building Code is hereby ~~added~~amended to read as follows:

Section ~~108.8.4113.1~~. Board of Appeals Designated. In order to determine the suitability of alternate materials and types of construction, and to provide reasonable interpretation of the provisions of this Code, the City Council shall act as the ~~Appeals Board~~Board of Appeals, as referred to in this Code. The City Council shall serve as the "Housing Appeals Board" and the "Local Appeals Board," as those terms are defined in the CBC Section ~~108.8.2~~.

SECTION 5. Section .036 of Chapter 15.04 of the Montebello Municipal Code is hereby amended to read as follows:

15.04.036 CBC ~~Chapter 15, Section 1540~~1510.1, amended.

Section 1510.1 of ~~Chapter 15~~ of the California Building Code is amended to read as follows:

Section 1510.1. General.

All re-roofing shall conform to the applicable provisions of ~~Chapter 15~~ of the California Building Code. Roofing materials and methods of application shall comply with the CBC Standards or shall follow manufacturer's installation requirements when approved by the Building Official. Unless otherwise approved by the Building Official, all existing wood shake or wood shingle roofing material shall be removed completely. Additionally, where applicable, a minimum of one half (½") inch thick plywood sheathing shall be installed in accordance with the requirements of Chapter 23 of this Code prior to the installation of new roofing.

- (a) Roof Covering. All re-roofing shall be fire retardant with a minimum class C classification unless otherwise approved by the Building Official.
- (b) Repairs. Not more than twenty-five (25%) percent of the roof covering of any building or structure shall be replaced in any twelve (12) month period unless the new roof covering is made to conform to the requirements of this code for new construction.
- (c) Materials and methods of application. Roofing materials and methods of application shall comply with applicable California Building Code Standards or shall follow the Manufacturer's installation requirements when approved by the Building Official.

SECTION 6. Section .010 of Chapter 15.12 of the Montebello Municipal Code is hereby amended to read as follows:

15.12.010 Adoption.

Subject to certain changes and amendments hereinafter set forth in this chapter, the City Council does adopt, as the mechanical regulations for the City, the California Mechanical Code, ~~2010~~2013 edition with errata (Title 24, Part 4, California Code of Regulations), based on the ~~2009~~2012 Uniform Mechanical Code, as published by the California Building Standards Commission (hereinafter referred to as the "code") which provides for the protection of the public health and safety by prescribing minimum standards for the use, design and installation of heating and cooking equipment, boilers, and similar equipment, and requires a permit and inspection for the installation, alteration and replacement of such equipment. One copy of the code is on file in the office of the City Clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

SECTION 7. Section .020 of Chapter 15.12 of the Montebello Municipal Code is hereby amended to read as follows:

15.12.020 CMC Section ~~108.8.4110.1 added~~amended—Board of appeals designated.

Section ~~108.8.4110.1~~ of the California Mechanical Code is hereby ~~added~~amended to read as follows:

Section ~~108.8.4110.1~~. In order to determine the suitability of alternate materials and types of construction, and to provide a reasonable interpretation of the provisions of this Code, the City Council shall act as the Board of Appeals, as referred to in this Code.

SECTION 8. Section .030 of Chapter 15.12 of the Montebello Municipal Code is hereby amended to read as follows:

15.12.030 CMC Section ~~108.4.2115.2~~ amended—Permit fees.

Section ~~108.4.2115.2~~ of the California Mechanical Code are amended to read as follows:

Section ~~108.4.2115.2~~. Any person desiring a permit required by this Code shall, at the time of filing an application therefore, pay a fee in the amount set by City Council Resolution.

SECTION 9. Section .010 of Chapter 15.16 of the Montebello Municipal Code is hereby amended to read as follows:

15.16.010 Adoption.

Subject to certain changes and amendments hereinafter set forth in this chapter, the City Council does adopt, as the housing regulations for the City, the California Building Code Volumes 1 and 2, ~~2010~~2013 edition with errata (Title 24, part 2, California Code of Regulations), based on the ~~2009~~2012 International Building Code, as published by the California Building Standards Commission (hereinafter referred to as the "code"), which provides minimum requirements for the protection of life, limb, property, safety and welfare of the general public and the owners and occupants of residential buildings. One copy of the code is on file in the office of the City clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

SECTION 10. Section .010 of Chapter 15.20 of the Montebello Municipal Code is hereby amended to read as follows:

15.20.010 Adoption.

Subject to certain changes and amendments hereinafter set forth in this chapter, the City Council does adopt as the plumbing regulations for the City, the California Plumbing Code,

~~2010~~2013 edition with errata (Title 24, Part 5, California Code of Regulations), based on the ~~2009~~2012 Uniform Plumbing Code, as published by the California Building Standards Commission (hereinafter referred to as the "code") which establishes the minimum regulations for the installation, alteration or repair of plumbing, gas and drainage systems and the inspection thereof. One copy of the code is on file in the office of the City clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

SECTION 11. Section .020 of Chapter 15.20 of the Montebello Municipal Code is hereby amended to read as follows:

15.20.020 CPC Section ~~108.4.2~~103.4.1 amended.

Section ~~108.4.2~~103.4.1 of the ~~Uniform~~California Plumbing Code is amended to read as follows:

Any person desiring a permit required by this code shall, at the time of filing an application, pay a fee to the City in the amount set by City Council Resolution.

SECTION 12. Section .060 of Chapter 15.20 of the Montebello Municipal Code is hereby added to read as follows:

15.20.060 –Water piping prohibited within or under a concrete slab

No water piping shall be installed within any concrete slab or in the ground under a concrete slab within a building.

Exceptions:

- a. For use only at an island sink, the water piping shall be enclosed in a 3" ABS/PVC sleeve for a maximum of eight (8) feet.
- b. Non-pressurized water piping to floor drains.

SECTION 13. Section .010 of Chapter 15.24 of the Montebello Municipal Code is hereby amended to read as follows:

15.24.010 Adoption.

Subject to certain changes and amendments hereinafter set forth in this chapter, the City Council does adopt as the electrical regulations for the City the California Electrical Code, ~~2011~~2013 edition with errata (Title 24, Part 3, California Code of Regulations), based on the ~~2008~~2011 National Electrical Code, as published by the California Building Standards Commission (hereinafter referred to as the "code"). The code provides minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, locations, operations, and maintenance of electrical systems, equipment and appliances. One copy of the code is on file in the office of the City clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

SECTION 14. Section .140 of Chapter 15.24 of the Montebello Municipal Code is hereby amended to read as follows:

Application for electrical permits shall be made in writing on the form provided. The applicant shall be one of the following:

- (a) A state licensed electrical, general, sign, or elevator contractor working within their respective classification as specified in the State Contractor License Board Rules and Regulations.
- ~~(b) Item (b) is hereby deleted.~~

(e)(b) The owner of a single-family dwelling for any electrical work at such dwelling used exclusively for living purposes including the usual accessory building and quarters in connection with such buildings; provided, that such person is the bona fide owner of such dwelling and accessory buildings and quarters, that the same are occupied by or designed to be occupied by said owner, that said single-family dwelling is the only dwelling on the lot or property; and provided, that said owner shall personally perform all labor in connection therewith.

SECTION 15. Section .160 of Chapter 15.24 of the Montebello Municipal Code is hereby amended to read as follows:

(a) Electrical Permit Fees. Any person desiring an electrical permit required by this code shall, at the time of filing an application, pay a fee to the city in an amount set by city council resolution.

~~(b) Subsection (b), Annual Registration Permit is deleted.~~

~~(c) Deleted by Ordinance No. 1771, passed August 24, 1981. Effective September 24, 1981.~~

(d)(b) Penalty Fee. Any electrical installation of work done without first securing a permit, except as provided in Section 15.24.130, is subject to the full requirements of this code. The electrical safety engineer shall double the appropriate fees covering the work whenever said work is started prior to obtaining the required permit. The payment of such penalty shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

SECTION 16. Section .010 of chapter 15.28 of the Montebello Municipal Code is hereby amended to read as follows:

15.28.010 Adoption.

Subject to certain changes and amendments hereinafter set forth, the City Council does adopt, as the sign regulations for the City, the California Building Code Volumes 1 and 2, ~~2010~~2013 edition with errata (Title 24, part 2, California Code of Regulations) including but not limited to Chapter 3 and Appendix H, based on the ~~2009~~2012 International Building Code, as published by the California Building Standards Commission (hereinafter referred to as the "code"), which provides minimum requirements for the protection of life, limbs, property, safety, and welfare of the general public and the owners of signs. One copy of the code is on file in the office of the City clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

SECTION 17. Section .020 of Chapter 15.28 of the Montebello Municipal Code is hereby amended to read as follows:

15.28.020 CBC Section ~~H101.3~~113.1 ~~added~~amended. Board of appeals designated.

Section ~~101.3~~113.1 of the California Building Code is hereby ~~added~~amended to read as follows:

Section ~~108.8.4~~113.1. Board of Appeals Designated. In order to determine suitability of alternate materials and types of construction, and to provide reasonable interpretation of the provisions of this Code, the City Council shall act as the Board of Appeals, as referred to in this Code.

SECTION 18. Section .010 of chapter 15.32 of the Montebello Municipal Code is hereby amended to read as follows:

15.32.010 Adoption.

Subject to certain changes and amendments hereinafter set forth in this chapter, the City Council does adopt as the fire regulations for the City, the California Fire Code, ~~2010~~2013 edition with errata (Title 24, Part 9, California Code of Regulations), based on the ~~2009~~2012 International Fire Code, as published by the California Building Standards Commission (hereinafter referred to as the "code"). The code provides minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the conditions hazardous to life and property from fire or explosion. One copy of the code is on file in the office of the City clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

SECTION 19. Section .010 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.010 Adoption.

Subject to certain changes and amendments hereinafter set forth in this chapter, the City Council does adopt as the seismic safety regulations for the City, the California Building Code, ~~2010~~2013 edition with errata (Title 24, Part 2, California Code of Regulations), including but not limited to Chapter 16 ~~and Table 1604.5~~, based on the ~~2009~~2012 International Building Code, as published by the California Building Standards Commission (hereinafter referred to as the "code"). The code provides minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the hazardous to life and property from seismic activity is made a part as though fully set forth in this chapter. One copy of the code is on file in the office of the City clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

SECTION 20. Section .020 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.020 Scope.

A. The provisions of this chapter prescribe general design requirements applicable to all structures regulated by this code. The provisions of California Building Code Chapter 16 ~~and Table 1604.5~~, as added by this chapter, apply to all buildings constructed or under construction prior to October 6, 1933, or for which a building permit was issued prior to October 6, 1933, which on January 1, 1986, have unreinforced masonry bearing walls as defined herein.

B. Exception. The provisions of California Building Code Chapter 16 ~~and Table 1604.5~~, as added by this chapter, shall not apply to detached one or two family dwellings and detached apartment houses containing fewer than five dwelling units and used solely for residential purposes.

SECTION 21. Section .040 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.040 – UBCBC Section ~~2315~~1613.2 ~~added~~amended-Definitions.

~~Section 2315 is added to the Uniform Building Code~~The following definitions are hereby added to Section 1613.2 of the California Building Code to read as follows:

~~For purposes of this Chapter, the applicable definitions in Sections 2302 and 2312 of this code and the following shall apply:~~

ESSENTIAL BUILDING is any building housing a hospital or other medical facility having surgery or emergency treatment areas, fire or police stations, municipal government disaster operation and communications centers.

HIGH-RISK BUILDING is any building not classified an essential building having an occupant load of one hundred (100) occupants or more ~~as determined by Section 3302 of the Uniform Building Code.~~

EXCEPTION: A high-risk building shall not include the following:

(a) Any building having exterior walls braced with masonry cross walls or wood-frame cross walls spaced less than forty (40) feet apart in each story. Cross walls shall be full story height with a minimum length of one and one-half (1-1/2) times the story height.

(b) Any building used for its intended purpose, as determined by the Building Official for less than (20) hours per week.

HISTORICAL BUILDING is any building designated as a historical building by an appropriate federal, state or city jurisdiction.

LOW-RISK BUILDING is any building not classified as an essential building having an occupant load of less than twenty (20) occupants as determined by Section 3302 of the Uniform Building Code.

MEDIUM-RISK BUILDING is any building not classified as a high-risk building or an essential building having an occupant load of twenty (20) occupants or more as determined by Section 3302 of the Uniform Building Code.

UNREINFORCED MASONRY BEARING WALL is masonry wall having all of the following characteristics:

- (1) Provides the vertical support for a floor or roof.
- (2) The total superimposed load is over one hundred (100) pounds per linear foot.
- (3) The area of reinforcing steel is less than fifty (50) percent of that required by Section 2417 of the Uniform Building Code.

SECTION 22. Section .050 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.050 - ~~UBCCBC~~ Section ~~2316~~1613.6 added—Rating classifications.

Section ~~2316~~1613.6 is added to the ~~Uniform~~ California Building Code to read:

1613.6 Rating Classifications. The rating classifications as exhibited in Table 23-M are hereby established and each building within the scope of this Chapter shall be placed in one such rating classification by the Building Official. The total occupant load of the entire building as determined by ~~Section 3302~~Table 1604.5 shall be used to determine the rating classification.

EXCEPTION: For the purpose of this Chapter, portions of buildings constructed to act independently when resisting seismic forces may be placed in separate rating classifications.

SECTION 23. Section .060 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.060 - ~~UBC~~ ~~CBC~~ Section ~~2317~~1613.2.1 added—General requirements.

Section ~~2317~~1613.2.1 is added to the ~~Uniform~~ California Building Code to read:

~~See. 2317.1613.2.1.~~ General Requirements.

The owner of each building within the scope of this section shall cause a structural analysis to be made of the building by a civil or structural engineer or architect licensed by the State of California, and if the building does not meet the minimum earthquake standards specified in this section, the owner shall cause it to be structurally altered to conform to such standards or cause the building to be demolished.

The owner of a building within the scope of this section shall comply with the requirements set forth above by submitting one of the following to the Building Official for review within the stated time limits:

- (a) A structural analysis within ninety (90) days after the service of the order. Such analysis, which is subject to approval by the Building Official, shall demonstrate that the building meets the minimum requirements of this section.
- (b) A structural analysis and plans for the proposed structural alterations of the building necessary to comply to the minimum alterations of this section within ninety (90) days after the service of order.
- (c) Plans for the demolition or repair of the building within ninety (90) days after the service of the order. After plans are submitted and approved by the Building Official, the owner shall obtain a building permit, commence and complete the required construction or demolition within the time limits set forth in Table No. 23-N. These time limits shall begin to run from the date the order is served in accordance with Section ~~2318~~1613.2.2.

SECTION 24. Section .070 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.070 - ~~UBCBC~~ Section ~~2318~~1613.2.2 added—Administration.

Section ~~2318~~1613.2.2 is added to the Uniform California Building Code to read:

~~Sec. 2318.1613.2.2.~~ Administration.

(a) COMMENCEMENT OF PROCEEDINGS. Whenever the Building Official has inspected or caused to be inspected any building and has found and determined that such building is within the scope of this Chapter, the Building Official shall commence proceedings to cause such building to be repaired and rehabilitated, or demolished, in compliance with the provisions of this Chapter.

(b) CONTENTS OF NOTICE AND ORDER. The Building Official shall issue a notice and order directed to the record owner of the building and the person, if any, occupying or otherwise in real or apparent charge and control of the building. The notice and order shall contain:

- (1) The street address and a legal description sufficient for identification of the premises on which the building is located.
- (2) A statement that the Building Official has found the building to be within the scope of this Chapter.
- (3) An order to prepare and submit to the Building Official a structural analysis as required pursuant to Section ~~2317~~1613.2.1.
- (4) The rating classification of the building.
- (5) An order to secure permits, physically commence, and to complete all work necessary to meet the minimum seismic standards of this Chapter within the time limits set forth in Table No. 23-N.
- (6) A statement specifying the appeal rights of the owner as contained in subsection (d) of this section.

(c) SERVICE AND RECORDATION OF NOTICE AND ORDER. The notice and order shall be served and recorded ~~in accordance with the provisions of subsections (c), (d), (e), and (f) of Section 7-16 of the Uniform Building Code.~~

(d) APPEAL FROM NOTICE AND ORDER. Any person entitled to service pursuant to this section may appeal the Building Official's initial determination that the building is within the scope of this Chapter to the City Council. Such appeal shall be filed with the City Council within sixty (60) days from the service date of the order and shall be limited solely to the issue of whether the designated building is within the scope of this Chapter. Such appeal shall be made in writing upon appropriate forms provided therefor by the Building Official, and the grounds thereof shall be stated clearly and concisely.

~~Appeals, or requests for slight modifications, from any determinations, orders, or actions of the Building Official pursuant to this Chapter shall be made in accordance with the procedures established in Section 204 of the Uniform Building Code.~~

(e) ENFORCEMENT. If the owner or other person in charge or control of the subject building fails to comply with any order issued by the Building Official pursuant to this Chapter within any of the time limits set forth in ~~Section 23171613.2.1~~, the Building Official shall order that the entire building be vacated and that the building remain vacated until such order has been complied with. If compliance with such order has not been accomplished within ninety (90) days after the date the building has been ordered vacated or such additional time as may have been granted by the City Council, the Building Official may order the demolition of the building in accordance with the provisions of ~~Section 203~~ of the Uniform California Building Code.

SECTION 25. Section .080 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.080 - ~~UBCBC~~ Section ~~23191613.7~~ added—Historical buildings.

Section ~~23191613.7~~ is added to the Uniform California Building Code to read:

~~Sec. 23191613.7.~~ Historical Buildings.

(a) GENERAL. The standards and procedures established by this section shall apply in all aspects to a historical building except that as a means to preserve original architectural elements and facilities restoration, a historical building may, in addition, comply with the special provisions set forth in this section.

(b) UNBURNED CLAY MASONRY OR ADOBE. Existing or reerected walls of adobe construction shall conform to the following:

(1) Unreinforced adobe masonry walls shall not exceed a height or height-to-thickness ratio of five (5) for exterior bearing walls and must be provided with a reinforced bond beam at the top, interconnecting all walls. Minimum beam depth shall be six (6) inches and a minimum width of eight (8) inches less than the wall width. Minimum wall thickness shall be eighteen (18) inches for exterior bearing walls and ten (10) inches for adobe partitions. No adobe structure shall exceed one (1) story in height unless the historic evidence indicates a two (2) story height. In such cases, the height-to-thickness ratio shall be the same as above for the first floor based on the total two (2) story height, and the second floor wall thickness shall not exceed the ratio five (5) by more than twenty (20) percent. Bond beams shall be provided at the roof and second-floor levels.

