

BUILDING STANDARDS COMMISSION

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



January 27, 2014

Mark Ellis, Chief Building Official
Planning and Community Development
City of Santa Cruz
809 Center Street, Rm 206
Santa Cruz, CA 95060

RE: Ordinance #2013-22

Dear Mr. Ellis:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 19, 2013.

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

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

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

ZONING / PERMIT PROCESSING
831/420-5100 • FAX 831/420-5434
COMPREHENSIVE PLANNING
831/420-5180 • FAX 831/420-5101



INSPECTION SERVICES
831/420-5120 • FAX 831/420-5434
PLANNING ADMINISTRATION
831/420-5110 • FAX 831/420-5101

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
809 Center Street • Room 206 • Santa Cruz, CA 95060 • www.cityofsantacruz.com
Juliana Rebagliati, Director Mark Ellis, CBO (831)420-5127

December 11, 2013

California Building Standards Commission
ATTN: Jim McGowan
2525 Natomas Park Dr. Suite 130
Sacramento, CA 95833

Mr. McGowan,

Please find enclosed with this transmittal the following documents to support the filing requirement for the City of Santa Cruz as it relates to the adoption of the 2013 Building Standards Codes;

- City Council Agenda Report, including justification of amendments and ICC Tri-Chapter Uniform Code Committee supporting justifications.
- Certified, true and correct copy of Ordinance No. 2013-22 (AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AMENDING TITLE 18 OF THE SANTA CRUZ MUNICIPAL CODE ADOPTING CALIFORNIA CODE OF REGULATIONS TITLE 24 BUILDING STANDARDS CODES).
- Complete exhaustive copy of Title 18 (Santa Cruz Municipal Code – Buildings and Construction).

I appreciate the filing of this document package,

Mark Ellis
Chief Building Official
City of Santa Cruz



CITY COUNCIL AGENDA REPORT

DATE:

AGENDA OF: November 12, 2013

DEPARTMENT: Planning and Community Development

SUBJECT: Introduction of Ordinance Amending Building Regulations contained in Title 18 of the Santa Cruz Municipal Code and Adopting the California Code of Regulations Title 24, 2013 Building Standards Codes to establish minimum requirements to safeguard public health, life, safety and general welfare.

RECOMMENDATION: Introduction for publication of an ordinance amending Title 18 of the Municipal Code and Adopting the 2013 Editions of the California Building Standards Codes, California Code of Regulations Title 24, Parts 1, 2, 2.5, 3, 4, 5, 8, 10, 11 and 12 including referenced appendices, amendments and modifications.

BACKGROUND: Generally, every three years, the building, plumbing, mechanical, electrical and other building standards are updated by the model code agencies to include the most current construction and engineering principles and practices. These model codes are then reviewed by the various State agencies that have an interest in health, life and safety relative to building construction. Under the purview of the Building Standards Commission, these State agencies modify the codes as they deem necessary then publish the newly revised Building Standards Codes for required local adoption. Jurisdictions have 180 days from publication to review, amend and adopt the mandated building standards codes. This process is to assure that the latest construction, engineering and life safety techniques become standard practice throughout the State. The mandatory effective date of the 2013 Building Standards is January 1, 2014. In an effort to preserve our local standards, a staff review process takes place with recommendation for amendment to the municipal code, allowing for a level of consistency as the mandated codes are folded into our municipal code.

DISCUSSION: In the time allotted, staff has reviewed the California Code of Regulations, Title 24, 2013 Building Standards Codes. This review along with some training and collaboration with colleagues appear to reveal relatively few changes are needed to our local ordinance. Therefore, certain chapters of the municipal code have been amended in an effort to recognize the adoption of the State Building Standards Codes and other codes and standards used by the City of Santa Cruz to promote health, life and safety as it relates to building construction. It should also be noted that there are no changes to fees.

Other than the adoption of the State mandated codes, the changes to Title 18 of the municipal code reflect the clean-up needed to maintain our current provisions as these new codes are incorporated. These include the continuance of enhanced earthquake design, prohibiting gypsum and plaster as lateral load resisting elements. Also included are provisions requiring reinforcement in concrete and modifying concrete special inspection requirements. These structural amendments are in general conformity to the International Code Council Tri-Chapter Code Committee, are justified by local geologic conditions pertaining to earthquake potential and are intended to enhance regional consistency in the application and enforcement of the Building Code. The other few changes are minor in nature, primarily changes in section numbers and code references, or deletion of outdated language where the State codes have caught up to local standards.

