

**BUILDING STANDARDS COMMISSION**

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



May 14, 2014

Maricela Vela  
City Clerk  
City of Patterson  
1 Plaza  
Patterson, CA 95363

RE: Ordinance #752 thru #763

Dear Ms. Vela:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on March 31, 2014.

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

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

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Enrique M. Rodriguez", is written over a horizontal line.

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

**From:** Vela, Maricela <mvela@ci.patterson.ca.us>  
**Sent:** Monday, March 31, 2014 2:56 PM  
**To:** OrdinanceFilings@DGS  
**Cc:** Irwin, Ken; shall@ci.patterson.ca.us; rbutler@ci.patterson.ca.us  
**Subject:** City of Patterson Building & Fire Code Ordinances (Adopted by Council March 18, 2014) Minutes Attached  
**Attachments:** 760 - Code Adoption 2013 Bldg V1-V2 2013 Edition - Changes.docx; 752 - Calif Electrical Code 2013 Edition - Changes.doc; 753 - Calif Green Building Standards Code 2013 Edition - Changes.doc; 754 - Calif Plumbing Code 2013 Edition - Changes.doc; 757 - Calif Residential Code 2013 Edition - Changes.doc; 758 - Calif Energy Code 2013 - Changes.doc; 759 - Calif Mechanical Code 2013 Edition - Changes.doc; Findings - Staff Report (City of Patterson) Building & Fire Codes (Adopted by Council March 18, 2014) Minutes Attached.pdf; 763 - 2013 California Fire Code.docx; 761 - Calif. Existing Building Code 2013 Edition.doc; 756 - Calif. Historical Building Code 2013 Edition.doc; 755 - Housing Code.doc; 762 - Dangerous Buildings Code.doc; 752 thru 763 Building & Fire Codes (2013 Edition) Adopted by Patterson Council Feb. 18, 2014 (Final Signed).pdf

Dear California Building Standards Commission:

For the City of Patterson, attached please find the following Filing by E-mail:

1. Findings – Staff Report (City of Patterson) requesting the Patterson City Council to Adopt the Building & Fire Codes – Minutes Attached (pdf file).
2. Ordinance Nos. 760, 752, 753, 754, 757, 758 and 759 (Existing City Ordinances Marked Up with Changes) (Word Doc's).
3. Ordinance Nos. 763, 761, 756, 755 and 762 (New City Ordinances) (Word Doc's).
4. Ordinance Nos. 752 thru 763 Adopted Building & Fire Codes. Adopted by the Patterson City Council on March 18, 2014 (Final Signed Ordinances) (pdf file).

If you should have any questions or concerns, please do not hesitate to contact me.

Sincerely,

*Maricela*

Maricela Vela, City Clerk  
City of Patterson  
1 Plaza  
P.O. Box 667  
Patterson, CA 95363

Direct No. 209.895.8014  
Email [cityclerk@ci.patterson.ca.us](mailto:cityclerk@ci.patterson.ca.us)  
Web Site [www.ci.patterson.ca.us](http://www.ci.patterson.ca.us)



## CITY COUNCIL AGENDA REPORT

**TO:** Mayor Molina and Members of the City Council

**FROM:** Rod B. Butler, City Manager

**BY:** Ken Irwin, Director of Engineering, Building and Capital Projects  
Steve Hall, Fire Chief

**MEETING DATE:** January 21, 2014

**ITEM NO:** 7.2b

**SUBJECT:** Motion to Introduce the Ordinance Nos. 752 through 763, Reading by Title Only, Waiving Further Reading. By Adopting the Proposed Ordinances, the City Brings its Adopted Codes Into Compliance with State Regulations, Legislation and the General Plan

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### RECOMMENDATION

Staff recommends that the City Council motion to introduce the Ordinances (reading the Ordinance titles) for first reading and introduction, reading by title only, waiving further reading. By adopting the proposed Ordinances, the City brings its adopted codes into compliance with State regulations, legislation and the General Plan.

### BACKGROUND

The attached Ordinances are proposed for adoption in compliance with State regulations, and consistent with the General Plan Implementation Program which states "The City shall adopt the most current editions of Building, Fire, Plumbing, Mechanical, and Electrical Codes".

The California Building Standards Commission adopted the 2012 International Building Codes and made their changes to create "Title 24-2013 California Building and Fire Codes". On July 1, 2013, the California Building Standards Commission approved and adopted the 2013 California Building and Fire Codes and other codes listed below as the building codes for the State of California. All jurisdictions in California are required to adopt the 2013 California Buildings and Fire Codes and on January 1, 2014, they become State law.

### ANALYSIS

Staff has reviewed the City of Patterson Ordinances as they pertain to the last required adoption of the 2010 California Building and Fire Codes and the amendments to those Ordinances by the City (such as the requirement for post-tension slabs, etc.). The amendments to the 2010

California Building Codes that were previously adopted have been incorporated into the Ordinances submitted and the applicable code section(s) in the 2013 California Building and Fire Codes have been amended so that the City of Patterson has the authority to enforce the 2013 California Building and Fire Codes as required by State law, specific code sections and appendices have also been amended and proposed for adoption.

The following codes are proposed for adoption:

Ordinance No. 752	California Electrical Code, Title 24, Part 3, 2013 Edition
Ordinance No. 753	California Green Building Code, Title 24, Part 11, 2013 Edition
Ordinance No. 754	California Plumbing Code, Title 24, Part 5, 2013 Edition
Ordinance No. 755	Housing Code
Ordinance No. 756	California Historical Code, Title 24, Part 8, 2013 Edition
Ordinance No. 757	California Residential Code, Title 24, Part 2.5, 2013 Edition
Ordinance No. 758	California Energy Code, Title 24, Part 6, 2013 Edition
Ordinance No. 759	California Mechanical Code, Title 24, Part 4, 2013 Edition
Ordinance No. 760	California Building Code, Title 24, Part 2, Volumes 1-2 of the 2013 Edition
Ordinance No. 761	California Existing Building Code, Title 24, Part 10, 2013 Edition
Ordinance No. 762	Dangerous Buildings Code
Ordinance No. 763	California Fire Code, Title 24, Part 9, 2013 Edition

### **FISCAL IMPACT**

State mandated. Costs of new code books: Approximately \$1200 per set.

This cost has been included in the 2013/2014 Budget.



## CITY COUNCIL AGENDA REPORT

**TO:** Mayor Molina and Members of the City Council

**FROM:** Rod B. Butler, City Manager

**BY:** City Engineer Ken Irwin  
Fire Chief Steve Hall

**MEETING DATE:** February 18, 2014

**ITEM NO:** 7.3 b.

**SUBJECT:** Ordinances (Second Reading and Adoption)

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### Building & Fire Codes

#### ORDINANCE NO. 752

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT IN BOOK FORM ENTITLED "CALIFORNIA ELECTRICAL CODE, TITLE 24, PART 3 - 2013 EDITION" INCLUDING INFORMATIVE ANNEXES, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA, 95833, AND COPYRIGHTED BY NATIONAL FIRE PROTECTION ASSOCIATION, 1 BATTERYMARCH PARK (P.O. Box 9146), Quincy, Ma., 02269-9959 AND PUBLISHED BY BNi PUBLICATIONS, INC. AND REGULATING THE INSTALLATION, ARRANGEMENT, ALTERATION, REPAIR, MAINTENANCE AND OPERATION OF THE ELECTRICAL WIRING, ELECTRICAL FIXTURES AND OTHER ELECTRICAL APPLIANCES AND EQUIPMENT; PROVIDING FOR THE ISSUANCE OF ELECTRICAL PERMITS AND FOR INSPECTION AND FIXING THE FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

#### ORDINANCE NO. 753

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "CALIFORNIA GREEN BUILDING STANDARDS CODE, TITLE 24, PART 11 - 2013 EDITION" INCLUDING THE APPENDIX THEREOF, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833, FOR THE PROTECTION OF THE PUBLIC

HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE;

**ORDINANCE NO. 754**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA PLUMBING CODE, TITLE 24, PART 5- 2013 EDITION**" INCLUDING THE APPENDIX THEREOF'. AS APPROVED AND COPYRIGHTED BY CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND AS PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 5001 EAST PHILADELPHIA STREET, ONTARIO CALIFORNIA, 91761-2816 ; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 755**

AN ORDINANCE ADOPTING THE **HOUSING CODE**: SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING AND CONTROLING THE USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF ALL RESIDENTIAL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 756**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**2013 CALIFORNIA HISTORICAL BUILDING CODE, TITLE 24, PART 8**". INCLUDING THE APPENDIX THEREOF, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833-2936 AND COPYRIGHTED AND PUBLISHED BT THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C. 20001 AND, TO PROVIDE ADMINISTRATION OF REGULATIONS FOR THE PROTECTION OF LIFE, LIMB, HEALTH, PROPERTY, SAFETY AND WELFARE OF THE GENERAL PUBLIC IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, USE AND MAINTENANCE OF ALL BUILDING OR PORTIONS THEREOF, USED OR DESIGNED OR INTENDED TO BE USED FOR HUMAN HABITATION; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE; AND PROVIDING PENALTIES FOR THE VIOLATION

THEREOF;

**ORDINANCE NO. 757**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA RESIDENTIAL CODE, TITLE 24, PART 2.5, - 2013 EDITION**", INCLUDING THE APPENDIX, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED AND COPYRIGHTED BY THE International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C., 20001; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, AND REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 758**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRONTEED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA ENERGY CODE TITLE 24, PART 6, 2013 EDITION**", AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED AND COPYRIGHTED BY THE INTERNATIONALCODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C. 20001 ; SAID ORDINANCE BEING FOR PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION AND REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 759**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA MECHANICAL CODE, TITLE 24, PART 4 - 2013 EDITION**" INCLUDING THE APPENDIX THEREOF, AS APPROVED AND COPYRIGHTED BY CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND AS PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 5001 EAST PHILADELPHIA STREET, ONTARIO CALIFORNIA, 91761-2816 ; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND

THE COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 760**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUMES 1-2 OF THE – 2013 EDITION**". INCLUDING THE APPENDICES. AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED BY THE International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C., 20001; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, AND REPAIR, REMOVAL, CONVERSION, DEMOLITION; OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 761**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA EXISTING BUILDING CODE, TITLE 24, PART 10 – 2013 EDITION**" INCLUDING THE APPENDICES THEREOF, AS ADOPTED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C. 20001, FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE;

**ORDINANCE NO. 762**

AN ORDINANCE ADOPTING THE **DANGEROUS BUILDINGS CODE**; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING AND CONTROLLING THE USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 763**

AN ORDINANCE ADOPTING **THE 2013 CALIFORNIA FIRE CODE**. PROVIDING FOR THE MODIFICATIONS THEREOF, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS

SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF PATTERSON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING FOR THE MODIFICATION THEREOF TO THE CITY OF PATTERSON MUNICIPAL CODE AND ALL ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREOF;

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**RECOMMENDATION**

**Mayor: Open/Close Item for Public Comments**

**Council: Read Ordinance Titles as Listed Above**

**Council: Motion to approve Second Reading of Ordinance Nos. 752 thru 763,  
Reading by Title Only, Waiving Further Reading**

**Council: Motion to Adopt Ordinance Nos. 752 thru 763,  
Reading by Title Only, Waiving Further Reading**

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City of Patterson  
City Council Regular Meeting  
February 18, 2014  
Minutes

**1. Call to Order**

The regular meeting of the City Council of the City of Patterson was called to order in the City Council Chambers at 7:24 p.m. by Mayor Molina.

Present: Councilmembers Buehner, Novelli, Farinha, Lustgarten and Mayor Molina (5)

Staff Present: City Manager Butler, Deputy City Attorney White, City Planner Andrews, City Engineer Irwin, Fire Chief Hall, Police Chief Hughes, Human Resources Manager Tucci, Public Works Delgado, Ryan Wentzel with Recover Logic (City's IT Dept.) and City Clerk Vela (11)

Excused: Finance Director Moreno, Public Works Director Willett (2)

**2. Pledge of Allegiance**

**3. Statements of Conflict – none.**

The City Council was in consensus to move and discuss Item No. 8.1 after the Consent Calendar.

**4. Items from the Public**

Zora Arredondo, Crows Landing – addressed the City Council on the item of her and Pat Maisetti's nomination of Councilmember Sheree Lustgarten for Woman of the Year in Stanislaus County. Mrs. Arredondo requested for the item of the selection of Mayor Pro Tem be moved up on the agenda for review/approval.

**5. Consent Calendar**

**All items are approved by a single action. Any item may be removed from the Consent Calendar for separate discussion upon request from a member of the Public, Staff and/or Councilmember.**

5.1 Motion to Waive Readings - All Readings of Ordinances and Resolutions, Except by Title are hereby waived.

5.2 Approval of City Council Meeting Minutes of December 9, 2013 (Special Meeting), December 17, 2013 (Closed & Open Session) and January 21, 2014 (Closed Session)

5.3 Approval of City Department Reports for the Months of November & December 2013 and January 2014 (Community Development, Engineering, Building & Capital Projects, Police, Public Works and Recreation & Community Services)

- 5.4 Approval of City Committee and Commission Reports for the Month of January 2014 (Beautification Committee, Economic Strategic Commission, Parks & Recreation Commission and Planning Commission)

Councilmember Novelli stated she was not present in December 2013 for the Council meeting and therefore would not be voting on Consent Calendar Item 5.3 as listed.

Councilmember Farinha moved to approve Consent Calendar Items 5.1 through 5.4. The motion was seconded by Councilmember Lustgarten and approved by a 3-0 roll call vote. Councilmembers Buehner and Novelli abstained.

## 6. Presentations and Public Hearings

- 6.1 **Presentation:** Presentation on How the County Calculates Charges for Emergency Dispatch Services

Supervisor Jim DeMartini, Stanislaus County Board of Supervisors reviewed his report – power point presentation – 911 Regional 2013/2014 Budget.

- 6.2 **Presentation:** United Way of Stanislaus County Presentation on Graduation Coach Program

Francine DiCiano, President & CEO, United Way of Stanislaus County reviewed her report – power point presentation on their Graduation Coach Program.

- 6.3 **Presentation/  
Action Item:** Request for Approval of 2014 Apricot Fiesta Event and Request for Waiver of \$5,000 for Special Event Police Services

Jeff Essex, President, Patterson Apricot Fiesta, Inc. reviewed his report.

Councilmember Lustgarten suggestion - more presence from Council at Fiesta – having a possible City Council booth at the Apricot Fiesta.

Apricot Fiesta Member Rich Greer reviewed his report – stating he was in support of City Council having a booth at the Apricot Fiesta. Mr. Greer requested that no campaigning be done at the booth.

Jeff Essex addressed the City Council stating his support of an agreement between the City and the Apricot Fiesta, so that the Fiesta does not have to come back to City Council every year for approval for a waiver of fees.

At 8:11 p.m. Mayor Molina opened the item to public comments.

Mel Clemmer, 526 Tarland Lane, Patterson (Apricot Fiesta Volunteer) – addressed the City Council of the item of the increase of sales over the apricot fiesta weekend. Mr. Clemmer asked for the dollar amount spent on that weekend.

Councilmember Buehner moved to approve the 2014 Apricot Fiesta Event and Waiver of \$5,000 for Special Event Police Services. The motion was seconded by Councilmember Novelli and unanimously approved by a 5-0 roll call vote.

At 8:15 p.m. Mayor Molina called for a 5-Minute Break – there was no break taken, the meeting was called back to order.

**6.4 Presentation:** Fire Department Year End Report Presentation  
- Fire Chief Hall

Fire Chief Hall reviewed his staff report – power point presentation.

The City Council was in consensus to continue and promote trainings for homeowners. Educate the public, and more community outreach.

Fire Chief Hall announced the SEAPA (Stanislaus Elder Abuse Prevention Alliance) hosting a meeting on February 27, 2014 from 10 to 11 a.m. for Seniors at the Hammon Senior Center. Fire Department cooking for the Seniors at this meeting. 100 seats available only.

**6.5 Public Hearing:** Motion to Approve First Reading and Introduction of Ordinance No. 764, Animals in Residential Areas and Chickens Ordinance.

Ordinance No. 764, An Ordinance of the City Council of the City of Patterson, Adding Chapter 7.58 Entitled “Animals in Residential Areas” and Chapter 7.60 Entitled “Chickens” to the Patterson Municipal Code.

City Planner Andrews reviewed his staff report.

At 8:37 p.m. Mayor Molina opened the Public Hearing to public comments. There were no public comments.

Mayor Molina Read Ordinance No. 764, reading by title only, waiving further reading.

Councilmember Farinha moved to approve First Reading & Introduction of Ordinance No. 764, reading by title only, waiving further reading. The motion was seconded by Councilmember Lustgarten and unanimously approved by a 5-0 roll call vote.

**6.6 Public Hearing:** Properties to be Liened for Unpaid Weed and Mistletoe Abatement (Resolution No. 2014-09)

City Manager Butler reviewed his report.

At 8:40 p.m. Mayor Molina opened the Public Hearing to public comments. There were no public comments.

Staff to report back on preventative measures to save City of Patterson trees.

Councilmember Lustgarten moved to approve Resolution No. 2014-09, A Resolution Confirming a Report and Assessment List Under Ordinance No. 174 and 243. The motion was seconded by Councilmember Farinha and unanimously approved by a 5-0 roll call vote.

**6.7 Public Hearing: (Continued Public Hearing from February 4, 2014)**

- A. Consider First Reading and Introduction of Ordinance No. 748, Amending Title 18 of the Patterson Zoning Ordinance, Requiring Deposits to Fund City Costs for Processing Larger Development Projects.

Ordinance No. 748, An Ordinance of the City Council of the City of Patterson, Amending Section 18.14.020 of the Zoning Ordinance.

- B. Consider First Reading and Introduction of Ordinance No. 749, Amending Title 18 of the Patterson Zoning Ordinance defining "Processing Costs" in the City's Review of Development Applications.

Ordinance No. 749, An Ordinance of the City Council of the City of Patterson, Amending Section 18.14.020 of the Zoning Ordinance.

Deputy City Attorney White reviewed his report.

At 8:43 p.m. Mayor Molina opened the Public Hearing to public comments. There were no public comments.

Mayor Molina moved to continue the Public Hearing to March 4, 2014. The motion was seconded by Councilmember Novelli and unanimously approved by a 5-0 roll call vote.

**7. Staff and Committee Reports**

**7.1 City Manager**

**Provide Direction to Staff on the Desired Selection Process for the Downtown Visioning Consulting Firm (Verbal Report)**

City Manager Butler reviewed his report.

The City Council was in consensus to schedule a special meeting – notice it similar to a town hall meeting style – distribute the packets to Council for review in advance. Council to receive information ahead of time, have all five agencies make presentations. Power point presentation/interviews (include financing options).

A special City Council meeting to be held in April/May 2014 to review Downtown Visioning Consulting Firm Proposals.

7.2 IT Workgroup

Award of Professional Services Contract in the Amount of \$33,793 to Civic Plus (Icon Enterprises) for Web Redesign Services and Authorize Staff to Execute the Contract.

City Engineer Irwin reviewed his staff report.

At 9:27 p.m. Mayor Molina opened the item to public comments. There were no public comments.

Councilmember Novelli moved to Award a professional services contract in the amount of \$33,793 to Civic Plus (Icon Enterprises for Web Redesign Services, approve the annual service fee of \$3,927 for Annual Maintenance with a request for staff if possible to negotiate down (\$855) for the lesser amount of \$32,938 due to disabling or not using the SMS / Notify Me Program. The motion was seconded by Councilmember Farinha and unanimously approved by a 5-0 roll call vote.

7.3 Ordinances (Second Reading and Adoption)

- a. Ordinance No. 750, An Ordinance of the City Council of the City of Patterson, Amending Chapters 1.52 and 1.56 of Title 1 of the Patterson Municipal Code to Establish Procedures for Nuisance Abatement Proceedings.

Ordinance No. 751, An Ordinance of the City Council of the City of Patterson, Amending Chapter 1.32, Chapter 1.56 and Chapter 6.16 of the Patterson Municipal Code to Permit the Recovery of Attorney's Fees for Abatement Proceedings and Code Enforcement Matters.

At 9:28 p.m. Mayor Molina opened the item to public comments. There were no public comments.

Mayor Molina Read Ordinance Nos. 750 and 751 titles only, reading by title only, waiving further reading.

Councilmember Lustgarten moved to approve Second Reading of Ordinance Nos. 750 and 751, reading by title only, waiving further reading. The motion was seconded by Councilmember Farinha and unanimously approved by a 5-0 roll call vote.

Mayor Molina moved to Adopt Ordinance Nos. 750 and 751, reading by title only, waiving further reading. The motion was seconded by Councilmember Novelli and unanimously approved by a 5-0 roll call vote.