(2) Foundation footings shall be reinforced concrete under newly reconstructed walls and shall be fifty (50) percent wider than the wall above, soil conditions permitting, except that the foundation wall may be four (4) inches less in width than the wall above if a rock, burned brick, or stabilized adobe facing is necessary to provide authenticity.

(3) New or existing unstabilized brick and adobe brick masonry shall have an average compressive strength of two hundred twenty-five (225) pounds per square inch when tested in accordance with ASTM designation C 67. One (1) sample out of five (5) may have a compressive strength of not less than one hundred eighty-eight (188) pounds per square inch. Unstabilized brick may be used where existing bricks are unstabilized and where the building is not susceptible to flooding conditions or direct exposure. Adobe may be allowed a maximum value of three (3) pounds per square inch for shear with no increase for lateral forces.

(4) Mortar may be of the same soil composition and stabilization as the brick in lieu of cement mortar.

(5) Nominal tension stresses due to seismic forces normal to the wall may be neglected if the wall meets thickness requirements and shear values allowed by this subsection.

(c) ARCHAIC MATERIALS. Allowable stresses for archaic materials not specified in this code shall be based on substantiating research data or engineering judgment, subject to the Building Official's satisfaction.

(d) ALTERNATIVE MATERIALS AND SHBC ADVISORY REVIEW. Alternative materials, design or methods of construction will be considered as set forth in Section ~~2321~~1613.9. In addition, when a request for an alternative proposed design, material or method of construction is being considered, the Building Official may file written request for opinion to the State Historical Building Code Advisory Board for its consideration, advice or findings in accordance with the State Historical Building Code.

SECTION 26. Section .090 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.090 - ~~UBCCBC~~ Section ~~2320~~1613.8 added—Analysis and design.

Section ~~2320~~1613.8 is added to the ~~Uniform~~ California Building Code to read:

~~Sec.~~ 23201613.8. Analysis and Design.

(a) GENERAL. Every structure within the scope of this section shall be analyzed and constructed to resist minimum total lateral seismic forces assumed to act nonconcurrently in the direction of each of the main axes of the structure in accordance with the following equation:

$$V = IKCSW \dots (12-1)$$

The value of IKCS need not exceed the values set forth in Table No. 23-O based on the applicable rating classification of the building.

(b) LATERAL FORCES ON ELEMENTS OF STRUCTURES. Parts or portions of structures shall be analyzed and designed for lateral loads in accordance with Sections ~~2320(a)~~ and ~~2312~~1613.8(a) of this code but not less than the value from the following equation:

$$F_p = IC_pSW_p \dots (12-8)$$

For the provisions of this subsection, the product of IS need not exceed the values as set forth in Table No. 23-P.

EXCEPTION: Unreinforced masonry walls in buildings and having a Rating Classification of I may be analyzed in accordance with ~~Section 2321~~Section 1613.9.

The value of C_p need not exceed the values set forth in Table No. 23-Q.

(c) ANCHORAGE AND INTERCONNECTION. Anchorage and interconnection of all parts, portions and elements of the structure shall be analyzed and designed for lateral forces in accordance with Table No. 23-O of this Code and the equation $F_p = IC_pSW_p$ as modified by Table No. 23-P. Minimum anchorage of masonry walls to each floor or roof shall resist a minimum force of two hundred (200) pounds per linear foot acting normal to the wall at the level of the floor or roof.

(d) LEVEL OF REQUIRED REPAIR. Alterations and repairs required to meet the provisions of this Chapter shall comply with all other applicable requirements of this Code unless specifically provided for in this Chapter.

(e) REQUIRED ANALYSIS.

(1) General. Except as modified herein, the analysis and design relating to the structural alteration of existing structures within the scope of this Chapter shall be in accordance with the analysis specified in ~~Chapter 23~~ of the Uniform California Building Code.

(2) Continuous Stress Path. A complete, continuous stress path from every part or portion of the structure to the ground shall be provided for the required horizontal forces.

(3) Positive Connections. All parts, portions or elements of the structure shall be interconnected by positive means.

(f) ANALYSIS PROCEDURE.

(1) General. Stresses in materials and existing construction utilized to transfer seismic forces from the ground to parts or portions of the structure shall conform to those permitted by the code and those materials and types of construction specified in Section ~~2321~~1613.9.

(2) Connections. Materials and connectors used for interconnection of parts and portions of the structure shall conform to the code. Nails may be used as part of an approved connector.

(3) Unreinforced Masonry Walls. Except as modified herein, unreinforced masonry walls shall be analyzed ~~as specified in Sections 2416, 2417 and 2419~~ to withstand all vertical loads as specified in Chapter ~~2321~~ of the Uniform California Building Code in addition to the seismic forces required by this division. The fifty (50) percent increase in the seismic force factor for shear walls as specified in Table No. 24-H of this Code may be omitted in the computation of seismic loads to existing shear walls. No allowable tension stress will be permitted in unreinforced masonry walls. Walls not capable of resisting the required design forces specified in this section shall be strengthened or shall be removed and replaced.

EXCEPTIONS:

(1) Unreinforced masonry walls in buildings not classified as a Rating Classification I pursuant to Table No. 23-M may be analyzed in accordance with Section ~~2321~~1613.9.

(2) Unreinforced masonry walls which carry no design loads other than their own weight may be considered as veneer if they are adequately anchored to new supporting elements.

(g) COMBINATION OF VERTICAL AND SEISMIC FORCES.

(1) New Materials. All new materials introduced into the structure to meet the requirements of this section which are subjected to combined vertical and horizontal forces shall comply with building requirements of the Uniform California Building Code.

(2) Existing Materials. When stresses in existing lateral force-resisting elements are due to a combination of dead loads plus seismic loads, the allowable working stress specified in the code may be increased one hundred (100) percent. However, no increase will be permitted in the stresses allowed in Section ~~2321~~1613.9, and the stresses in members due only to seismic and dead loads shall not exceed the values permitted by ~~Chapter 23~~ of the Uniform California Building Code.

(3) Allowable Reduction of Bending Stress by Vertical Load. In calculating tensile fiber stress due to seismic force, required by this Chapter, the maximum tensile fiber stress may be reduced by the full direct stress due to vertical dead loads.

SECTION 27. Section .100 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.100 - UBC CBC Section ~~2321~~1613.9 added—Materials of construction.

Section ~~2321~~ 1613.9 is added to the Uniform California Building Code to read:

1613.9 Materials of Construction.

(a) GENERAL. All material permitted by this code, including their appropriate allowable stresses and those existing configurations of materials specified herein, may be utilized to meet the requirements of this division.

(b) EXISTING MATERIALS.

(1) Unreinforced Masonry Walls. Unreinforced masonry walls analyzed in accordance with this section may provide vertical support for roof and floor construction and resistance to lateral loads.

Tension stresses due to seismic forces normal to the wall may be neglected if the wall does not exceed the height-or length-to-thickness ratio and the in-plane shear stresses due to seismic loads as set forth in Table No. 23-R.

If the wall height-thickness ratio exceeds the specified limits, the wall may be supported by vertical bracing members designed in accordance with this Chapter. The deflection of such bracing member at design loads shall not exceed one tenth (1/10th) of the wall thickness.

All vertical bracing members shall be attached to floor and roof construction for their design loads independently of required wall anchors. Horizontal spacing of vertical bracing members shall not exceed one-half (½) the unsupported height of the wall nor ten (10) feet.

The wall height may be measured to bracing elements other than a floor or roof. Spacing of the bracing elements and wall anchors shall not exceed six (6) feet. Bracing elements shall be detailed to minimize the horizontal displacement of the wall by components of vertical displacements of the floor or roof.

(2) Existing Roof, Floor, Walls, Footings and Wood Framing. Existing materials, including wood shear walls utilized in the described configuration, may be used as part of the lateral load resisting system; provided, that the stresses in these materials do not exceed the value shown in Table No. 23-S.

(c) STRENGTHENING OF EXISTING MATERIALS. New materials, including wood shear walls, may be utilized to strengthen portions of the existing seismic resisting system in the described configurations; provided, that the stresses do not exceed the values shown in Table No. 23-S.

(d) ALTERNATE MATERIALS. Alternate materials, designs, and methods of construction may be approved by the Building Official in accordance with the provisions of ~~Section 106 of the~~ Uniform California Building Code.

(e) MINIMUM ACCEPTABLE QUALITY OF EXISTING UNREINFORCED MASONRY WALLS.

(1) General Provisions. All unreinforced masonry walls utilized to carry vertical loads and seismic forces parallel and perpendicular to the wall plane shall be tested as specified in this subsection. All masonry quality shall equal or exceed the minimum standards established herein or shall be removed and replaced by new materials. Alternate methods of testing may be approved by the Building Official. The quality of mortar in all masonry walls shall be determined by performing in-place shear tests or by testing eight (8) inch diameter cores. Alternative methods of testing may be approved by the Building Official. Nothing shall prevent pointing with mortar of all the masonry wall joints before the tests are first made. Prior to any pointing, the mortar joints must be raked and cleaned to remove loose and deteriorated mortar. Mortar for pointing shall be Type S or N except masonry cements shall not be used. All preparation and mortar pointing shall be done under continuous inspection of a registered deputy building inspector. At the conclusion of the inspection, the inspector shall submit a written report to the licensed engineer or architect responsible for the seismic analysis of the building setting forth the result of the work inspected. Such report shall be submitted to the Building Official for approval as part of the structural analysis. All testing shall be performed in accordance with the requirements specified in this subsection by a testing agency approved by the Building Official. An accurate record of all such tests and their location in the building shall be recorded and these results shall be submitted to the Building Official for approval as part of the structural analysis.

(2) Number and Location of Tests. The minimum number of tests shall be two (2) per wall or line of wall elements resisting a common force, or one (1) per fifteen hundred (1500) square feet of wall surface, with a minimum of eight (8) tests in any case. The exact test or core location shall be determined at the building site by the licensed engineer or architect responsible for the seismic analysis of the subject building.

(3) In-Place Shear Tests. The bed joints of the outer width of the masonry shall be tested in shear by laterally displacing a single brick relative to the adjacent bricks in the width. The opposite head joint of the brick to be tested shall be removed and cleaned prior to testing. The minimum quality mortar in eighty (80) percent of the shear tests shall not be less than the total of thirty (30) psi plus the axial stress in the wall at the point of the test. The shear stress shall be based on the gross area of both bed joints and shall be that at which movement of the brick is first observed.

(4) Core Tests. A minimum number of mortar test specimens equal to the number of required cores shall be prepared from the cores and tested as specified herein. The mortar joint of the outer width of the masonry core shall be tested in shear by placing the circular core section in a compression testing machine with the mortar bed joint rotated fifteen (15) degrees from the axis of the applied load. The mortar joint tested in shear shall have an average ultimate stress of twenty (20) psi based on the gross area. The average shall be obtained from the total number of cores made. The average shall be obtained from the total number of cores made. If test specimens can not be made from cores taken then shear value shall be reported as zero.

(f) TESTING OF SHEAR BOLTS. One fourth ($\frac{1}{4}$) of all new shear bolts and dowels embedded in unreinforced masonry walls shall be tested by a registered deputy building inspector using a torque calibrated wrench to the following minimum torques:

One-half ($\frac{1}{2}$) inch diameter bolts or dowels—forty (40) foot-lbs.

Five-eighths ($\frac{5}{8}$) inch diameter bolts or dowels—fifty (50) foot-lbs.

Three-fourths ($\frac{3}{4}$) inch diameter bolts or dowels—sixty (60) foot-lbs.

No bolts exceeding one-fourth ($\frac{1}{4}$) inch shall be used. All nuts shall be installed over malleable iron or plate washers when bearing on wood, and heavy cut washers when bearing on steel.

(g) DETERMINATION OF ALLOWABLE STRESSES FOR DESIGN METHODS BASED ON TEST RESULTS.

(1) Design Shear Values. Design seismic in-place shear stresses shall be substantiated by tests performed as specified in Section 23211613.9 (e) (3) and (4).

Design stresses shall be related to test results obtained in accordance with Table No. 23-U. Intermediate values between three (3) and ten (10) psi may be interpolated.

(2) Design Compression and Tension Values. Compression stresses for unreinforced masonry having a minimum design shear value of three (3) psi shall not exceed one hundred (100) psi. Design tension values for unreinforced masonry shall not be permitted.

(h) Five (5) percent of the existing rod anchors utilized as all or part of the required wall anchors shall be tested in pullout by an approved testing laboratory. The minimum number tested shall be four (4) per floor, with two (2) tests at walls with joist framing into the wall and two tests at walls with joist parallel to the wall. The test apparatus shall be supported on the masonry wall of a minimum distance of the wall thickness from the anchor tested. The rod anchor shall be given a preload of three hundred (300) pounds prior to establishing a datum for recording elongation. The tension test load report shall be recorded at one-eighth inch relative movement of the anchor and the adjacent masonry surface. Results of all tests shall be reported. The report shall include the test results as related to the wall thickness and joint orientation. The allowable resistance value of the existing anchors shall be forty (40) percent of the average of those tested anchors having the same wall thickness and joint orientation.

- (i) Qualification tests for devices used for wall anchorage shall be tested with the entire tension load carried on the enlarged head at the exterior face of the wall. Bond on the part of the device between the enlarged head and the interior wall face shall be eliminated for the qualification tests. The resistance value assigned the device shall be twenty (20) percent of the average of the ultimate loads.

SECTION 28. Section .110 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.110 - UBCBC Section ~~2322~~1613.10 added—Information required on plans.

Section ~~2322~~1613.10 is added to the ~~Uniform~~ California Building Code to read:

1613.10 Information required on plans.

(a) **GENERAL.** In addition to the seismic analysis required pursuant to this Chapter, the licensed engineer or architect responsible for the seismic analysis of the building shall determine and record the information required by this section on the approved plans.

(b) **CONSTRUCTION DETAILS.** The following requirements with appropriate construction details shall be made part of the approved plans:

(1) All unreinforced masonry walls shall be anchored at the roof level by tension bolts through the wall as specified in Table No. 23-T, or by approved equivalent at a maximum anchor spacing of six (6) feet.

All unreinforced masonry walls shall be anchored at all floors with tension bolts through the wall or by existing rod anchors at a maximum anchor spacing of six (6) feet. All existing rod anchors shall be secured to the joists to develop the required forces. The Building Official may require testing to verify the adequacy of the embedded ends of existing rod anchors. Tests when required shall conform to Section ~~2324~~1613.9(h).

When access to the exterior face of the masonry wall is prevented by proximity of an existing building, wall anchors conforming to Item 5 and 6 in Table 23-T may be used.

Alternative devices to be used in lieu of tension bolts for masonry wall anchorage shall be tested as specified in Section ~~2324~~1613.9(i).

(2) Diaphragm chord stresses of horizontal diaphragm shall be developed in existing materials or by addition of new materials.

(3) Where trusses and beams other than rafters or joists are supported on masonry, ledges or columns shall be installed to support vertical loads of the roof or floor members.

(4) Parapets and exterior wall appendages not capable of resisting the forces specified in this section shall be removed, stabilized or braced to ensure that the parapets and appendages remain in their original position.

(5) All deteriorated mortar joints in unreinforced masonry walls shall be pointed with Type S or N mortar. Prior to any pointing, the wall surface must be raked and cleaned to remove loose and deteriorated mortar. All preparation and pointing shall be done under continuous inspection of a registered deputy building inspector certified to inspect masonry or concrete. At the conclusion of the project, the inspector shall submit a written report to the Building Official setting forth the portion of work inspected.

(6) Repair details of any cracked or damaged unreinforced masonry wall required to resist forces specified in this division.

(c) **EXISTING CONSTRUCTION.** The following existing construction information shall be made part of the approved plans:

(1) The type and dimensions of existing walls and the size and spacing of floor and roof members.

- (2) The extent and type of existing wall anchorage to floors and roof.
- (3) The extent and type of parapet corrections which had been performed on the building subsequent to initial construction.
- (4) Accurately dimensioned floor plans and masonry wall elevations showing dimensioned openings, piers, wall thickness and heights.
- (5) The location of cracks and damaged portions of unreinforced masonry walls requiring repairs.
- (6) The type of interior wall surfaces and if reinstalling or anchoring of ceiling plaster is necessary.
- (7) The general condition of the mortar joints and if joints need pointing.

SECTION 29. The header and first paragraph of Section .120 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.120 - Table 23-M added to ~~UBC~~ CBC Chapter ~~2316~~—Rating classifications.

Table 23-M is added to Chapter ~~2316~~ of the ~~Uniform~~ California Building Code to read:

SECTION 30. The header and first paragraph of Section .130 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.130 - Table 23-N added to ~~UBC~~ CBC Chapter ~~2316~~—Time limits for compliance.

Table 23-N is added to Chapter ~~2316~~ of the ~~Uniform~~ California Building Code to read:

SECTION 31. The header and first paragraph of Section .140 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.140 - Table 23-O added to ~~UBC~~ CBC Chapter ~~2316~~—Horizontal force factors based on rating classification.

Table 23-O is added to Chapter ~~2316~~ of the ~~Uniform~~ California Building Code to read:

SECTION 32. The header and first paragraph of Section .150 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.150 - Table 23-P added to ~~UBC~~ CBC Chapter ~~2316~~—Horizontal force factors "IS" for parts or portions of structures.

Table 23-P is added to Chapter ~~2316~~ of the ~~Uniform~~ California Building Code to read:

SECTION 33. The header, first paragraph, and notes of Section .160 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.160 - Table 23-Q added to ~~UBC~~ CBC Chapter ~~2316~~—Horizontal force factor "Cp" for parts or portions of buildings or other structures.

Table 23-Q is added to Chapter ~~2316~~ of the ~~Uniform~~ California Building Code to read:

Notes:

- (1) See Section ~~23201613.8~~(b) for use of Cp.
- (2) When located in the upper portion of any building with a ratio of five (5) to one (1) or greater, the value shall be increased by fifty (50) percent.
- (3) For flexible and flexibly mounted equipment and machinery, the appropriate value for Cp shall be determined with consideration given to both the dynamic properties of the equipment and machinery and to the building or structure in which it is placed.

(4) The W_p for storage racks shall be the weight of the racks plus contents. The value of C_p for racks over two (2) storage support levels in height shall be zero point sixteen (0.16) for the levels below the top two (2) levels.

(5) The design of the equipment and machinery and their anchorage is an integral part of the design and specification of such equipment and machinery. The structure to which the equipment or machinery is mounted shall be capable of resisting the anchorage forces ~~(see also Section 2312(k)).~~

(6) Floors and roofs acting as diaphragms shall be designed for a minimum force resulting from a C_p of point twelve (.12) applied to the W_p unless a greater force results from the distribution of lateral forces in accordance with Section ~~2321~~1613.9(e).