Overall, this ordinance provides for adoption of the mandatory State codes, while maintaining consistency with the intent of our local standards. A strikeout/underline version is included as an attachment, with the seven chapters of the Santa Cruz Municipal Code, Title 18, where amendments are proposed.

FISCAL IMPACT: None. The cost of code books and public references along with staff training has been incorporated into the FY 2013/2014 approved budget. Training for the construction and design community is being provided by the California Building Officials, The Building Standards Commission and The Local Chapters of Building Officials at no cost to the City.

Submitted by:

Approved by:

Juliana Rebagliati
Director of Planning & Community Development

Martín Bernal
City Manager

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Attachments: Title 18 Amended Chapters (18.04, 18.06, 18.08, 18.12, 18.14, 18.20, 18.40)

At the Reference Desk of the Central Branch Library for public review:

**ICC
TRI-CHAPTER
UNIFORM CODE COMMITTEE (TUCC)**



AMENDMENT NUMBER: Structural 1
APPROVAL DATE: August 8, 2013
SUBJECT: Proposed amendment to isolated spread concrete footings Special Inspection

This amendment is developed by the Tri-chapter Uniform Code Committee and is intended to enhance regional consistency in application and enforcement of the Building Code. Please verify acceptance of this amendment with your local building department prior to its application.

CODE REFERENCE (S):

2013 CBC Section 1705.3 Concrete Construction.

ISSUE (S):

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

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

Exception: Special inspections shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

RATIONALE:

Results from studies after the 1994 Northridge earthquake indicated that a lot of the damages were attributed to lack of quality control during construction. The proposed amendment improves quality control during construction and therefore needs to be incorporated into the Code. Revise CBC Section 1705.3 exception No. 1 to allow special inspection not to be required for isolated spread footing where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 psi. This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

**ICC
TRI-CHAPTER
UNIFORM CODE COMMITTEE (TUCC)**



AMENDMENT NUMBER: Structural 2
APPROVAL DATE: August 8, 2013
SUBJECT: Proposed amendment to plain concrete

This amendment is developed by the Tri-chapter Uniform Code Committee and is intended to enhance regional consistency in application and enforcement of the Building Code. Please verify acceptance of this amendment with your local building department prior to its application.

CODE REFERENCE (S):

2013 CBC Section 1905.1.8, ACI 318 Section 22.10.1.

ISSUE (S):

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

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

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

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

~~(a) Structural plain concrete basement, foundation or other walls below the base are permitted in detached one and two family dwellings three stories or less in height constructed with stud bearing walls. In dwellings assigned to seismic design category D or E, the height of the wall shall not exceed 8 feet (2438 mm), the thickness shall not be less than 7¹/₂ inches (190 mm), and the wall shall retain no more than 4 feet (1219 mm) of unbalanced fill. Walls shall have reinforcement in accordance with 22.6.6.5.~~

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

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

(b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. ~~For footings that exceed 8" inches (203 mm) in thickness, a~~ minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception:

1. ~~In seismic design categories A, B and C, In detached one- and two-family dwellings three stories or less in height and constructed with stud bearing walls, are permitted to have plain concrete footings without longitudinal reinforcement. with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.~~
2. ~~For foundation systems consisting of a plain concrete footing and a plain concrete stem wall, a minimum of one bar shall be provided at the top of the stem wall and at the bottom of the footing.~~
3. ~~Where a slab on ground is cast monolithically with the footing, one no. 5 bar is permitted to be located at either the top of the slab or bottom of the footing.~~

RATIONALE

The proposed amendment addresses the problem of poor performance of plain or under-reinforced concrete footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake.

**ICC
TRI-CHAPTER
UNIFORM CODE COMMITTEE (TUCC)**



AMENDMENT NUMBER: Structural 3

APPROVAL DATE: August 8, 2013

SUBJECT: Proposed amendment to CRC to prohibit plain concrete continuous footings without longitudinal reinforcing in Seismic Design Categories D₀, D₁ and D₂

This amendment is developed by the Tri-chapter Uniform Code Committee and is intended to enhance regional consistency in application and enforcement of the Building Code. Please verify acceptance of this amendment with your local building department prior to its application.