*Resolution No. 2014-01. A Resolution of the City Council of the City of Patterson, Adopting a Policy for Nuisance Abatement Proceedings and Recovery of Abatement Costs.*

*(Reso. No. 2014-01 was approved on January 21, 2014)*

b. Building and Fire Codes

**ORDINANCE NO. 752**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA ELECTRICAL CODE, TITLE 24, PART 3 - 2013 EDITION**" **INCLUDING INFORMATIVE ANNEXES**, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA, 95833, AND COPYRIGHTED BY NATIONAL FIRE PROTECTION ASSOCIATION, 1 BATTERYMARCH PARK (P.O. Box 9146), QUINCY, MA., 02269-9959 AND PUBLISHED BY BNI PUBLICATIONS, INC. AND REGULATING THE INSTALLATION, ARRANGEMENT, ALTERATION, REPAIR, MAINTENANCE AND OPERATION OF THE ELECTRICAL WIRING, ELECTRICAL FIXTURES AND OTHER ELECTRICAL APPLIANCES AND EQUIPMENT; PROVIDING FOR THE ISSUANCE OF ELECTRICAL PERMITS AND FOR INSPECTION AND FIXING THE FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 753**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA GREEN BUILDING STANDARDS CODE, TITLE 24, PART 11 - 2013 EDITION**" **INCLUDING THE APPENDIX THEREOF**, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833, FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE;

**ORDINANCE NO. 754**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED

**"CALIFORNIA PLUMBING CODE, TITLE 24, PART 5- 2013 EDITION" INCLUDING THE APPENDIX THEREOF**, AS APPROVED AND COPYRIGHTED BY CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND AS PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 5001 EAST PHILADELPHIA STREET, ONTARIO CALIFORNIA, 91761-2816 ; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 755**

AN ORDINANCE ADOPTING THE **HOUSING CODE**; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING AND CONTROLLING THE USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF ALL RESIDENTIAL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 756**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**2013 CALIFORNIA HISTORICAL BUILDING CODE, TITLE 24, PART 8**", **INCLUDING THE APPENDIX THEREOF**, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833-2936 AND COPYRIGHTED AND PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C. 20001 AND, TO PROVIDE ADMINISTRATION OF REGULATIONS FOR THE PROTECTION OF LIFE, LIMB, HEALTH, PROPERTY, SAFETY AND WELFARE OF THE GENERAL PUBLIC IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, USE AND MAINTENANCE OF ALL BUILDING OR PORTIONS THEREOF, USED OR DESIGNED OR INTENDED TO BE USED FOR HUMAN HABITATION; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES

THEREFORE; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 757**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA RESIDENTIAL CODE, TITLE 24, PART 2.5, - 2013 EDITION**", INCLUDING THE **APPENDIX**, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C., 20001; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, AND REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 758**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN \*\*\*\*\* (typo) PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA ENERGY CODE TITLE 24, PART 6, 2013 EDITION**", AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C. 20001 ; SAID ORDINANCE BEING FOR PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION AND REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 759**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED

**"CALIFORNIA MECHANICAL CODE, TITLE 24, PART 4 – 2013 EDITION " INCLUDING THE APPENDIX THEREOF,** AS APPROVED AND COPYRIGHTED BY CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND AS PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 5001 EAST PHILADELPHIA STREET, ONTARIO CALIFORNIA, 91761-2816 ; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 760**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED **"CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUMES 1-2 OF THE – 2013 EDITION", INCLUDING THE APPENDICES,** AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C., 20001; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, AND REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO.761**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED **"CALIFORNIA EXISTING BUILDING CODE, TITLE 24, PART 10 – 2013 EDITION" INCLUDING THE APPENDICES THEREOF,** AS ADOPTED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL

CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C. 20001, FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE:

**ORDINANCE NO. 762**

AN ORDINANCE ADOPTING THE **DANGEROUS BUILDINGS CODE**; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING AND CONTROLLING THE USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

**ORDINANCE NO. 763**

AN ORDINANCE ADOPTING THE 2013 CALIFORNIA FIRE CODE, PROVIDING FOR THE MODIFICATIONS THEREOF, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF PATTERSON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING FOR THE MODIFICATION THEREOF TO THE CITY OF PATTERSON MUNICIPAL CODE AND ALL ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREOF;

At 9:30 p.m. Mayor Molina opened the item to public comments. There were no public comments.

Mayor Molina Read Ordinance Nos. 752 through 756, titles only, reading by title only, waiving further reading.

Councilmember Farinha Read Ordinance Nos. 757 through 763, titles only, reading by title only, waiving further reading.

Mayor Molina moved to approve Second Reading of Ordinance Nos. 752 through 763, reading by title only, waiving further reading. The motion was seconded by Councilmember Novelli and approved by a 4-1 roll call vote. Councilmember Buehner voted no.

Mayor Molina moved to Adopt Ordinance Nos. 752 through 763, reading by title only, waiving further reading. The motion was seconded by Councilmember Farinha and approved by a 4-1 roll call vote. Councilmember Buehner voted no.

## 8. Council Items

### 8.1 Appointments - Patterson Senior Center Board of Directors (Mayor Molina, Councilmember Lustgarten)

Councilmember Lustgarten and Mayor Molina recommended to appoint Joanne McReynolds and Pat Maisetti to the Patterson Senior Center Board of Directors.

Councilmember Lustgarten motioned to appoint Joanne McReynolds and Pat Maisetti to the Patterson Senior Center Board of Directors. The motion was seconded by Councilmember Farinha and unanimously approved by a 5-0 roll call vote.

Mayor Molina stated for the records that City Council only accepted applications that were submitted on time and for the Senior Center Board Directors.

### 8.2 City Council Reports

Mayor Molina:

- StanCOG (Councilmember Buehner Alternate) meeting scheduled for Wednesday, February 19, 2014 at 6 p.m.
- Stanislaus County Mayors Dinner – next meeting scheduled in March.
- The Alliance (Councilmember Lustgarten Alternate) – next meeting scheduled in April.
- Patterson/West Stanislaus Fire Consolidation (with Councilmember Buehner) – nothing to report.

Mayor Pro Tem Buehner – nothing to report on item.

- Stanislaus County Hazardous Waste Advisory Committee  
(Councilmember Farinha Alternate)

Councilmember Novelli – nothing to report on items.

- Patterson Representative – League of California Cities (LOCC)  
(Councilmember Farinha Alternate)
- Stanislaus County Disaster Council (Councilmember Buehner Alternate)

Councilmember Farinha – nothing to report on items.

- Westside Health Care Task Force (Councilmember Buehner Alternate)
- San Joaquin Air Pollution Control District – Valley-wide Special City Selection Committee (Councilmember Novelli Alternate)

Councilmember Lustgarten – nothing to report on item.

- Economic Development Action Committee (EDAC) (Councilmember Buehner Alternate)

### 8.3. Selection of Mayor Pro Tem

The City Council was in consensus to have Councilmember Lustgarten as Mayor Pro Tem.

8.4 Other Matters – none.

**9. Adjournment**

There being no further business, the Patterson City Council regular meeting of February 18, 2014 was adjourned at 9:40 p.m.

Approved by the Patterson City Council on March 18, 2014.

**ORDINANCE NO. 752**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA ELECTRICAL CODE, TITLE 24, PART 3 - 2013 EDITION**" **INCLUDING INFORMATIVE ANNEXES**, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA, 95833, AND COPYRIGHTED BY NATIONAL FIRE PROTECTION ASSOCIATION, 1 BATTERYMARCH PARK (P.O. Box 9146), QUINCY, MA., 02269-9959 AND PUBLISHED BY BNI PUBLICATIONS, INC. AND REGULATING THE INSTALLATION, ARRANGEMENT, ALTERATION, REPAIR, MAINTENANCE AND OPERATION OF THE ELECTRICAL WIRING, ELECTRICAL FIXTURES AND OTHER ELECTRICAL APPLIANCES AND EQUIPMENT; PROVIDING FOR THE ISSUANCE OF ELECTRICAL PERMITS AND FOR INSPECTION AND FIXING THE FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

The City Council of the City of Patterson does ordain as follows:

**SECTION 1. ADOPTION.**

That certain document in book form entitled **2013 CALIFORNIA ELECTRICAL CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3, ARTICLE 90, Chapters 1-4, CHAPTER 5 –ARTICLES 500-540,550-590, CHAPTERS 6-9 TOGETHER WITH INFORMATIVE ANNEXES A-G AND I THERETO**, as approved and copyrighted by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California, 95833, and copyrighted by National Fire Protection Association, 1 Batterymarch Park (P.O. Box 9146), Quincy, Ma, 02269-9959 and published by BNI Publications, Inc. , one copy of which document is on file in the office of the City Clerk of the City of Patterson, is hereby adopted by reference, and enacted by the City Council of the City of Patterson as the "**CALIFORNIA ELECTRICAL CODE OF THE CITY OF PATTERSON**", in its present form, except as hereinafter amended, deleted and added to, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Patterson.

**SECTION 2. Purpose**

The purposes of this chapter are to provide minimum standards to safeguard life, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Patterson, to encourage and instruct people to build safely and economically, rather than to discourage building; and to provide a minimum of restrictive enforcement and a maximum of good building information and encouragement

### **SECTION 3. ADMINISTRATION**

Section 90.4 of the 2013 California Electrical Code is hereby amended to read as follows:

#### **90.4 Administrative Requirements**

Administrative provisions relating to electrical requirements, enforcement, permits, plans, violations, fees and penalties are specified in the 2013 California Building Code, Part 2, Volume 1, Chapter 1-Division II, as amended and adopted by the City.

### **SECTION 4. VALIDITY.**

The City Council of the City of Patterson hereby declares that should any section, paragraph, sentence or word of this Ordinance or of the Code hereby adopted be declared for any reason to be invalid or unconstitutional, it is the intent of the City Council of the City of Patterson that it would have passed all other portions of this Ordinance independently of the elimination here from of any such portion as may be declared invalid or unconstitutional.

### **SECTION 5. EFFECTIVE DATE - PUBLICATION.**

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation printed and published in the City of Patterson within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina, moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES: Councilmembers Novelli, Farinha, Lustgarten and Mayor Molina  
NOES: Councilmember Buehner  
EXCUSED: None

APPROVED:

  
\_\_\_\_\_  
Luis I. Molina, Mayor of the City of Patterson

ATTEST:

  
\_\_\_\_\_  
Maricela L. Vela, City Clerk of the City of Patterson

**ORDINANCE NO. 753**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA GREEN BUILDING STANDARDS CODE, TITLE 24, PART 11 – 2013 EDITION**" INCLUDING THE APPENDIX THEREOF, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833, FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE,

The City Council of the City of Patterson does ordain as follows:

**SECTION 1. ADOPTION.**

That certain document in book form entitled **CALIFORNIA GREEN BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11, 2013 EDITION, INCLUDING APPENDIX A4 THEREOF**, as approved and copyrighted by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833, one copy of which document is now on file in the Office of the City Clerk of the City of Patterson, except as portions thereof are herein specifically amended, deleted and added to, is hereby adopted by reference as "**CALIFORNIA GREEN BUILDING STANDARDS CODE OF THE CITY OF PATTERSON**", and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Patterson.

**SECTION 2. PURPOSE.**

The purposes of this chapter are to provide minimum standards to safeguard life, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Patterson, to encourage and instruct people to build safely and economically, rather than to discourage building; and to provide a minimum of restrictive enforcement and a maximum of good building information and encouragement.

**SECTION 3. ADMINISTRATION.**

Chapter 1- Sections 104—106 of the 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE are hereby are deleted and Section 103 is amended to read as follows

**SECTION 103 Administration.**

Section 100(g) of the CALIFORNIA Green BUILDING STANDARDS CODE is hereby amended to read as follows:

**103.1 Administrative Requirements**

Administrative provisions relating to green building requirements, enforcement, permits, plans, violations, fees and penalties are specified in the 2013 California Building Code, Part 2, Volume 1, Chapter 1-Division II, as amended and adopted by the City.

**SECTION 4 VALIDITY.**

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

**SECTION 5. EFFECTIVE DATE - PUBLICATION.**

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES: Councilmembers Novelli, Farinha, Lustgarten and Mayor Molina  
NOES: Councilmember Buehner  
EXCUSED: None

APPROVED:

  
\_\_\_\_\_  
Luis I. Molina, Mayor of the City of Patterson

ATTEST:

  
\_\_\_\_\_  
Maricela L. Vela, City Clerk of the City of Patterson

**ORDINANCE NO. 754**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA PLUMBING CODE, TITLE 24, PART 5- 2013 EDITION**" INCLUDING THE **APPENDIX THEREOF**, AS APPROVED AND COPYRIGHTED BY CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND AS PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 5001 EAST PHILADELPHIA STREET, ONTARIO CALIFORNIA, 91761-2816 ; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

The City Council of the City of Patterson does ordain as follows:

**SECTION 1. ADOPTION.**

That certain document in book form entitled **CALIFORNIA PLUMBING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5, 2013 EDITION, CHAPTERS, 2-14, 16-17, TOGETHER WITH APPENDICES A, B, C, D, E, H AND I THERETO** , AS APPROVED AND COPYRIGHTED BY CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND AS PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 5001 EAST PHILADELPHIA STREET, ONTARIO, CALIFORNIA, 91761-2816, one copy of which document is now on file in the Office of the City Clerk of the City of Patterson, except as portions thereof are herein specifically amended, deleted and added to, is hereby adopted by reference as "**CALIFORNIA PLUMBING CODE OF THE CITY OF PATTERSON**", and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Patterson.

**SECTION 2. PURPOSE.**

The purposes of this chapter are to provide minimum standards to safeguard life, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Patterson, to encourage and instruct people to build safely and economically, rather than to discourage building; and to provide a minimum of restrictive enforcement and a maximum of good building information and encouragement.

**SECTION 3. Administrative Requirements.**

Chapter 1-Division II of THE CALIFORNIA PLUMBING CODE – 2013 EDITION is deleted and amended to read as follows

**Division II - Organization and Enforcement**

**101.0 Administrative Requirements**

Administrative provisions relating to plumbing requirements, enforcement, permits, plans, violations, fees and penalties are specified in the 2013 California Building Code, Part 2, Volume 1, Chapter 1-Division II, as amended and adopted by the City of Patterson.

**SECTION 4. VALIDITY.**

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

**SECTION 5. EFFECTIVE DATE - PUBLICATION.**

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES: Councilmembers Novelli, Farinha, Lustgarten and Mayor Molina  
NOES: Councilmember Buehner  
EXCUSED: None

APPROVED:

  
\_\_\_\_\_  
Luis I. Molina, Mayor of the City of Patterson

ATTEST:

  
\_\_\_\_\_  
Maricela L. Vela, City Clerk of the City of Patterson

**ORDINANCE NO. 755**

AN ORDINANCE ADOPTING THE **HOUSING CODE**; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING AND CONTROLLING THE USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF ALL RESIDENTIAL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

The City Council of the City of Patterson does ordain as follows:

**SECTION 1. ADOPTION.**

THAT THE CERTAIN DOCUMENT ENTITLED **HOUSING CODE**, ONE COPY OF WHICH IS NOW ON FILE IN THE OFFICE OF THE CITY CLERK OF THE CITY OF PATTERSON, IS HEREBY ADOPTED AS THE "**HOUSING CODE OF THE CITY OF PATTERSON**" AND FROM THE DATE ON WHICH THIS ORDINANCE SHALL TAKE EFFECT, THE PROVISIONS THEREOF SHALL BE CONTROLLING WITHIN THE CORPORATE LIMITS OF THE CITY OF PATTERSON.

**SECTION 2. PURPOSES.**

The purposes of this Ordinance are to provide minimum standards to safeguard life or limb, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Patterson; to encourage and instruct people to build safely and economically, rather than to discourage building; and to provide a minimum or restrictive enforcement and a maximum of good building information and encouragement.

**SECTION 3. HOUSING CODE**

**CHAPTER 1 - TITLE AND SCOPE**

**101 Title.** These regulations shall be known as the Housing Code, may be cited as such, and will be referred to herein as "this code."

**102 Purpose.** The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the use and occupancy, location and maintenance of all residential buildings and structures within this jurisdiction.

The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

**103 Scope.** The provisions of this code shall apply to all buildings or portions thereof used, or designed or intended to be used, for human habitation. Such occupancies in existing buildings may be continued as provided in Section 102.6 of the 2013 California Building Code as amended and adopted by the City, except such structures as are found to be substandard as defined in this code

Where any building or portion thereof is used or intended to be used as a combination apartment house-hotel, the provisions of this code shall apply to the separate portions as if they were separate buildings.

Rooming houses, congregate residences or lodging houses shall comply with all the requirements of this code for dwellings.

**104 Application to existing Buildings and Structures.** Additions, Alterations or Repairs. For additions, alterations or repairs see Chapter 34 of the 2013 California Building Code as amended and adopted by the City.

**105 Relocation.** Buildings or structures moved into or within this jurisdiction shall comply with the requirements of section 116 of the 2013 California Building Code as amended and adopted by the City.

## **CHAPTER 2 - ENFORCEMENT**

**201 Authority.** The Building Official is hereby authorized and directed to enforce all of the provisions of this code. For such purposes, the Building Official shall have the powers of a law enforcement officer.

The Building Official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

**202 Right of Entry.** When it is necessary to make an inspection to enforce the provisions of this code, or when the Building Official has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the Building Official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such

building or premises be unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

**203 Responsibilities Defined.** Owners remain liable for violations of duties imposed by this code even though an obligation is also imposed on the occupants of the building, and even though the owner has, by agreement, imposed on the occupant the duty of furnishing required equipment or of complying with this code.

Buildings and structures and parts thereof shall be maintained in a safe and sanitary condition.

The owner or the owner's designated agent shall be responsible for such maintenance. To determine compliance with this subsection, the building may be reinspected.

Owners, in addition to being responsible for maintaining buildings in a sound structural condition, shall be responsible for keeping that part of the building or premises which the owner occupies or controls in a clean, sanitary and safe condition, including the shared or public areas in a building containing two or more dwelling units.

Owners shall, when required by this code, the health ordinance or the Health Officer, furnish and maintain such approved sanitary facilities as required, and shall furnish and maintain approved devices, equipment or facilities for the prevention of insect and rodent infestation, and when infestation has taken place, shall be responsible for the extermination of any insects, rodents or other pests when such extermination is not specifically made the responsibility of the occupant by law or ruling.

Occupants of a dwelling unit, in addition to being responsible for keeping in a clean, sanitary and safe condition that part of the dwelling or dwelling unit or premises which they occupy and control, shall dispose of their rubbish, garbage and other organic waste in a manner required by the health ordinance and approved by the Health officer.

Occupants shall, when required by this code, the health ordinance or the Health Officer, furnish and maintain approved devices, equipment or facilities necessary to keep their premises safe and sanitary.

**204 Substandard Buildings.** Buildings or portions thereof which are determined to be substandard as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Section 114 of the 2013 California Building Code as amended and adopted by the City.

**205 Board of Appeals.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and

interpretations of this code, there shall be as created a Board of Appeals as described Section 113 of the 2013 California Building Code as amended and adopted by the City.

### **CHAPTER 3 - PERMITS AND INSPECTIONS**

**301 General.** No building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the Building Official in the manner and according to the applicable conditions prescribed in Section 105 of the 2013 California Building Code as amended and adopted by the City

**302 Fees.** When a building permit is required by Section 105 of the 2013 California Building Code as amended and adopted by the City, the appropriate fees shall be paid as specified in 107 of the 2013 California Building Code as amended and adopted by the City.

**303 Inspection.** Buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the Building Official in accordance with and in the manner provided by this code and Sections 110 of the 2013 California Building Code as amended and adopted by the City.

### **CHAPTER 4 - DEFINITIONS**

**401 Definitions.** For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in either this chapter or as specified in the 2013 California Building Code as amended and adopted by the City. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, copyright 2002, shall be considered as providing ordinary accepted meanings. Words in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

**BUILDING CODE** is the 2013 California Building Code as amended and adopted by the City.

**CONGREGATE RESIDENCE** is any building or portion thereof which contains facilities for living, sleeping and sanitation, as required by this code, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity or sorority house but does not include jails, hospitals, nursing homes, hotels or lodging houses.

**DWELLING UNIT** is a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**EFFICIENCY DWELLING UNIT** is a dwelling unit containing only one habitable room and meeting the requirements of Section 1208.4 of The California Building Code as amended and adopted by the City.

**HEALTH OFFICER** is the legally designated head of the Department of Health of this jurisdiction.

**HOT WATER** is hot water supplied to plumbing fixtures at a temperature of not less than 110°F.

**LODGING HOUSE** is any building or portion thereof containing not more than five guest rooms where rent is paid in money, goods, labor or otherwise.

**MECHANICAL CODE** is the 2013 California Mechanical Code as amended and adopted by the City

**NUISANCE.** The following shall be defined as nuisances:

- (1) Any public nuisance known at common law or in equity jurisprudence.
- (2) Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or on an unoccupied lot. This includes any abandoned wells, shafts, basements or excavations; abandoned refrigerators and motor vehicles; or any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation which may prove a hazard for inquisitive minors.
- (3) Whatever is dangerous to human life or is detrimental to health, as determined by the health officer.
- (4) Overcrowding a room with occupants.
- (5) Insufficient ventilation or illumination.
- (6) Inadequate or unsanitary sewage or plumbing facilities.
- (7) Uncleanliness, as determined by the health officer.
- (8) Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the health officer.