SECTION 34. The header, first paragraph, and notes of Section .170 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.170 - Table 23-R added to ~~UBC~~ CBC Chapter ~~2316~~—Allowable value of height-thickness ratio of unreinforced masonry walls with minimum quality mortar.

Table 23-R is added to Chapter ~~23~~ 16 of the ~~Uniform~~ California Building Code to read:

Notes:

1 Minimum quality mortar shall be determined by Laboratory testing in accordance with Section ~~2321~~1613.9(e).

2 Table No. 23-R is not applicable to buildings of Rating Classification I. Walls of buildings within Rating Classification I shall be analyzed in accordance with Section ~~2320~~1613.8 (f).

SECTION 35. The header and first paragraph of Section .180 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.180 - Table 23-S added to ~~UBC~~ CBC Chapter ~~2316~~—Values for existing materials.

Table 23-S is added to Chapter ~~23~~ 16 of the ~~Uniform~~ California Building Code to read:

SECTION 36. The header, first paragraph, and notes of Section .190 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.190 - Table 23-T added to ~~UBC~~ CBC Chapter ~~2316~~—Allowable values of new materials used in conjunction with existing construction.

Table 23-T is added to Chapter ~~23~~ 16 of the ~~Uniform~~ California Building Code to read:

Notes:

1 Bolts and dowels to be tested as specified in Section ~~2321~~1613.9.

2 Bolts and dowels to be ½-inch minimum in diameter.

3 Drilling for bolts and dowels shall be done with an electric rotary drill. Impact tools shall not be used for drilling holes or tightening anchor and shear bolt nuts.

SECTION 37. The header and first paragraph of Section .200 of chapter 15.36 of the Montebello Municipal Code is hereby amended to read as follows:

15.36.200 - Table 23-U added to ~~UBC~~ CBC Chapter ~~2316~~—Allowable shear stress for tested unreinforced masonry walls.

Table 23-~~U~~ is added to Chapter ~~23~~ 16 of the ~~Uniform~~ California Building Code to read:

SECTION 38. Section .010 of chapter 15.60 of the Montebello Municipal Code is hereby amended to read as follows:

15.60.010 Adoption.

Subject to certain changes and amendments hereinafter set forth in this chapter, the City Council does adopt as the green building regulations for the City, the California Green Building Standards Code, ~~2010~~2013 edition with errata (Title 24, Part 11, California Code of Regulations), and is also called the CALGreen Code, as published by the California Building Standards Commission (hereinafter referred to as the "code"). The code provides minimum standards for the purpose of improving public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency and environmental air quality. One copy of the code is on file in the office of the City clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

SECTION 39. Section .10 of chapter 15.64 of the Montebello Municipal Code is hereby amended to read as follows:

15.64.010 Adoption.

Subject to certain changes and amendments hereinafter set forth in this chapter, the City Council does adopt as the building standards administration regulations for the City, the California Building Standards Administration Code, ~~2010~~2013 edition with errata (Title 24, Part 1, California Code of Regulations), as published by the California Building Standards Commission (hereinafter referred to as the "code"). The code provides minimum standards for the administration of building standards within the City. One copy of the code is on file in the office of the City clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

SECTION 40. Section .10 of chapter 15.68 of the Montebello Municipal Code is hereby amended to read as follows:

15.68.010 Adoption.

Subject to certain changes and amendments hereinafter set forth in this chapter, the City Council does adopt as the residential regulations for the City, the California Residential Code, ~~2010~~2013 edition with errata (Title 24, Part 2.5, California Code of Regulations), based on the ~~2009~~2012 International Residential Code, as published by the California Building Standards Commission (hereinafter referred to as the "code"). The code provides minimum standards for dwellings within the City. One copy of the code is on file in the office of the City clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

SECTION 41. Chapter 15.70 of the Montebello Municipal Code is added as follows:

Chapter 15.70 CALIFORNIA ENERGY CODE

15.70.010 Adoption.

Subject to certain changes and amendments hereinafter set forth in this chapter, the City Council does adopt as the energy regulations for the City, the California Energy Code, 2013 edition with errata (Title 24, Part 6, California Code of Regulations), as published by the California Building Standards Commission (hereinafter referred to as the "code"). The code provides energy standards within the City. One copy of the code is on file in the office of the City clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

15.70.012 Designation of Enforcement.

The Building Division is designated and authorized to enforce the regulations of this Chapter. The Code Enforcement Division is authorized to enforce the regulations of this Chapter, subject to the approval of the Building Division.

15.70.020 Appeals.

The city council shall act as a board of appeals in making a correct determination of any appeal arising from actions of the enforcing official. Appeals shall be made in writing and the appellant may appear in person before the city council or be represented by an attorney and may introduce evidence to support his claims. Appeals shall be heard at reasonable times at the convenience of the city council but not later than thirty days after receipt thereof. The appellant shall cause to be made at his own expense any tests or research required by the city council to substantiate his claims.

SECTION 42. Chapter 15.70 of the Montebello Municipal Code is added as follows:

Chapter 15.74 CALIFORNIA REFERENCED STANDARDS CODE

15.74.010 Adoption.

Subject to certain changes and amendments hereinafter set forth in this chapter, the City Council does adopt as the referenced standards regulations for the City, the California Referenced Standards Code, 2013 edition with errata (Title 24, Part 12, California Code of Regulations), as published by the California Building Standards Commission (hereinafter referred to as the "code"). The code provides referenced standards within the City. One copy of the code is on file in the office of the City clerk for public inspection, and the same is made a part hereof as though fully set forth in this chapter.

SECTION 43. All previously adopted local amendments shall remain in full force and effect.

SECTION 44, SEVERABILITY. If any part of this Ordinance, or its application to any person or circumstance, is held to be invalid, the remainder of the ordinance, including the application or provision to other persons or circumstances, shall be not be affected and shall continue in full force and effect. To this end, the provisions of this ordinance are severable.

SECTION 45, PUBLICATION. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be published in the manner prescribed by law.

PASSED AND APPROVED this 26th day of February, 2014.



William M. Molinari
William M. Molinari, Mayor

ATTEST:

APPROVED AS TO FORM:

Daniel Hernandez
Daniel Hernandez, City Clerk

Arnold Alvarez-Glasman
Arnold Alvarez-Glasman, City Attorney

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

I, Daniel Hernandez, City Clerk of the City of Montebello, do hereby certify that the foregoing Ordinance No.2356 was introduced on February 26, 2014 and duly adopted by the City Council of the City of Montebello at their regular meeting of February 26, 2014, and carried by the following vote:

AYES: Members: Romero, Cortez, Hadjinian, Molinari

NOES: Members:

ABSTAIN: Members:

ABSENT: Members: Barajas

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City on this 26th day of February, 2014.



Daniel Hernandez, City Clerk



ALVAREZ-GLASMAN & COLVIN

ATTORNEYS AT LAW

13181 Crossroads Parkway North
Suite 400-West Tower
City of Industry, CA 91746
Tel: 562.699.5500
Fax: 562.692.2244
www.agclawfirm.com

March 14, 2014

RECEIVED
2014 MAR 19 A 11:35
CITY OF INDUSTRY BUILDING
STANDARDS COMMISSION

Via Certified Mail, Return Receipt Requested

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833
Attention: James McGowan

Re: Local Amendments to California Building Standards Codes

Dear Mr. McGowan:

As required by law, the City of Montebello hereby submits its local amendments to the various Building Standards Codes which were adopted with appropriate findings by City Ordinance Number 2356 on February 26, 2014 and are scheduled to go into effect immediately.

If you have any questions, please do not hesitate to contact me at (562) 699-5500.

Very truly yours,

ALVAREZ-GLASMAN & COLVIN

Jeffery C. Elder
Deputy City Attorney
City of Montebello

Enclosures

cc: David Reider (*via email only*)

Justification for changes and amendments to California Building Code

Municipal Code Section	Section Title	Added To CBC	Amended from CBC	Justification (see key)
15.04.015	Automatic fire sprinkler system	X		C
15.04.030	Building permit fees		X, amending CBC Section 109.2	A
15.04.031	CBC Section 113.1 amended. Board of appeals designated.		X, amending CBC Section 113.1	A
15.04.033	CBC Section 1507.1 amended		X, amending CBC Section 1507.1	B
15.04.036	CBC Section 1510.1, amended		X, amending CBC Section 1510.1	B
15.04.040	CBC Section 903.2 amended.		X, amending CBC Section 903.2	B
15.04.060	Variances.	X		A
15.04.070	Building permits—Conditions of issuance—Construction of curbs, gutters and sidewalks.	X		A
15.04.080	Buildings—Final approval and acceptance—Construction to be completed or guaranteed by deposit.	X		A
15.04.100	Hillside areas—Building regulations.	X		D
15.04.110	Driveways—Construction standards.	x		B
15.28.020	CBC Section 113.1 amended. Board of appeals designated.		X, amending CBC Section 113.1	A
15.36.020	Scope		X, amending CBC 1613.1	A
15.36.030	Purpose.		X, amending CBC Section 1613.1.5	A
15.36.040	CBC Section 1613.2 amended—Definitions.		X, amending CBC Section 1613.2	B
15.36.050	CBC Section 1613.6 added—Rating classifications.	X		B
15.36.060	CBC Section 1613.2.1 added—General requirements	X		B
15.36.070	CBC Section 1613.2.2 added—Administration.	X		A
15.36.080	CBC Section 1613.7 added—Historical buildings.	X		B
15.36.090	CBC Section 1613.8 added—Analysis and design.	X		B
15.36.100	CBC Section 1613.9 added—Materials of construction.	X		B
15.36.110	CBC Section 1613.10 added—Information required on plans.	X		B
15.36.120	Table 23-M added to CBC Chapter 16—Rating classifications.	X		B
15.36.130	Table 23-N added to CBC Chapter 16—Time limits for compliance.	X		B

15.36.140	Table 23-O added to CBC Chapter 16—Horizontal force factors based on rating classification.	X		B
15.36.150	Table 23-P added to CBC Chapter 16—Horizontal force factors "IS" for parts or portions of structures.	X		B
15.36.160	Table 23-Q added to CBC Chapter 16—Horizontal force factor "Cp" for parts or portions of buildings or other structures.	X		B
15.36.170	Table 23-R added to CBC Chapter 16—Allowable value of height-thickness ratio of unreinforced masonry walls with minimum quality mortar.	X		B
15.36.180	Table 23-S added to CBC Chapter 16—Values for existing materials.	X		B
15.36.190	Table 23-T added to CBC Chapter 16—Allowable values of new materials used in conjunction with existing construction.	X		B
15.36.200	Table 23-U added to CBC Chapter 16—Allowable shear stress for tested unreinforced masonry walls.	X		B

15.04.015 - Automatic fire sprinkler system.

A building permit shall be obtained and a fee paid to the city in the amount specified in section 15.04.030 of the Montebello Municipal Code prior to the installation or alteration of an automatic fire sprinkler system. When required, plans shall be submitted and a plan review fee paid to the city in the amount specified in section 15.04.030 of the Montebello Municipal Code.

Exception: A building permit or plan review fee shall not be required when said permit is issued or fee is assessed by the city's fire department.

15.04.030 - Building permit fees.

Section 109.2 of the California Building Code is amended to read as follows:

Section 109.2. Building Permit Fees. A fee for each building permit shall be paid to the City in an amount set by City Council resolution.

Plan Checking Fees. When the valuation of the proposed construction exceeds \$1,000.00 and a plan is required to be submitted by subsection 105, a plan checking fee, in an amount set by City Council resolution, shall be paid to the City at the time of submitting plans and specifications for checking.

When plans are incomplete, or changed so as to require additional plan checking, an additional plan check fee shall be charged at a rate established by the Building Official.

15.04.031 - CBC Section 113.1 amended. Board of appeals designated.

Section 113.1 of the California Building Code is hereby amended to read as follows:

Section 113.1. Board of Appeals Designated. In order to determine the suitability of alternate materials and types of construction, and to provide reasonable interpretation of the provisions of this Code, the City Council shall act as the Board of Appeals, as referred to in this Code. The City Council shall serve as the "Housing Appeals Board" and the "Local Appeals Board," as those terms are defined in the CBC.

15.04.033 - CBC Section 1507.1 amended.

Section 1507.1 of the California Building Code is amended by adding thereto the following as subsection:

Section 1507.1.1. The roof covering on any structure regulated by this Code shall be as specified in Table 1505.1 and as classified in section 1505 with the following exceptions:

- (1) All requirements for non-rated roofs shall be upgraded to a Class C rating.
- (2) Exceptions numbered 2, 3, and 4 shall be deleted from Table 15-A of the UBC.

The roof covering assembly includes the roof deck, underlayment, interlayment, insulation and covering which are assigned a roof-covering classification.

15.04.36 – CBC Section 1540, amended.

Section 1510.1 of the California Building Code is amended to read as follows:

Section 1510.1. General.

All re-roofing shall conform to the applicable provisions of the California Building Code. Roofing materials and methods of application shall comply with the CBC Standards or shall follow manufacturer's installation requirements when approved by the Building Official. Unless otherwise approved by the Building Official, all existing wood shake or wood shingle roofing material shall be removed completely. Additionally, where applicable, a minimum of one half (½") inch thick plywood sheathing shall be installed in accordance with the requirements of Chapter 23 of this Code prior to the installation of new roofing.

- (a) Roof Covering. All re-roofing shall be fire retardant with a minimum class C classification unless otherwise approved by the Building Official.
- (b) Repairs. Not more than twenty-five (25%) percent of the roof covering of any building or structure shall be replaced in any twelve (12) month period unless the new roof covering is made to conform to the requirements of this code for new construction.

- (c) Materials and methods of application. Roofing materials and methods of application shall comply with applicable California Building Code Standards or shall follow the Manufacturer's installation requirements when approved by the Building Official.

15.04.040 - CBC Section 903.2 amended.

Subsection 903.2 is amended by adding thereto the following paragraph:

Every new building of any type of construction or occupancy over three (3) stories in height.

15.04.060 - Variances.

Notwithstanding the provisions of Sections 15.04.010 through 15.04.040 which have the effect of adopting the California Building Code by reference, with certain amendments thereto, as the building regulations of the city, variances from the provisions thereof may be granted in the manner hereinafter prescribed where practical difficulties, unnecessary hardships or results inconsistent with the intent and purpose of the building regulations occur by reason of the strict and literal interpretation and application of any of the provisions to a proposed or existing building or structure.

- A. Granting of Variance. Before any variance hereunder is approved, the applicant must show to the satisfaction of the city council the existence of all the following facts:
 - 1. That there are exceptional or extraordinary circumstances or conditions which apply to the proposed or existing building or structure by reason of its type of construction or proposed usage, which do not generally apply to other buildings or structures;
 - 2. That without the granting of such a variance the proposed or existing building or structure cannot be accommodated by reason of the building regulations imposed by the code;
 - 3. That the granting of the variance will not constitute a special privilege nor will the building or structure be structurally inadequate or hazardous nor will it constitute a fire hazard; and
 - 4. That the granting of such variance will be consistent with the purpose and intent of the provisions of the California Building Code.

- B. Procedure.
 - 1. A person desiring to obtain a variance from the provisions of the building regulations of this city shall file a written application therefore with the building official. The application shall be upon a form prepared by the building official and shall contain the following information:
 - a. The name and address of the owner of the property or his designated agent;
 - b. The description and location of the property upon which it is proposed to construct the building or structure;
 - c. A detailed set of plans showing the proposed construction;

d. A statement of how, and in what manner, the proposed or existing building or structure cannot be made to comply with the existing building regulations, and the reasons therefore; and

e. Such other relevant information as may be required to explain and delineate the nature of, and reason for, the requested variance.

2. Upon receipt of such an application, the building official shall advise the city clerk thereof, who shall place the matter upon the council agenda for its next most convenient meeting. The applicant, and any other person requesting the same, shall be given five days' written notice of the time and place when the matter will be heard. The notice shall be by the United States mail, postage prepaid, addressed to such person at his last known address.

C. Council Action.

1. At the time and place for the hearing upon the variance application, the city council shall give the applicant, and any other person interested in such matter, a reasonable opportunity to be heard. The applicant shall have the burden of proof to show that all of the facts required by subsection B of this section are present and apply to his application. Based upon the evidence presented, and any applicable staff reports submitted, the city council shall approve, conditionally approve, or deny such application. If the council finds such facts are present, it shall approve the variance.

2. Such approval may be conditioned so as to render the construction or reconstruction consistent with the purpose of the building regulations, and compatible with adjacent and surrounding uses. If such facts are found not to exist the application shall be denied.

3. The city council may continue the hearing from time to time as may be necessary, at its discretion. The action of the council shall be final and conclusive.

15.04.070 - Building permits—Conditions of issuance—Construction of curbs, gutters and sidewalks.

A. Improvements Required. Any building permit, issued pursuant to the provisions of this code, for the construction or reconstruction of any building or structure, the estimated cost of which is in excess of seven thousand five hundred dollars shall be issued subject to the condition that the permittee shall construct and install curbs, gutters and sidewalks at his sole expense, in and along all street frontage abutting the lot or lots on which the building or structure is located or to be located, except that:

1. Curbs, gutters and sidewalks on one-half acre lots, or larger in the R-A zone, shall only be required in and along one hundred feet of street frontage, located adjacent to the proposed structure.

2. Sidewalks shall not be required along any industrial street designated as such by city council resolution.

3. The design of all curb and gutter in and along industrial streets, as designated by city council resolution, shall conform to the street design therefor, approved by city council resolution.

B. Construction of Improvements.

1. Location. To insure uniformity of development, and adaptation to local conditions, curbs, gutters and sidewalks, or curbs and gutters shall be located as designated by the city engineer.

a. Public Right-of-Way. Curbs, gutters and sidewalks, or curbs and gutters, shall be constructed within the dedicated public right-of-way, except as hereinafter provided.

b. Insufficient Right-of-Way. Whenever the public right-of-way is of insufficient width to permit the location of the improvements therein, the improvements shall be constructed wholly or partially on private property, and, thereafter, the improvements so located on private property, shall be deemed the property of the property owner and shall be maintained by him until such time as an offer of dedication, as to the improvements and right-of-way, is made by the owner and accepted by the city.

2. Standards of Construction. Curbs, gutters and sidewalks shall be constructed in accordance with city standards therefor.

3. Width of Sidewalks.

a. Residential Zones. Sidewalks in all residential zones shall be a width of five feet, except where a greater or lesser width is directed by the city engineer, in order to adapt the width of sidewalks to existing local conditions and situations.

b. Commercial and Manufacturing Zones. Sidewalks in all C and M zones shall be constructed in and along the entire width of all parkway areas abutting the lot or lots for which a building permit is issued, except:

i. For such portions of the parkway area in which the owner desires to install landscaping, the plans for which have been submitted to the city council for approval; and

ii. Relating to such lots where a greater or lesser width is authorized by the city engineer, in order to adapt the width of sidewalks to existing local conditions and situations.