CODE REFERENCE (S):

2013 CRC Section R403.1.3

ISSUE (S):

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

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D₀, D₁ and D₂, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars, one top and one bottom and not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D₀, D₁ and D₂ where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D₀, D₁ and D₂ where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories D₀, D₁ and D₂ masonry stem walls without solid grout and

vertical reinforcing are not permitted.

Exception: In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

RATIONALE:

This proposed amendment to the CRC is made to be consistent with Tucc amendment 2 that modifies the plain concrete provisions in CBC Section 1905.1.8 and ACI 318 Section 22.10.1.

This proposed amendment addresses the problem of poor performance of plain or under-reinforced concrete footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake.

**ICC
TRI-CHAPTER
UNIFORM CODE COMMITTEE (TUCC)**



AMENDMENT NUMBER: Structural 4

APPROVAL DATE: August 8, 2013

SUBJECT: Proposed amendment to CRC to prohibit the use of gypsum board and limit the use of Portland cement plaster as prescriptive wall bracing materials in Seismic Design Categories D₀, D₁ and D₂

This amendment is developed by the Tri-chapter Uniform Code Committee and is intended to enhance regional consistency in application and enforcement of the Building Code. Please verify acceptance of this amendment with your local building department prior to its application.

CODE REFERENCE (S):

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

ISSUE (S):

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

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

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

TABLE R602.10.3(3)^e

Add a new subsection R602.10.4.4, to read:

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

RATIONALE:

The proposed amendment addresses the problem of poor performance of gypsum wallboard and Portland cement plaster as wall bracing materials in high seismic areas. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of these bracing materials that were observed in 1994 Northridge earthquake.

ORDINANCE NO. 2013-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
AMENDING TITLE 18 OF THE SANTA CRUZ MUNICIPAL CODE, ADOPTING
CALIFORNIA CODE OF REGULATIONS TITLE 24 BUILDING STANDARDS CODES

The City Council of the City of Santa Cruz ordains as follows:

Section 1. Chapter 18.04, Section 18.04.030 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

(NOTE: Those sections of Chapter 18 not included in this exhibit remain in force unchanged.)

18.04.030 ADOPTION OF CODES.

Subject to the modifications and deletions set forth in Section 18.04.040 and by the State of California Building Standards Commission, the following documents are hereby adopted as part of the Building Code of the city of Santa Cruz:

California Code of Regulations Title 24 (hereafter CCR T 24), Part 1, The 2013 California Administrative Code;

CCR T 24, Part 2, Volumes 1 and 2, The 2013 California Building Code, including Appendices H and I, except as modified herein (hereafter CBC);

CCR T 24, Part 2.5, The 2013 California Residential Code, including Appendix H, except as modified herein (hereafter CRC);

CCR T 24, Part 10, The 2013 California Existing Building Code, except as modified herein;

CCR T 24, Part 11, The 2013 California Green Standards Code, except as modified herein (Refer to Chapter 24.15, Green Building Regulations);

CCR T 24, Part 12, The 2013 California Referenced Standards Code;

The Uniform Administrative Code, 1997 Edition, for the purpose of maintaining and administering the existing fee structure, except as modified herein (hereafter UAC);

The Uniform Housing Code, 1997 Edition, except as modified herein (hereafter UHC);

The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, except as modified herein (hereafter UCADB);

One copy of each of the above documents is and shall be maintained on file in the office of the building official, for use and examination by the public.

Section 2. Chapter 18.04, Section 18.04.040 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.04.040 BUILDING CODE – DELETIONS AND MODIFICATIONS.

The following sections of the codes as adopted in Section 18.04.030 are hereby modified as follows:

Add sentence to CBC Section 1.8.8.1 and CRC Section 1.8.8.1:

Refer to Santa Cruz Municipal Code (hereafter SCMC) Chapter 18.41, board of appeals.

Add sentence to CBC Section 1804:

Refer to SCMC Chapter 18.45, excavation and grading regulations.

Add sentence to CRC Section R313:

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Refer to SCMC Title 19, Fire Prevention Code.

CBC 1905.1.8 ACI 318, Section 22.10.1(a): delete entire subsection (a) and subsection (c) Exception 3, modify and delete portions of third sentence of subsection (c) to read as follows:

A minimum of one bar shall be provided at the top and bottom of the footing.

Modify first sentence of CRC R403.1.3 to read as follows;

Concrete footings located in Seismic Design Categories D₀, D₁, D₂ as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars, one top and one bottom and not smaller than No. 4 bars.