**PLUMBING CODE** is the 2013 California Plumbing Code as amended and adopted by the City.

## CHAPTER 5 - SPACE AND OCCUPANCY STANDARDS

**501 Location on Property.** All buildings shall be located with respect to property lines and to other buildings on the same property as required by Section 705.3 and as required by Chapter 7 of the 2013 California Building Code as amended and adopted by the City.

**502 Yards and Courts.** This section shall apply to yards and courts having required window openings therein.

**502.1 Yards.** Every yard shall not be less than 3 feet in width for one-story and two-story buildings. For buildings more than two stories above the grade plane, the minimum width of the yard shall be increased at the rate of 1 foot for each additional story. For buildings exceeding 14 stories in height, the required width of yard shall be computed on the basis of 14 stories above the grade plane.

**502.2 Courts.** Every court shall not be less than 3 feet in width. Courts having windows opening on opposite sides shall not be less than 6 feet in width. Courts shall not be less than 10 feet in length unless bounded on one end by a public way or yard. For buildings more than two stories above the grade plane, the court shall be increased 1 foot in width and 2 feet in length for each additional story. For buildings exceeding 14 stories above the grade plane, the required dimensions shall be computed on the basis of 14 stories above the grade plane.

Adequate access shall be provided to the bottom of all courts for cleaning purposes. Every court more than two stories in height shall be provided with a horizontal air intake at the bottom not less than 10 square feet in area and leading to the exterior of the building unless abutting a yard or public way. The construction of the air intake shall be as required for the court walls of the building.

**503 Ceiling Heights.** Habitable space, occupiable spaces and corridors shall have a ceiling height of not less than 7 feet 6 inches except as otherwise permitted in this section. Kitchens, halls, bathrooms, toilet compartments storage rooms and laundry rooms may have a ceiling height of not less than 7 feet measured to the lowest projection from the ceiling. Where exposed beam ceiling members are spaced at less than 48 inches on center, ceiling height shall be measured to the bottom of these members. Where exposed beam ceiling members are spaced at 48 inches or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottom of the members is not less than 7 feet above the floor.

If any room in a building has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half the area thereof. No portion of the room measuring less than 5 feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof.

If any room has a furred ceiling, the prescribed ceiling height is required in two-thirds the area thereof, but in no case shall the height of the furred ceiling be less than 7 feet.

**504 Floor Area.** Dwelling units and congregate residences shall have at least one room which shall have not less than 120 square feet of floor area. Other habitable rooms, except kitchens, shall have an area of not less than 70 square feet. Where more than two persons occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of 50 square feet for each occupant in excess of two. **Floor area, Gross.** The floor area within the perimeter of the exterior walls of the walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts. **Floor Area, Net.** The actual occupied area not including unoccupied accessory areas such as corridors, stairways, toilet rooms, mechanical rooms and closets.

**504.1 EXCEPTION:** Nothing in this section shall prohibit the use of an efficiency living unit within an apartment house meeting the following requirements:

**504.1.1** The unit shall have a living room of not less than 220 square feet of be provided for each occupant of such unit in excess of two.

**504.1.2** The unit shall be provided with a separate closet.

**504.1.3** The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches in front. Light and ventilation conforming to this code shall be provided.

**504.1.4** The units shall be provide with a separate bathroom containing a water closet, lavatory and bathtub or shower.

**505 Width.** No habitable room other than a kitchen shall be less than 7 feet in any plan dimension.

Each water closet stool shall be located in a clear space not less than 30 inches in width and a clear space in front of the water closet stool of not less than 24 inches shall be provided.

Kitchens shall have a clear passageway of not less than 3 feet between counter fronts and appliances or counter fronts and walls.

**506 Light and Ventilation.** For the purpose of determining the light or ventilation required by this section, any room may be considered as a portion of an adjoining room when one half of the area of the common wall is open and unobstructed and provides an opening of not less than one tenth of the floor area of the interior room or 25 square feet,

whichever is greater as specified in the 2013 California Residential Code as amended and adopted by the City.

Exterior openings for natural light or ventilation required by this section shall open directly onto a public way or a yard or court located on the same lot as the building as specified in the 2013 California Residential Code as amended and adopted by the City.

**506.1 Light.** Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural light by means of exterior glazed openings with an area not less than what is specified in the 2013 California Residential Code as amended and adopted by the City.

**506.2 Ventilation.** Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural ventilation by means of openable exterior openings with an area of not less than what is specified in the 2013 California Residential Code as amended and adopted by the City.

In lieu of required exterior openings for natural ventilation, a mechanical ventilating system may be provided as specified in the 2013 California Residential Code as amended and adopted by the City.

Bathrooms, water closet compartments, laundry rooms and similar rooms shall be provided with natural ventilation by means of openable exterior openings with an area not less than what is specified in the 2013 California Residential Code as amended and adopted by the City.

In lieu of required exterior openings for natural ventilation in bathrooms containing a bathtub or shower or combination thereof, laundry rooms, and similar rooms, a mechanical ventilation system connected directly to the outside capable of providing what is specified in the 2013 California Residential Code as amended and adopted by the City.

**507 Hallways.** All public hallways, stairs and other exitways shall be adequately lighted at all times in accordance with the 2013 California Building Code as amended and adopted by the City.

## **Section 508 - Sanitation**

**508.1 Dwelling Units, Lodging Houses and Congregate Residences.** Dwelling units, lodging houses and congregate residences shall be provided with a bathroom equipped with facilities consisting of a water closet, lavatory, and either a bathtub or shower.

**508.2 Hotels.** Hotels or subdivisions thereof where both sexes are accommodated shall contain at least two separate toilet facilities which are conspicuously identified for male or female use, each of which contains at least one water closet.

**EXCEPTION:** Hotel guest rooms may have one unidentified toilet facility.

Additional water closets shall be provided on each floor for each sex at the rate of one for every additional 10 guests, or fractional part thereof, in excess of 10.

**508.3 Kitchen.** Each dwelling unit shall be provided with a kitchen. Every kitchen shall be provided with a kitchen sink. Wooden sinks or sinks of similarly absorbent material shall not be permitted.

**508.4 Fixtures.** All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system. All plumbing fixtures shall be connected to an approved system of water supply and provided with hot and cold running water necessary for its normal operation.

All plumbing fixtures shall be of an approved glazed earthenware type or of a similarly nonabsorbent material.

**508.5 Water Closet Compartments.** Walls and floors of water closet compartments, except in dwellings, shall be finished in accordance with Section 1210 of the 2013 California Building Code as amended and adopted by the City.

**508.6 Room Separations.** Every water closet, bathtub or shower required by this code shall be installed in a room which will afford privacy to the occupant.

**508.7 Installation and Maintenance.** All sanitary facilities shall be installed and maintained in a safe and sanitary condition and in accordance with applicable requirements of the 2013 California Plumbing Code as amended and adopted by the City.

## **CHAPTER 6 -STRUCTURAL REQUIREMENTS**

**601 General.** Buildings or structures may be of any types of construction permitted by the 2013 California Building Code as amended and adopted by the City. Roofs, floors, walls, foundations and all other structural components of buildings shall be capable of resisting any and all forces and loads to which they may be subjected. All structural elements shall be proportioned and joined in accordance with the stress limitations and design criteria as specified in the appropriate sections of the 2013 California Building Code as amended and adopted by the City. Buildings of every permitted type of

construction shall comply with the applicable requirements of the 2013 California Building Code as amended and adopted by the City.

**602 Shelter.** Every building shall be weather protected so as to provide shelter for the occupants against the elements and to exclude dampness.

**603 Protection of Materials.** All wood shall be protected against termite damage and decay as provided in the 2013 California Building Code as amended and adopted by the City.

## CHAPTER 7 – MECHANICAL AND ELECTRICAL REQUIREMENTS

**701 Heating.** Dwelling units, guest rooms and congregate residences shall be provided with heating facilities capable of maintaining a room temperature of 70 F at a point 3 feet above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with Section R303.9 of the 2013 California Residential Building Code as amended and adopted by the City, the 2013 California Mechanical Code as amended and adopted by the City, and all other applicable laws. Unvented fuel-burning heaters are not permitted. All heating devices or appliances shall be of an approved type.

**702 Electrical Equipment.** All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with the 2013 California Electrical Code as amended and adopted by the City and with all applicable laws. All electrical equipment shall be of an approved type.

Where there is electrical power available within 300 feet of any Building, such building shall be connected to such electrical power. Every habitable room shall contain at least two electrical convenience outlets or one convenience outlet and one electric light fixture. Every water closet compartment, bathroom, laundry room, furnace room and public hallway shall contain at least one electric light fixture.

**703 Ventilation.** Ventilation for rooms and areas and for fuel-burning appliances shall be provided as required in the 2013 California Mechanical Code as and adopted by the City and in this code. Where mechanical ventilation is provided in lieu of the natural ventilation required by the 2013 California Mechanical Code as amended and adopted by the City, such mechanical ventilating system shall be maintained in operation during the occupancy of any building or portion thereof.

## CHAPTER 8 - EXITS

**801** Dwelling units or guest rooms shall have access directly to the outside or to a public corridor. All buildings or portions thereof shall be provided with exits, exitways and appurtenances as required by Chapter 10 of the 2013 California Building Code as amended and adopted by the City and section R311 of the 2013 California Residential Code as amended and adopted by the City..

**802** Sleeping rooms below the fourth story shall have at least one operable window or exterior door approved for emergency escape or rescue. The units shall be operable from the inside to provide a full clear opening without the use of separate tools. Emergency escape and rescue openings shall be provided as required in Chapter 10 of the 2013 California Building Code as amended and adopted by the City and section R310 of the 2013 California Residential Code as amended and adopted by the City.

## CHAPTER 9 - FIRE PROTECTION

### **901 General**

All buildings or portions thereof shall be provided with the degree of fire-resistive construction as required by the 2013 California Building Code as amended and adopted by the City for the appropriate occupancy, type of construction and location on property, and shall be provided with the appropriate fire-extinguishing systems or equipment required by Chapter 9 of the 2013 California Building Code as amended and adopted by the City and the 2013 California Fire Code as amended and adopted by the City.

## CHAPTER 10 - SUBSTANDARD BUILDINGS

**1001 General.** Any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions referenced in this section to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby are declared to be substandard buildings.

**1002 Nuisance.** Buildings or portions thereof in which there exists any nuisance as defined in this code are deemed substandard buildings.

**1003 Inadequate and Hazardous Plumbing.** Buildings or portions thereof shall be deemed substandard and hazardous when they do not meet the requirements for new building as determined by the 2013 California Plumbing Code as amended and adopted by the City. Plumbing which was installed in violation of code requirements in effect at

the time of installation or plumbing not installed in accordance with generally accepted construction practices in areas where no codes were in effect or which has not been maintained in good condition or which is not free of cross-connections or siphonage between fixtures shall be considered substandard.

It shall be the duty of the owner to provide documentation of compliance when it cannot be determined when the installation was completed and/or if installed in accordance with acceptable construction practices and/or is installed and maintained in a safe manner. Such documentation shall be a written report prepared by a licensed plumbing contractor detailing how the plumbing is installed and maintained in a safe manner.

Substandard and hazardous plumbing shall include, but not be limited to, the following:

- 1003.1.** Lack of, or improper water closet, lavatory, bathtub or shower in a dwelling unit or lodging house.
- 1003.2.** Lack of, or improper water closets, lavatories and bathtubs or showers per number of guests in a hotel.
- 1003.3.** Lack of, or improper, kitchen sink in a dwelling unit.
- 1003.4** Lack of hot and cold running water to plumbing fixtures in a hotel.
- 1003.5.** Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.
- 1003.6** Lack of adequate heating.
- 1003.7** Lack of, or improper operation of required ventilation equipment.
- 1003.8** Lack of minimum amounts of natural light and ventilation required by this code.
- 1003.9** Room and space dimensions less than required by this code.
- 1003.10** Lack of required electrical lighting.
- 1003.11** Dampness of habitable rooms.
- 1003.12** Infestation of insects, vermin or rodents as determined by the Health Officer.
- 1003.13** General dilapidation or improper maintenance.
- 1003.14** Lack of connection to required sewage disposal system.

**1003.15** Lack of adequate garbage and rubbish storage removal.

**1004 Structural Hazards.** Buildings or portions thereof shall be deemed substandard when they are or contain structural hazards as determined by the 2013 California Building Code as amended and adopted by the City. Structural hazards shall include but not be limited to the following:

**1004.1.** Deteriorated or inadsequate foundations.

**1004.2** Defective or deteriorated flooring or floor supports.

**1004.3** Flooring or floor supports of insufficient size to carry imposed loads with safety.

**1004.4** Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.

**1004.5** Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety

**1004.6** Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration.

**1004.7** Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.

**1004.8** Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration.

**1004.9** Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.

**1005 Substandard and hazardous Electrical Wiring.** Buildings or portions thereof shall be deemed substandard and hazardous when they do not meet the standards for new buildings as determined by the 2013 California Electrical Code as amended and adopted by the City. Electrical wiring which was installed in violation of code requirements in effect at the time of installation or electrical wiring not installed in accordance with generally accepted construction practices in areas where no codes were in effect or which has not been maintained in good condition or which is not being used in a safe manner shall be considered substandard.

It shall be the duty of the owner to provide documentation of compliance when it cannot be determine when the installation was completed and/or if installed in accordance with acceptable construction practices and/or is installed and maintained in a safe manner.

Such documentation shall be a written report prepared by a licensed electrical contractor detailing how the electrical wiring is installed and maintained in a safe manner.

**1006 Substandard and hazardous Mechanical Installations or Equipment.** Buildings or portions thereof shall be deemed substandard and hazardous when they do not meet the standards for new buildings as determined by the 2013 California Mechanical Code as amended and adopted by the City. Mechanical installations and equipment which were installed in violation of code requirements in effect at the time of installation not installed in accordance with generally accepted construction practices in areas where no codes were in effect or which have not been maintained in good condition or which have not been used in a safe manner shall be considered substandard.

It shall be the duty of the owner to provide documentation of compliance when it cannot be determined when the installation was completed and/or if installed in accordance with acceptable construction practices and/or is installed and maintained in a safe manner. Such documentation shall be a written report prepared by a licensed mechanical contractor detailing how the installation or equipment is installed and maintained in a safe manner.

Substandard and hazardous mechanical installations or equipment shall include, but not be limited to, the following:

**1006.1** Lack of approved heating facilities.

**1006.2** Lack of required ventilating equipment or its approved operation.

**1006.3** Lack of minimum amounts of natural light and ventilation required by this code.

**1006.4** Room and space dimensions less than required by this code.

**1007 Faulty Weather Protection.** Buildings or portions thereof shall be considered substandard when they have faulty weather protection as determined by the 2013 California Building Code as amended and adopted by the City. Substandard weather protection shall include, but not be limited to, the following:

**1007.1** Deteriorated, crumbling or loose plaster.

**1007.2** Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors.

**1007.3** Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.

**1007.4** Broken, rotted, split or buckled exterior wall coverings or roof coverings.

**1008 Fire Hazard.** Any building or portion thereof, device, apparatus, equipment, combustible waste or vegetation which, in the opinion of the Chief of the Fire Department, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause shall be considered a substandard building.

**1009 Faulty Materials of Construction.** The use of materials of construction, except those which are specifically allowed or approved by this code and the 2013 California Building Code as amended and adopted by the City, and which have been adequately maintained in good and safe condition, shall not cause a building to be substandard.

**1010 Hazardous or Unsanitary Premises.** The accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water (including abandoned pools or spas or the lack of a sufficient barrier surrounding either or both), combustible materials and similar materials or conditions on a premises constitutes fire, health or safety hazards which shall be abated in accordance with the procedures specified in Chapter 11 of this code. Hazardous and unsanitary premises shall include, but not be limited to, the following:

**1010.1** Infestation of insects, vermin or rodents as determined by the health officer.

**1010.2** General dilapidation or improper maintenance of the premises as determined by the Health Officer.

**1010.3** Lack of approved garbage and rubbish storage and removal facilities as determined by the Health Officer.

**1011 Inadequate Exits.** Except for those buildings or portions thereof which have been provided with adequate exit facilities conforming to the provisions of the 2013 California Building Code , 2013 California Fire Code, amended and adopted by the City, buildings or portions thereof whose exit facilities were installed in violation of code requirements in effect at the time of their construction or whose exit facilities have not been increased in number or width in relation to any increase in occupant load due to alterations, additions or change in use or occupancy subsequent to the time of construction shall be considered substandard.

Notwithstanding compliance with code requirements in effect at the time of their construction, buildings or portions thereof shall be considered substandard when the Building Official finds that an unsafe condition exists through an improper location of exits, a lack of an adequate number or width of exit, or when other conditions exist which are dangerous to human life.

**1012 Inadequate Fire-protection or Firefighting Equipment.** Buildings or portions thereof shall be considered substandard when they are not provided with the fire-resistive construction or fire-extinguishing systems or equipment as required by the 2013 California Building Code , 2013 California Fire Code ,amended and adopted by the City, except those buildings or portions thereof which conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy as required by the 2013 Californian Building Code , 2013 California Fire Code ,amended and adopted by the City.

**1013 Improper Occupancy.** All buildings or portions thereof occupied for living, sleeping, cooking or dining purposes which were not designed or intended to be used for such occupancies as required by the 2013 California Building Code, 2013 California Fire Code , amended and adopted by the City, shall be considered substandard.

## **CHAPTER 11 -NOTICES AND ORDERS OF BUILDING OFFICIAL**

**1101 Commencement of Proceedings.** When the Building Official has inspected or caused to be inspected any building and has found and determined that such building is a dangerous building, the Building Official shall commence proceedings to cause the repair, vacation or demolition of the building as specified in the 2013 California Building Code, Chapter 1- Division II, Section 114 as amended and adopted by the City.

**1102 Notice and Order.** The Building Official shall issue a notice and order directed to the record owner of the building. The notice and order shall be as specified in the 2013 California Building Code, Chapter 1- Division II, Section 114 as amended and adopted by the City

## **CHAPTER 12 - APPEAL**

**Section 1200--Right of Appeal.** Any person having any record title or legal interest in the building may appeal from any notice of violation or notice and order or any action of the Building Official under this section by filing at the office of the Building Official within thirty (30) calendar days from the date of service of the notice of violation or notice and order, or the date of the action of the Building Official, a written appeal as specified in the 2013 California Building Code, Chapter 1- Division II, Section 113 as amended and adopted by the City.

### **SECTION 4. VALIDITY.**

The City Council of the City of Patterson hereby declares that should any section, paragraph, sentence, or word of this Ordinance or of the Codes hereby adopted be

declared for any reason to be invalid or unconstitutional, it is the intent of the City Council of the City of Patterson that it would have passed all other portions of this Ordinance independently of the elimination here from of any such portion as may be declared invalid or unconstitutional.

**SECTION 5. REPEAL OF CONFLICTING ORDINANCES.**

Ordinances and all other ordinances or parts thereof, conflicting or inconsistent with the provisions of this ordinance or of the Code hereby adopted are hereby repealed.

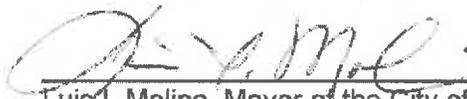
**SECTION 6. EFFECTIVE DATE - PUBLICATION.**

This ordinance shall be published by one insertion in The PATTERSON IRRIGATOR, a newspaper of general circulation printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES: Councilmembers Novelli, Farinha, Lustgarten and Mayor Molina  
NOES: Councilmember Buehner  
EXCUSED: None

APPROVED:

  
\_\_\_\_\_  
Luis I. Molina, Mayor of the City of Patterson

ATTEST:

  
\_\_\_\_\_  
Maricela L. Vela, City Clerk of the City of Patterson

**ORDINANCE NO. 756**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**2013 CALIFORNIA HISTORICAL BUILDING CODE, TITLE 24, PART 8**", INCLUDING THE APPENDIX THEREOF, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833-2936 AND COPYRIGHTED AND PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C. 20001 AND, TO PROVIDE ADMINISTRATION OF REGULATIONS FOR THE PROTECTION OF LIFE, LIMB, HEALTH, PROPERTY, SAFETY AND WELFARE OF THE GENERAL PUBLIC IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, USE AND MAINTENANCE OF ALL BUILDING OR PORTIONS THEREOF, USED OR DESIGNED OR INTENDED TO BE USED FOR HUMAN HABITATION; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

The City Council of the City of Patterson does ordain as follows:

**SECTION 1. ADOPTION**

That certain document in book form entitled **2013 CALIFORNIA HISTORICAL BUILDING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 8, INCLUDING THE APPENDIX**, as approved and copyrighted by The California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California, 95833 and copyrighted and published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C., 20001 and one copy of which is now on file in the Office of the City Clerk of the City of Patterson, except as portions thereof are herein specifically amended, deleted and added to, is hereby adopted by reference as "**CALIFORNIA HISTORICAL BUILDING CODE OF THE CITY OF PATTERSON**", and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Patterson.