4. Faulty or Defective Curbs, Gutters or Sidewalks. Whenever the construction inspector finds that the existing curbs or gutters, or sidewalks, or driveway approaches, or any of them, are faulty or defective and represent a danger to the public safety, the issuance of such a building permit shall be conditioned so as to require the repair, or removal and reconstruction of the improvements.

C. Exemption.

1. Whenever the city administrator, upon written application therefor, finds:

a. That the requirements of subsection A of this section work an undue hardship upon the permittee;

b. That the public health, safety and welfare do not require the construction of the improvements described in subsection A of this section; and

c. That such permittee agrees, in writing, to waive any right to protect any special assessment district proceedings which contemplate the construction of the improvements as described in subsection A of this section, the city administrator may waive the requirements of subsection A of this section,

2. The city administrator may exempt properties from the application of subsection A of this section when it finds that the public interest, convenience and necessity so requires, by reason of unusual and extraordinary circumstances applicable to such properties, such as, imprecise alignment of abutting future street rights-of-way, destruction, or impairment of the use of buildings, or vehicular access.

15.04.080 - Buildings—Final approval and acceptance—Construction to be completed or guaranteed by deposit.

The building inspector shall deny final approval and acceptance, and final public utility connection, for any building or dwelling until:

A. The curbs, gutters and sidewalks are constructed, or such construction and installation are guaranteed by the deposit with the city of cash, of an instrument of credit as that phrase is defined in Section 66499 of the Government Code of the state, in an amount equal to the fee schedule as established by resolution of the city council; and

B. Whenever the city engineer determines that, due to a proposed future street widening, it is impractical to construct curbs, gutters and sidewalks, as required by Section 5.04.070, he shall require the applicant, for a building permit relating to property affected by such widening, to deposit with the city treasurer an amount equal to the estimated cost of construction of such improvements, and require the applicant to execute an agreement with the city, to be executed by the city engineer on behalf of the city, permitting the city to cause such improvements to be constructed using the proceeds of such deposit, at such time as it is practical, in the judgment of the city engineer, to so construct.

15.04.100 - Hillside areas—Building regulations.

The provisions of this section shall apply to all work, for which a building permit is required, on property within any hillside areas, as defined in Section 15.48.050, in addition to the regulations as set forth in this chapter and Chapter 15.48 of this code. In all such cases, the building inspector shall not give final approval to any such work until he finds that each of the following regulations have been complied with:

- A. Compliance With Grading Regulations:
1. Filing of a grading certificate from the city engineer; or
 2. Compliance with each of the following regulations in all cases where a grading permit is not required:
 - a. Section 15.48.260, grading in relation to property lines,
 - b. Section 15.48.270, Consent of adjacent property owner,
 - c. Section 15.48.280, Time of work,
 - d. Section 15.48.290, Building pad development,
 - e. Section 15.48.310 through 15.48.340, excavating,
 - f. Section 15.48.350 through 15.48.450, fills,
 - g. Section 15.48.480, Slope planting and irrigation,
 - h. Section 15.48.500, drainage (general),
 - i. Section 15.48.550, maintenance of grading and protective devices.
- B. Gutters. Eave and/or ground gutters shall be provided to receive all roof water and deliver it through a nonerosive device to a street or watercourse.

C. Maintenance of Drainage. Drainage in conformance with the provisions of this code shall be maintained during and subsequent to construction.

D. Driveway Design. Driveways shall be designed to comply with all zoning regulations; provided, that the maximum gradient thereof shall not exceed twenty percent.

E. Building Construction. No building shall be constructed upon two-horizontal-to-one-vertical slope or steeper, except that the building inspector shall permit construction upon slopes steeper than 2.1; provided, that a soils report from a qualified soils engineer or engineering geologist is filed indicating that the existing soil condition will permit such construction. Where allowed, adequate provision shall be made to prevent downhill creep of the footings.

1. Clearance.

a. No building or structure shall be located closer to the toe of any two-to-one or steeper, cut or fill slope than the following:

i. A minimum of three feet provided the slope does not exceed six feet in vertical height;

ii. One-half the vertical height with a maximum of fifteen feet where the slope exceeds six feet in height.

b. Notwithstanding the foregoing, attached or detached open carports or detached garages may be constructed a minimum of three feet clear of the toe of conforming cut or fill slopes.

2. Building Construction on Compacted Filled Ground. (General). No building shall be located within a horizontal distance of forty feet from the top of an inclined fill slope which exceeds one hundred feet in vertical height measured from the toe to the top of the fill unless the building is designed to withstand the resulting total and differential settlements. The soils engineer shall submit evidence of the anticipated settlement behavior. (See Exhibit 15.04.100 (J) for further setback specifications.)

3. Footing Elevations.

a. On graded hillside sites the top of footing stem or finish floor, if a concrete slab, shall extend above the elevation of the low point of the street curb a minimum of six inches, plus two percent of the distance from the footing to the curb.

b. Where the site drains to an approved drainage device, the footings shall extend above the elevation of the low point of the device a minimum of six inches, plus two percent of the distance from the footing to the device. In no event shall the top of the footing or finished floor elevation be less than six inches above the finished building pad elevation.

4. Slough Wall. If potential sloughing hazards affecting buildings or structures are present on cut or fill slopes in excess of twenty feet in vertical height, where such slopes parallel the buildings or structures, slough protection devices may be required by the department.

F. Building Construction Upon Excavations or Fills or in Areas Subject to Drainage or Slide Hazards. When buildings are to be constructed on sites which result from grading performed pursuant to Chapter 15.48 of this code or in areas where hazardous soil conditions exist, then in addition to all other applicable provisions of this code, the following requirements shall be complied with:

1. No building inspections shall be made for approvals given thereto until the city engineer has certified compliance with the rough grading as detailed on the grading plan and has received the soils and geological reports.

2. No final building inspections shall be made or approvals given thereto until the city engineer has certified compliance with Chapter 15.48 of this code.

3. No building shall be constructed in a natural watercourse or an area subject to inundation unless provisions have been made, to the satisfaction of the city engineer, to protect the building and adjacent properties from damage or inundation.

4. No building shall be constructed where the proposed building site is in an area subject to slides or unstable soil unless provision has been made, to the satisfaction of the city engineer, to protect the building and adjacent properties from damage.

G. Old Fills.

1. All manmade fills which were not constructed under a valid grading permit issued by the city shall be tested for relative compaction by an approved soil testing agency before any building permit is issued for a building structure proposed to be located thereon. No building permit shall be issued if the site conditions, as reported upon by the soil testing agency, do not conform with the requirements of this code.

2. Buildings designed specifically for soil conditions applicable to the site may be approved by the superintendent of building inspection if sufficient evidence is submitted to the superintendent accommodating the soil condition by reason of the resultant building design.

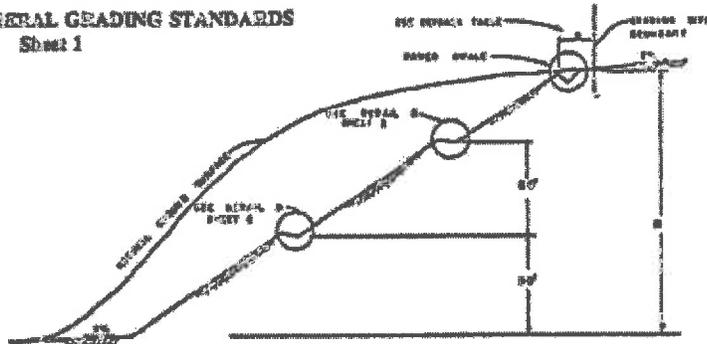
H. Measurement of Settlement. The superintendent of building inspection may require the determination of a soils engineer regarding settlement characteristics of such fills to establish that movements have substantially ceased. In such cases, a system of benchmarks shall be installed at critical points on the fill and accurate measurements of both horizontal and vertical movements shall be taken for a period of time sufficient to define settlement behavior.

I. Landscaping Required. In addition to the required landscaping of slopes, all building pads shall be landscaped or surfaced to prevent dust, mud, erosion or unsanitary conditions.

J. Appendix A. Attached hereto, and incorporated herein by this reference is that certain document entitled "Exhibit15.04.100(J)—Montebello Municipal Code—Building Regulations," dated April 24, 1967, which contains certain charts, diagrams and standards relating to building construction in hillside areas. All property in any hillside area shall be improved and maintained in conformity with the charts, diagrams and standards as set forth in Exhibit15.04.100(J).

Exhibit 15.04.100(J)
MONTEBELLO MUNICIPAL CODE
BUILDING REGULATIONS
April 24, 1967

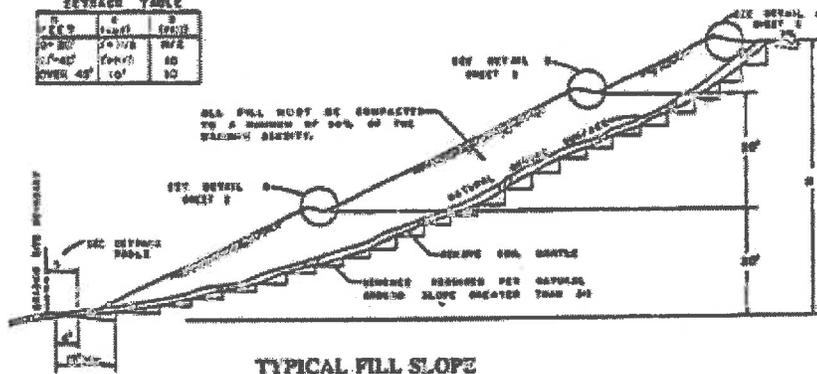
GENERAL GRADING STANDARDS
Sheet 1



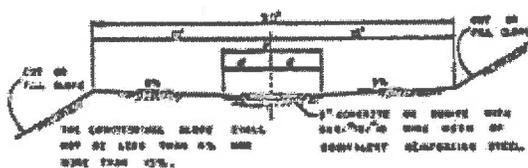
TYPICAL CUT SLOPE

SETBACK TABLE

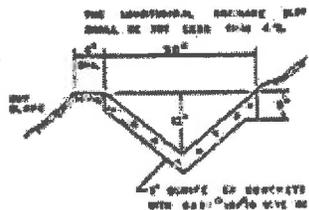
1	2	3
0-10'	10-20'	20-30'
10-20'	20-30'	30-40'
OVER 40'	10'	20'



TYPICAL FILL SLOPE

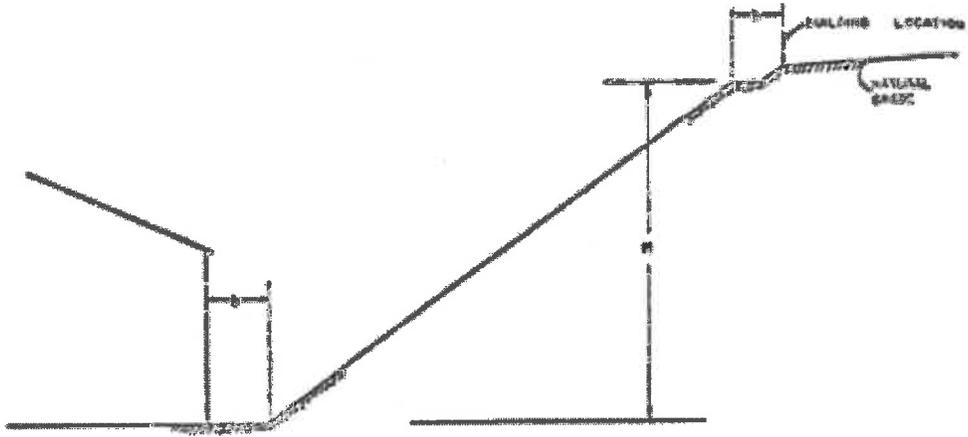


TYPICAL 30 FOOT HORIZONTAL BENCH
 Required every 100 feet of vertical height on cut and fill slope.



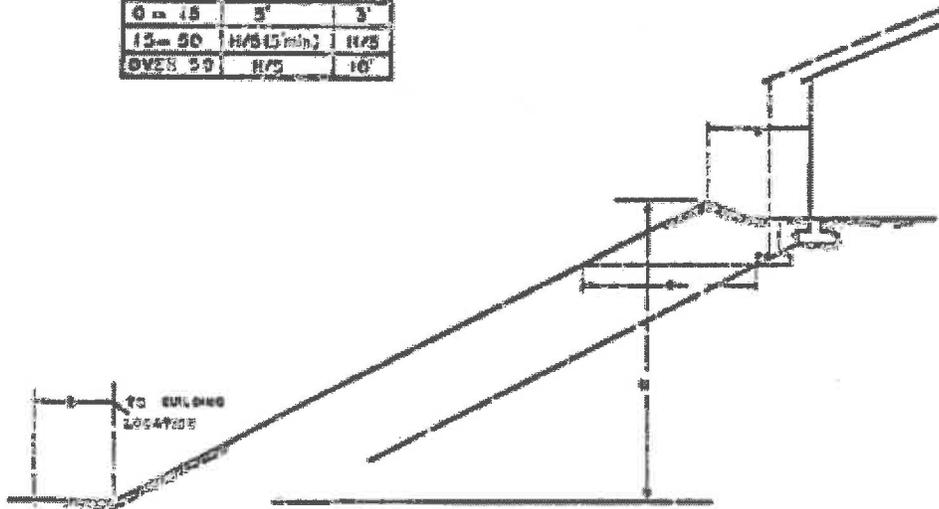
TYPICAL PAVED SWALE

Exhibit 15.04.100(J)
MONTEBELLO MUNICIPAL CODE
BUILDING REGULATIONS
April 24, 1967
REQUIRED SETBACKS



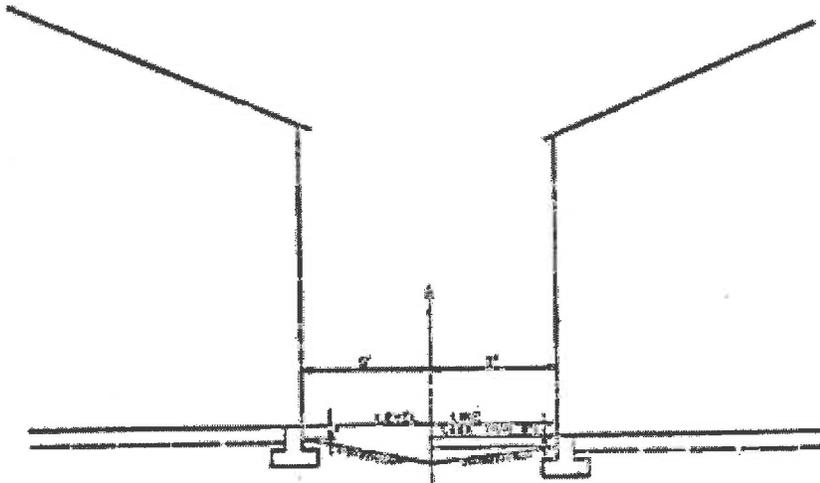
EXCAVATED SLOPE

REQUIRED SETBACKS		
H-FEET	3	8
0 - 15	3'	3'
15 - 50	H/3 (min)	H/5
OVER 50	H/5	10'

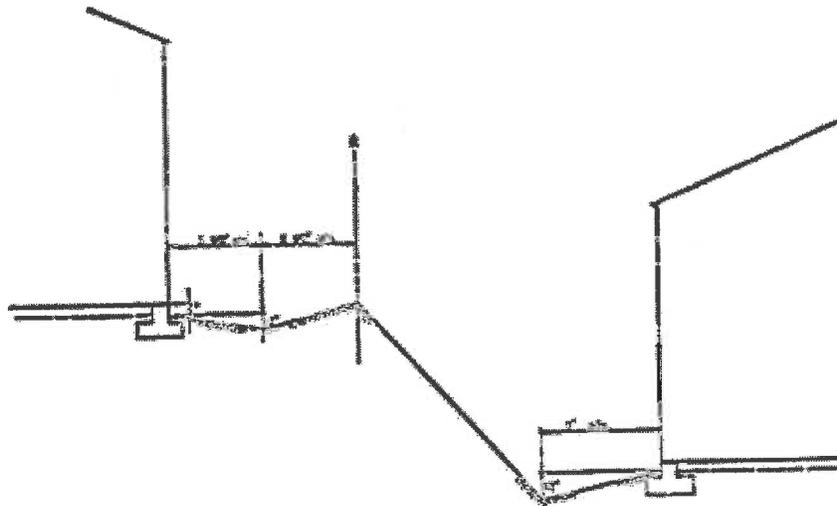


COMPACTED FILL SLOPE

Exhibit 15.04.100(J)
MONTEBELLO MUNICIPAL CODE
BUILDING REGULATIONS
April 24, 1967
DRAINAGE SWALE DETAILS



COMMON SWALE — WHERE DIFFERENCE IN LOT ELEVATIONS IS LESS THAN 8 INCHES



SIDE SWALE - WHERE DIFFERENCE IS LOT ELEVATIONS IS GREATER THAN 8 INCHES

15.04.110 - Driveways—Construction standards.

The width and location of all driveways hereafter constructed, or reconstructed, within the city shall be in accordance with the provisions of this section.

A. Definitions.

1. "Driveway" means that portion of a dedicated street between the right-of-way line and curb, or the edge of the pavement, if no curb exists, where motor vehicles travel when entering or leaving property abutting the street.

2. "Driveway width" means the net width thereof, exclusive of side slopes and returns, measured along the curb line or, if none exists, measured along a line parallel to the centerline of the street.
- B. Width of Driveways. The city engineer shall approve the width of driveways so as to insure that the same will not constitute a hazard to pedestrian and/or vehicular traffic, nor encroach upon, or constitute a nuisance as to, adjacent and/or abutting properties.
- C. Location of Driveways. The city engineer shall approve the location of driveways so as to insure that the same will not constitute a hazard to pedestrian and/or vehicular traffic, nor encroach upon, or constitute a nuisance as to, adjacent and/or abutting properties.
- D. Construction. All driveways shall be constructed in accordance with the city standards therefor.

15.28.020 - CBC Section 113.1 amended. Board of appeals designated.

Section 113.1 of the California Building Code is hereby amended to read as follows:

Section 113.1. Board of Appeals Designated. In order to determine suitability of alternate materials and types of construction, and to provide reasonable interpretation of the provisions of this Code, the City Council shall act as the Board of Appeals, as referred to in this Code.