Modify CBC 1705.3 Exception 1 to read as follows;

Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

Add sentence to CBC Section 2305.1 and CRC Section R602.10 to read as follows:

Shear walls sheathed with gypsum board, lath and plaster are not permitted to resist horizontal forces.

Modify CBC Section 2505.3, as applicable to all projects in the city of Santa Cruz.

CBC Section 406.3.4 item 1 is hereby amended to insert a sentence after the second sentence of the paragraph to read as follows:

Gypsum board applied to the garage side shall be suitably fire taped and have the nail heads spotted with taping compound.

Add sentence to CRC Section R302.6:

Refer to city amended CBC Section 406.3.4 item 1 for requirements.

CRC Section R302.5.1: delete exception.

CBC Section 1505 is hereby amended to add a first paragraph as follows:

1505 FIRE CLASSIFICATION

Class "C" wood, and non-rated wood roofs prohibited. No Class "C" wood, or non-rated wood roof covering shall be installed on any new or existing building or structure. Any reference, table, footnote, or exception allowing Class "C" wood, or "N", or non-classified wood roofing in this code is hereby amended to read as Class "B". Any qualified historical building or structure as defined in Health and Safety Code Section 18955 may utilize alternative roof classifications as provided by the State Historical Building Code. Where Title 19 of the SCMC

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and/or State standards identifies conflicting Wildland/Urban Interface requirements in this jurisdiction are referenced, the most restrictive shall apply.

Add sentence to CRC Section R902:

Refer to city amended CBC Section 1505 for requirements.

CBC Section 1510 is hereby amended to add a first paragraph as follows:

1510.0 Overlay on Existing Wood Roofs or Asphalt Shingle Roofs. Re-roofing over Class "C" wood or non-rated wood shakes and wood shingles is prohibited. When a roof has one or more layers of roof covering, any layer of which is wood shake or wood shingle, all built-up roof covering shall be completely removed before applying a new roof covering without exception (unless specifically provided for in SCMC Title 18).

Add sentence to CRC Section R907:

Refer to city amended CBC Section 1510.0 for requirements.

CBC Section 1510 is hereby amended to add a Section 1510.1.1 to read as follows:

1510.1.1 Minor Work on Existing Wood Roofs. The requirements of Section 1510.0 shall not apply when an existing building or structure with a wood roof covering is subject to roof installation, addition, repair, alteration or replacement of less than 25% of the existing building or structure's wood roof-covering area, accumulated over the life of the building, commencing on or after the official date of this ordinance. In such circumstances, wood roof coverings with a CSFM listed rating may be used, provided the completed roof assembly complies with all other provisions of this code. For the purpose of this ordinance, 25% of the wood roof covering area shall be calculated from the area of wood roof covering existing on the effective date of this ordinance.

CBC Section 1406 is hereby amended to add two new paragraphs as follows:

1406.1.1 Shingles or Shakes. A minimum Class "B" Listing by a manufacturer acceptable to the Fire Marshal or the Chief Building Official shall be required for all wood shingles or shakes, and other shingles or shakes that may be used for exterior wall covering referred to elsewhere in this code. No Class "C" wood and non-rated wood shakes or wood shingles shall be installed as an exterior wall covering on any new or existing building or structure. Wood shingles shall meet the minimum thickness requirements of Table 1405.2.

1406.1.2 Existing Wood Exterior Repairs or Installations of less than 25%. The Class "B" requirements of this section shall not apply when an existing building or structure with wood shake or wood shingle exterior wall covering is subject to installation, addition, repair, alteration or replacement of less than 25% of the existing building or structure's wood shake or wood shingle exterior wall covering area accumulated over the life of the building commencing on or after the effective date of this ordinance. For the purposes of this code, 25% of the area of wood exterior wall covering shall be calculated from the area of the wood exterior wall shake or wood shingle covering existing on the effective date of this ordinance.

Add sentence to CRC Section R703.5:

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Refer to city amended CBC Sections 1406.1.1 and 1406.1.2 for requirements.

The UAC Chapter 1 and the CBC Chapter 1, Division II shall have the following inserted under their respective headings to read as follows:

The 1997 Uniform Administrative code (UAC) shall be used for the purpose of maintaining and administering the existing fee structure as established in the UAC or adopted by the City of Santa Cruz as authorized by the UAC. The California Building Code Chapter 1, Division II shall be used in its entirety, as applicable, for the administration of the building standards codes for all buildings, structures and equipment in the City of Santa Cruz, except as modified in SCMC Title 18.