**SECTION 2. PURPOSES**

The purposes of this Ordinance is to provide minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public in the incorporated area of the City of Patterson by regulating the erection, construction, enlargement, alteration, repair, removal, conversion, use and maintenance of all buildings or portions thereof used, or designed, or intended to be used, for human habitation; to encourage and instruct people to build safely and economically, rather than to discourage building; and to provide a minimum or restrictive enforcement and a maximum of good building information and encouragement.

**SECTION 3. ADMINISTRATION.**

Chapter 8-1 - Section 8-103 of the CALIFORNIA HISTORICAL BUILDING CODE is hereby amended to read as follows

**SECTION 103 ORGANIZATION AND ENFORCEMENT**

**8-103.1 Administrative Requirements**

Administrative provisions relating to Historical building requirements, enforcement, permits, plans, violations, fees and penalties are specified in the 2013 California Building Code, Part 2, Volume 1, Chapter 1-Division II, as amended and adopted by the City of Patterson

**SECTION 4. VALIDITY.**

The City Council of the City of Patterson hereby declares that should any section, paragraph, sentence or word of this Ordinance or of the Codes hereby adopted be declared for any reason to be invalid or unconstitutional, it is the intent of the City Council of the City of Patterson that it would have passed all other portions of this Ordinance independently of the elimination here from of any such portion as may be declared invalid or unconstitutional.

**SECTION 5. EFFECTIVE DATE – PUBLICATION.**

This Ordinance shall be published by on insertion in The PATTERSON IRRIGATOR, a newspaper of general circulation printed and published in the City of Patterson, within 15 days after its final passage, and shall take effect and be in force 30 days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES: Councilmembers Novelli, Farinha, Lustgarten and Mayor Molina  
NOES: Councilmember Buehner  
EXCUSED: None

APPROVED:



Luis I. Molina, Mayor of the City of Patterson

ATTEST:



Maricela L. Vela, City Clerk of the City of Patterson

**ORDINANCE NO. 757**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA RESIDENTIAL CODE, TITLE 24, PART 2.5, - 2013 EDITION**", INCLUDING THE APPENDIX. , AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130. SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C., 20001; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, AND REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

The City Council of the City of Patterson does ordain as follows:

**SECTION 1. ADOPTION.**

THAT CERTAIN DOCUMENTS IN BOOK FORM ENTITLED **CALIFORNIA RESIDENTIAL CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2.5, 2013 EDITION, CHAPTER 1-DIVISION II, CHAPTERS 2-10,44 , INCLUDING THE APPENDIX H**, as approved and copyrighted by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California, 95833-2936 and published and copyrighted by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C., 20001, one copy of which documents are now on file in the Office of the city Clerk of the city of Patterson, except as to portions thereof are herewith specifically amended, deleted and added to, are hereby adopted by reference together as "**CALIFORNIA RESIDENTIAL CODE OF THE CITY OF PATTERSON**", and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Patterson.

**SECTION 2. PURPOSES.**

The purposes of this Ordinance are to provide minimum standards to safeguard life or limb, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Patterson; to encourage and instruct people to build safely and economically, rather than to discourage building; and to provide a minimum or restrictive enforcement and a maximum of good building information and encouragement.

### **SECTION 3. ADMINISTRATION**

Chapter 1-Division II of THE CALIFORNIA RESIDENTIAL CODE – 2010 EDITION is deleted and amended to read as follows

#### **Division II - ADMINISTRATION**

Administrative provisions relating to one and two family dwellings residential construction requirements, enforcement, permits, plans, violations, fees and penalties are specified in the 2013 California Building Code, Part 2, Volume 1, Chapter 1-Division II, as amended and adopted by the City of Patterson.

### **SECTION 4.**

CHAPTER 18 - SECTION R401.3.1 of the CALIFORNIA RESIDENTIAL CODE, TITLE 24, PART 2.5, - 2013 EDITION, is amended as follows :

#### **Section R401.3.1. Storm Water Drainage Requirement.**

In all cases where proposed construction is for commercial, industrial, or public or quasi-public buildings or structures, for two-family, three-family, four-family, or multi-family dwellings, or for other uses which similarly involve structural ground coverage likely to affect storm drainage in the areas in which they are located, including but not limited to, trailer parks and parking lots, drainage facilities for the property shall be constructed in a manner approved by the Department of Public Works, which may include discharge into a publicly maintained storm drain system or ponding basin. Submission of the drainage plans for approval shall be the responsibility of the owner or the developer of the property on which the construction is proposed, and the application for a building permit shall be accompanied by a drainage plan suitable for review by the Department of Public Works."

### **SECTION 5. Residential Foundations**

CHAPTER 4, SECTION R403.1.8 of the CALIFORNIA RESIDENTIAL CODE, Title 24, Part 2.5, - 2013 Edition, is amended AS follows :

**Section R403.1.8.2**

**R403.1.8.2: Residential Foundations:** Due to the expansive soils present in and around the area of the City of Patterson foundations for buildings and structures shall be designed in accordance with Chapter 18, Section 1808.61 or 1808.6.2 of the 2013 California Building Code, Volume 2 as adopted by the City of Patterson.

**SECTION 6. VALIDITY.**

The City Council of the City of Patterson hereby declares that should any section, paragraph, sentence, or word of this Ordinance or of the Codes hereby adopted be declared for any reason to be invalid or unconstitutional, it is the intent of the City Council of the City of Patterson that it would have passed all other portions of this Ordinance independently of the elimination here from of any such portion as may be declared invalid or unconstitutional.

**SECTION 7. REPEAL OF CONFLICTING ORDINANCES.**

Ordinances and all other ordinances or parts thereof, conflicting or inconsistent with the provisions of this ordinance or of the Code hereby adopted are hereby repealed.

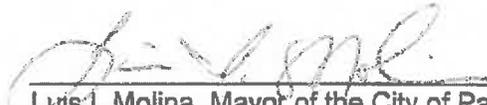
**SECTION 8. EFFECTIVE DATE - PUBLICATION.**

This ordinance shall be published by one insertion in The PATTERSON IRRIGATOR, a newspaper of general circulation printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES:	Councilmembers Novelli, Farinha, Lustgarten and Mayor Molina
NOES:	Councilmember Buehner
EXCUSED:	None

APPROVED:

  
Luis I. Molina, Mayor of the City of Patterson

ATTEST:

  
Maricela L. Vela, City Clerk of the City of Patterson

**ORDINANCE NO. 758**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA ENERGY CODE TITLE 24, PART 6, 2013 EDITION**", AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C. 20001 ; SAID ORDINANCE BEING FOR PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION AND REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

The City Council of the City of Patterson does ordain as follows:

**SECTION 1. ADOPTION.**

That certain document in book form entitled **CALIFORNIA ENERGY CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 6, 2013 EDITION** , as approved and copyrighted by the "California Building Standards Commission, 2525 Natomas Park Drive, suite 130, Sacramento, California, 95833 and published and copyrighted by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> floor, Washington, D.C.. 20001, prescribing regulations governing installation, construction, maintenance, alteration, repair and inspection, one copy of which document is now on file in the Office of the City Clerk of the City of Patterson, except as portions thereof are herein specifically amended, deleted and added to, is hereby adopted by reference as "**THE CALIFORNIA ENERGY CODE OF THE CITY OF PATTERSON**", and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Patterson.

**SECTION 2. PURPOSES.**

The purposes of this Ordinance are to provide minimum standards to safeguard life or limb, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Patterson; to encourage and instruct people to build safely and economically, rather than to discourage building; and to provide a minimum or restrictive enforcement and a maximum of good building information and encouragement.

**SECTION 3 Administration.**

Section 100(g) of the CALIFORNIA ENERGY CODE is hereby amended to read as follows:

**Section 100(g) Administrative Requirements**

Administrative requirements relating to permit requirements, enforcement by the State Energy Resources Conservation and Development Commission (CEC), locally adopted energy standards, interpretations, claims of exemption, approved calculation methods, rights of appeal, and certification and labeling requirements of fenestration products and roofing products are specified in California Code of Regulations, Title 24, Part 1, Sections 10-101 to 10-114 and the 2013 California Building Code, Part 2, Volume 1, Chapter 1-Division II, as amended and adopted by the City.

**SECTION 4. VALIDITY.**

The City Council of the City of Patterson hereby declares that should any section, subsection, sentence, clause or phrase of this ordinance or the Code hereby adopted is, for any reason, held to be unconstitutional, such decision shall not effect the validity of the remaining portions of this ordinance. The City Council of the City of Patterson hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 5. EFFECTIVE DATE - PUBLICATION.**

This ordinance shall be published by one insertion in The PATTERSON IRRIGATOR, a newspaper of general circulation printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES: Councilmembers Novelli, Farinha, Lustgarten and Mayor Molina  
NOES: Councilmember Buehner  
EXCUSED: None

APPROVED:

  
\_\_\_\_\_  
Luis F. Molina, Mayor of the City of Patterson

ATTEST:



\_\_\_\_\_  
Maricela L. Vela, City Clerk of the City of Patterson

**ORDINANCE NO. 759**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA MECHANICAL CODE, TITLE 24, PART 4 – 2013 EDITION**" INCLUDING THE APPENDIX THEREOF, AS APPROVED AND COPYRIGHTED BY CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND AS PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 5001 EAST PHILADELPHIA STREET, ONTARIO CALIFORNIA, 91761-2816 ; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE, PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

The City Council of the City of Patterson does ordain as follows:

**SECTION 1. ADOPTION.**

That certain document in book form entitled **CALIFORNIA MECHANICAL CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4, CHAPTER 1-DIVISION II, CHAPTERS 2-17, TOGETHER WITH APPENDICES B,C,D AND F**, as approved and copyrighted by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833 and as published and copyrighted by the International Association of Plumbing and Mechanical Officials, 5001 East Philadelphia Street, Ontario California, 91761-2816 and one copy of which document is now on file in the Office of the City Clerk of the City of Patterson, except as portions thereof are herein specifically amended, deleted and added to, is hereby adopted by reference as "**CALIFORNIA MECHANICAL CODE OF THE CITY OF PATTERSON**", and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Patterson.

**SECTION 2. PURPOSE.**

The purposes of this chapter are to provide minimum standards to safeguard life, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Patterson, to encourage and instruct people to build safely and economically, rather than to discourage building; and to provide a minimum of restrictive enforcement and a maximum of good building information and encouragement.

**SECTION 3. ORGANIZATION AND ENFORCEMENT**

Chapter 1-Division II, Part II of THE CALIFORNIA MECHANICAL CODE – 2010 EDITION is deleted and amended to read as follows

**Part II - Organization and Enforcement**

**106.1 Administrative Requirements**

Administrative provisions relating to mechanical requirements, enforcement, permits, plans, violations, fees and penalties are specified in the 2013 California Building Code, Part 2, Volume 1, Chapter 1-Division II, as amended and adopted by the City.

**SECTION 4. VALIDITY.**

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

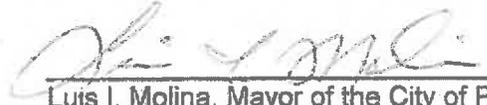
**SECTION 5. EFFECTIVE DATE - PUBLICATION.**

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES: Councilmembers Novelli, Farinha, Lustgarten and Mayor Molina  
NOES: Councilmember Buehner  
EXCUSED: None

APPROVED:



Luis I. Molina, Mayor of the City of Patterson

ATTEST:



Maricela L. Vela, City Clerk of the City of Patterson

**ORDINANCE NO. 760**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUMES 1-2 OF THE - 2013 EDITION**", INCLUDING THE APPENDICES, AS APPROVED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C., 20001; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, AND REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

The City Council of the City of Patterson does ordain as follows:

**SECTION 1. ADOPTION.**

THAT CERTAIN DOCUMENTS IN BOOK FORM ENTITLED **2013 CALIFORNIA BUILDING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24 , PART 2, VOLUME 1, CHAPTER 1- DIVISION II, CHAPTERS 2-12, AND CHAPTERS 14-15 AND 2013 CALIFORNIA BUILDING CODE, CALIFORNIA CODE OF REGULATIONS ,TITLE 24, PART 2, VOLUME 2, CHAPTERS 16 - 28, CHAPTER 30 -SECTIONS 3001.1 and 3001.3,CHAPTER 31 - SECTION 3114B.1 EXCEPTION 2, AND CHAPTERS 32 - 35 TOGETHER WITH APPENDICES I, J AND K THERETO** as approved and copyrighted by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California, 95833-2936 and published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C., 20001, one copy of which documents are now on file in the Office of the city Clerk of the city of Patterson, except as to portions thereof are herewith specifically amended, deleted and added to, are hereby adopted by reference together as "**CALIFORNIA BUILDING CODE OF THE CITY OF PATTERSON**", and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Patterson.

**SECTION 2. PURPOSES.**

The purposes of this Ordinance are to provide minimum standards to safeguard life or limb, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Patterson; to encourage and instruct people to build safely and economically, rather than to discourage building; and to provide a minimum or restrictive

enforcement and a maximum of good building information and encouragement.

### **SECTION 3. DEFINITIONS.**

- (a) The name "Patterson" and/or "California" shall be inserted in the appropriate places provided therefore in each and every section of this Code wherever the City or the State is left blank.
- (b) The term "Building Official" shall include the term "Building Inspector".

### **SECTION 4. SCOPE AND ADMINISTRATION.**

CHAPTER 1 – DIVISION II -SECTIONS 105.5, 107.2.5.1, 110.3.10.1, 111.3 AND 112.2 OF THE CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUME 1 of the 2013 EDITION as set forth in said Code is amended as follows,:

#### **Section 105.5**

**105.5 Expiration.** Every permit issued by the Building Official under provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty (180) calendar days from the date of said permit, or if such building or work authorized by such permit is suspended or abandoned at any time after the work has commenced for a period of one hundred eighty (180) calendar days, or if the building or work authorized by such permit is not completed seven hundred thirty (730) calendar days from the date of such permit. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half (1/2) the amount required to obtain a new permit for such work provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment as not exceeded one (1) year.

Any permittee holding an unexpired permit may apply for an extension of time within which he may commence the work under that permit when he is unable to commence work within the time required by this Section for good and satisfactory reasons. The Building Official may extend the time of action by the permittee for a period not exceeding one hundred eighty (180) calendar days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. In order to renew action on a permit after expiration, the permittee shall pay a new permit fee.

#### **Section 107.2.5.1.**

**107.2.5.1 Design flood elevations.** Where design flood elevations are not specified, they shall be established in accordance with Title 17 of the Patterson municipal code.

**Section 110.3.10.1**

**110.3.10.1** If located in a flood hazard area, documentation of the elevation of the lowest floor as required in Title 17 of the Patterson municipal code shall be submitted to the building official prior to the final inspection.

**Section 111.3**

**111.3 Temporary Occupancy.** If any building or structure, including Group R3 or U occupancy, is to be occupied with the approval of the Building Official prior to the final inspection and/or final corrections, the occupant, owner, and contractor shall sign a Temporary Certificate of Occupancy prior to occupying the building agreeing to make all corrections required and/or listed within forty five (45) calendar days of occupancy. If corrections are not completed within forty five (45) calendar days the Building Official shall have the authority to request the immediate discontinuance of the electrical service and/or the gas service by the appropriate utility and may file a notice on noncompliance with the County Recorder. The notice of noncompliance shall be removed by the Building Official only after all items requiring correction are completed.

**Section 112.2**

**112.2 Temporary connection.** The Building Official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

Temporary electrical or gas connection to the electrical or gas source for a period not to exceed forty five (45) calendar days may be granted prior to the final inspection if in the opinion of the Building Official the service is safe. If after forty five (45) calendar days the structure or building has not passed final inspection, the Building Official shall have authority to request the serving utility to disconnect the service.

**SECTION 5. BOARD OF APPEALS**

CHAPTER 1 – DIVISION II - SECTION 113 OF THE CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUME 1 of the 2013 EDITION as set forth in said Code is amended and added to as follows,:

**Section 113 Board of Appeals**

The City Council is hereby designated as a Board of Appeals to make correct determination of any appeal arising from the Administrative Authority. Any person dissatisfied with any decision of the building official may appeal in writing to the City Council of the City of Patterson, which statement shall specify the grounds of such dissatisfaction and shall set forth the address of

appellant to which notice may sent by mail. At the next regular meeting after filing of such appeal, the City Council shall set the same for hearing a time not later than the next regular meeting of the Council and shall notify the appellant by mail of such hearing, and the such hearing may take evidence as it shall deem proper, and shall render all decisions and finding in writing to the building official with a duplicate copy to the appellant. The appellant shall cause to be made at his own expense any tests or research required by Council to substantiate his claims. The decision of the City Council on such appeal shall be final.

The City Council may, at its discretion, delegate and appoint a Board of Appeal and / or a Disabled Access Board as described in Sections 114.9-114.13, 117 and / or Section 118 adopted by this Code and serve at its pleasure.

**SECTION 6. VIOLATIONS AND NOTICES AND ORDERS OF BUILDING OFFICIAL**  
Chapter 1 – Division II - Section 114 of the CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUME 1, 2013 EDITION, is amended by adding sections thereto, to read:

**Section 114 – Violations and Notices And Orders Of Building Official**

**114.1 First Notice -Commencement of Proceedings.** When the Building Official has inspected or caused to be inspected any building and has found and determined that such building is substandard or a dangerous building, the Building Official shall commence proceedings to cause the repair, vacation or demolition of the building.

**114.2 Notice and Order.** The Building Official shall issue a notice and order notifying the owner of the building and any mortgagee or beneficiary under any deed of trust, of record, as follows:

**114.2.1** The street address and a legal description sufficient for identification of the premises upon which the building is located.

**114.2.2** A statement that the Building Official has found the building to be substandard or dangerous shall state the conditions causing the building to become substandard or dangerous in violation of Section 116 of this code or as defined by the Housing Code or Dangerous Buildings Code as adopted by the City, and shall order the building, or portion thereof, vacated and shall institute proceedings for the correction or abatement thereof, either by demolition, closing or repair, within 30 days after the date of the notice. If, in the opinion of the Building Official, these conditions can be corrected or abated by repair thereof the notice shall state the repairs which will be required.

**114.2.2.1** If the Building Official has determined that the building or structure must be repaired, the order shall require that all required permits be secured therefor and the work physically commenced within 30 days from the date of the

order and completed within such time as the building official shall determine is reasonable under all of the circumstances.

**114.2.2.2** If the Building Official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within 30 from the date of the order.

**114.2.2.3** If the Building Official has determined that the building or structure must be demolished, the order shall require that the building be vacated within 30 days from the date of the order, that all required permits be secured therefor within 30 days from the date of the order and that the demolition be completed within such time as the building official shall determine is reasonable.

**114.2.3** If the building is encumbered by a mortgage or deed of trust, of record, and the owner of the building has not complied with the order of the Building Official on or before the expiration of 30 days after the mailing and posting of the notice, the mortgagee or beneficiary under the deed of trust may, within 15 days after the expiration of the 30-day period, comply with the requirements of the order of the Building Official, in which event the cost to the mortgagee or beneficiary shall be added to and become a part of, the lien secured by the mortgage or deed of trust, and shall be payable at the same time and in the same manner as may be prescribed in the mortgage or deed of trust for the payment of any taxes advanced or paid by the mortgagee or beneficiary for and on behalf of the owner.

**114.2.4.** If the order of the Building Official has not been complied with on or before the expiration of 45 days after the mailing and posting of the notice, Building Official may institute an appropriate action or proceeding to correct or abate the condition, as would be taken to correct or abate any nuisance or any violation of any other provision of this code or, as an alternative procedure, the Building Official may institute proceedings for the abatement of the nuisance, after notice and hearing, before the Board of Appeals as described in Section 113 of this Code.

**114.2.5.** Statements advising (1) that any person having any record title or legal interest in the building may appeal from the notice and order or any action of the building official to the Board of Appeals, provided the appeal is made in writing as provided in this code, and filed with the building official within 30 days from the date of service of such notice and order, and (2) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

**114.3 Service of Notice and Order.** The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner and posted on the property; and one copy thereof shall be served on each of the following if known to the Building Official or disclosed from official public records:

**114.3.1** The holder of any mortgage or deed of trust or other lien or encumbrance of record;

**114.3.2** the owner or holder of any lease of record;

**114.3.3** any tenant within the building;

**114.3.4** and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The failure of the Building Official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section

**114.4 Method of Service.** Service of the notice and order may be made upon all persons entitled thereto either by personal delivery or by certified mail, return receipt requested. Service may be made upon the record owner at his/her/their address as it appears on the last equalized assessment roll of Stanislaus County recorded documents or as known to the Building Official. A copy of the notice and order and any amended or supplemental notice of violation or notice and order shall also be posted on the premises.