15.36.020 Scope.

Section 1613.1 of the California Building Code is hereby amended to read as follows:

1613.1 Scope.

- A. The provisions of this chapter prescribe general design requirements applicable to all structures regulated by this code. The provisions of California Building Code Chapter 16, as added by this chapter, apply to all buildings constructed or under construction prior to October 6, 1933, or for which a building permit was issued prior to October 6, 1933, or for which a building permit was issued prior to October 6, 1933, which on January 1, 1986, have unreinforced masonry bearing walls as defined herein.
- B. Exception. The provisions of California Building Code Chapter 16, as added by this chapter, shall not apply to detached one or two family dwellings and detached apartment houses containing fewer than five dwelling units and used solely for residential purposes.

5.36.030 Purpose.

Section 1613.1.5 of the California Building Code is hereby added to read as follows:

1613.1.5 Purpose.

- A. The purpose of this chapter is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of earthquakes on unreinforced masonry bearing wall buildings constructed before 1934. Such buildings have been widely recognized for their sustaining of life hazardous damage as a result of partial or complete collapse during past moderate to strong earthquakes.

B. The provisions of the ordinance codified in this chapter establish minimum standards for structural seismic resistance for the purpose of reducing risk of life loss or injury and will not necessarily prevent loss of life or injury or prevent earthquake damage to an existing building which complies with these standards. This chapter does not require existing electrical, plumbing, mechanical or fire safety systems to be altered unless they constitute a hazard to life or property.

C. This chapter provides systematic procedures and standards for identification and classification of unreinforced masonry bearing wall buildings based on their present use. Priorities, time periods and standards are also established under which these buildings are required to be structurally analyzed and anchored. Where the analysis determines deficiencies, this chapter requires the building be strengthened or demolished.

15.36.040 – CBC Section 1613.2 amended-Definitions.

The following definitions are hereby added to Section 1613.2 of the California Building Code to read as follows:

ESSENTIAL BUILDING is any building housing a hospital or other medical facility having surgery or emergency treatment areas, fire or police stations, municipal government disaster operation and communications centers.

HIGH-RISK BUILDING is any building not classified an essential building having an occupant load of one hundred (100) occupants or more.

EXCEPTION: A high-risk building shall not include the following:

(a) Any building having exterior walls braced with masonry cross walls or wood-frame cross walls spaced less than forty (40) feet apart in each story. Cross walls shall be full story height with a minimum length of one and one-half (1-½) times the story height.

(b) Any building used for its intended purpose, as determined by the Building Official for less than (20) hours per week.

HISTORICAL BUILDING is any building designated as a historical building by an appropriate federal, state or city jurisdiction.

LOW-RISK BUILDING is any building not classified as an essential building having an occupant load of less than twenty (20) occupants

MEDIUM-RISK BUILDING is any building not classified as a high-risk building or an essential building having an occupant load of twenty (20) occupants or more

UNREINFORCED MASONRY BEARING WALL is masonry wall having all of the following characteristics:

(1) Provides the vertical support for a floor or roof.

(2) The total superimposed load is over one hundred (100) pounds per linear foot.

(3) The area of reinforcing steel is less than fifty (50) percent of that required

15.36.050 - CBC Section 1613.6 added—Rating classifications.

Section 1613.6 is added to the California Building Code to read:

1613.6 Rating Classifications. The rating classifications as exhibited in Table 23-M are hereby established and each building within the scope of this Chapter shall be placed in one such rating classification by the Building Official. The total occupant load of the entire building as determined by Table 1604.5 shall be used to determine the rating classification.

EXCEPTION: For the purpose of this Chapter, portions of buildings constructed to act independently when resisting seismic forces may be placed in separate rating classifications.

15.36.060 - CBC Section 1613.2.1 added—General requirements.

Section 1613.2.1 is added to the California Building Code to read:

1613.2.1. General Requirements.

The owner of each building within the scope of this section shall cause a structural analysis to be made of the building by a civil or structural engineer or architect licensed by the State of California, and if the building does not meet the minimum earthquake standards specified in this section, the owner shall cause it to be structurally altered to conform to such standards or cause the building to be demolished.

The owner of a building within the scope of this section shall comply with the requirements set forth above by submitting one of the following to the Building Official for review within the stated time limits:

- (a) A structural analysis within ninety (90) days after the service of the order. Such analysis, which is subject to approval by the Building Official, shall demonstrate that the building meets the minimum requirements of this section.
- (b) A structural analysis and plans for the proposed structural alterations of the building necessary to comply to the minimum alterations of this section within ninety (90) days after the service of order.
- (c) Plans for the demolition or repair of the building within ninety (90) days after the service of the order. After plans are submitted and approved by the Building Official, the owner shall obtain a building permit, commence and complete the required construction or demolition within the time limits set forth in Table No. 23-N. These time limits shall begin to run from the date the order is served in accordance with Section 1613.2.2.

15.36.070 - CBC Section 1613.2.2 added—Administration.

Section 1613.2.2 is added to the California Building Code to read:

1613.2.2. Administration.

(a) COMMENCEMENT OF PROCEEDINGS. Whenever the Building Official has inspected or caused to be inspected any building and has found and determined that such building is within the scope of this Chapter, the Building Official shall commence proceedings to cause such building to be repaired and rehabilitated, or demolished, in compliance with the provisions of this Chapter.

(b) CONTENTS OF NOTICE AND ORDER. The Building Official shall issue a notice and order directed to the record owner of the building and the person, if any, occupying or otherwise in real or apparent charge and control of the building. The notice and order shall contain:

- (1) The street address and a legal description sufficient for identification of the premises on which the building is located.
- (2) A statement that the Building Official has found the building to be within the scope of this Chapter.
- (3) An order to prepare and submit to the Building Official a structural analysis as required pursuant to **Section 1613.2.1**.
- (4) The rating classification of the building.

(5) An order to secure permits, physically commence, and to complete all work necessary to meet the minimum seismic standards of this Chapter within the time limits set forth in Table No. 23-N.

(6) A statement specifying the appeal rights of the owner as contained in subsection (d) of this section.

(c) SERVICE AND RECORDATION OF NOTICE AND ORDER. The notice and order shall be served and recorded

(d) APPEAL FROM NOTICE AND ORDER. Any person entitled to service pursuant to this section may appeal the Building Official's initial determination that the building is within the scope of this Chapter to the City Council. Such appeal shall be filed with the City Council within sixty (60) days from the service date of the order and shall be limited solely to the issue of whether the designated building is within the scope of this Chapter. Such appeal shall be made in writing upon appropriate forms provided therefor by the Building Official, and the grounds thereof shall be stated clearly and concisely.

(e) ENFORCEMENT. If the owner or other person in charge or control of the subject building fails to comply with any order issued by the Building Official pursuant to this Chapter within any of the time limits set forth in **Section 1613.2.1**, the Building Official shall order that the entire building be vacated and that the building remain vacated until such order has been complied with. If compliance with such order has not been accomplished within ninety (90) days after the date the building has been ordered vacated or such additional time as may have been granted by the City Council, the Building Official may order the demolition of the building in accordance with the provisions of the California Building Code.

15.36.080 - CBC Section 1613.7 added—Historical buildings.

Section 1613.7 is added to the California Building Code to read:

1613.7. Historical Buildings.

(a) GENERAL. The standards and procedures established by this section shall apply in all aspects to a historical building except that as a means to preserve original architectural elements and facilities restoration, a historical building may, in addition, comply with the special provisions set forth in this section.

(b) UNBURNED CLAY MASONRY OR ADOBE. Existing or reerected walls of adobe construction shall conform to the following:

(1) Unreinforced adobe masonry walls shall not exceed a height or height-to-thickness ration of five (5) for exterior bearing walls and must be provided with a reinforced bond beam at the top, interconnecting all walls. Minimum beam depth shall be six (6) inches and a minimum width of eight (8) inches less than the wall width. Minimum wall thickness shall be eighteen (18) inches for exterior bearing walls and ten (10) inches for adobe partitions. No adobe structure shall exceed one (1) story in height unless the historic evidence indicates a two (2) story height. In such cases, the height-to-thickness ration shall be the same as above for the first floor based on the total two (2) story height, and the second floor wall thickness shall not exceed the ratio five (5) by more than twenty (20) percent. Bond beams shall be provided at the roof and second-floor levels.

(2) Foundation footings shall be reinforced concrete under newly reconstructed walls and shall be fifty (50) percent wider than the wall above, soil conditions permitting, except that the foundation wall may be four (4) inches less in width than the wall above if a rock, burned brick, or stabilized adobe facing is necessary to provide authenticity.

- (3) New or existing unstabilized brick and adobe brick masonry shall have an average compressive strength of two hundred twenty-five (225) pounds per square inch when tested in accordance with ASTM designation C 67. One (1) sample out of five (5) may have a compressive strength of not less than one hundred eighty-eight (188) pounds per square inch. Unstabilized brick may be used where existing bricks are unstabilized and where the building is not susceptible to flooding conditions or direct exposure. Adobe may be allowed a maximum value of three (3) pounds per square inch for shear with no increase for lateral forces.
- (4) Mortar may be of the same soil composition and stabilization as the brick in lieu of cement mortar.
- (5) Nominal tension stresses due to seismic forces normal to the wall may be neglected if the wall meets thickness requirements and shear values allowed by this subsection.
- (c) **ARCHAIC MATERIALS.** Allowable stresses for archaic materials not specified in this code shall be based on substantiating research data or engineering judgment, subject to the Building Official's satisfaction.
- (d) **ALTERNATIVE MATERIALS AND SHBC ADVISORY REVIEW.** Alternative materials, design or methods of construction will be considered as set forth in Section 1613.9. In addition, when a request for an alternative proposed design, material or method of construction is being considered, the Building Official may file written request for opinion to the State Historical Building Code Advisory Board for its consideration, advice or findings in accordance with the State Historical Building Code.

15.36.090 - CBC Section 1613.8 added—Analysis and design.

Section 1613.8 is added to the California Building Code to read:

1613.8. Analysis and Design.

- (a) **GENERAL.** Every structure within the scope of this section shall be analyzed and constructed to resist minimum total lateral seismic forces assumed to act nonconcurrently in the direction of each of the main axes of the structure in accordance with the following equation:

$$V = IKCSW \dots (12-1)$$

The value of *IKCS* need not exceed the values set forth in Table No. 23-O based on the applicable rating classification of the building.

- (b) **LATERAL FORCES ON ELEMENTS OF STRUCTURES.** Parts or portions of structures shall be analyzed and designed for lateral loads in accordance with Sections 1613.8(a) of this code but not less than the value from the following equation:

$$F_p = IC_pSW_p \dots (12-8)$$

For the provisions of this subsection, the product of *IS* need not exceed the values as set forth in Table No. 23-P.

EXCEPTION: Unreinforced masonry walls in buildings and having a Rating Classification of *I* may be analyzed in accordance with **Section 1613.9.**

The value of *C_p* need not exceed the values set forth in Table No. 23-Q.

- (c) **ANCHORAGE AND INTERCONNECTION.** Anchorage and interconnection of all parts, portions and elements of the structure shall be analyzed and designed for lateral forces in accordance with Table No. 23-O of this Code and the equation $F_p = IC_pSW_p$ as modified by Table No. 23-P. Minimum anchorage of masonry walls to each floor or roof shall resist a minimum force of two hundred (200) pounds per linear foot acting normal to the wall at the level of the floor or roof.

- (d) **LEVEL OF REQUIRED REPAIR.** Alterations and repairs required to meet the provisions of this Chapter shall comply with all other applicable requirements of this Code unless specifically provided for in this Chapter.
- (e) **REQUIRED ANALYSIS.**
- (1) **General.** Except as modified herein, the analysis and design relating to the structural alteration of existing structures within the scope of this Chapter shall be in accordance with the analysis specified in the California Building Code.
 - (2) **Continuous Stress Path.** A complete, continuous stress path from every part or portion of the structure to the ground shall be provided for the required horizontal forces.
 - (3) **Positive Connections.** All parts, portions or elements of the structure shall be interconnected by positive means.
- (f) **ANALYSIS PROCEDURE.**
- (1) **General.** Stresses in materials and existing construction utilized to transfer seismic forces from the ground to parts or portions of the structure shall conform to those permitted by the code and those materials and types of construction specified in Section 1613.9.
 - (2) **Connections.** Materials and connectors used for interconnection of parts and portions of the structure shall conform to the code. Nails may be used as part of an approved connector.
 - (3) **Unreinforced Masonry Walls.** Except as modified herein, unreinforced masonry walls shall be analyzed to withstand all vertical loads as specified in Chapter 21 of the California Building Code in addition to the seismic forces required by this division. The fifty (50) percent increase in the seismic force factor for shear walls as specified in Table No. 24-H of this Code may be omitted in the computation of seismic loads to existing shear walls. No allowable tension stress will be permitted in unreinforced masonry walls. Walls not capable of resisting the required design forces specified in this section shall be strengthened or shall be removed and replaced.
- EXCEPTIONS:**
- (1) Unreinforced masonry walls in buildings not classified as a Rating Classification I pursuant to Table No. 23-M may be analyzed in accordance with Section 1613.9.
 - (2) Unreinforced masonry walls which carry no design loads other than their own weight may be considered as veneer if they are adequately anchored to new supporting elements.
- (g) **COMBINATION OF VERTICAL AND SEISMIC FORCES.**
- (1) **New Materials.** All new materials introduced into the structure to meet the requirements of this section which are subjected to combined vertical and horizontal forces shall comply with building requirements of the California Building Code.
 - (2) **Existing Materials.** When stresses in existing lateral force-resisting elements are due to a combination of dead loads plus seismic loads, the allowable working stress specified in the code may be increased one hundred (100) percent. However, no increase will be permitted in the stresses allowed in Section 1613.9, and the stresses in members due only to seismic and dead loads shall not exceed the values permitted by the California Building Code.
 - (3) **Allowable Reduction of Bending Stress by Vertical Load.** In calculating tensile fiber stress due to seismic force, required by this Chapter, the maximum tensile fiber stress may be reduced by the full direct stress due to vertical dead loads.

15.36.100 - CBC Section 1613.9 added—Materials of construction.

Section 1613.9 is added to the California Building Code to read:

1613.9 Materials of Construction.

(a) GENERAL. All material permitted by this code, including their appropriate allowable stresses and those existing configurations of materials specified herein, may be utilized to meet the requirements of this division.

(b) EXISTING MATERIALS.

(1) Unreinforced Masonry Walls. Unreinforced masonry walls analyzed in accordance with this section may provide vertical support for roof and floor construction and resistance to lateral loads.

Tension stresses due to seismic forces normal to the wall may be neglected if the wall does not exceed the height-or length-to-thickness ratio and the in-plane shear stresses due to seismic loads as set forth in Table No. 23-R.

If the wall height-thickness ratio exceeds the specified limits, the wall may be supported by vertical bracing members designed in accordance with this Chapter. The deflection of such bracing member at design loads shall not exceed one tenth (1/10th) of the wall thickness.

All vertical bracing members shall be attached to floor and roof construction for their design loads independently of required wall anchors. Horizontal spacing of vertical bracing members shall not exceed one-half ($\frac{1}{2}$) the unsupported height of the wall nor ten (10) feet.

The wall height may be measured to bracing elements other than a floor or roof. Spacing of the bracing elements and wall anchors shall not exceed six (6) feet. Bracing elements shall be detailed to minimize the horizontal displacement of the wall by components of vertical displacements of the floor or roof.

(2) Existing Roof, Floor, Walls, Footings and Wood Framing. Existing materials, including wood shear walls utilized in the described configuration, may be used as part of the lateral load resisting system; provided, that the stresses in these materials do not exceed the value shown in Table No. 23-S.

(c) STRENGTHENING OF EXISTING MATERIALS. New materials, including wood shear walls, may be utilized to strengthen portions of the existing seismic resisting system in the described configurations; provided, that the stresses do not exceed the values shown in Table No. 23-S.

(d) ALTERNATE MATERIALS. Alternate materials, designs, and methods of construction may be approved by the Building Official in accordance with the provisions of the California Building Code.

(e) MINIMUM ACCEPTABLE QUALITY OF EXISTING UNREINFORCED MASONRY WALLS.

(1) General Provisions. All unreinforced masonry walls utilized to carry vertical loads and seismic forces parallel and perpendicular to the wall plane shall be tested as specified in this subsection. All masonry quality shall equal or exceed the minimum standards established herein or shall be removed and replaced by new materials. Alternate methods of testing may be approved by the Building Official. The quality of mortar in all masonry walls shall be determined by performing in-place shear tests or by testing eight (8) inch diameter cores. Alternative methods of testing may be approved by the Building Official. Nothing shall prevent pointing with mortar of all the masonry wall joints before the tests are first made. Prior to any pointing, the mortar joints must be raked and cleaned to remove loose and deteriorated mortar. Mortar for pointing shall be Type S or N except masonry cements shall not be used. All preparation and mortar pointing shall be done under continuous inspection of a registered deputy building

inspector. At the conclusion of the inspection, the inspector shall submit a written report to the licensed engineer or architect responsible for the seismic analysis of the building setting forth the result of the work inspected. Such report shall be submitted to the Building Official for approval as part of the structural analysis. All testing shall be performed in accordance with the requirements specified in this subsection by a testing agency approved by the Building Official. An accurate record of all such tests and their location in the building shall be recorded and these results shall be submitted to the Building Official for approval as part of the structural analysis.

(2) Number and Location of Tests. The minimum number of tests shall be two (2) per wall or line of wall elements resisting a common force, or one (1) per fifteen hundred (1500) square feet of wall surface, with a minimum of eight (8) tests in any case. The exact test or core location shall be determined at the building site by the licensed engineer or architect responsible for the seismic analysis of the subject building.

(3) In-Place Shear Tests. The bed joints of the outer with of the masonry shall be tested in shear by laterally displacing a single brick relative to the adjacent bricks in the width. The opposite head joint of the brick to be tested shall be removed and cleaned prior to testing. The minimum quality mortar in eighty (80) percent of the shear tests shall not be less than the total of thirty (30) psi plus the axial stress in the wall at the point of the test. The shear stress shall be based on the gross area of both bed joints and shall be that at which movement of the brick is first observed.

(4) Core Tests. A minimum number of mortar test specimens equal to the number of required cores shall be prepared from the cores and tested as specified herein. The mortar joint of the outer with of the masonry core shall be tested in shear by placing the circular core section in a compression testing machine with the mortar bed joint rotated fifteen (15) degrees from the axis of the applied load. The mortar joint tested in shear shall have an average ultimate stress of twenty (20) psi based on the gross area. The average shall be obtained from the total number of cores made. The average shall be obtained from the total number of cores made. If test specimens can not be made from cores taken then shear value shall be reported as zero.