CBC Section 101.4.4, replace references to "the Property Maintenance Code" with "the CBC" and/or "UHC" and/or "UCADB."

CBC Section 105.1, insert second paragraph to read as follows:

Except as specified in Section 105.2, no building, structure or building service equipment regulated by this code and the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separated, appropriate permit for each building, structure or building service equipment has first been obtained from the building official.

CBC Section 105.2 is hereby amended to add the following modification to exemption No. 1 and to add exemption No. 14:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11m²). Exempted structures shall not be placed within six feet of each other or any other permanent structure and shall comply with local zoning requirements for setbacks and maximum number of structures allowed.

14. Decks and platforms not exceeding thirty inches above the adjacent grade and serving individual dwelling units and are not over any basement or story below. (Decks serving common areas in multi-family residential construction and all commercial decks are not exempted by this section.)

CRC Section 105.2 exemptions 1 and 10 shall be replaced with CBC modified exemptions 1 and 14 respectively.

CBC Section 107.2.3 shall strike reference to R-2 and I-1 occupancies with the second sentence to read as follows:

In other than occupancies in Group R-3, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

CBC Section 110.1, insert second paragraph to read as follows:

A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

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CBC Section 112, add section 112.4 to read as follows:

112.4 Connection after Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

Add sentence to CBC Section 113:

Refer to SCMC 18.41, Board of Building and Fire Appeals.

CRC Table R301.2(1) shall be populated with the following criteria as established by the city of Santa Cruz, using criteria published in the CRC where applicable:

Ground Snow load = 0, Wind Design/Speed (mph) = 85, Wind Design/Topographic Effects = No, Seismic Design Category = D2, Subject To Damage From/Weathering = Negligible, Subject To Damage From/Frost line depth = 12 inches below undisturbed soil, Subject To Damage From/Termite = Very Heavy, Winter Design Temp = 40 degrees Fahrenheit, Ice Barrier Underlayment Required = No, Flood Hazards = FIRM 3/2/2006 (Panels 219D, 238D, 329D, 331D, 332D, 333D, 334D, 351D), Air Freezing Index = 0, Mean Annual Temp = 55 degrees Fahrenheit.

UHC Section 401, Nuisance, is hereby amended by adding item 9 to read:

9. Any residential property upon which a person or persons conducts activities, accumulates materials, or fails to maintain structures and grounds to a degree, which by common standards, is disruptive and/or damaging to general welfare, peace and sanctity of the surrounding neighborhood.

UHC Section 103 and UCADB Section 102.2 shall have the following paragraph added, to read as follows:

Where reference is made to any code or standard, the most relevant code(s) and/or standard(s) as currently adopted in SCMC Title 18 shall be used. Where conflict may occur between other provisions of the Santa Cruz Municipal Code and this Title 18, Title 18 shall govern.

Section 3. Chapter 18.06, Section 18.06.020 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.06.020 BUILDING PERMIT FINAL INSPECTION.

(a) It shall be unlawful for any person or persons to occupy any space for which a building permit has been issued by the building official until a final inspection has been performed and the building or work is found to comply with all applicable codes and ordinances.

(b) This section shall not apply to permits for interior remodel or renovation of existing accessory spaces such as utility rooms and any unheated spaces, or existing habitable rooms when not involving structural, electrical or plumbing work.

Failure to comply with this section by any permittee is a violation of the Santa Cruz Municipal Code and subject to the penalties of Title 4.

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Section 4. Chapter 18.08, Section 18.08.030 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.08.030 ADOPTION OF THE ELECTRICAL CODE.

The following documents are hereby adopted as part of the Electrical Code of the city of Santa Cruz:

CCR T 24, Part 3, The 2013 California Electrical Code, except as modified herein (hereafter CEC).

One copy of the above documents is and shall be maintained on file in the office of the building official, for use and examination by the public.

Section 5. Chapter 18.12, Section 18.12.030 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.12.030 ADOPTION OF THE PLUMBING CODE.

The following documents are hereby adopted as part of the Plumbing Code of the city of Santa Cruz:

CCR T 24, Part 5, The 2013 California Plumbing Code, including Appendices A, B, D, I and H except as modified herein (hereafter CPC).

One copy of the above documents are and shall be maintained on file in the office of the building official.

Section 6. Chapter 18.14, Section 18.14.030 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.14.030 ADOPTION OF THE MECHANICAL CODE.