**114.4.1** In lieu of personally serving the owner or service by certified mail, service of the notice and order and any amended or supplemental notice and order may be made as follows:

**114.4.1.1** In the event that the owner refuses to accept certified return receipt mail or cannot be personally served, service may be made by substituted service. Substituted service may be accomplished as follows:

**114.4.1.2** By leaving a copy during usual business hours in the recipient's business with the person who is apparently in charge, and by thereafter mailing by first class mail a copy to the recipient where the copy was left;

**114.4.1.3** By leaving a copy at the recipients dwelling or usual place of abode, in the presence of a competent member of the household and thereafter mailing, by first class mail, a copy to the recipient at the address where the copy was left.

**114.4.1.4** Posting on place of business in visible location.

**114.4.2** In the event the owner refuses to accept certified return receipt mail or cannot be personally served and has a property manager or rental agency overseeing the premises, substituted service may be as set forth in section 114.4.1.4 above upon the property manager or rental agency.

**114.4.3** If the owner lives out of state and will not accept certified return receipt mail, then service may be made by first class mail.

**114.4.4** If the owner of the property cannot be located, or service cannot be effected as set forth in this Section, service may be made by publication in a newspaper of general circulation which is most likely to give actual notice to the owner. Service shall be deemed sufficient when it is accomplished pursuant to Government Code Section 6063.

The failure of any such person to receive such notice and order shall not affect the validity of any proceedings taken under this Chapter. Service by certified mail in the manner herein provided shall be effective on the date of mailing.

**114.5 Proof of Service.** Proof of service of the notice and order shall be certified to at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt returned in acknowledgment of receipt by certified mail shall be affixed to the copy of the notice and order retained by the Building Official.

**114.6 – Recordation of Notice and Order.** If compliance is not had with the notice and order within the time specified therein, and no appeal has been properly and timely filed, the Building Official shall file in the office of the County Recorder a certificate describing the property and certifying (a) that the building is a substandard or dangerous building and (b) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists as a substandard or dangerous building on the property described in the certificate, the Building Official shall file a new certificate with the County Recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer substandard or dangerous, whichever is appropriate.

#### **114.7 – Repair, Vacation and Demolition**

The following standards shall be followed by the Building Official (and by the Board of Appeals if an appeal is taken) in ordering the repair, vacation or demolition of any substandard or dangerous building or structure:

**114.7.1** Any building declared a substandard or dangerous building under this code shall be made to comply with one of the following:

**114.7.1.1** The building shall be repaired in accordance with the 2013 Building Code or other current code applicable to the type of substandard or dangerous conditions requiring repair;

or

**114.7.1.2** The building shall be demolished at the option of the building owner;

or

**114.7.1.3** If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry.

**114.7.2.** If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or its occupants, it shall be ordered to be vacated.

**114.8 – Notice to Vacate**

**114.8.1 Posting.** Every notice to vacate shall, in addition to being served as provided in Section 114.3 of this code, be posted at or upon each exit of the building and shall be in substantially the following form:

**DO NOT ENTER  
UNSAFE TO OCCUPY  
It is a misdemeanor to occupy this building,  
or to remove or deface this notice.**

\_\_\_\_\_  
**Building Official**

\_\_\_\_\_  
**City of Patterson**

**114.8.2 Notice.** Whenever such notice is posted, the Building Official shall include a notification thereof in the notice and order issued under Section 114.2 of this code, reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted, except that entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition or removal have been completed and a temporary or permanent certificate of occupancy issued pursuant to the provisions of the 2013 California Building Code as amended and adopted by the City.

**Section 7. APPEAL OF VIOLATIONS AND NOTICES AND ORDERS OF THE BUILDING OFFICIAL**

If delegated by the City Council as adopted by section 113 of this code, Chapter 1 – Division II - Section 114 of the CALIFORNIA BUILDING CODE, TITLE 24, PART 2. VOLUME 1, 2013 EDITION, is added thereto, to read:

## **114.9 APPEAL OF VIOLATIONS AND NOTICES AND ORDERS OF THE BUILDING OFFICIAL**

**114.9.1 Right of Appeal.** Any person having any record title or legal interest in the building may appeal from any notice of violation or notice and order or any action of the Building Official under this section by filing at the office of the Building Official within thirty (30) calendar days from the date of service of the notice of violation or notice and order, or the date of the action of the Building Official, a written appeal as specified below.

**114.9.1.1** The written appeal must contain a brief statement setting forth the legal interest of each of the appellants in the building or the land subject to the action of the Building Official or involved in the notice of violation or notice and order. The written appeal must contain a brief statement in ordinary and concise language of the specific order, action and/or Building Code section under protest, together with any material facts that support the contentions of the appellant.

**114.9.1.2** The written appeal must contain a brief statement in ordinary and concise language of the relief sought, and the reasons why it is claimed, why the protested order or action should be reversed, modified, or otherwise set aside.

**114.9.1.3** The written appeal must contain signatures of all parties named as appellants and their official mailing addresses.

**114.9.1.4** At least one (1) appellant must submit a declaration under penalty of perjury as to the truth of matters stated in the appeal. This declaration must be submitted with the written appeal itself.

**114.10 Appeal Fee.** The Building Official shall collect and require an appeal fee to be paid at the time any appeal allowed by this code is filed. The appeal fee shall be as adopted from time to time by resolution of the City Council of the City of Patterson. The fee shall be calculated to recover the total City costs incurred in the appeal including, but not limited to, staff time to process and handle the appeal, preparation and service of notices and staff appearance at the appeal hearing. No appeal shall proceed without payment of the fee at the time the appeal is filed. The Building Official may waive the appeal fee upon written request for good cause shown. Good cause may include severe economic hardship, significant attempts to comply with the decision of the Building Official notice of violation or notice and order, and other factors indicating good faith attempts to comply with the decision of the Building Official, notice of violation or notice and order.

### **114.11 Abatement proceedings**

**114.11.1. Jurisdiction To Abate** Thirty days after the posting of the copies of the resolution declaring any building a nuisance, the Board of Appeals shall be deemed to have acquired

jurisdiction to abate such nuisance by razing or removing the building, unless the nuisance is abated by the owner or other person interested within the 30-day period or any extension thereof granted by the Board of Appeals as provided for in this code. In the event that the nuisance is not abated within the time prescribed the enforcement agency may thereupon raze and remove the building so declared to constitute a nuisance or have the same done under its direction and supervision

**114.11.2. Second Notice.** If the owner has not appealed the notice and order of the Building Official as described in Section 114.2 and if the Building Official determines to proceed with the abatement of the nuisance through proceedings instituted before the Board of Appeals, it shall give a second notice in the same manner as set forth in Section 117 directing the owner of the building to appear before the Board of Appeals at a stated time and place and show cause why the building should not be condemned as a nuisance, and the nuisance be abated as provided in this code. A copy of this notice shall be mailed to each mortgagee or beneficiary under any deed of trust, of record, in the manner prescribed in Section 114.3. The notice shall be headed "Notice to Abate Nuisance" in letters of not less than three-fourths of an inch in height and shall be substantially in the following form:

#### NOTICE TO ABATE NUISANCE

The owner of the building situated at \_\_\_\_\_ is hereby notified to appear before \_\_\_\_\_ the Board of Appeals of the City of Patterson at its meeting to be Held \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ (place of meeting) at the hour of \_\_\_\_\_ o'clock \_\_\_\_ p.m., or as soon thereafter as the owner may be heard, and show cause, if any, why the building should not be condemned as a public nuisance and the nuisance be abated by reconstructing or properly repairing the building or by razing or removing it.

Dated \_\_\_\_\_

\_\_\_\_\_  
City of Patterson

By \_\_\_\_\_

Building Official

The Building Official giving such notice shall file an affidavit of posting and mailing in the manner required by Sections 114.3, 114.4 and 114.5, but the failure to any owner or other required by such notice shall not affect in any manner the validity of any proceeding taken hereunder.

## **114.12 Performance of Work of Repair or Demolition**

**114.12.1 Procedure.** When any work or repair or demolition is to be done pursuant to Section 114.11, of this code, the building official may cause the work to be accomplished by city personnel or by private contract under the direction of the building official. Plans and specifications therefor may be prepared by the building official, or the building official may employ such architectural and engineering assistance on a contract basis as may be deemed reasonably necessary.

**114.12.2 Costs.** The costs of such work may be paid from the repair and demolition fund, and may be made a special assessment against the property involved, or may be made a personal obligation of the property owner, whichever the legislative body of this jurisdiction shall determine is appropriate.

**114.12.3 Repair and Demolition Fund.** The legislative body of this jurisdiction may establish a special revolving fund to be designated as the repair and demolition fund. Payments shall be made out of said fund upon the demand of the building official to defray the costs and expenses which may be incurred by this jurisdiction in doing or causing to be done the necessary work of repair or demolition of dangerous buildings.

**114.12.4 Maintenance of Fund.** The legislative body may at any time transfer to the repair and demolition fund, out of any money in the general fund of the city, such sums as it may deem necessary in order to expedite the performance of the work of repair or demolition, and any sum so transferred shall be deemed a loan to the repair and demolition fund and shall be repaid out of the proceeds of the collections herein after provided for. All funds collected under the proceedings hereinafter provided for shall be paid to the treasurer of this jurisdiction, who shall credit the same to the repair and demolition fund.

## **114.13 Demolition – Sale Of Materials**

**114.13.1.** The building materials contained in such building so razed or removed may be sold by the governing board at public sale to the highest responsible bidder after not less than five days' notice of intended sale published at least once in a newspaper of general circulation published in the city, either before or after said building has been razed or removed and any amount received from the sale of such building materials shall be deducted from the expense of razing or removing said building.

**114.13.2.** The Building Official shall keep an itemized account of the expense involved in the razing or removing of any such building and shall deduct therefrom the amount received from the sale of the building materials. The Building Official shall cause to be posted conspicuously on the property from which the building was razed or removed a statement verified by him showing the gross and net expense of the razing or removing of such building together with a notice of the time and place when and where said statement shall be submitted to the Board of

Appeals for approval and confirmation and at which time said Board of Appeals shall consider any objections or protests, if any, which may be raised by any property owner liable to be assessed for the cost of such work and any other interested persons. A copy of said statement and notice shall be mailed in the manner prescribed in Sections 114.3, 114.4 and 114.5 and an affidavit of such posting and mailing shall be filed in the manner prescribed in said section. The time for confirmation shall be not less than five days from the date of the posting and mailing of said statement and notice.

### **114.13.3 Statement of Expense.**

**114.13.3.1**At the time fixed for the hearing of the statement of expense provided for in section 114.13, the Board of Appeals shall consider the statement, together with any objections or protests which may be raised by any of the property owners liable to be assessed for doing the work and any other interested persons; and thereupon said Board of Appeals may make such revision, correction, or modification in the statement as it may deem just, after which, by motion or resolution, said report as submitted, or in the event any revisions, corrections or modifications have been ordered made by said Board of Appeals then said statement as revised, corrected or modified, shall be confirmed. The Board of Appeals may adjourn said hearings from time to time and its decisions on said statement and on all protests and objections which may be made shall be final and conclusive.

**114.13.3.2**In the event that the cost for razing or removing the nuisance exceeds the proceeds received from the sale of any materials, then the amount of the net expense of abating the nuisance, if not paid within five days after the decision of the Board of Appeals on its statement, shall constitute a lien on the real property upon which the same was abated or removed, which lien shall continue until the amount thereof and interest thereon at the rate of 6 percent per annum, computed from the date of confirmation of the statement until paid, or until it is discharged of record.

This lien shall, for all purposes, be upon parity with the lien of State, county, and municipal taxes. In the event of nonpayment, the Board of Appeals shall, at any time within 60 days after the decision of the Board of Appeals on the statement, cause to be filed in the office of the Stanislaus County recorder a certificate substantially in the following form:

#### **Notice of Lien**

Pursuant to the authority vested in the undersigned by Ordinance \_\_\_ of the City of Patterson, the undersigned did on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, cause a nuisance to be abated on the real property hereinafter described; and the undersigned did on the day of \_\_\_\_\_, 20\_\_\_, by action duly recorded in its official minutes as of that date, assess the cost of the abatement, less the amount received from the sale of any building materials upon the real property hereinafter described, and the same has not been

paid nor any part thereof; and the City of Patterson does hereby claim a lien on the real property for the net expense of the doing of the work in the sum of \$ \_\_\_\_\_, and the same shall be a lien upon the real property until the sum, with interest at the rate of 6 percent per annum, from the day of \_\_\_\_\_, 20\_\_\_\_, has been paid in full and discharged of record. The real property hereinbefore mentioned, and upon which a lien is claimed, is that certain piece or parcel of land lying and being in the City of Patterson, County of Stanislaus, State of California , and particularly described as follows:

Dated \_\_\_\_\_

City of Patterson

BY \_\_\_\_\_

Building Official

**114.13.3.3** From and after the date of the recording of said notice of lien all persons shall be deemed to have had notice of the contents thereof. The statute of limitations shall not run against the right of the City to enforce the payment of said lien.

**114.133.4**In the event that the amount received from the sale of material exceeds the expenses of razing or removing such building, then such excess shall be deposited with the City treasurer to the credit of the owner of said property or to such other person legally entitled thereto, and such excess shall be payable to said owner or other person on demand and upon producing evidence of ownership satisfactory to said City treasurer.

### **Section 8. Board of Appeals**

If delegated by the City Council as adopted by section 113 of this code, Chapter 1 – Division II - Section 117 of the CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUME 1, 2013 EDITION, is added thereto, to read:

#### **Section 117 Board of Appeals**

**117.1 General.** In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the provisions of this Code, the California Residential Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, the California Energy Code, the California Existing Building Code, , the California Green Building Standards Code, the California Historical Building Code, Dangerous Buildings Code, the Housing Code and the Flood Damage Prevention Regulations, to hear appeals provided for in said codes and regulations there shall be and is hereby created a Board of Appeals, hereinafter referred to as the Board, consisting of five (5) members who are qualified by experience and training to pass upon matters pertaining to building construction.

The Building Official shall act as Secretary of the Board. The members of the Board shall be appointed by the City and hold office in accordance with the provisions of the City of Patterson.

**117.2 Authority to Adopt Rules.** The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the Building Official within thirty (30) calendar days of the hearing with a duplicate copy to the appellant. The Board may recommend to the Council of the City of Patterson such new legislation that is consistent therewith.

**117.3 Adopted Code Applicable.** Except as otherwise provided in this Code, the California Residential Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, the California Energy Code, the California Existing Building Code, the California Green Building Standards Code, the California Historical Building Code, the Dangerous Buildings Code, the Housing Code and the Flood Damage Prevention Regulations, the Board shall hear appeals in accordance with the procedures set forth herein.

**117.4 Limitations on Authority.** An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equally good or better form of construction is proposed. The Board shall have no authority to waive requirements of this Code.

**117.5 Right of Appeal.** Any person having any record title or legal interest in the building may appeal from any notice of violation or notice and order or any action of the Building Official under this section by filing at the office of the Building Official within thirty (30) calendar days from the date of service of the notice of violation or notice and order, or the date of the action of the Building Official, a written appeal as specified below and in Section 113 of this code.

**117.5.1** The written appeal must contain a brief statement setting forth the legal interest of each of the appellants in the building or the land subject to the action of the Building Official or involved in the notice of violation or notice and order. The written appeal must contain a brief statement in ordinary and concise language of the specific order, action and/or Building Code section under protest, together with any material facts that support the contentions of the appellant.

**117.5.2** The written appeal must contain a brief statement in ordinary and concise language of the relief sought, and the reasons why it is claimed, why the protested order or action should be reversed, modified, or otherwise set aside.

**117.5.3** The written appeal must contain signatures of all parties named as appellants and their official mailing addresses.

**117.5.4** At least one (1) appellant must submit a declaration under penalty of perjury as to the truth of matters stated in the appeal. This declaration must be submitted with the written appeal itself.

**117.6 Appeal Fee.** The Building Official shall collect and require an appeal fee to be paid at the time any appeal allowed by this code is filed. The appeal fee shall be as adopted from time to time by resolution of the City Council of the City of Patterson. The fee shall be calculated to recover the total City costs incurred in the appeal including, but not limited to, staff time to process and handle the appeal, preparation and service of notices and staff appearance at the appeal hearing. No appeal shall proceed without payment of the fee at the time the appeal is filed. The Building Official may waive the appeal fee upon written request for good cause shown. Good cause may include severe economic hardship, significant attempts to comply with the decision of the Building Official notice of violation or notice and order, and other factors indicating good faith attempts to comply with the decision of the Building Official, notice of violation or notice and order.

**117.7 Form of Notice of Hearing.** The notice to appellant shall be substantially in the following form, but may include other information:

You are hereby notified that a hearing will be held before the Board of Appeals at \_\_\_\_\_, on the day of \_\_\_\_\_, 20\_\_ , at the hour upon the notice of violation, action of the Building Official, notice and order served upon you. You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by filing an affidavit therefore with the Board of Appeals.

**117.8 Noticing the Appeal for Hearing.** As soon as practicable after receiving a written appeal, the Building Official shall fix a date, time and place for the hearing of the appeal as described in section 117.7 of this code. Such date shall be not less than ten (10) calendar days nor more than forty-five (45) calendar days from the date the appeal was filed with the Building Official. Written notice of the time and place of the hearing shall be given at least ten (10) calendar days prior to the date of the hearing to the appellant(s) by the Building Official either by causing a copy of such notice to be delivered to the appellant(s) personally or by mailing a copy thereof, postage prepaid, addressed to the appellant(s) at the addressee(s) shown on the appeal.

**117.9 Service of Notice.** The notice of the appeal hearing, and any amended or supplemental appeal hearing, or notice and order shall be served upon the record owner and posted on the property; and one copy thereof shall be served on each of the following if known to the Building Official or disclosed from official public records:

(117.9.1) The holder of any mortgage or deed of trust or other lien or encumbrance of record;

(117.9.2) the owner or holder of any lease of record;

(117.9.3) any tenant within the building;

(117.9.4) and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The failure of the Building Official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section

**117.10 Method of Service.** Service of the notice of appeal hearing or notice and order may be made upon all persons entitled thereto either by personal delivery or by certified mail, return receipt requested. Service may be made upon the record owner at his/her/their address as it appears on the last equalized assessment roll of Stanislaus County recorded documents or as known to the Building Official. A copy of the notice of appeal hearing and any amended or supplemental notice of violation or notice and order shall also be posted on the premises.

**117.10.1** In lieu of personally serving the owner or service by certified mail, service of the notice of appeal hearing and any amended or supplemental notice of violation or notice and order may be made as follows:

**117.10.1.1** In the event that the owner refuses to accept certified return receipt mail or cannot be personally served, service may be made by substituted service. Substituted service may be accomplished as follows:

**117.10.1.2** By leaving a copy during usual business hours in the recipient's business with the person who is apparently in charge, and by thereafter mailing by first class mail a copy to the recipient where the copy was left;

**117.10.1.3** By leaving a copy at the recipients dwelling or usual place of abode, in the presence of a competent member of the household and thereafter mailing, by first class mail, a copy to the recipient at the address where the copy was left.

**117.106.1.4 Posting on place of business in visible location.**

**117.10.2** In the event the owner refuses to accept certified return receipt mail or cannot be personally served and has a property manager or rental agency overseeing the premises, substituted service may be as set forth in 117.10.1.1 above upon the property manager or rental agency.

**117.10.3** If the owner lives out of state and will not accept certified return receipt mail, then service may be made by first class mail.

**117.10.4** If the owner of the property cannot be located, or service cannot be effected as set forth in this Section, service may be made by publication in a newspaper of general circulation which is most likely to give actual notice to the owner. Service shall be deemed sufficient when it is accomplished pursuant to Government Code Section 6063.

The failure of any such person to receive notice of appeal hearing and any amended or supplemental notice of violation or notice and order shall not affect the validity of any proceedings taken under this Chapter. Service by certified mail in the manner herein provided shall be effective on the date of mailing.

**117.11 Proof of Service.** Proof of service shall be certified to at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt returned in acknowledgment of receipt by certified mail shall be affixed to the copy of the notice of appeal hearing and any amended or supplemental notice of violation or notice and order retained by the Building Official.

**117.12 Effect of Failure to Appeal.** Failure of any person to file a timely appeal in accordance with the provisions of this section shall constitute an irrevocable waiver of the right to an administrative hearing and a final adjudication of the Decision of the Building Official, notice of violation or notice and order, or any portion thereof, subject only to review pursuant to the provisions of California Code of Civil Procedure Section 1094.5.

**117.13 Further Permits or Approvals.** If a notice of violation or notice and order has not been satisfied on a particular property, and a timely appeal has not been filed, further permits or approvals for continued work permitted by this Code shall not be granted for that property unless specifically approved by the Building Official and the violation has been corrected, inspected and approved.