(f) TESTING OF SHEAR BOLTS. One fourth ($\frac{1}{4}$) of all new shear bolts and dowels embedded in unreinforced masonry walls shall be tested by a registered deputy building inspector using a torque calibrated wrench to the following minimum torques:

One-half ($\frac{1}{2}$) inch diameter bolts or dowels—forty (40) foot-lbs.

Five-eighths ($\frac{5}{8}$) inch diameter bolts or dowels—fifty (50) foot lbs.

Three-fourths ($\frac{3}{4}$) inch diameter bolts or dowels—sixty (60) foot-lbs.

No bolts exceeding one-fourth ($\frac{1}{4}$) inch shall be used. All nuts shall be installed over malleable iron or plate washers when bearing on wood, and heavy cut washers when bearing on steel.

(g) DETERMINATION OF ALLOWABLE STRESSES FOR DESIGN METHODS BASED ON TEST RESULTS.

(1) Design Shear Values. Design seismic in-place shear stresses shall be substantiated by tests performed as specified in **Section 1613.9 (e) (3) and (4)**.

Design stresses shall be related to test results obtained in accordance with Table No. 23-U. Intermediate values between three (3) and ten (10) psi may be interpolated.

(2) Design Compression and Tension Values. Compression stresses for unreinforced masonry having a minimum design shear value of three (3) psi shall not exceed one hundred (100) psi. Design tension values for unreinforced masonry shall not be permitted.

(h) Five (5) percent of the existing rod anchors utilized as all or part of the required wall anchors shall be tested in pullout by an approved testing laboratory. The minimum number tested shall be four (4) per floor, with two (2) tests at walls with joist framing into the wall and two tests

at walls with joist parallel to the wall. The test apparatus shall be supported on the masonry wall of a minimum distance of the wall thickness from the anchor tested. The rod anchor shall be given a preload of three hundred (300) pounds prior to establishing a datum for recording elongation. The tension test load report shall be recorded at one-eighth inch relative movement of the anchor and the adjacent masonry surface. Results of all tests shall be reported. The report shall include the test results as related to the wall thickness and joint orientation. The allowable resistance value of the existing anchors shall be forty (40) percent of the average of those tested anchors having the same wall thickness and joint orientation.

(i) Qualification tests for devices used for wall anchorage shall be tested with the entire tension load carried on the enlarged head at the exterior face of the wall. Bond on the part of the device between the enlarged head and the interior wall face shall be eliminated for the qualification tests. The resistance value assigned the device shall be twenty (20) percent of the average of the ultimate loads.

15.36.110 - CBC Section 1613.10 added—Information required on plans.

Section 1613.10 is added to the California Building Code to read:

1613.10 Information required on plans.

(a) GENERAL. In addition to the seismic analysis required pursuant to this Chapter, the licensed engineer or architect responsible for the seismic analysis of the building shall determine and record the information required by this section on the approved plans.

(b) CONSTRUCTION DETAILS. The following requirements with appropriate construction details shall be made part of the approved plans:

(1) All unreinforced masonry walls shall be anchored at the roof level by tension bolts through the wall as specified in Table No. 23-T, or by approved equivalent at a maximum anchor spacing of six (6) feet.

All unreinforced masonry walls shall be anchored at all floors with tension bolts through the wall or by existing rod anchors at a maximum anchor spacing of six (6) feet. All existing rod anchors shall be secured to the joists to develop the required forces. The Building Official may require testing to verify the adequacy of the embedded ends of existing rod anchors. Tests when required shall conform to Section ~~2321~~1613.9(h).

When access to the exterior face of the masonry wall is prevented by proximity of an existing building, wall anchors conforming to Item 5 and 6 in Table 23-T may be used.

Alternative devices to be used in lieu of tension bolts for masonry wall anchorage shall be tested as specified in **Section 1613.9(i)**.

(2) Diaphragm chord stresses of horizontal diaphragm shall be developed in existing materials or by addition of new materials.

(3) Where trusses and beams other than rafters or joists are supported on masonry, ledges or columns shall be installed to support vertical loads of the roof or floor members.

(4) Parapets and exterior wall appendages not capable of resisting the forces specified in this section shall be removed, stabilized or braced to ensure that the parapets and appendages remain in their original position.

(5) All deteriorated mortar joints in unreinforced masonry walls shall be pointed with Type S or N mortar. Prior to any pointing, the wall surface must be raked and cleaned to remove loose and deteriorated mortar. All preparation and pointing shall be done under continuous inspection of a registered deputy building inspector certified to inspect masonry or concrete. At the conclusion of the project, the inspector shall submit a written report to the Building Official setting forth the portion of work inspected.

- (6) Repair details of any cracked or damaged unreinforced masonry wall required to resist forces specified in this division.
- (c) EXISTING CONSTRUCTION. The following existing construction information shall be made part of the approved plans:
- (1) The type and dimensions of existing walls and the size and spacing of floor and roof members.
 - (2) The extent and type of existing wall anchorage to floors and roof.
 - (3) The extent and type of parapet corrections which had been performed on the building subsequent to initial construction.
 - (4) Accurately dimensioned floor plans and masonry wall elevations showing dimensioned openings, piers, wall thickness and heights.
 - (5) The location of cracks and damaged portions of unreinforced masonry walls requiring repairs.
 - (6) The type of interior wall surfaces and if reinstalling or anchoring of ceiling plaster is necessary.
 - (7) The general condition of the mortar joints and if joints need pointing.

15.36.120 - Table 23-M added to CBC Chapter 16—Rating classifications.

Table 23-M is added to Chapter 16 of the California Building Code to read:

**TABLE NO. 23-M
RATING CLASSIFICATIONS**

TYPE OF BUILDING	CLASSIFICATION
Essential building	I
High-risk building	II
Medium-risk building	III
Low-risk building	IV

15.36.130 - Table 23-N added to CBC Chapter 16—Time limits for compliance.

Table 23-N is added to Chapter 16 of the California Building Code to read:

**TABLE NO. 23-N
TIME LIMITS FOR COMPLIANCE**

RATING CLASSIFICATION	COMPLETION OF ANALYSIS WITHIN	OBTAIN BUILDING PERMIT WITHIN	COMMENCE CONSTRUCTION WITHIN	COMPLETE CONSTRUCTION WITHIN
I	90 days	90 days*	180 days**	2 years**
II	90 days	90 days*	180 days**	2 years**
III & IV	1 year	90 days*	180 days**	3 years**

* Measured from completion date of structural analysis.

** Measured from the date of building permit issuance.

15.36.140 - Table 23-O added to CBC Chapter 16—Horizontal force factors based on rating classification.

Table 23-O is added to Chapter 16 of the California Building Code to read:

**TABLE NO. 23-O
HORIZONTAL FORCE FACTORS
BASED ON RATING CLASSIFICATION**

RATING CLASSIFICATION	IKCS
I	0.186
II	0.133
III & IV	0.100

15.36.150 - Table 23-P added to CBC Chapter 16—Horizontal force factors "IS" for parts or portions of structures.

Table 23-P is added to Chapter 16 of the California Building Code to read:

**TABLE NO. 23-P
HORIZONTAL FORCE FACTORS "IS"
FOR PARTS OR PORTIONS OF STRUCTURES**

RATING CLASSIFICATION	IS
I	1.50
II	1.00
III & IV	0.75

15.36.160 - Table 23-Q added to CBC Chapter 16—Horizontal force factor "Cp" for parts or portions of buildings or other structures.

Table 23-Q is added to Chapter 16 of the California Building Code to read:

**TABLE NO. 23-Q
HORIZONTAL FORCE FACTOR "Cp" FOR PARTS OR PORTIONS
OF BUILDINGS OR OTHER STRUCTURES**

Part or Portion of Buildings	Direction of Force	Value of Cp
Exterior bearing and nonbearing walls; interior bearing walls and partitions; interior nonbearing walls and partitions over 10 feet in height; masonry fences over 6 feet in height.	Normal-to-flat	0.20
Cantilever parapet and other cantilever walls, except retaining walls.	Normal-to-flat	1.00
Exterior and interior ornamentations and appendages.	Any direction	1.00

When connected to a part of a building; towers, tanks, towers and tanks plus contents, racks over 8 feet 3 inches in height plus contents, chimneys, smokestacks and penthouses.	Any direction	0.20
When connected to or part of a building; Rigid and rigidly mounted equipment and machinery and required for continued operation of essential occupancies.	Any horizontal direction	0.20
Tanks plus effective contents resting on the ground floor.	Any direction	0.12
Floors and roofs acting as diaphragms.	In the plane of the diaphragm	0.12
Prefabricated structural elements, other than walls, with force applied at center of gravity of assembly.	Any horizontal direction	0.30
Connections for exterior panels or elements.	Any direction	2.00

Notes:

- (1) See Section 23201613.8(b) for use of Cp.
- (2) When located in the upper portion of any building with a ratio of five (5) to one (1) or greater, the value shall be increased by fifty (50) percent.
- (3) For flexible and flexibly mounted equipment and machinery, the appropriate value for Cp shall be determined with consideration given to both the dynamic properties of the equipment and machinery and to the building or structure in which it is placed.
- (4) The Wp for storage racks shall be the weight of the racks plus contents. The value of Cp for racks over two (2) storage support levels in height shall be zero point sixteen (0.16) for the levels below the top two (2) levels.
- (5) The design of the equipment and machinery and their anchorage is an integral part of the design and specification of such equipment and machinery. The structure to which the equipment or machinery is mounted shall be capable of resisting the anchorage forces
- (6) Floors and roofs acting as diaphragms shall be designed for a minimum force resulting from a Cp of point twelve (.12) applied to the Wp unless a greater force results from the distribution of lateral forces in accordance with Section 1613.9(e).

15.36.170 - Table 23-R added to CBC Chapter 16—Allowable value of height-thickness ratio of unreinforced masonry walls with minimum quality mortar.

Table 23-R is added to Chapter 16 of the California Building Code to read:

TABLE NO. 23-R
ALLOWABLE VALUE OF HEIGHT-THICKNESS RATIO OF
UNREINFORCED MASONRY WALLS WITH MINIMUM QUALITY MORTAR^{1,2}

	BUILDINGS WITH CROSSWALLS AS DEFINED BY SECTION 91.8803	ALL OTHER BUILDINGS
Walls of one-story buildings	16	13
First-story wall of multistory	16	15

buildings		
Walls in top story of multistory buildings	14	9
All other walls	16	13

Notes:

- 1 Minimum quality mortar shall be determined by Laboratory testing in accordance with Section 1613.9(e).
- 2 Table No. 23-R is not applicable to buildings of Rating Classification I. Walls of buildings within Rating Classification I shall be analyzed in accordance with Section 1613.8 (f).

15.36.180 - Table 23-S added to CBC Chapter 16—Values for existing materials.

Table 23-S is added to Chapter 16 of the California Building Code to read:

**TABLE NO. 23-S
VALUES FOR EXISTING MATERIALS**

NEW MATERIALS OR CONFIGURATION OF MATERIALS ¹	ALLOWABLE VALUES
1. HORIZONTAL DIAPHRAGMS	
a. Roofs with straight sheathing and roofing applied directly to the sheathing.	100 lbs. per foot for seismic shear.
b. Roofs with diagonal sheathing and roofing applied directly to the sheathing.	400 lbs. per foot for seismic shear.
c. Floors with straight tongue-and-groove sheathing.	150 lbs. per foot for seismic shear.
d. Floors with straight sheathing and finished wood flooring.	300 lbs. per foot for seismic shear.
e. Floors with diagonal sheathing and finished wood flooring.	450 lbs. per foot for seismic shear.
f. Floors or roofs with straight sheathing and plaster applied to the joist or rafters. ²	Add 50 lbs. per foot to the allowable values for items 1(a) and 1(c).
2. SHEAR WALLS	
Wood stud walls with lath and plaster.	100 lbs. per foot each side for seismic shear.
3. PLAIN CONCRETE FOOTINGS	$f'_c = 1500$ psi unless otherwise shown by tests.
4. DOUGLAS FIR WOOD	Allowable stress same as No. 1 D.F.L. ²
5. REINFORCING STEEL	$f_s = 18,000$ lbs. per square inch maximum. ²
6. STRUCTURAL STEEL	$f_s = 20,000$ lbs. per square inch maximum. ²

1 Material must be sound and in good condition.

2 Stresses given may be increased for combinations of loads as specified in Section 2330(g)2.

15.36.190 - Table 23-T added to CBC Chapter 16—Allowable values of new materials used in conjunction with existing construction.

Table 23-T is added to Chapter 16 of the California Building Code to read:

**TABLE NO. 23-T
ALLOWABLE VALUES OF NEW MATERIALS USED IN CONJUNCTION WITH EXISTING
CONSTRUCTION**

NEW MATERIALS OR CONFIGURATION OF MATERIALS ¹	ALLOWABLE VALUES
1. HORIZONTAL DIAPHRAGMS	
Plywood sheathing applied directly over existing straight sheathing with ends of plywood sheets bearing on joists or rafters and edges of plywood located on center of individual sheathing boards.	Same as specified in Table No. 25-J of this code for blocked diaphragms.
2. SHEAR WALLS	
(a) Plywood sheathing applied directly over existing wood studs. No value shall be given to plywood applied over existing plaster or wood sheathing.	Same as values specified in Table No. 25-K for shear walls.
(b) Drywall or plaster applied directly over existing wood studs.	75 percent of the values specified in Table No. 47-I.
(c) Drywall or plaster applied to plywood sheathing over existing wood studs.	33-1/3 percent of the values specified in Table No. 47-I.
3. SHEAR BOLTS	
Shear bolts and shear dowels embedded a minimum of 8 inches into unreinforced masonry walls. Bolt centered in a 2-½ inch diameter bolt with dry-pack or nonshrink grout around circumference of bolt or dowel. ^{1, 3}	100 percent of the values for solid masonry specified in Table No. 24-G. No values larger than those given for ¾ inch bolts shall be used.
4. TENSION BOLTS	
Tension bolts and tension dowels extending entirely through unreinforced masonry walls secured with bearing plates on far side of wall with at least 30 square inches of area. ^{2, 3}	1200 lbs. per bolt or dowel.
5. WALL ANCHORS	
(a) Bolts extending to the exterior face of the wall with a 2-½ inch round plate under the head. Install as specified for shear bolts. Spaced not closer than 12 inches on centers. ^{1, 2, 3}	600 lbs. per bolt.
(b) Bolts or dowels extending to the exterior face of the wall with a 2-½ inch round plate under the head	1200 lbs. per bolt or dowel.

and drill at an angle of 22-½ degrees to the horizontal. Installed as specified for shear bolts. ^{1, 2, 3}	
6. INFILLED WALLS	
Reinforced masonry infilled openings in existing unreinforced masonry walls with keys or dowels to match reinforcing.	Same as values specified for unreinforced masonry walls.
7. REINFORCED MASONRY	
Masonry piers and walls reinforced per Section 2417 and 2418	Same as values specified in Table No. 24-B
8. REINFORCED CONCRETE	
Concrete footings, walls and piers reinforced as specified in Chapter 26 and designed for tributary loads.	Same as values specified in Chapter 26 of this code.
9. EXISTING FOUNDATION LOADS	
Foundation loads for structures exhibiting no evidence of settlement.	Calculated existing foundation loads due to maximum dead load plus live load may be increased 25 percent for dead load, and may be increased 50 percent for dead load plus seismic load required by section.

Notes:

- 1 Bolts and dowels to be tested as specified in Section 23241613.9.
- 2 Bolts and dowels to be ½-inch minimum in diameter.
- 3 Drilling for bolts and dowels shall be done with an electric rotary drill. Impact tools shall not be used for drilling holes or tightening anchor and shear bolt nuts.

15.36.200 - Table 23-U added to CBC Chapter 16—Allowable shear stress for tested unreinforced masonry walls.

Table 23-U is added to Chapter 16 of the California Building Code to read:

**TABLE NO. 23-U
ALLOWABLE SHEAR STRESS FOR TESTED
UNREINFORCED MASONRY WALLS**

30 PERCENT OF TEST RESULTS IN PSI NOT LESS THAN	AVERAGE TEST RESULTS OF CORES IN PSI	SEISMIC IN-PLANE SHEAR BASED ON GROSS AREA
30 plus axial stress	20	3 psi*
40 plus axial stress	27	4 psi*
50 plus axial stress	33	5 psi*
100 plus axial stress	67 or more	10 psi max.*

* Allowable shear stress may be increased by addition of 10 percent of the axial stress due to the weight of the wall directly above.

Justification for changes and amendments to California Mechanical Code

Municipal Code Section	Section Title	Added To CMC	Amended from CMC	Justification (see key)
15.12.020	CMC Section 110.1 amended— Board of appeals designation.		X, amending CMC Section 110.1	A
15.12.030	CMC Section 115.2 amended— Permit fees.		X, amending CMC Section 115.2	A

15.12.020 - CMC Section 110.1 amended—Board of appeals designation.

Section 110.1 of the California Mechanical Code is hereby amended to read as follows:

Section 110.1. In order to determine the suitability of alternate materials and types of construction, and to provide a reasonable interpretation of the provisions of this Code, the City Council shall act as the Board of Appeals, as referred to in this Code.

15.12.030 - CMC Section 115.2 amended—Permit fees.

Section 115.2 of the California Mechanical Code are amended to read as follows:

Section 115.2. Any person desiring a permit required by this Code shall, at the time of filing an application therefore, pay a fee in the amount set by City Council Resolution.

Justification for changes and amendments to California Plumbing Code

Municipal Code Section	Section Title	Added To CPC	Amended from CPC	Justification (see key)
15.20.020	CPC Section 103.4.1 amended.		X, amending CPC Section.103.4.1	A
15.20.040	Automatic fire sprinkler system plan review fee and installation permit.	X		C
15.20.050	Appeals	X		A
15.20.060	Water piping prohibited within or under a concrete slab	X		B**

** There are areas of soil in the city of Montebello that are negatively reactive to water piping under building slabs. Over the last twenty (20) years there have been excessive amounts of water piping failings under building slabs due to "hot spots" or areas of soils that deteriorate water piping at a faster than normal rate causing owners to have their homes completely re-piped.

15.20.020 - CPC Section 103.4.1 amended.

Section 103.4.1 of the California Plumbing Code is amended to read as follows:

Any person desiring a permit required by this code shall, at the time of filing an application, pay a fee to the City in the amount set by City Council Resolution.

15.20.040 - Automatic fire sprinkler system plan review fee and installation permit.

A permit shall be obtained and a plan review fee paid for the installation and/or alteration of an automatic fire sprinkler system as required in Sections 15.04.015, 15.32.080, and/or 15.32.090.

15.20.050 - Appeals.

The city council shall act as a board of appeals in making a correct determination of any appeal arising from actions of the building official. Appeals shall be made in writing and the appellant may appear in person before the city council or be represented by an attorney and may introduce evidence to support his claims. Appeals shall be heard at reasonable times at the convenience of the city council but not later than thirty days after receipt thereof. The appellant shall cause to be made at his own expense any tests or research required by the city council to substantiate his claims.