The following documents are hereby adopted as part of the Mechanical Code of the city of Santa Cruz:

CCR T 24, Part 4, The 2013 California Mechanical Code, including Appendices B, C and D, except as modified herein (hereafter CMC).

One copy of the above documents is and shall be maintained on file in the office of the building official, for use and examination by the public.

Section 7. Chapter 18.20, Section 18.20.160 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.20.160 PENALTIES FOR VIOLATIONS.

(1) Any person who violates any of the provisions of this chapter or who violates any of the terms and conditions of any permit issued pursuant to this chapter is subject to the penalties provided in Title 4 of this code, and is deemed guilty of a separate offense for each and every day during which any building moved by such person is in violation of the provisions of this chapter, or such building continues in such condition and is punishable therefor as provided in this code.

(2) In addition to enforcing penalties for any such violation, the city may institute civil action to enjoin any violation of any provision of this chapter or secure any other appropriate legal or equitable relief, including abatement.

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(3) In addition to all other penalties imposed by this code, the moving of any building in violation of this chapter and failure to remove, remodel, relocate and complete the same in accordance with the terms of the permit shall constitute such building a public nuisance and the same may be abated by appropriate legal action.

Section 8. Chapter 18.40, Section 18.40.030 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.40.030 ADOPTION OF HISTORICAL BUILDING CODE.

CCR T 24, Part 8, The 2013 California Historical Building Code (hereafter CHBC) is hereby adopted as part of the Historical Building Code of the city of Santa Cruz. One copy of the CHBC referred to above shall be maintained on file in the office of the building official, for use and examination by the public.

Section 9. Chapter 18.40, Section 18.40.050 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.40.050 AMENDMENTS TO THE CHBC.

To the extent required by law the CHBC adopted by the state of California and becoming effective after January 1, 2014, shall be effective in the city of Santa Cruz. To the extent authorized by law the city of Santa Cruz shall have the authority to adopt ordinances pertaining to historical building which vary from the CHBC or impose requirements in addition to those imposed by the CHBC.

Section 10. This ordinance shall be in force and take effect thirty (30) days after its final adoption but not prior to January 1, 2014.

ORDINANCE NO. 2013-22

PASSED FOR PUBLICATION this 12th day of November, 2013, by the following vote:

AYES: Councilmembers Terrazas, Comstock, Lane, Mathews, Posner; Vice Mayor Robinson; Mayor Bryant.

NOES: None.

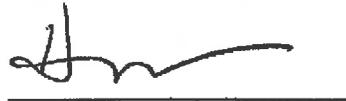
ABSENT: None.

DISQUALIFIED: None.

ATTEST:


City Clerk Administrator

APPROVED:


Mayor

PASSED FOR FINAL ADOPTION this 26th day of November, 2013, by the following vote:

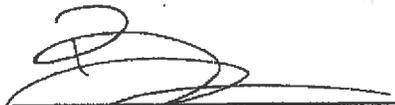
AYES: Councilmembers Terrazas, Comstock, Lane, Mathews, Posner; Vice Mayor Robinson; Mayor Bryant.

NOES: None.

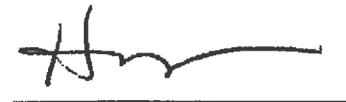
ABSENT: None.

DISQUALIFIED: None.

ATTEST:


City Clerk Administrator

APPROVED:


Mayor

This is to certify that the above and foregoing document is the original of Ordinance No. 2013-22 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.


City Clerk Administrator

Title 18

BUILDINGS AND CONSTRUCTION

Chapters:

- 18.04 Building Code**
- 18.06 Special Building Regulations**
- 18.07 Energy Conservation – Existing Multifamily Residential Structures**
- 18.08 Electrical Code**
- 18.12 Plumbing Code**
- 18.14 Mechanical Code**
- 18.16 Repealed by Ord. 82-47**
- 18.20 House Moving**
- 18.24 House Numbering**
- 18.28 Sidewalk Marquees**
- 18.32 Swimming Pools**
- 18.36 Applicability of Building Regulations**
- 18.40 Historical Building Code**
- 18.41 Board of Building Appeals**
- 18.44 Earthquake Hazard Reduction**
- 18.45 Excavation and Grading Regulations**
- 18.46 Excavation Sites on Pacific Avenue**
- 18.47 Safety Assessment Placards**

Chapter 18.04

BUILDING CODE

Sections:

- 18.04.010 Building Code of the city of Santa Cruz.
- 18.04.030 Adoption of codes.
- 18.04.040 Building Code – Deletions and modifications.
- 18.04.050 Permit fees.
- 18.04.060 Penalties.
- 18.04.080 Establishment of inspection services.
- 18.04.090 Duties of the building official – Reports and records.
- 18.04.100 Building permit – Certificate of insurance requirement.