**117.14 Board of Appeals Decisions.** The Decision of the Board in granting or denying an appeal shall become final on the date of service of the Decision. Decisions of the Board shall be in writing and shall contain findings of fact, a determination of issues presented, and the requirements to be complied with. The Decision of the Board shall be issued within thirty (30) calendar days of the hearing. A copy of the Decision shall be delivered to the appellant(s) personally or sent by certified mail, postage prepaid, return receipt requested within thirty (30) calendar days of the effective date of the Decision. The effective date of the Decision(s) of the Board shall be as stated therein.

**117.15 Appeal of Board Decision.** Any appeal of a Board Decision must be filed with a court of competent jurisdiction pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6 within thirty (30) calendar days of the service of the Decision, otherwise all objections will have been waived. The filing of such appeal within such time limit shall stay the effective date of the Decision of the Board.

**117.16 Prosecution of Violation.** If the notice and order is not complied with promptly, the Building Official is authorized to request the legal counsel of the City of Patterson to institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

**117.17 Administrative Remedies.** In addition to all other remedies available at law, any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to Administrative Remedies as prescribed.

**117.18 Remedy for Failure Neglect or Refusal to Obey Order.** If, after any order of the Building Official or the Board of Appeals made pursuant to this Code has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the Building Official may (1) cause such person to be prosecuted under Section 117.16 of this Code or (2) institute any appropriate action to abate such building as a public nuisance. These remedies are in addition to all other remedies allowed by law.

**117.19 Interference with Repair or Demolition Work Prohibited.** No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the City of Patterson or with any person who owns or holds any estate or interest in any building that has been ordered repaired, vacated or demolished under the provisions of this code, or with any person to whom such building has been lawfully sold pursuant to the provisions of this code,

whenever such officer, employee, contractor or authorized representative of the City of Patterson, person having an interest or estate in such building or structure or purchaser is engaged in the work or repairing, vacating and repairing, or demolishing any such building pursuant to the provisions of this code, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this code.

**117.20 Criminal Violation.** It shall be unlawful for any person to violate any provision or to fail to comply with any of the requirements of this code. A violation of any of the provisions or failing to comply with any of the requirements of this code shall constitute a misdemeanor: except that notwithstanding any other provision of this code, any such violation constituting a misdemeanor under this code may, in the discretion of the City Attorney, be charged and prosecuted as an infraction. Any person convicted of a misdemeanor under the provisions of this code, unless provision is otherwise herein made, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail for a period of not more than six (6) months or by both fine and imprisonment. Any person convicted of an infraction under the provisions of this code, unless provision is otherwise herein made, shall be punishable by a fine only as follows: Upon a first conviction, by a fine of not exceeding two hundred fifty dollars (\$250.00) and for a second conviction or any subsequent conviction within a period of one year, by a fine of not exceeding five hundred dollars (\$500.00).

Each such person shall be charged with a separate offense for each and every day during any portion of which any violation of any provision of this code is committed, continued or permitted by such person and shall, upon conviction, be punished accordingly.

**117.21 Administrative Penalties.** In addition to all other remedies set forth in this Section, administrative penalties pursuant of the Patterson Municipal Code may be imposed against any person for violating any of the requirements set forth in this Section.

### **Section 118 Procedures For Conduct Of Hearing Appeals**

**118.1 Hearing Examiners.** The board may appoint one or more hearing examiners or designate one or more of its members to serve as hearing examiners to conduct the hearings. The examiner hearing the case shall exercise all powers relating to the conduct of hearings until it is submitted to the board for decision.

**118.2 Record.** A record of the entire proceedings shall be made by tape recording, or by any other means of permanent recording determined to be appropriate by the board.

**118.3 Reporting.** A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefor. Such fees may be established by the board, but shall in no event be greater than the cost involved.

**118.4 Continuances.** The board may grant continuances for good cause shown; however, when a hearing examiner has been assigned to such hearing, no continuances may be granted except by the examiner for good cause shown so long as the matter remains before the examiner.

**118.5 Oaths-Certification.** In any proceedings under this chapter, the board, any board member, or the hearing examiner has the power to administer oaths and affirmations and to certify to official acts.

**118.6 Reasonable Dispatch.** The board and its representatives shall proceed with reasonable dispatch to conclude any matter before it. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

**118.7 Subpoenas - Filing of Affidavit.** The board or examiner may obtain the issuance and service of a subpoena for the attendance of witnesses or the production of other evidence at a hearing upon the request of a member of the board or upon the written demand of any party. The issuance and service of such subpoena shall be obtained upon the filing of an affidavit therefore which states the name and address of the proposed witness; specifies the exact things sought to be produced and the materiality thereof in detail to the issues involved; and states that the witness has the desired things in possession or under control. A subpoena need not be issued when the affidavit is defective in any particular.

**118.7.1 Cases Referred to Examiner.** In cases where a hearing is referred to an examiner, all subpoenas shall be obtained through the examiner.

**118.7.2 Penalties.** Any person who refuses without lawful excuse to attend any hearing, or to produce material evidence which the person possesses or controls as required by any subpoena served upon such person as provided for herein shall be guilty of a misdemeanor.

### **118.8 Conduct of Hearing**

**118.8.1 Rules.** Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

**118.8.2 Oral Evidence.** Oral evidence shall be taken only on oath or affirmation.

**118.8.3 Hearsay Evidence.** Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence, but shall not be sufficient in itself to support a finding unless it

would be admissible over objection in civil actions in courts of competent jurisdiction in this state.

**118.8.4 Admissibility of Evidence.** Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdictions in this state.

**118.8.5 Exclusion of Evidence.** Irrelevant and unduly repetitious evidence shall be excluded.

**118.8.6 Rights of Parties.** Each party shall have these rights, among others:

**118.8.6.1** To call and examine witnesses on any matter relevant to the issues of the hearing;

**118.8.6.2** To introduce documentary and physical evidence;

**118.8.6.3** To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

**118.8.6.4** To impeach any witness regardless of which party first called the witness to testify;

**118.8.6.5** To rebut the evidence;

**118.8.6.6** To be represented by anyone who is lawfully permitted to do so.

**118.9 Official Notice.**

**118.9.1 What may be noticed.** In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or of official records of the board or departments and ordinances of the city or rules and regulations of the board.

**118.9.2 Parties to be noticed.** Parties present at the hearing shall be informed of the matters to be noticed, and these matters shall be noted in the record, referred to therein, or appended thereto.

**118.9.10 Opportunity to refute.** Parties present at the hearing shall be given a reasonable opportunity, on request, to refute the officially noticed matters by evidence or by written or oral

presentation of authority, the manner of such refutation to be determined by the board or hearing examiner.

**118.11 Inspection of the premises.** The board or the hearing examiner may inspect any building or premises involved in the appeal during the course of the hearing, provided that (1) notice of such inspection shall be given to the parties before the inspection is made, (2) the parties are given an opportunity to be present during the inspection, and (3) the board or the hearing examiner shall state for the record upon completion of the inspection the material facts observed and the conclusions drawn therefrom. Each party then shall have a right to rebut or explain the matters so stated by the board or hearing examiner.

### **119 – Method and Form of Decision**

**119.1 Hearing before Board Itself.** When a contested case is heard before the board itself, a member thereof who did not hear the evidence or has not read the entire record of the proceedings shall not vote on or take part in the decision.

**119.2 Hearing By the Examiner.** If a contested case is heard by a hearing examiner alone, the examiner shall within a reasonable time (not to exceed 90 days from the date the hearing is closed) submit a written report to the board. Such report shall contain a brief summary of the evidence considered and state the examiner's findings, conclusions and recommendations. The report also shall contain a proposed decision in such form that it may be adopted by the board as its decision in the case. All examiner's reports filed with the board shall be matters of public record. A copy of each such report and proposed decision shall be mailed to each party on the date they are filed with the board.

**119.2.1 Consideration of Report by Board-Notice.** The board shall fix a time, date and place to consider the examiner's report and proposed decision. Notice thereof shall be mailed to each interested party not less than five days prior to the date fixed, unless it is otherwise stipulated by all of the parties.

**119.2.2 Exceptions to Report.** Not later than two days before the date set to consider the report, any party may file written exceptions to any part or all of the examiner's report and may attach thereto a proposed decision together with a written argument in support of such decision. By leave of the board, any party may present oral argument to the board.

**119.3 Disposition by the Board.** The board may adopt or reject the proposed decision in its entirety or may modify the proposed decision.

**119.4 Proposed Decision Not Adopted.** If the proposed decision is not adopted as provided in Section 119.3 of this code, the board may decide the case upon the entire record before it, with or without taking additional evidence, or may refer the case to the same or another hearing examiner to take additional evidence. If the case is reassigned to a hearing examiner, the examiner shall prepare a report and proposed decision as provided in Section 119.2 hereof after any additional evidence is submitted. Consideration of such proposed decision by the board shall comply with the provisions of this section.

**119.5 Form of Decision.** The decision shall be in writing and shall contain findings of fact, a determination of the issues presented, and the requirements to be complied with. A copy of the decision shall be delivered to the appellant personally or sent as specified in sections 117.9, 117.10 and 117.11 of this code

**119.6 Effective Date of Decision.** The effective date of the decision shall be as stated therein.

**Section 120 Second Notice Abatement Proceedings**

**120.1 Second Notice.** If the owner has not appealed the notice of violation or notice and order of the Building Official as described in Section 117.15 and if the Building Official determines to proceed with the abatement of the nuisance through proceedings instituted before the Board of Appeals, it shall give a second notice in the same manner as set forth in Section 117.1 directing the owner of the building to appear before the Board of Appeals at a stated time and place and show cause why the building should not be condemned as a nuisance, and the nuisance be abated as provided in this code. A copy of this notice shall be mailed to each mortgagee or beneficiary under any deed of trust, of record, in the manner prescribed in Section 117.9, 117.10 and 117.11. The notice shall be headed "Notice to Abate Nuisance" in letters of not less than three-fourths of an inch in height and shall be substantially in the following form:

**NOTICE TO ABATE NUISANCE**

The owner of the building situated at \_\_\_\_\_ is hereby notified  
to appear before \_\_\_\_\_ the Board of Appeals of the  
City of Patterson at its meeting to be Held \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_ (place of meeting) at the hour of \_\_\_\_\_ o'clock \_\_ p.m.,

or as soon thereafter as the owner may be heard, and show cause, if any, why the building should not be condemned as a public nuisance and the nuisance be abated by reconstructing or properly repairing the building or by razing or removing it.

Dated \_\_\_\_\_

\_\_\_\_\_  
City of Patterson

By \_\_\_\_\_

Building Official

The Building Official giving such notice shall file an affidavit of posting and mailing in the manner required by Sections 117.9, 117.10 and 117.11, but the failure to any owner or other required by such notice shall not affect in any manner the validity of any proceeding taken hereunder.

**120.2. Second Hearing Notice.** At the time fixed in said notice, the Board of Appeals shall proceed to hear the testimony of the Building Official and the owner or his representatives, if present at said hearing, and other competent persons who may be present and desire to testify, respecting the condition of said building, the estimated cost of its reconstruction, repair or removal, and any other matter which said governing body may deem pertinent thereto. Upon the conclusion of said hearing, The Board of Appeals may, by resolution, declare its findings and in the event that it so concludes, it may declare said building to be a nuisance and direct the owner to abate the same within 30 days after the date of posting on said premises a notice of the passage of said resolution by having said building properly reconstructed or repaired, or having the same razed or removed and notifying said owner that if said nuisance is not abated said building will be razed or removed by the city and the expense thereof made a lien on the lot or parcel of land upon which said building is located.

**120.3. Posting Decision of Board.** At any time within 60 days after the passage of any resolution directing the abatement of a nuisance, the Building Official shall post a copy thereof conspicuously on the building so declared to be a nuisance and mail another copy by registered mail, postage prepaid, return receipt requested, to the person owning the land on which the building is located as such person's name and address appear on the last equalized assessment roll or as known to the City Clerk, and a copy of said notice shall be mailed to each mortgagee or beneficiary under any deed of trust, of record, at the last known address of such mortgagee or beneficiary, and if such address is unknown to the Building Official, then said fact shall be stated

in said copy so mailed and it shall be addressed to him at the county seat of Stanislaus County where said property is situated. The Building Official, upon giving notice as aforesaid, shall file an affidavit thereof in the manner provided for in Sections 117.9, 117.10 and 117.11. The Board of Appeals may grant any extension of time to abate said nuisance that it may deem justifiable upon good cause therefore being shown.

**120.4. Appeal Of Boards Decision** Any owner or other interested person having any objections, or feeling aggrieved at any proceedings taken by the Board of Appeals in ordering abatements of any nuisance, must bring an action in a court of competent jurisdiction within 30 days after the date of posting on said premises a notice of the passage of the resolution declaring the nuisance to exist to contest the validity of any proceedings leading up to and including the adoption of the resolution; otherwise all objections will be deemed to have been waived.

**120.5. Jurisdiction To Abate** Thirty days after the posting of the copies of the resolution declaring any building a nuisance, the Board of Appeals shall be deemed to have acquired jurisdiction to abate such nuisance by razing or removing the building, unless the nuisance is abated by the owner or other person interested within the 30-day period or any extension thereof granted by the Board of Appeals as provided for in this code. In the event that the nuisance is not abated within the time prescribed the enforcement agency may thereupon raze and remove the building so declared to constitute a nuisance or have the same done under its direction and supervision

#### **SECTION 9. DISABLED ACCESS BOARD**

If delegated by the City Council as adopted by section 113 of this code, Chapter 1 – Division II - Section 121 of the CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUME 1, 2013 EDITION, is added thereto, to read:

**121.1 General.** In order to hear appeals to actions taken by the City and to provide reasonable interpretations of the California Access Laws, there is hereby created a Disabled Access Appeals Board, hereinafter referred to as the Board, consisting of five (5) members. Two (2) of the members are to be physically handicapped. Two (2) members to be experienced in construction, and one (1) member a public member. The Building Official shall act as Secretary of the Board. The members of the Board shall be appointed by the City Council and shall hold office at its pleasure. Board members may be removed by a majority of the City Council for cause or otherwise.

**121.2. Disabled Access Appeals Board Authority To Adopt Rules.** The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the Building Official within thirty (30) calendar days of the hearing with a

duplicate copy to the appellant. The Board may recommend to the Council of the City of Patterson such new legislation as is consistent therewith.

The Board shall hear appeals in accordance with the procedures set forth herein.

**121.3 Limitation on Authority.** An application for appeal shall be based on a claim that the true intent of the California Access laws or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the California Access laws do not fully apply, or an equally good or better form of compliance is proposed. The Board shall have no authority to waive the requirements of the California Access laws.

**121.4 Qualifications.** The Board shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction, disabled access and are not employees of the jurisdiction.

**121.5 Processing of Appeal.**

- (a) Upon receipt of any appeal filed and payment of the appeal fee, as adopted from time to time by resolution of the City Council of the City of Patterson, the Building Official shall calendar the appeal for a hearing.
- (b) If the appeal is received by the Building Official not later than fifteen (15) calendar days prior to the next regular meeting of the Board, it shall be calendared for hearing at said meeting.
- (c) If the appeal is received by the Building Official on a date less than fifteen (15) calendar days prior to the next regular meeting of the Board, it shall be calendared for hearing at the next subsequent meeting of the Board.

**121.6 Form of Notice of Hearing.** The notice to appellant shall be substantially in the following form, but may include other information:

You are hereby notified that a hearing will be held before the Disabled Access Appeals Board at \_\_\_\_\_ on the day 20\_\_, at the hour upon the notice of violation, action of the Building Official, or notice and order served upon you. You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by filing an affidavit therefore with the Disabled Access Appeals Board.

**121.7 Appeal Fee.** The Building Official shall collect and require an appeal fee to be paid at the time any appeal allowed by this Code is filed. The appeal fee shall be as adopted from time to

time by resolution of the City Council of the City of Patterson. The fee shall be calculated to recover the total City costs incurred in the appeal including, but not limited to, staff time to process and handle the appeal, preparation and service of notices and staff appearance at the appeal hearing. No appeal shall proceed without payment of the fee at the time the appeal is filed. The Building Official may waive the appeal fee upon written request for good cause shown. Good cause may include severe economic hardship, significant attempts to comply with the Decision of the Building Official notice of violation or notice and order, and other factors indicating good faith attempts to comply with the Decision of the Building Official, notice of violation or notice and order.

**121.8 Disabled Access Appeals Board Hearing Date.** As soon as practicable after receiving a written appeal, the Building Official shall fix a date, time, and place for the hearing of the appeal by the Board. Such date shall not be less than ten (10) calendar days nor more than forty-five (45) calendar days from the date the appeal was filed with the Building Official. Written notice of the time and place of the hearing shall be given at least ten (10) calendar days prior to the date of the hearing to the appellant(s) by the Building Official either by causing a copy of such notice to be delivered to the appellant(s) personally or by mailing a copy thereof, postage prepaid, addressed to the appellant(s) at the addressee(s) shown on the appeal.

**121.9 Disabled Access Appeals Board Decisions.** The Decision of the Board in granting or denying an appeal shall become final on the date of service of the Decision. Any appeal of the Decision must be filed by the appellant(s) with a court of competent jurisdiction pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6 within thirty (30) calendar days of the service of the Decision, otherwise all objections will have been waived. The filing of such appeal within such time limit shall stay the effective date of the Decision of the Board.

Decisions of the Board shall be in writing and shall contain findings of fact, a determination of the issues presented, and the requirements to be complied with. The Decision of the Board shall be issued within thirty (30) calendar days of the hearing. A copy of the Decision shall be delivered to the appellant personally or sent by certified mail, postage prepaid, return receipt requested within thirty (30) calendar days of the effective date of the Decision.

**121.10 Appeal of Disabled Access Appeals Board Decision.** Any appeal of a Board Decision must be filed with a court of competent jurisdiction pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6 within thirty (30) calendar days of the service of the decision, otherwise all objections will have been waived. The filing of such appeal within such time limit shall stay the effective date of the Decision of the Board.

**121.11 Procedures For Conduct of Hearing Appeals.** The procedures for conducting the hearing appeals are specified in sections 118-121 of this code.

## SECTION 10 FOUNDATIONS

CHAPTER 18 - SECTION 1808.6 OF THE CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUME 2, 2013 EDITION as set forth in said Code is amended as follows,:

**Section 1808.6 Design for expansive soil**

1808.6 Due to the presence of expansive soil in and around Patterson foundations for buildings and structures shall be designed in accordance with Section 1808.6.1 or 1808,6,2

**SECTION 11. STORM WATER DRAINAGE REQUIREMENTS**

CHAPTER 18 – SECTION 1804.7 OF THE CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUME 2, 2013 EDITION as set forth in said Code is amended and added to as follows:

**Section 1803.7. Storm Water Drainage Requirement.** In all cases where proposed construction is for commercial, industrial, or public or quasi-public buildings or structures, for two-family, three-family, four-family, or multi-family dwellings, or for other uses which similarly involve structural ground coverage likely to affect storm drainage in the areas in which they are located, including but not limited to, trailer parks and parking lots, drainage facilities for the property shall be constructed in a manner approved by the Department of Public Works, which may include discharge into a publicly maintained storm drain system or ponding basin. Submission of the drainage plans for approval shall be the responsibility of the owner or the developer of the property on which the construction is proposed, and the application for a building permit shall be accompanied by a drainage plan suitable for review by the Department of Public Works.”

**SECTION 12. VALIDITY.**

The City Council of the City of Patterson hereby declares that should any section, paragraph, sentence, or word of this Ordinance or of the Codes hereby adopted be declared for any reason to be invalid or unconstitutional, it is the intent of the City Council of the City of Patterson that it would have passed all other portions of this Ordinance independently of the elimination here from of any such portion as may be declared invalid or unconstitutional.

**SECTION 13. REPEAL OF CONFLICTING ORDINANCES.**

Ordinances and all other ordinances or parts thereof, conflicting or inconsistent with the provisions of this ordinance or of the Code hereby adopted are hereby repealed.

**SECTION 14. EFFECTIVE DATE - PUBLICATION.**

This ordinance shall be published by one insertion in The PATTERSON IRRIGATOR, a newspaper of general circulation printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES: Councilmembers Novelli, Farinha, Lustgarten and Mayor Molina  
NOES: Councilmember Buehner  
EXCUSED: None

APPROVED:



\_\_\_\_\_  
Luis I. Molina, Mayor of the City of Patterson

ATTEST:



\_\_\_\_\_  
Maricela L. Vela, City Clerk of the City of Patterson

**ORDINANCE NO.761**

AN ORDINANCE ADOPTING BY REFERENCE THAT CERTAIN PRINTED CODE OR DOCUMENT IN BOOK FORM ENTITLED "**CALIFORNIA EXISTING BUILDING CODE, TITLE 24, PART 10 – 2013 EDITION**" INCLUDING THE APPENDICES THEREOF, AS ADOPTED AND COPYRIGHTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, 2525 NATOMAS PARK DRIVE, SUITE 130, SACRAMENTO, CALIFORNIA 95833 AND PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, D.C. 20001, FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE;

The City Council of the City of Patterson does ordain as follows:

**SECTION 1. ADOPTION.**

That certain document in book form entitled **2013 CALIFORNIA EXISTING BUILDING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5, INCLUDING APPENDIX A1, REFERENCED STANDARDS, AND CHAPTER A3 THEREOF**, as approved and copyrighted by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833 and published and copyrighted by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> floor, Washington, D.C. 20001, one copy of which document is now on file in the Office of the City Clerk of the City of Patterson, except as portions thereof are herein specifically amended, deleted and added to, is hereby adopted by reference as "**CALIFORNIA EXISTING BUILDING CODE OF THE CITY OF PATTERSON**", and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Patterson.