15.20.060 –Water piping prohibited within or under a concrete slab

No water piping shall be installed within any concrete slab or in the ground under a cor within a building.

Exceptions:

- a. For use only at an island sink; the water piping shall be enclosed in a 3" ABS/PVC sleeve for a maximum of eight (8) feet.
- b. Non-pressurized water piping to floor drains.

Justification for changes and amendments to California Electrical Code

Municipal Code Section	Section Title	Added To CEC	Amended from CEC	Justification (see key)
15.24.020	Building official as electrical safety engineer	X		A
15.24.050	Duties of electrical safety engineer.	X		A
15.24.060	Delegation of duties.	X		A
15.24.070	Interpretations, procedures, and appeals.	X		A
15.24.080	Stop work orders.	X		A
15.24.090	Reinspection.	X		A
15.24.100	Right of entry.	X		A
15.24.110	Permit required.	X		A
15.24.120	Expiration of permit.	X		A
15.24.130	Work not requiring a permit.	X		A
15.24.140	Application for electrical permits.	X		A
15.24.150	Plans.	X		A
15.24.160	Fees.	X		A
15.24.170	Transfer.	X		A
15.24.180	Number of permits per job.	X		A
15.24.190	Suspension or revocation of permit.	X		A

15.24.040 Building official as electrical safety engineer

The building official shall be the electrical safety engineer for the purpose of this code.

15.24.050 Duties of electrical safety engineer.

It shall be the duty of the electrical safety engineer to administer and enforce the provisions of this code in a manner consistent with the intent thereof. He shall, upon application, subject to approval of plans, grant permits for installation or alteration of electrical wiring, devices, appliances, and equipment. He shall make inspections and reinspections of the installation, maintenance and repair all electrical wiring, connections, fixtures, appliances, apparatus, machinery, equipment, and work inside, outside, overhead, or underground within his jurisdiction. When electrical equipment or wiring is installed, the person, firm, or corporation responsible for the electrical equipment or work shall make any corrections as required by the sections in this code, after being notified in writing to do so by the electrical safety engineer. If such work is not corrected within 10 days, or longer periods as may be specified by the electrical safety engineer, said electrical safety engineer shall have authority to disconnect or order the discontinuance of electrical service to said electrical equipment and any person, firm, corporation, or political subdivision ordered to discontinue each electrical service shall do so within 24 hours and shall not reconnect or allow it to be reconnected until notified to do so by the electrical safety engineer. Refusal, failure, or neglect to comply with any such notice or order shall be considered a violation of this code. In cases of property, where electrical equipment may interfere with the work of the fire department, the electrical safety engineer shall have the authority to immediately disconnect or cause to be disconnected any of the electrical equipment.

15.24.060 Delegation of duties.

The electrical safety engineer may delegate any of his powers or duties to any of his inspectors.

15.24.070 Interpretations, procedures, and appeals.

The electrical safety engineer is authorized to determine the intent and meaning of any provision of this code. Such determination shall be made in writing and a record kept, which record shall be open to the public. Any decision of the electrical safety engineer under the provisions of this code or any interpretations by him of any provisions hereof, shall be final unless an appeal is made to the city council by filing a written request therefor, within ten days of such decision with the city clerk. A formal noticed hearing shall not be required provided the appellant or other interested person is given at least five days' written notice of the time and place of such hearing.

15.24.080 Stop work orders.

Whenever any work regulated by this code is being performed contrary to the provisions thereof, the electrical safety engineer shall order the work stopped, which shall be served on any person or persons engaged in doing or causing such work to be performed. Such persons shall forthwith stop such work until authorized by the electrical safety engineer to proceed with the work.

15.24.090 - Reinspection.

A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the permit card is not properly posted on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose, and pay the reinspection fee in accordance with Section 15.24.160 of the Montebello Municipal Code.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

15.24.100 - Right of entry.

- (a) Whenever it is necessary to make an inspection to enforce any of the provisions of or perform any duty imposed by this code or other applicable law, the electrical safety engineer or his authorized representative is authorized to enter such property at any reasonable time and to inspect the same and perform any duty imposed upon the electrical safety engineer by this code or other applicable law; provided that:

- (i) if such property is occupied, he shall first present proper credentials to the occupant and request entry explaining his reasons therefor; and
- (ii) if such property is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the property and request entry, explaining his reasons therefor.

If such entry cannot be obtained because the owner or other person having charge or control of the property cannot be found after due diligence or if entry is refused, the electrical safety engineer or his authorized representative shall have recourse to every remedy provided by law to secure lawful entry and inspect the property; and

(b) Notwithstanding the foregoing, if the electrical safety engineer or his authorized representative has reasonable cause to believe that the building or premises is hazardous, unsafe or dangerous as to require immediate inspection to safeguard the public health or safety, he shall have the right to immediately enter and inspect such property, and may use any reasonable means required to effect such entry and make such inspection, whether such property be occupied or unoccupied and whether or not permission to inspect has been obtained. If the property is occupied, he shall first present credentials to the occupant and demand entry, explaining his reasons therefor and the purpose of his inspection.

15.24.110 - Permit required.

- (a) Except as specifically exempted, no electrical system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate electrical permit for each building, structure, system or equipment has first been obtained from the building official.
- (b) A separate permit shall be obtained for each building or structure, except that applications for R-1 and R-3 occupancies may include accessory buildings of U occupancy on a permit for a residential building;
- (c) No person shall allow any other person to do or cause to be done any work under a permit secured by permittee except persons in his employ;
- (d) The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which it authorized is lawful; and
- (e) The issuance or granting of a permit or approval of plans shall not prevent the electrical safety engineer from thereafter requiring the correction of errors in said plans and specifications, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinance of the city.

15.24.120 - Expiration of permit.

Every permit issued under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time

after work is commenced for a period of one hundred eighty days. Before such work can be recommended, a new permit shall be first obtained to do so.

15.24.130 - Work not requiring a permit.

The following shall not require a permit:

- (a) Minor repair work such as the replacement of lamps, switches, receptacle devices, sockets, taping bare joints and the like, or the connection of portable motors and appliances to suitable receptacles which have been permanently installed;
- (b) Wiring for temporary theater, motion picture or television stage sets;
- (c) Repair and replacement of fixed motors, transformers, apparatus, or appliances of the same type and rating in the same location;
- (d) Electrical wiring, devices, appliances, apparatus, or equipment operating at less than twenty-five volts and not capable of supplying more than fifty watts of energy;
- (e) Installation of temporary wiring for testing or experimental purposes within suitable facilities;
- (f) Portable generators, motors, appliances, tools, receptacle outlets, and other portable equipment connected by means of a cord or cable having an attachment plug and used on construction sites; and
- (g) Installation, alteration, repair or maintenance of electrical equipment installed by or for an electricity supply agency for the use of such agency in the generation, transmission, distribution or metering of electricity.

15.24.140 - Application for electrical permits.

Application for electrical permits shall be made in writing on the form provided. The applicant shall be one of the following:

- (a) A state licensed electrical, general, sign, or elevator contractor working within their respective classification as specified in the State Contractor License Board Rules and Regulations.
- (b) The owner of a single-family dwelling for any electrical work at such dwelling used exclusively for living purposes including the usual accessory building and quarters in connection with such buildings; provided, that such person is the bona fide owner of such dwelling and accessory buildings and quarters, that the same are occupied by or designed to be occupied by said owner, that said single-family dwelling is the only dwelling on the lot or property; and provided, that said owner shall personally perform all labor in connection therewith.

15.24.150 - Plans.

Plans, specifications, load schedules and calculations shall be submitted for plan check as required by the electrical safety engineer and shall be prepared by an architect, electrical engineer, or qualified electrician and shall be submitted for the following structures:

- (a) New apartment buildings over two stories in height;
- (b) Other new structures where the electrical service is rated in excess of four hundred amperes; and

- (c) Unusual or complex installations, as determined by the electrical safety engineer.

15.24.160 - Fees.

(a) Electrical Permit Fees. Any person desiring an electrical permit required by this code shall, at the time of filing an application, pay a fee to the city in an amount set by city council resolution.

(b) Penalty Fee. Any electrical installation of work done without first securing a permit, except as provided in Section 15.24.130, is subject to the full requirements of this code. The electrical safety engineer shall double the appropriate fees covering the work whenever said work is started prior to obtaining the required permit. The payment of such penalty shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

15.24.170 - Transfer.

Permits are not transferable from one person to another or from one location to another.

15.24.180 - Number of permits per job.

Where one person, firm or corporation has an active electrical permit for a job, and another person, firm or corporation wishes to make application to do electrical rough wiring or installation of fixtures on the same job, a final inspection and approval of the original permittee's work shall be made before a permit will be granted to a second person, firm or corporation.

15.24.190 - Suspension or revocation of permit.

The electrical safety engineer may suspend or revoke any permit issued under the provisions of this code whenever such permit is issued in error, or is issued on the basis of incorrect information supplied, or has been obtained by falsification or misrepresentation or when work is being done thereunder in violation of this or any other related ordinance or regulation.

Justification for changes and amendments to California Fire Code

Municipal Code Section	Section Title	Added To CFC	Amended from CFC	Justification (see key)
15.32.030	Arson investigators.	X		A
15.32.040	Recognized standards.	X		A
15.32.050	Fire protection systems.	X		A
15.32.060	Revocation, suspension or denial of permits—Criteria.	X		A
15.32.080	Permit fees.	X		A
15.32.090	Plan check/field inspection fees.	X		A
15.32.100	Penalties.	X		A
15.32.110	Issuing authority.	X		A
15.32.120	Plans required.	X		A
15.32.130	Authority having jurisdiction defined	X		A
15.32.140	Chief of the bureau of fire prevention and corporate counsel defined.	X		A
15.32.150	Fire apparatus access.	X		C
15.32.160 -	Installation or maintenance of obstructions on roof, parapet wall or fire department access opening.			C
15.32.170	Fire hydrant placement.	X		C
15.32.180	Valuation of existing buildings.	X		A
15.32.190	Automatic fire extinguishing systems.	X		C
15.32.195	Automatic fire extinguishing systems—Group R1 and R3 occupancy.	X		C
15.32.200	Sprinkler systems.	X		C
15.32.210	Group A occupancies.	X		C
15.32.240	Garages.	X		C
15.32.250	Supervision of automatic sprinkler systems.	X		C
15.32.260	Cooking equipment.	X		C
15.32.270	Chimney spark arrestors.	X		C
15.32.280	Alleys to be kept clean.	X		C
15.32.290	Housekeeping and fire nuisances.	X		C
15.32.300	Storage and overnight vehicle parking.	X		C
15.32.310	Gas leaks or spills of combustible liquids.	X		C
15.32.330	Door maintenance.	X		C
15.32.340	Nonresidential buildings—Fire alarm systems.	X		C
15.32.350	Fire alarm systems—Monitoring.	X		C
15.32.360	Fire alarm systems—Line use restrictions.	X		C
15.32.390	Pallet storage.	X		C
15.32.400	Pallet storage[—Driveways; aisles].	X		C
15.32.410	Pallet storage[—Fencing].	X		C
15.32.430	Spray finishing operations.	X		C
15.32.440	Spray booths.	X		C
15.32.450	Oil burning equipment, pumps, piping and valves installed inside buildings.	X		C
15.32.460	Low melting point materials.	X		C

15.32.470	Fuel oil.	X		C
15.32.480	Explosives—Storage permits.	X		C
15.32.490	Explosive routes.	X		C
15.32.500	Explosives.	X		C
15.32.510	Fireworks.	X		C
15.32.520	Gasoline.	X		C
15.32.530 -	Cleaning with flammable liquid.	X		C
15.32.540	Flammable and combustible liquid equipment	X		C
15.32.550	Vehicle impact protection.	X		C
15.32.560	Storage of automotive crankcase drainage.	X		C
15.32.570	Flammable liquids—Storage in certain places prohibited.	X		C
15.32.580	Flammable liquids—Empty containers and tanks storage.	X		C
15.32.590	Flammable liquids—Storage in aboveground tanks outside buildings.	X		C
15.32.600	Flammable liquids—Labeling—Portable containers.	X		C
15.32.610	Flammable liquids—Dispensing.	X		C
15.32.620	Fueling station attendants.	X		C
15.32.640	State Health and Safety Code—Chapter 6.95 of Division 20—Implementation and enforcement.	X		A
15.32.650	State Health and Safety Code—Chapter 6.95 of Division 20—Administration and enforcement.	X		A
15.32.660	State Health and Safety Code—Chapter 6.95 of Division 20—Fees.	X		A
15.32.670	New materials, processes or occupancies which may require permits.	X		C
15.32.680	Smoke detectors.	X		C
15.32.690	Enforcement.	X		A
15.32.700	Appeals.	X		A
15.32.710	Violation—Penalty.	X		A

15.32.030 - Arson investigators.

The fire chief may designate members of the Fire Prevention Bureau as arson investigators and as such they shall enforce the California Penal Code as it pertains to arson.

15.32.040 - Recognized standards.

Recognized standards includes:

National Fire Protection Association—National Fire Code.

15.32.050 - Fire protection systems.

A permit shall be required for the installation of any device or system intended or represented as detecting, giving warning of fires, and/or transmitting fire alarms. Also for the installation of fire sprinkler systems, fire alarm systems, dry chemical fire extinguishing systems and/or other fire extinguishing systems.

15.32.060 - Revocation, suspension or denial of permits—Criteria.

The fire chief further shall have the power to revoke, suspend, or deny the granting of any permit required pursuant to the provisions of this code for any of the following reasons:

- A. When deemed necessary for the protection of life, limb or property; or
- B. For the violation of any provision of this code; or
- C. For changing the occupancy, equipment, materials, processes, or other conditions in such a manner as to create a greater danger of fire or explosion or less protection than was present at the time of the issuance of such permit.

15.32.080 - Permit fees.

All applications for permits required pursuant to the provisions of this code shall be accompanied by the sums set forth and established by resolution of the city council.

15.32.090 - Plan check/field inspection fees.

All plans submitted for approval and all field inspection requests must be accompanied by the fee established by resolution of the city council.

15.32.100 - Penalties.

The permit fee as specified in this code shall be doubled, when work requiring a permit has been started or carried on prior to obtaining such permit and the applicant had knowledge that a permit was necessary. A person shall be deemed to have such knowledge if he is a state licensed contractor or previously has applied for a permit in the city of Montebello, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this code in the execution of work, nor from any other penalties prescribed in this code.

15.32.110 - Issuing authority.

Pursuant to the provisions of Section 12007 of the Health and Safety Code of the state and for the purposes of this article, the fire chief shall be designated as the "issuing authority."

15.32.120 - Plans required.

For all work performed for which a permit is required under the California Fire Code, the permit shall be obtained by the occupant/owner from the Montebello Fire Department—Fire Prevention Bureau prior to any work performed.

15.32.130 - Authority having jurisdiction defined.

"Authority having jurisdiction" shall mean the organization, office or individual responsible for approving equipment, installation or procedure.

15.32.140 - Chief of the bureau of fire prevention and corporate counsel defined.

- A. "Chief of the bureau of fire prevention" is head of the fire prevention bureau, and may also be known as "fire marshal."
- B. "Corporate counsel" shall mean the city attorney.

15.32.150 - Fire apparatus access.

In all locations where access for fire apparatus for fire suppression or rescue purposes is unduly difficult or subject to obstruction, the chief of the fire department may designate fire lanes and cause them to be posted as such. No person shall obstruct such fire lanes in any manner that would deter or hinder the fire department from gaining immediate access and use of such designated fire lane.

15.32.160 - Installation or maintenance of obstructions on roof, parapet wall or fire department access opening.

Installation or maintenance of obstructions on the roof of any building, parapet wall, or fire department access opening.

- A. Definition:
 - 1. Barbed wire is twisted wires armed with barbs or sharpened points.
 - 2. Fencing is a barrier made of posts, wire, cable, or boards, or other material to prevent escape or intrusion.
 - 3. Fire department access opening is any opening in an exterior wall provided for fire department access as required by the chief or in lieu of providing automatic sprinkler protection.
 - 4. Parapet wall is that part of any wall entirely above the roof line.
 - 5. Razor ribbon (barbed) wire is continuous coil of metal ribbon with double-edged barbs.
- B. Obstructions. No person shall install or maintain any wire, barbed wire, cable, fencing, aerial, antenna, or other obstructions of any roof of any building, parapet wall, or fire department access opening to the structure in such a manner as to obstruct or render egress or access hazardous in the event of fire or other emergency.
- C. Exception:
 - 1. Guy wire, rods, aerials or antenna masts may be attached to a roof structure having a slope of less than thirty degrees provided there is full clearance of seven feet or more between the roof and said obstruction. Further, guy wire or rods required to support

aerial or antenna masts may be attached to a roof structure a lateral distance from the mast not in excess of one-sixth the height of the mast.

2. Metal bars, grills, grates or similar products manufactured to preclude human entry through windows or exterior doors in compliance with the building code.

3. This section shall not apply to screens, barricades or fences made of material which preclude human climbing and used to prohibit access to building roofs, balconies and utility poles or similar surfaces in compliance with the building code.

4. (a) Razor ribbon wire may not be installed or maintained until a permit is first obtained from the building division and unless attached to:

i. A chain link fence with steel one and one-half inch (schedule 40) vertical posts not more than ten feet on center, with a top steel tension wire strand, or

ii. A concrete block wall with a top steel tension wire strand, or

iii. An ornamental iron fence with a top steel tension wire strand, or

iv. A security fence with steel one and one-half inch (schedule 40) vertical posts not more than ten feet on center and top steel tension wire strand; and provided that the razor wire is installed in a professional manner not less than seven feet to the bottom side of the razor ribbon wire, above the highest adjoining grade on either side of the fence, and further provided that the razor wire have a hog tie at the top tension wire and at the bottom loop of the razor wire on the security fence, a minimum of fourteen inches on center.

(b) A fence of a temporary nature may be erected to protect areas such as construction sites; provided that all of the regulations of the ordinance codified herein regarding standards for vertical posts and security topping are met and the required permit is first secured.

D. Razor Ribbon Wire. Use of razor ribbon wire in any residential zone is prohibited. Where a residential zone abuts a zone where the installation of razor ribbon wire is not prohibited, no portion of such wire shall extend into, or in any way encroach upon the area or space within the residential zone or public right-of-way.

E. Storage on Roofs. No person shall cause to be placed or maintained upon any roof or balcony any materials or objects which may interfere with egress or fire department operations in case of fire. Any person who has installed or maintained any obstruction described and prohibited herein, shall have one hundred twenty days from the effective date of this subsection within which to comply with this subsection.