**SECTION 2. PURPOSE.**

The purposes of this chapter are to provide minimum standards to safeguard life, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Patterson, to encourage and instruct people to build safely and economically, rather than to discourage building; and to provide a minimum of restrictive enforcement and a maximum of good building information and encouragement.

**SECTION 3. APPLICATION.**

Chapter A1 - Section A100 of the 2013 CALIFORNIA EXISTING BUILDING CODE is hereby amended and added to as follows:

**SECTION A100 Application**

**A100.1 Administrative Requirements**

Administrative provisions relating to existing building requirements, enforcement, permits, plans, violations, fees and penalties are specified in the 2013 California Building Code, Part 2, Volume 1, Chapter1-Division II, as amended and adopted by the City of Patterson

**SECTION 4 VALIDITY.**

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

**SECTION 5. EFFECTIVE DATE - PUBLICATION.**

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES:	Councilmember Novelli, Farinha, Lustgarten and Mayor Molina
NOES:	Councilmember Buehner
EXCUSED:	None

APPROVED:



Luis I. Molina, Mayor of the City of Patterson

ATTEST:



Mariceia L. Vela, City Clerk of the City of Patterson

**ORDINANCE NO. 762**

AN ORDINANCE ADOPTING THE **DANGEROUS BUILDINGS CODE**; SAID ORDINANCE BEING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY IN THE CITY OF PATTERSON, REGULATING AND CONTROLLING THE USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

The City Council of the City of Patterson does ordain as follows:

**SECTION 1. ADOPTION.**

THAT THE CERTAIN DOCUMENT ENTITLED **DANGEROUS BUILDINGS CODE** , ONE COPY OF WHICH IS NOW ON FILE IN THE OFFICE OF THE CITY CLERK OF THE CITY OF PATTERSON, IS HEREBY ADOPTED AS THE "**DANGEROUS BUILDINGS CODE OF THE CITY OF PATTERSON** "and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Patterson.

**SECTION 2. PURPOSES.**

The purposes of this Ordinance are to provide minimum standards to safeguard life or limb, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Patterson; to encourage and instruct people to build safely and economically, rather than to discourage building; and to provide a minimum or restrictive enforcement and a maximum of good building information and encouragement.

**SECTION 3. DANGEROUS BUILDINGS CODE**

**CHAPTER 1 - TITLE AND SCOPE**

**Section 101 – Title.** These regulations shall be known as the Dangerous Buildings Code, may be cited as such, and will be referred to herein as "this code."

**Section 102 – Purpose and Scope**

**102.1 Purpose.** It is the purpose of this code to provide a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the 2013 California Building Code as amended and adopted by the City or otherwise available by

law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants may be required to be repaired, vacated or demolished.

The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

**102.2 Scope.** The provisions of this code shall apply to all dangerous buildings, as herein defined, which are now in existence or which may hereafter become dangerous in this jurisdiction.

### **Section 103 – Alterations, Additions and Repairs**

All buildings or structures which are required to be repaired under the provisions of this code shall be subject to the provisions of Chapter 34 of the 2013 California Building Code as amended and adopted by the City.

## **CHAPTER 2 - ENFORCEMENT**

**201. Administration.** The Building Official is hereby authorized to enforce the provisions of this code.

The Building Official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

**202 Inspections.** The Health Officer, the Fire Marshal and the Building Official are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this code.

**203 Right of Entry.** When it is necessary to make an inspection to enforce the provisions of this code, or when the Building Official or the Building Official's authorized representative has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the Building Official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

"Authorized representative" shall include the officers named in Chapter 2 of this code and their authorized inspection personnel.

**Section 204 – Abatement of Dangerous Buildings.** All buildings or portions thereof which are determined after inspection by the Building Official to be dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Section 114 of the 2013 California Building Code as amended and adopted by the City.

**Section 205 – Violations.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

**Section 206 – Inspection of Work.** All buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the Building Official in accordance with and in the manner provided by this code and Section 110 of the 2013 California Building Code as amended and adopted by the City.

**Section 207 – Board of Appeals.** in order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretations of this code, there is created a Board of Appeals as described in Section 113 of the 2013 California Building Code as amended and adopted by the City

### **CHAPTER 3 - DEFINITIONS**

#### **Section 301 – Definitions**

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in either this chapter or as specified in the 2013 California Building Code as amended and adopted by the City. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, copyright 2002, shall be construed as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

**BUILDING CODE** is the 2013 California Building Code as amended and adopted by the City.

**DANGEROUS BUILDING** is any building or structure deemed to be dangerous under the provisions of Section 302 of this code.

**SUBSTANDARD BUILDING** is any building used, or designed or intended to be used for , human habitation that does not meet the minimum standards as described in the Housing Code as adopted by the City.

## **Section 302 – Dangerous Building**

For the purpose of this code, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered:

**302.1** Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

**302.2** Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

**302.3** Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the 2013 California Building Code as amended and adopted by the City for new buildings of similar structure, purpose or location.

**302.4** Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the 2013 California Building Code as amended and adopted by the City for new buildings of similar structure, purpose or location.

**302.5** Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

**302.6** Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the 2013 California Building Code as amended and adopted by the City for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the 2013 California Building Code as amended and adopted by the City for such buildings.

**302.7** Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

**302.8** Whenever the building or structure, or any portion thereof, because of (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal,

movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause, is likely to partially or completely collapse.

**302.9** Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

**302.10** Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.

**302.11** Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.

**302.12** Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; (b) a harbor for vagrants, criminals or immoral persons; or as to (c) enable persons to resort thereto for the purpose of committing unlawful acts.

**302.13** Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the 2013 California Building Code amended and adopted by the City or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

**302.14** Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

**302.15** Whenever a building or structure, used or intended to be used for multi-family dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the Health Officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

**302.16** Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive

construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal to be a fire hazard.

**302.17** Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

**302.18** Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

#### **CHAPTER 4 - NOTICES AND ORDERS OF BUILDING OFFICIAL**

**401 Commencement of Proceedings.** When the Building Official has inspected or caused to be inspected any building and has found and determined that such building is a dangerous building, the Building Official shall commence proceedings to cause the repair, vacation or demolition of the building as specified in the 2013 California Building Code, Chapter 1- Division II, Section 114 as amended and adopted by the City.

**402 Notice and Order.** The Building Official shall issue a notice and order directed to the record owner of the building. The notice and order shall be as specified in the 2013 California Building Code, Chapter 1- Division II, Section 114 as amended and adopted by the City

#### **CHAPTER 5 - APPEAL**

**Section 500—Right of Appeal.** Any person having any record title or legal interest in the building may appeal from any notice of violation or notice and order or any action of the Building Official under this section by filing at the office of the Building Official within thirty (30) calendar days from the date of service of the notice of violation or notice and order, or the date of the action of the Building Official, a written appeal as specified in the 2013 California Building Code, Chapter 1- Division II, Section 113 as amended and adopted by the City.

#### **SECTION 4. VALIDITY.**

The City Council of the City of Patterson hereby declares that should any section, paragraph, sentence, or word of this Ordinance or of the Codes hereby adopted be declared for any reason to be invalid or unconstitutional, it is the intent of the City Council of the City of Patterson that it would have passed all other portions of this Ordinance independently of the elimination here from of any such portion as may be declared invalid or unconstitutional.

**SECTION 5. REPEAL OF CONFLICTING ORDINANCES.**

Ordinances and all other ordinances or parts thereof, conflicting or inconsistent with the provisions of this ordinance or of the Code hereby adopted are hereby repealed.

**SECTION 6 EFFECTIVE DATE - PUBLICATION.**

This ordinance shall be published by one insertion in The PATTERSON IRRIGATOR, a newspaper of general circulation printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES: Councilmembers Novelli, Farinha, Lustgarten and Mayor Molina  
NOES: Councilmember Buehner  
EXCUSED: None

APPROVED:

  
\_\_\_\_\_  
Luis I. Molina, Mayor of the City of Patterson

ATTEST:

  
\_\_\_\_\_  
Maricela L. Vela, City Clerk of the City of Patterson

## ORDINANCE NO. 763

AN ORDINANCE ADOPTING THE 2013 CALIFORNIA FIRE CODE, PROVIDING FOR THE MODIFICATIONS THEREOF, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF PATTERSON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING FOR THE MODIFICATION THEREOF TO THE CITY OF PATTERSON MUNICIPAL CODE AND ALL ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREOF;

Findings and Adoption of the 2013 California Fire Code

The City of Patterson does ordain as follows:

1. The City Council of the City of Patterson hereby finds and determines. That the International Code Council is a private organization, which has been in existence for at least three (3) years. That the California Fire Code, 2013 Edition, and 2013 California Fire Code Standards, published by said organization, are nationally recognized compilation of proposed rules, regulations, and standards of said organization.
2. That said 2013 California Fire Code and Fire Code Standards have been printed and published as a code in book form within the meaning of Section 50022.2 et seq., of the Government Code.
3. That one (1) copy of the 2013 California Fire Code and one (1) copy of the International Fire Code Standards, certified by the Clerk to be true copies, have been filed for use and examination by the public in the office of the Clerk.
4. That the sections of said 2013 California Fire Code and California Fire Code Standards may be referred to by the number used in said published compilation, preceded by the words "California Fire Code Section," or "Fire Code Section," and may also be referred to by additional reference to Municipal Code and sections therein pertaining to said 2013 California Fire Code and Fire Code Standards.
5. That the additional requirements and standards established herein are needed to properly protect the health, safety, and welfare of the existing and future residents and workers of the City of Patterson.
6. Said requirements and standards are reasonably necessary because of local climatic, geological, and topographical conditions, and comply with existing state laws and regulations.
7. Amendment of the 2013 California Fire Code is necessary so as to provide more stringent standards for fire extinguishing systems, fire hazard and hazardous materials controls is necessary to serve the public interest by reducing the risk to life and property of the citizens of the City of Patterson because of the following local conditions:
  - (a) Summer weather conditions are very dry, hot and windy causing ordinary combustibles to be easily ignited and fires to be fast spreading;
  - (b) Very dense fog conditions occur in winter. Reduced visibility causes delays in fire response.
  - (c) Fire response is delayed by railroad tracks.

THEREFORE, for the above reasons taken individually and cumulatively and in accordance with the authority granted in Sections 17958.5 and 17958.7 of the California Health and Safety Code, the City Council of the City of Patterson expressly finds there are local climatic and topographical conditions that make the increased fire protection requirements set forth in this article reasonably necessary.

The City Council of the City of Patterson does ordain as follows:

**Section 1.** That a certain document, one (1) copy of which is on file in the office of the City of Patterson Fire Department, being marked and designated as the California Fire Code, 2013 edition, including Appendix Chapter 4, Appendices B, BB, C, CC, D, E, F, G, I, K and Division II administration as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Patterson, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of Patterson Fire Department are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertion, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** That the following sections of the 2013 California Fire Code are hereby revised:

**Title**

Section 101.1. These regulations shall be known as the Fire Code of: City of Patterson, hereinafter referred to as "this code".

**Information on construction documents.**

Section 105.4.2.2 of the 2013 California Fire Code is hereby added to read as follows:

An 8 ½" x 11" document *and* an electronically submitted "detail" page for emergency responder data files shall be submitted to and approved by fire department before final inspection. Detail page shall include site plan showing:

- a. Property, site layout
- b. Roads, fire access lanes, and building access points
- c. Premises Identification (Address, building identification, suites, room numbers, etc.)
- d. Hydrants and FDC locations
- e. Knox product locations
- f. Fire alarm control locations
- g. Fire riser locations
- h. Hose valve locations
- i. "Main Electrical" and "Main Gas Disconnect" locations
- j. Hazardous materials storage

**Permit Required for Certain Operations**

Section 105.6.15 of the 2013 California Fire Code is hereby deleted.

**Appeals**

Section 108.1 of the 2013 California Fire Code, Board of Appeals is hereby amended to read as follows:

Applicant may appeal the decision of the Chief to the City Council within thirty (30) days from the date of the decision being appealed whenever the Chief:

1. Disapproves an application for use of alternate materials, methods and/or types of construction,
2. Disapproves an application for permit or refuses to grant a permit applied for,
3. When it is claimed that the provisions of the code do not apply, or
4. That the true intent and meaning of the code have been misconstrued or wrongly interpreted.

#### **Compliance with Orders and Notices**

Section 109.3.2 of the 2013 California Fire Code is hereby added as follows:

**Criminal Violations.** It shall be unlawful for any person to violate any provision or to fail to comply with any of the requirements of this chapter. A violation of any of the provisions or failing to comply with any of the mandatory requirements of this chapter shall constitute a misdemeanor; except that notwithstanding any other provision of this code, any such violation constituting a misdemeanor under this code may, in the discretion of the City of Patterson Attorney, be charged and prosecuted as an infraction. Any person convicted of a misdemeanor under the provisions of this chapter, unless provision is otherwise herein made, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail for a period of not more than 180 days or by both fine and imprisonment. Any person convicted of an infraction under the provisions of this code, unless provision is otherwise herein made, shall be punishable by a fine only as follows: Upon a first conviction, by a fine of not exceeding two hundred fifty dollars (\$250.00) and for a second conviction or any subsequent conviction within a period of one year, by a fine of not exceeding five hundred dollars (\$500.00). Each such person shall be charged with a separate offense for each and every day during any portion of which any violation of any provision of this code is committed, continued or permitted by such person and shall, upon conviction, be punished accordingly.

#### **Violation Penalties**

Section 109.4 of the 2013 California Fire Code is hereby amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

#### **Administrative Penalties**

Section 109.5 of the 2013 California Fire Code is hereby amended as follows:

In addition to any other remedies set forth in this chapter, administrative penalties may be imposed against any person, as defined in Section 202 of this Code, for violating any of the requirements set forth in this code or who are in violation of section 12676 or 12677 of the California Health and Safety Code. Any administrative penalties assessed shall be as follows:

- (a) For violations of this Code or section 12676 or 12677 of the California Health and Safety Code, Possession, Sale, Use or Discharge of Dangerous Fireworks, the administrative penalty shall be five hundred dollars (\$500.00) for each specific act found to be in violation of that section.
- (b) For all violations of this code, other than subsection (a) Possession, Sale, Use or Discharge of Dangerous Fireworks, the amount of the administrative penalty shall be one

hundred dollars (\$100.00) for the first violation, two hundred dollars (\$200.00) for a second violation within any twelve (12) month period and five hundred dollars (\$500.00) for any subsequent violations within any twelve (12) month period.

#### **Failure to Comply**

Section 111.4 of the 2013 California Fire Code is hereby amended as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$500 dollars or more than \$1,000 dollars.

#### **Fees**

Section 113.6 of the 2013 California Fire Code is hereby added as follows:

- (a) Permit Fee. The City council of the City of Patterson may, by resolution adopted from time to time, charge a fee for any permit issued pursuant to the Fire Code.
- (b) Plan Check Fee. When a plan is required to be submitted the plan-checking fee shall be paid at the time of submitting plans and specifications for checking. Where plans are incomplete, or changed so as to require an additional plan check, an additional plan-check fee shall be charged at a rate shown in a schedule setting forth fees as adopted from time to time by resolution of the city council of the City of Patterson.

#### **Vegetation**

Section 304.1.2 of the 2013 California Fire Code is hereby amended by adding the following:

The Fire Department may recover, from a property owner, those costs associated with the suppression costs incurred in fighting a fire and for providing rescue or emergency medical services should a fire occur on said property after the owner has been notified to abate such public nuisance and has failed to do so.

#### **Open Burning**

Section 307.1 of the 2013 California Fire Code is hereby amended by adding the following:

Open burning. No person shall kindle, conduct, or maintain any burning of grass, weeds, agricultural trimmings, or other combustibles or authorize any such fire to be kindled, conducted, or maintained without a permit as required by the San Joaquin Valley Unified Air Pollution Control District and compliance with all safeguards pursuant thereto. Any such permitted burning shall be restricted to agricultural purposes and confined to areas of the City of Patterson in which agricultural uses are lawful.

#### **Vehicle Impact Protection**

Section 312.2 of the 2013 California Fire Code is hereby amended to read as follows:

Posts. Guard posts or other approved means shall be provided to protect storage tanks and connected piping, valves and fittings; dispensing areas; and use areas subject to vehicular damage. When guard posts are installed, the posts shall be:

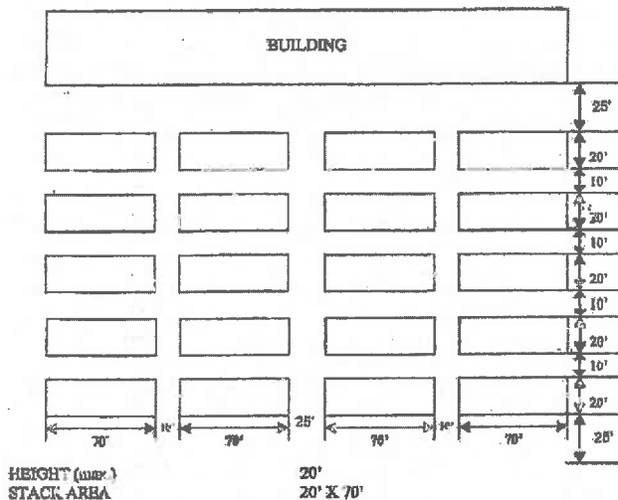
1. Constructed of steel not less than six (6) inches in diameter and concrete filled,
2. Spaced not more than three (3) feet between posts on center,
3. Set not less than three (3) feet deep in a concrete footing of not less than a fifteen (15) inch diameter,
4. Set with the top of the posts not less than three (3) feet above ground, and
5. Located not less than five (5) feet from the protected object.

**Outdoor Storage of Pallets**

Section 315.6 of the 2013 California Fire Code is hereby amended to read as follows:

1. Open yards required by the California Building Code shall be maintained around structures. CFC 2803.1 (Yard: An open space, other than a court, unobstructed from the ground to the sky, except where specifically provided by the California Building Code, on the lot on which a building is situated.) CFC Definitions Section 202.
2. Piles shall be a minimum of 25 feet from a structure.
3. Piles shall not be located within 10 feet of a property line.
4. The maximum dimensions of a pile shall not exceed 20 feet x 70 feet.
5. Pile height shall not exceed 20 feet.
6. There shall be 10 feet of aisle ways between piles.
7. Piles shall be placed in grids not to exceed 140 feet by 150 feet.
8. Each grid shall be separated by an approved fire apparatus access road.
9. Permanent pallet storage areas shall be surrounded with an approved fence. Fences shall be a minimum of six (6) feet in height.
10. Adequate water supply as required by the fire department shall be provided for fire suppression needs

Note: Pallets shall not obstruct fire apparatus access roads or fire apparatus access to water supplies (fire hydrants, etc.)



**Fire Safety and Evacuation Plans**

Section 404.2 of the 2013 California Fire Code is hereby amended to add:

16. Buildings over 100,000 square feet in aggregate floor area.

**Premises Identification**

Section 505.1 of the 2013 California Fire Code is hereby amended to read as follows:

**Address Identification.** New and existing buildings shall have approved address numbers, building numbers or other approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast

with the background and be illuminated either internally or externally between dusk and dawn daily. Where required by the fire code official, address numbers shall be provided in additional locations to facilitate emergency response. Residential address numbers shall be a minimum of 4" tall with a minimum stroke width of 1/2". Commercial address numbers shall be a minimum of 6" tall Arabic numerals with a minimum stroke width of 3/4". Larger numbers, suite and rear door identification, etc. may be required by fire code official to facilitate emergency response. Where access is by means of a private road or building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

#### **Key Boxes**

Section 506.1 of the 2013 California Section Fire Code is hereby amended to read as follows:

Where required. All commercial projects (new, remodel, change of occupancy, addition or new business license inspection) shall install a Knox Key Box if one is not already installed. A Knox Key Box capable of containing Safety Data Sheets (SDS) and hazardous materials plans may be required for commercial sites with significant amounts of hazardous materials.

506.1.3 Key Boxes shall be installed and secured in accordance with manufactures specifications and mounted to the right of the main entrance door with the top of box no higher than 6' above finished grade. Additional Key Boxes may be required for large facilities.

506.1.4 When manually operated gates cross required fire access lanes, or prevent access to building, a Knox padlock or Knox Key Box shall be installed at access gate. Electrically operated gates that cross fire access lanes shall be required to be equipped with an Opticom type strobe light system or Knox Key Switch used by the Patterson Fire Department. A dual keyed switch to accommodate law enforcement may be required.