15.32.170 - Fire hydrant placement.

The fire chief shall designate the location of fire hydrants to be placed at the expense of developers. Such locations shall be selected by him in accordance with acceptable standards for fire prevention and fire suppression activities. Any person who is aggrieved by a decision made by the chief related to the location and/or number of fire hydrants required, shall have the right of appeal to the city council. Such an appeal shall be perfected by the filing with the city administrator of a written letter of appeal not later than ten days after the giving of notice by the chief of his decision. In determining the number and placement of fire hydrants the chief and the city council shall consider acceptable fire suppression and prevention standards and practices and the physical circumstances relating to the area to be served by such fire facilities.

15.32.180 - Valuation of existing buildings.

For purposes of this section, an existing building or structure shall be deemed to be valued based on current construction cost to replace the structure in kind.

15.32.190 - Automatic fire extinguishing systems.

Any new building constructed for any occupancy use and not otherwise required to be protected by this code, shall be protected by an approved automatic fire extinguishing system when the total floor area of such building exceeds four thousand square feet. This provision shall apply to any existing building, which after completion of any addition, will exceed four thousand square feet of floor area.

Alarm Bells.

In buildings over one story in height, alarm bells shall be provided on each floor and shall be audible throughout each floor.

Such alarm bells shall be connected to the automatic fire extinguishing system and shall be designated to activate when a water flow is detected in the system.

15.32.195 - Automatic fire extinguishing systems—Group R1 and R3 occupancy.

Any new building constructed or to be used as a Group R1 or R3 occupancy as defined in the California Fire Code shall be protected by an approved automatic fire extinguisher system. This provision shall also apply to existing R1 and R3 building(s) exceed fifty percent of the total existing square footage of structure, prior to the addition.

15.32.200 - Sprinkler systems.

Within any mansard roof overhang attached to a building, a sprinkler system is required by this code. Where a sprinkler system is not required, a one-hour separation shall be provided for every fifty feet of linear travel.

15.32.210 - Group A occupancies.

Group A Occupancies.

1. Any new building to be used as a Group A Occupancy, as defined in the California Building Code, shall be protected by an approved automatic fire extinguishing system, when the total floor area exceeds four thousand square feet. This provision shall apply to any existing building when alterations and/or additions to such building causes total floor area to exceed four thousand square feet.

Any existing building over four thousand square feet shall be provided with an approved automatic fire extinguishing system when alterations and/or additions to such building exceeds twenty-five percent of the value of said building.

15.32.240 - Garages.

An automatic fire sprinkler system shall be installed in all garages in Group R Division Occupancies when a standpipe system is required and when any portion of the building protected is in excess of one hundred fifty feet from a "water supply" as defined in the California Fire Code. A public fire hydrant shall be located within forty feet of said standpipe's fire department connection.

15.32.250 - Supervision of automatic sprinkler systems.

All required automatic sprinkler systems (control valves, tamper switches, flow alarm devices, etc.) shall be supervised by an "approved" Underwriters' Laboratory (U.L.) listed central, proprietary, or remote station. Automatic transmission of alarms shall be made to the Montebello Fire Department or other approved location in a manner and form approved by the chief.

15.32.260 - Cooking equipment.

The phrase "commercial type cooking equipment" is deleted; and replaced with the following phrase: "commercial, industrial, institutional and similar type cooking equipment," shall be protected by an automatic fire extinguishing system.

15.32.270 - Chimney spark arrestors.

Chimney Spark Arrestors. Each chimney used in conjunction with any fireplace or any heating or cooking appliance in which solid or liquid fuel is used, upon or near any building or structure shall terminate in a substantially constructed spark arrestor having a wire mesh not exceeding one-quarter inch.

15.32.280 - Alleys to be kept clean.

Alleys to be Kept Clean. No person owning or occupying or having possession or control of any property bordering on any public alley in the city shall fail, refuse, or neglect to keep the portion of such alley between the centerline thereof and the property line of such property free from garbage, rubbish, and combustible materials or compounds and flammable liquids and other obstructions.

15.32.290 - Housekeeping and fire nuisances.

Housekeeping and Fire Nuisances. All buildings and premises governed by these regulations shall be maintained in good repair and in a clean and orderly manner, free from any condition that presents a fire hazard or a condition which would contribute to the rapid spread of fire provisions shall be made for the proper storage and disposal of waste materials and rubbish consistent with the following:

1. All basements, cellars, floors, closets, attics, and other similar places not open to continuous observation shall be kept free from combustible litter and rubbish at all times.
2. All combustible waste material and rubbish shall be stored in approved noncombustible containers, consistent with approved fire prevention practices until such time as waste material and rubbish are removed from the premises or otherwise properly disposed of. All such waste containers, other than convenience waste receptacles emptied at the close of each day, shall be provided with tight-fitting, noncombustible covers.
3. Ashes shall not be placed in or near combustible material but shall be placed in approved metal containers until removed from the premises or otherwise properly disposed of.

4. Boiler rooms, mechanical rooms, electric panel rooms, exit passageways, stairways, and corridors shall not be used for storage.
5. Electric motors, filters on heating equipment, and grease hoods shall be checked periodically and kept clean and maintained in a safe operating condition.

15.32.300 - Storage and overnight vehicle parking.

The storage and/or overnight parking of any motorized vehicle, which has a fuel tank capacity of more than one quart, and which contains a Class 1 flammable liquid fuel, is hereby prohibited within any residential structure.

15.32.310 - Gas leaks or spills of combustible liquids.

Any person who upon discovering or being notified of an uncontrolled or dangerous gas leak or spill of flammable or combustible liquids, or hazardous materials on the premises, which he owns, rents, operates, manages, controls, or occupies, shall immediately notify the fire department. The person will be responsible for the total cleanup and cost of said cleanup.

15.32.330 - Door maintenance.

Door Maintenance. Existing doors shall be maintained operable as originally installed and shall be repaired as necessary to maintain their operability.

15.32.340 - Nonresidential buildings—Fire alarm systems.

General. Any new buildings constructed as a non-residential occupancy exceeding two thousand five hundred square feet of floor area, or any existing non-residential building which presently does not exceed two thousand five hundred square feet of floor area but after addition exceeds, two thousand five hundred square feet of floor area which undergoes alterations or remodeling exceeding twenty-five percent of the square foot of said building shall be provided with an approved automatic fire detection and alarm system. Such system shall comply with the fire requirements of the National Fire Protection Association Standard 72 and Title 24, California Administrative Code governing installation and approval of such systems. Arrangements shall be made for the automatic transmission of the fire alarms from the building in which the fire alarm system is installed to the Montebello Fire Department in a manner and form acceptable to the fire chief.

15.32.350 - Fire alarm systems—Monitoring.

Monitoring. All fire alarm systems required by this Code shall be supervised by an approved Underwriters' Laboratory (U.L.) listed central station. Arrangements shall be made for the automatic transmission of fire alarms from the building in which the fire alarm system is installed to the central station and then retransmitted to the fire department in a manner and form acceptable to the fire chief.

15.32.360 - Fire alarm systems—Line use restrictions.

No fire alarm system that automatically telephones the fire department shall telephone the department on any public emergency telephone line. Any such system shall telephone the department on specific lines and telephone numbers that shall be designated for such purpose by the fire chief.

15.32.390 - Pallet storage.

All pallets must be stacked so that there is no visibility through the stacks to the adjacent aisles, or so organized to assure that no temporary organized living facilities or places of refuge are hidden from view. Pallets shall be stacked or piled with due regard to stability of piles, and in no case higher than fifteen feet. Where pallets are piled next to a property line, the distance from the pile or stack to the property line shall not be less than one-half the height of the stack, but in no case less than five feet.

15.32.400 - Pallet storage[—Driveways; aisles].

Driveways or aisles between and around pallet stacks or piles shall be at least twenty feet in width and maintained free from accumulated rubbish, equipment or other articles or materials. Rows of pallets shall be no greater than three pallets or fifteen feet in width.

15.32.410 - Pallet storage[—Fencing].

All lumber or pallet storage shall be surrounded with a suitable fence at least six feet **high** and stored five feet from property line or building, unless storage is within a building.

15.32.430 - Spray finishing operations.

All spray finishing operations shall be conducted within an approved spray booth and no spray painting shall be permitted outdoors, with the exception of the application of finishes to structural exteriors primarily intended to protect said structure.

15.32.440 - Spray booths.

Space within an approved spray booth shall be fully protected with an approved automatic fire extinguishing system.

15.32.450 - Oil burning equipment, pumps, piping and valves installed inside buildings.

Oil burning equipment, pumps, piping and valves installed inside of buildings shall be protected against fire exposure in one of the following manners: (1) one-story buildings: Automatic fire sprinklers (Extra Hazard Rating) in all areas where equipment and piping is located; (2) All multistory buildings: Piping to be installed in noncombustible one-hour rating oil-tight enclosure or shaft with service openings) to the point where the piping enters the one-hour-rated equipment room; (3) Remote controlled shut off valves are required on all systems.

15.32.460 - Low melting point materials.

Low melting point materials, including, but not limited to, aluminum, copper, brass and bronze may be installed inside buildings in sizes no more than one-half inch (nominal diameter).

15.32.470 - Fuel oil.

The grade of fuel oil used in a burner shall be that for which the burner is approved and as stipulated by the manufacturer. Crankcase oil or any oil containing gasoline shall not be used.

15.32.480 - Explosives—Storage permits.

No person shall store or keep any explosive in excess of twenty pounds without first obtaining a permit therefore from the chief of the fire department. An application in the form prescribed by the fire chief for such permit shall be accompanied by fee as set forth in the fee schedule. No such permit shall be issued unless the fire chief is satisfied that all requirements of the Health and Safety Code of the State of California, and this code, relating to the storage of explosives have been complied with.

15.32.490 - Explosive routes.

Explosive routes. The following streets and portions of streets, and no others, may be used for the transportation of explosives: Washington Boulevard between Greenwood Avenue and the westerly city limits.

15.32.500 - Explosives.

The City Council of the City of Montebello hereby establishes the maximum quantity of explosives or blasting agents which may be loaded, unloaded, reloaded or temporarily retained at each terminal where such operations are permitted at two hundred forty thousand pounds aggregate gross weight or not more than eight explosive-laden vehicles at any one time.

15.32.510 - Fireworks.

The sale of fireworks shall be governed by the provisions of Chapter 8.20 of this code.

15.32.520 - Gasoline.

For the purpose of this article, gasoline will be handled as a Class 1A flammable liquid.

15.32.530 - Cleaning with flammable liquid.

No person shall clean parts, products, or any other item within a building or within fifty feet of any building or structure with any flammable liquid having a flash point below one hundred degrees, unless it is used in a closed machine approved for the purpose, or in a separate well ventilated room constructed in accordance with Section 79.804.

15.32.540 - Flammable and combustible liquid equipment.

- A. Flammable combustible liquid equipment, pumps, piping and valves installed inside of buildings shall be protected against fire exposure in one of the following manners:
1. One-story buildings: Automatic fire sprinklers (Extra Hazard Rating) in all areas where equipment and piping is located;
 2. All multistory buildings: Piping to be installed in noncombustible (one-hour rating) oil-tight enclosure or shaft with service opening) to the point where the piping enters the one-hour rated equipment room;
 3. Remote controlled shutoff valves are required on all systems.
- B. Low melting point material, including, but not limited to, aluminum, copper, brass, and bronze may be installed inside buildings in sizes no more than one-half inch (nominal) diameter.

NOTE: Low melting material may not be used for "Class I flammable liquids."

15.32.550 - Vehicle impact protection.

When guard posts are installed, the posts shall be:

1. Constructed of steel not less than four inches in diameter and concrete filled.
2. Spaced not more than four feet between posts on center.
3. Set not less than three feet deep in a concrete footing of not less than a fifteen-inch diameter.
4. Set with the top of the post not less than three feet above the ground; and
5. Located not less than five feet from the tank.

15.32.560 - Storage of automotive crankcase drainage.

Storage of automotive crankcase draining in portable tanks not to exceed five hundred fifty gallons.

15.32.570 - Flammable liquids—Storage in certain places prohibited.

In assembly buildings, hotels, apartment houses, one and two family dwellings and lodging houses, storage is prohibited.

Exceptions:

1. Quantities not exceeding five gallons for maintenance purposes and operation of equipment when stored in approved containers and located in private garage or approved location.
2. Storage in excess of five gallons that is used for maintenance purposes and operation of equipment when stored in cabinets which comply with this code.

15.32.580 - Flammable liquids—Empty containers and tanks storage.

The storage of empty tanks and containers previously used for the storage of flammable or combustible liquids, unless free from explosive vapors, shall be handled as if filled; provided, however, the provisions of this section shall not apply to portable or safety containers. Tanks and containers when emptied shall have the covers or plugs replaced in openings. Such storage not be located within five feet of the nearest building or line of adjoining property which may be built upon and shall not exceed ten feet in height.

15.32.590 - Flammable liquids—Storage in aboveground tanks outside buildings.

The storage of flammable and combustible liquids aboveground tanks outside or inside buildings is prohibited within the city limits of the City of Montebello with the following exceptions.

- A. The fire chief may grant the issuance of a permit for storage of flammable liquids in temporary outside aboveground tanks where:
 - 1. Storage shall not exceed one hundred eighty days, and
 - 2. The flammable liquids are to be used in conjunction with a construction project.The chief can condition the issuance of such permits to ensure fire safety.
- B. Tanks legally in existence at the time of adoption of this code may continue in use.
- C. Facilities receiving flammable or combustible products by pipeline from refinery(ies) outside the city limits.
- D. Class III combustible liquid may be stored in an approved Underwriters' Laboratory (U.L.) listed double-walled storage tanks, not to exceed five hundred fifty gallons individual capacity as approved by the fire chief. Maximum aggregate volume shall be two thousand two hundred gallons.

15.32.600 - Flammable liquids—Labeling—Portable containers.

Labeling. No sale or purchase of flammable liquids at retail shall be made in containers unless such containers are of an U.L. approved typed and are clearly marked with the name of the product in conformance to recognized labeling practices.

Portable Containers. No delivery of any Class I or II flammable liquid shall be made into a portable container of over five gallons capacity. Containers of five gallons or less shall be of sound metal or construction, have a tight closure with a screened spring cover, and be fitted with a spout or so designed that the contents can be poured without spilling.

15.32.610 - Flammable liquids—Dispensing.

Dispensing. Dispensing of Class I liquids shall be (1) from only original shipping containers with a capacity of five gallons or less, (2) from safety cans, (3) through closed piping systems or (4) from a portable tank or container by means of a listed pump or device drawing through an opening in the top of the tank or container. Class III-A liquids may be dispensed from a container by gravity through a listed self-closing valve or self-closing faucet. Class III liquids may also be dispensed using inert gas or water, provided the tank or container has been approved as a vessel for the use to which it is subjected. Dispensing of liquids by water pressure or inert gas is permitted only if controls, including pressure-relief devices, are provided to limit the pressure so it cannot exceed the design pressure of the vessel, tank or container. Air or oxygen shall not be used to pressurize any container for dispensing. Dispensing from underground storage tanks shall be in accordance with this code.

15.32.620 - Fueling station attendants.

Exceptions: Supervision by a qualified attendant is not required for a service station which is not open to the public and which is used only by an individual commercial, industrial, governmental or manufacturing establishment for fueling vehicles used in connection with its business.

15.32.640 - State Health and Safety Code—Chapter 6.95 of Division 20—Implementation and enforcement.

Pursuant to Section 25502(b) of the Health and Safety Code, the City assumes the responsibility for the implementation and enforcement of Chapter 6.95 of Division 20 of the Health and Safety Code of the State.

15.32.650 - State Health and Safety Code—Chapter 6.95 of Division 20—Administration and enforcement.

Pursuant to Section 255029(c) of the Health and Safety Code, the Fire Department and the police department are designated to administer and enforce the provisions of Chapter 6.95 of Division 20 of the Health and Safety Code of the State.

15.32.660 - State Health and Safety Code—Chapter 6.95 of Division 20—Fees.

By resolution, the City Council shall establish permit and other necessary fees for administering and enforcing Chapter 6.95 of Division 20 of the Health and Safety Code of the State.

15.32.670 - New materials, processes or occupancies which may require permits.

The city administrator, the fire chief, and the chief of the bureau of fire prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits in addition to those now enumerated in this chapter. The chief of the bureau of fire prevention shall post such a list in a conspicuous place in his office and distribute copies thereof to interested persons.

15.32.680 - Smoke detectors.

To the extent that the provisions contained in this section are not regulated by preemptive state law the following shall be required.

A. Smoke detectors, which are approved by the California State Fire Marshal, shall be installed, made operable and maintained in each and every dwelling unit regardless of zone or primary use of the structure. For this purpose, a "dwelling unit" includes but is not limited to, house, mobile homes, apartment, condominiums, caretakers residences and hotel and motel units.

B. The owner of the dwelling shall be responsible for supplying smoke detectors and installing them as required by the state fire marshal and the city fire marshal. The owner shall also

be responsible for necessary ongoing maintenance and/or replacement of smoke detectors; however, where the dwelling is occupied by a person other than the owner it shall be the responsibility of the occupant to inform the owner of any needed repair or maintenance.

C. Any violation of this section shall be an infraction violation of the municipal code. However, where a dwelling is occupied by a person other than the owner, the owner shall not be considered guilty of a violation if the occupant does not inform the owner of needed maintenance. In such situations, where the occupant is negligent in informing the owner of needed maintenance, the occupant shall be guilty of the infraction.

15.32.690 - Enforcement.

A. The California Fire Code shall be enforced by the bureau of the fire prevention in the fire department of the city which is established and which shall be operated under the supervision of the fire chief.

B. The fire chief (or fire marshal) in charge of fire prevention shall be appointed by the fire chief.

C. The fire chief may designate such members of the fire department as fire inspectors as shall from time to time be necessary. The fire chief may recommend to the city administrator the employment of technical inspectors.

D. Wherever the words "chief of the bureau of fire prevention" are used in the California Fire Code, they shall be held to mean the "fire marshal."

15.32.700 - Appeals.

Whenever the fire chief shall disapprove an application or refuse to grant a permit applied for or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code has been misconstrued or wrongly interpreted, the applicant may appeal for the decision of the fire chief to the city council within thirty days from the date of the decision appealed.

15.32.710 - Violation—Penalty.

Any person, firm or corporation who shall violate any of the provision of the California Fire Code, as adopted by this chapter, or who shall violate or fail to comply with any order made thereunder or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which to appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed herein, shall severally and for each and every violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not less than two hundred dollars nor more than one thousand dollars or by imprisonment for not less than ten days nor more than ninety days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violation or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.