#### **Water Supply for Pallets**

Section 507.3.1 of the 2013 California Fire Code is hereby amended to read as follows:

Fire protection water supply for pallets shall be in accordance with section 2809.5

#### **Water Supplies and Fire Hydrants**

Section 507.5.1 of the 2013 California Fire Code is hereby amended to read as follows:

Required water supply for fire protection. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet (45 720 mm) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief. Fire hydrants shall be located on the supply side of the fire suppression system check valve. Fire hydrants shall be accessible to the Fire Department apparatus by roads meeting the requirements of Section 503.1 and Appendix D

**Exception:** For Group R-3 and Group U occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more than 500 feet.

#### **Private Fire Service Mains and Water Tanks**

Section 507.5.3 of the 2013 California Fire Code is hereby amended by adding:

Private fire service mains and water tanks shall also comply with the National Fire Protection Association Standard 25, 2011 California Edition.

**Private Water Agreement**

Section 507.5.7 of the 2013 California Fire Code is hereby amended to add:

Private water agreements shall be required when a private fire protection water supply is required by this code. The agreement shall be entered into by the property owner and the City of Patterson.

**Fuel-Fired Appliances**

Section 603.4 of the 2013 California Fire Code is hereby amended to read:

Portable listed unvented fuel- fired heating equipment shall be prohibited in all occupancies except S-2 and U occupancies.

**Electrical Equipment, Wiring and Hazards**

Section 605.3.2 of the 2013 California Fire Code is hereby amended to add:

**Main Disconnects** The main electrical service to any commercial building shall be accessible for emergency shut off from the outside of the building. This may be accomplished by providing one (1) main disconnect, a Knox disconnect or shunt trip device. If, out of necessity, there is more than one main service disconnect, these disconnects shall be located in close proximity to each other as approved by the Fire Chief.

If a generator system activates automatically when a shunt trip or main disconnect shuts down, a control to stop the generator must be located with the main disconnect or shunt trip. Shunt trips, main disconnects and generator controls shall be identified by signs approved by the Fire Chief.

Exception:

1. Electrical control room with a marked door that is directly accessible from the outside of the building.

**Automatic Sprinkler Systems**

Section 903.2 of the 2013 California Fire Code is hereby amended to read as follows:

**New Construction.** An approved automatic fire sprinkler system is required in all new buildings and structures, notwithstanding the use and occupancy thereof, when the total aggregate floor area exceeds five thousand (5000) square feet.

The means of measuring square footage used to determine if automatic fire sprinklers are required shall be as follows: The total aggregate floor area shall be determined by measuring and totaling the area within the outside walls of the structure for each floor, or mezzanine and basement; the area beneath all attached projections from the outside walls that are four (4') feet or larger. If the structure has no outside walls, the area shall be measured from the edge of the eaves projection. If structures are within six (6') feet of each other as measured from the outside walls, or any projection therefrom, or are attached by a breezeway or covered walkway, the measured floor area of each shall be aggregated. Area separation walls shall not be used for the purpose of eliminating automatic fire sprinkler systems.

Exception:

1. If the provisions of the 2013 California Fire Code sections 903.2.1 through 903.2.19 are more restrictive, then the more restrictive requirement shall apply.

#### **Existing Buildings**

Section 903.2.20 of the 2013 California Fire Code is hereby added read as follows:

An approved automatic fire sprinkler system shall be installed in all existing buildings and structures when additions or alterations are made that cause said building or structure to exceed five thousand (5,000) square feet.

#### **EXCEPTION:**

Each portion of an existing building or structures is separated by one or more fire walls that limit each fire area to a maximum of five thousand (5,000) square feet.

#### **Isolated Buildings in Rural Areas**

Section 903.2.21 of the 2013 California Fire Code is hereby added to read as follows:  
For isolated buildings or groups of buildings in rural areas where no water is available from a municipal water system, a fire sprinkler system meeting all of the following criteria shall be considered as an alternative to systems that are in full compliance with the applicable NFPA Standard.

1. Sprinklers will be designed and installed per the applicable NFPA Standards
2. The required sprinkler demand (not including hose stream allowance) shall be provided by a hydro pneumatic tank for a minimum duration of 15 minutes. The tank may be pressurized by the domestic well pump and may serve both the fire supply and domestic supply for the building. The tank must have a capacity equal to or greater than the calculated sprinkler demand. Calculations shall be provided to determine the actual size of tank required for each project.
3. A separate storage tank or other water source acceptable to the chief shall be provided to accommodate sprinkler and hose demand for an additional 30 minutes beyond the storage required in 2 above.

#### **Hose Threads**

Section 903.3.6 of the 2013 California Fire Code shall be amended to read as follows:

Fire hose threads and fittings used in connection with automatic sprinkler systems shall be "National Hose" (NH).

#### **Standpipe Systems**

Section 905.3.1 of the California Fire Code is hereby amended to read as follows:

Occupancies three or more stories in height shall be provided with a class one standpipe system approved by the Fire Chief (Except R Division 3).

Occupancies less than three stories in height but greater than 20,000 square feet per floor shall be required to install a class one standpipe system approved by the Fire Chief.

Garden type apartment complexes may be required to install type one standpipe systems approved by the Fire Chief.

#### **Fire Alarm Systems**

Section 907.2 of the 2013 California Fire Code is hereby amended by adding the following:

A certificate from Underwriters Laboratories (UL) shall be required on all commercial fire alarm systems installed after the effective date of this ordinance. UL certification is required to be maintained for commercial fire alarm systems throughout the life of the alarmed building.

**Supervision and Communication System**

Section 907.2.1.4 of the 2013 California Fire Code is hereby added to read as follows:

**Supervision:** Places of assembly shall be under the constant supervision of a competent adult on the premises during the time that the premises are open to the public.

**Communications:** When required by the chief, places of assembly shall be provided with a method for notifying the fire department in the event of an emergency. Such method can consist of a telephone, an alarm system connected to the fire department or other approved agency, or other approved means. Methods of notifying the fire department shall be readily available to the public.

**False Alarms**

Section 908.8 of the 2013 California Fire Code is hereby amended by adding the following:

False alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted. The City of Patterson may adopt by resolution reasonable fees to recover the costs associated with responses to building or structures that have excessive false alarms.

**Fire Department Connections**

Section 912.2.1 of the 2013 California Fire Code shall be amended by adding the following:

Fire department connections shall be within seventy five (75) feet of a fire hydrant.

**Locking Fire Department Connection Caps**

Section 912.3.1 of the 2013 California Fire Code shall be amended to read as follows:

Knox locking caps for fire department connections shall be required on all new construction. The fire code official is authorized to require Knox locking caps on existing fire department connections for water-based systems as deemed necessary.

**Deposits of Hazardous Materials; Cleanup, Abatement, or Mitigation Required; Liability for Costs**

Section 5003.3.1.4 of the 2013 California Fire Code is hereby amended to read as follows:

**Responsibility for cleanup.** The person, firm or corporation responsible for an unauthorized discharge shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the jurisdiction. When deemed necessary by the Chief, cleanup may be initiated by the Fire Department or by an authorized individual or firm. Costs associated with such cleanup shall be borne by the owner, operator or other person responsible for the unauthorized discharge. The remedy provided by this section shall be in addition to any other remedies provided by law.

For purposes of this section, costs incurred by the City of Patterson shall include, but shall not necessarily be limited to, the following: actual labor costs of City of Patterson

personnel, including worker's compensation benefits, fringe benefits, administrative overhead; cost of equipment operation; cost of materials obtained directly by the City of Patterson; and cost of any contract labor and materials. The authority to recover costs under this section shall not include actual fire suppression services that are normally or usually provided by the Fire Department.

#### **Permits Required for Explosives**

Section 5602 of the 2013 California Fire Code is hereby amended by adding the following:

5602.1 Permits Required. When permits are required to be issued by the Fire Code official, the Fire Code Official may grant the authority to the agency having enforcement jurisdiction. Permit shall be obtained:

1. To possess, store, sell, display or otherwise dispose of explosive material at any location.
2. To transport, explosive materials,
3. To use explosive materials
4. To operate a terminal for handling explosive materials.

#### **Notice of New Storage Sites**

Section 5603 of the 2013 California Fire Code is hereby amended by adding the following:

Section 5603.1 Notice of New Storage Sites. When a new explosive material storage location, including a temporary job-site, is established, the local law enforcement agency and fire department shall be notified immediately of the type, quantity, and location of explosive materials at the site.

#### **Explosive Materials Prohibited and Limited Acts**

Section 5604 of the California Fire Code is hereby amended by adding the following:

Section 5604.1 Manufacturing. Explosive materials shall not be manufactured within the city limits of Patterson.

Section 5604.1.2 Limits established by law. The storage of explosives and blasting agents is restricted to those areas of the City zoned as Heavy Industrial.

Exception:

1. Temporary storage for use in connection with approved blasting operations conducted in accordance with all applicable provisions of this article.
2. Wholesale and retail storage and display of ammunition and gunpowder shall be in accordance with Title 19 California Code of Regulations, Chapter 10.

#### **Manufacturing of Fireworks**

Section 5605 of the 2013 California Fire Code is hereby amended by adding the following:

Section 5605.1 Manufacturing. The manufacturing of fireworks is prohibited within the city limits of Patterson.

#### **Sales, Storage, Use and Handling of Fireworks**

Section 5605 of the 2013 California Fire Code is hereby amended to add the following:

5605.5 General. Sales, storage, use and handling of fireworks shall be in accordance with this chapter.

1. Sales. Retail sale or display with the intent to sell fireworks is limited to State of California Fire Marshal approved and labeled "Safe and Sane" fireworks within the City of Patterson by State of California retailers, provided a permit to sell those fireworks has been approved and obtained from the Chief. Fireworks may be sold or offered for sale from 12:00 noon to 10:00 p.m. on June 28, 9:00 a.m. to 10:00 p.m. on June 29 through July 5, and 9:00 a.m. to 12:00 noon on July 6.

The storage of fireworks within the City of Patterson is limited to the State of California Fire Marshal approved and labeled "Safe and Sane" fireworks by state of California licensed wholesalers and retailers.

(A) Wholesale Storage. Wholesalers may store "Safe and Sane" fireworks within the City of Patterson solely during the period of June 1 through July 31 of each year. Storage facilities shall comply with H-3 occupancy classification requirements as defined by the 2013 California Building Code.

(B) Retailers Storage. Retailers may store "Safe and Sane" fireworks within the City of Patterson solely during the period of June 22, through July 15 of each year.

1. Within the permitted fireworks stand with a reasonable adult on the premises at all times.
2. In a completely enclosed and locked utility type building constructed of at least one-fourth inch (1/4") plywood or other approved noncombustible material.
3. In a completely detached garage on residential property. There shall be no open-flame or spark producing equipment, or Class I flammable liquids stored or used within the garage.
4. Fireworks shall not be stored within forty (40) feet of any building classified or used as a public or private school, day care facility, residential care facility, hospital, place of detention, public oil/gas/gas station, or public garage, or any place of public assembly that can accommodate fifty (50) or more persons.
5. In an approved and permitted fireworks warehouse.

## 2. Temporary Fireworks Stands

1. All retail sales of "Safe and Sane" fireworks shall be permitted only from within a temporary fireworks stand and sales from any other building or structure is hereby prohibited.
2. City business license, Fire Department Permit, and State License shall be displayed in the fireworks stand during hours of operation.
3. Temporary fireworks stand shall not be set up before application for permit is approved, nor earlier than June 14.
4. Fireworks stands shall be located at least twenty (20) feet from other structures.
5. Fireworks shall not be stored, sold, offered for sale, or discharged within one hundred (100) feet of a location where gasoline, LPG, other class I flammable liquids or flammable gasses are stored or dispensed.
6. All unsold stock and litter shall be removed from the temporary location by 5:00 p.m. on the 6<sup>th</sup> day of July.
7. The fireworks stand shall be removed from the temporary location by 12:00 noon on the 12<sup>th</sup> of July, and all accompanying litter shall be cleared from said location by said time and date.
8. A penalty of one hundred dollars (\$100.00) per day will be assessed to the permittee of any fireworks stand not removed by 12:00 noon on the 12<sup>th</sup> day of July.

## 2. Safety Precautions

1. No person under the age of eighteen (18) shall sell, or handle for sale, any classification of fireworks.
2. No person under the age of 16 shall purchase or be allowed to purchase any classification of fireworks.
3. Smoking, open-flame, and spark producing equipment shall be prohibited for a distance of twenty (20) feet around any fireworks stand.
4. Dry grass, weeds, trash and other combustible material shall be removed for a distance of twenty (20) feet around any fireworks stand.
5. Fireworks shall not be discharged within fifty (50) feet of a fireworks stand.

## 3. Stand Construction

1. Walls and roof shall be of plywood at least ¼" thick or of approved non-combustible material.
2. The stand shall be provided with a roof.
3. Walls shall extend to a minimum height of six (6) feet eight (8) inches, on at least three (3) sides. These three (3) sides shall be without openings, except for an exit door.
4. An exit door with a minimum width of twenty four (24) inches, and height of six (6) feet, shall be provided in each stand. Exits shall be maintained clear and unobstructed at all times.
5. The front wall of the stand shall provide a physical barrier not less than eighteen (18) inches in height between the public and the merchandise on display.
6. Approved "NO SMOKING" signs shall be prominently displayed in and on the stand.
7. Approved "NO SALES TO PERSONS UNDER THE AGE OF 16" signs shall be prominently displayed.
8. An approved fire extinguisher having a minimum UL classification of 2A10BC shall be located in stand, near exit and readily accessible.
9. Sellers shall comply with all rules and regulations of Title 19 of the California Code of Regulations and with the rules and regulations of the Fire Code Official.

### **Revocation of Permit and Seizure of Fireworks**

Section 5605 of the 2013 California Fire Code is hereby amended to add the following:

5605.6 The Fire Code Official or his/her designee, may revoke immediately and without notice or hearing, the "Safe and Sane" fireworks sales permit of any location or organization when any of the provisions of the code are violated. The Fire Code Official shall inform the permittee that permittee may seek review of the Fire Code Official's decision, by the City Manager with written notice that a fireworks sales permit has been revoked, including the name of the permittee and a brief statement of the grounds for revocation. If requested by the permittee, the City Manager or his/her designee, that day to review the Fire Code Official's decision. The decision of the City Manager is final.

5605.6.1 Revocation of any sales permit will be effective for that calendar year.

### **Restricted Locations of Flammable and Combustible Liquids in Tanks**

Section 5704.2.9.6.1 of the 2013 California Fire Code is hereby amended to read as follows:

Storage of Class I and II Liquids in aboveground tanks outside of buildings is prohibited, with the exception of protected tanks designed, installed and maintained in accordance with the 2013 California Fire Code. The provisions of this section shall not apply to facilities for the production, generation, or transmission of electric energy that provide power to entities furnishing retail electrical services to the general public within the City of Patterson.

**Maintenance of Protected Aboveground Tanks**

Section 5704.2.9.7.11 of the 2013 California Fire Code is hereby added to read as follows:

Protected aboveground tanks and connected piping shall be maintained in a safe operating condition. Protected aboveground tanks shall be maintained in accordance with their listings. Damage to protected aboveground tanks shall be repaired using material having equal or greater strength and fire resistance or the protected aboveground tank shall be replaced or taken out of service.

**Manufacture of Biodiesel at Residential Occupancies.**

Section 5704.3.4.2 number 7 of the 2013 California Fire Code is hereby amended by adding subsection 7.1.

The manufacture and storage of biodiesel is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

**Manufacture of Ethanol at Residential Occupancies.**

Section 5704.3.4.2 number 7 of the 2013 California Fire Code is hereby amended by adding subsection 7.2.

The manufacture and storage of ethanol is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

**Operating, Heating, Lighting, and Cooking Appliances Prohibited**

Section 5705.3.3 of the 2013 California Fire Code is hereby amended to include the following:

Class II and III Liquids

**Location of Bulk Plants for Storage of Flammable and Combustible Liquids**

Section 5706.4 of the 2013 California Fire Code is hereby amended to by adding the following:

The construction of new bulk plants for storage of flammable or combustible liquids is restricted to areas of the City of Patterson zoned Heavy Industrial Zones. All existing nonconforming bulk plants for storage of flammable or combustible liquids, which substantially comply with the requirements of this Code, may be continued in use if the Chief grants a permit.

**Transfer Operations**

Section 5706.5.1.1 of the 2013 California Fire Code is hereby amended by adding the following:

Tank vehicles and tank cars shall be unloaded as soon as possible after arrival at point of delivery and shall not be used as storage tanks. Unless otherwise approved, a tank car shall not be allowed to remain on a siding at the point of delivery for more than twenty-four (24) hours while connected for transfer operations.

**Permits and Plans for Liquefied Petroleum Gases**

Section 5101.2 of the 2013 California Fire Code is hereby amended to read as follows:

Permits. Permits shall be required as set forth in Sections 105.6 and 105.7

EXCEPTION:

1. Containers not exceeding five (5) gallon water capacity, used for "barbecue" cooking, when used and stored outside of buildings.
  2. Approved containers not exceeding sixteen and four-tenths (16 4) ounces when displayed for sale in mercantile occupancies.
  3. Factory installed containers for recreational vehicles not exceeding ten (10) gallon water capacity.
  4. Factory installed tanks that are permanently attached to recreational vehicles.
- Distributors shall not fill an LP-gas container for which a permit is required unless the fire code official has issued a permit for installation for that location.

**Outside Storage and Use of Liquefied Petroleum Gases**

Section 6104.2 of the 2013 California Fire Code is amended as follows:

The outside storage of liquefied petroleum gas (LP-gas) shall conform to the provisions of Stanislaus County zoning ordinances. The outside storage and use of liquefied petroleum gases is restricted as specified in this section.

1. Storage and dispensing of LP-gas for resale purposes, into approved containers and vehicles, is restricted to those areas of the Stanislaus County zoned as Commercial-Light Industrial, Heavy Industrial, and, in addition thereto, to other commercially zoned properties used as automotive service stations. Only qualified persons shall perform dispensing.
2. Dispensing of LP-gas for private use is restricted to those zones identified in subsection 1, and when approved by the Chief, may be permitted in those areas of the Stanislaus County zoned General Commercial. Only qualified persons shall perform dispensing.
3. For cooking, lighting, or heating in a building, only on a property that does not have natural gas service existing on a boundary line of said property or when prohibition of such storage would cause undue hardship.
4. For temporary use on construction sites, when authorized by the Chief.
5. For use as an alternative fuel supply for an emergency standby generator, when authorized by the Chief.
6. For use with certain mobile vending and certain commercial barbecue equipment and other specific uses when authorized by the Chief.
7. For use by Artisans in pursuit of their trade, when authorized by the Chief.
8. Storage of portable containers awaiting exchange may be permitted in commercially zoned areas of the Stanislaus County, including those zoned Neighborhood Commercial, when approved by the Chief and stored in accordance with Section 3809. Such storage shall be located a minimum of twenty (20) feet from any fuel dispenser.
9. Containers that exceed 2,000 gallons shall comply with procedure FPB 82-01

**Section 3** That the geographic limits referred to in certain sections of the 2013 California Fire Code are hereby established as follows:

**Section 5704.2.9.6.1**

All R-1, R-2, and R-3 zoning designations as identified by the Title 18 of the City of Patterson Code

**Section 5706.2.4.4**

All R-1, R-2, and R-3 zoning designations as identified by Title 18 of The City of Patterson Code.

Section 5806.2 add second paragraph to read as follows:

Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited. All R-1, R-2, and R-3 zoning designations as identified by Title 18 of City of Patterson Code.

Section 6104.2

The incorporated boundary within the City of Patterson.

**Section 4** That Ordinance No. \_\_\_\_\_ of the City of Patterson entitled ORDINANCE FOR ADOPTION OF THE CALIFORNIA FIRE CODE AND PROVIDING FOR THE MODIFICATION THEREOF and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 5** That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional and such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrase. Thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 6** That nothing in this legislation or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

**Section 7** That the City of Patterson is hereby ordered and directed to cause notification of this proposed ordinance.

**Section 8** That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect January 1, 2014 from and after the date of its final passage and adoption.

**Section 9** The City Council of the City of Patterson finds its adoption of the 2013 Edition of the California Fire Code as set forth in this ordinance to be exempt from review under provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq., "CEQA") consistent with, among other things, the provisions of CEQA guidelines section 15321 (Class 21) which exempts review of the adoption of a general rule of enforcement under CEQA.

This ordinance shall be published by one insertion in The PATTERSON IRRIGATOR, a newspaper of general circulation printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days from and after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson held on the day of 21<sup>st</sup> day of January 2014, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on the 18<sup>th</sup> day of February 2014, and after such reading, Mayor Molina moved its adoption, seconded by Councilmember Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES:	Councilmembers Novelli, Farinha, Lustgarten and Mayor Molina
NOES:	Councilmember Buehner
EXCUSED:	None

APPROVED:

  
\_\_\_\_\_  
Luis I. Molina, Mayor of the City of Patterson

ATTEST:

  
\_\_\_\_\_  
Maricela L. Vela, City Clerk of the City of Patterson