18.04.010 BUILDING CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Building Code of the city of Santa Cruz.
(Ord. 2010-23 § 2 (part), 2010).

18.04.030 ADOPTION OF CODES.

Subject to the modifications and deletions set forth in Section 18.04.040 and by the State of California Building Standards Commission, the following documents are hereby adopted as part of the Building Code of the city of Santa Cruz:

California Code of Regulations Title 24 (hereafter CCR T 24), Part 1, The 2013 California Administrative Code;

CCR T 24, Part 2, Volumes 1 and 2, The 2013 California Building Code, including Appendices H and I, except as modified herein (hereafter CBC);

CCR T 24, Part 2.5, The 2013 California Residential Code, including Appendix H, except as modified herein (hereafter CRC);

CCR T 24, Part 10, The 2013 California Existing Building Code, except as modified herein;

CCR T 24, Part 11, The 2013 California Green Standards Code, except as modified herein (Refer to Chapter 24.15, Green Building Regulations);

CCR T 24, Part 12, The 2013 California Referenced Standards Code;

The Uniform Administrative Code, 1997 Edition, for the purpose of maintaining and administering the existing fee structure, except as modified herein (hereafter UAC);

The Uniform Housing Code, 1997 Edition, except as modified herein (hereafter UHC);

The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, except as modified herein (hereafter UCADB);

One copy of each of the above documents is and shall be maintained on file in the office of the building official, for use and examination by the public.

(Ord. 2010-23 § 2 (part), 2010).

18.04.040 BUILDING CODE – DELETIONS AND MODIFICATIONS.

The following sections of the codes as adopted in Section 18.04.030 are hereby modified as follows:

Add sentence to CBC Section 1.8.8.1 and CRC Section 1.8.8.1:

Refer to Santa Cruz Municipal Code (hereafter SCMC) Chapter 18.41, board of appeals.

Add sentence to CBC Section 1804:

Refer to SCMC Chapter 18.45, excavation and grading regulations.

Add sentence to CRC Section R313:

Refer to SCMC Title 19, Fire Prevention Code.

CBC 1905.1.8 ACI 318, Section 22.10.1(a): delete entire subsection (a) and subsection (c) Exception 3, modify and delete portions of third sentence of subsection (c) to read as follows:

A minimum of one bar shall be provided at the top and bottom of the footing.

Modify first sentence of CRC R403.1.3 to read as follows;

Concrete footings located in Seismic Design Categories D₀, D₁, D₂ as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars, one top and one bottom and not smaller than No. 4 bars.

Modify CBC 1705.3 Exception 1 to read as follows;

Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

Add sentence to CBC Section 2305.1 and CRC Section R602.10 to read as follows:

Shear walls sheathed with gypsum board, lath and plaster are not permitted to resist horizontal forces.

Modify CBC Section 2505.3, as applicable to all projects in the city of Santa Cruz.

CBC Section 406.3.4 item 1 is hereby amended to insert a sentence after the second sentence of the paragraph to read as follows:

Gypsum board applied to the garage side shall be suitably fire taped and have the nail heads spotted with taping compound.

Add sentence to CRC Section R302.6:

Refer to city amended CBC Section 406.3.4 item 1 for requirements.

CRC Section R302.5.1: delete exception.

CBC Section 1505 is hereby amended to add a first paragraph as follows:

1505 FIRE CLASSIFICATION

Class "C" wood, and non-rated wood roofs prohibited. No Class "C" wood, or non-rated wood roof covering shall be installed on any new or existing building or structure. Any reference, table, footnote, or exception allowing Class "C" wood, or "N", or non-classified wood roofing in this code is hereby amended to read as Class "B". Any qualified historical building or structure as defined in Health and Safety Code Section 18955 may utilize alternative roof classifications as provided by the State Historical Building Code. Where Title 19 of the SCMC and/or State standards identifies conflicting Wildland/Urban Interface requirements in this jurisdiction are referenced, the most restrictive shall apply.

Add sentence to CRC Section R902:

Refer to city amended CBC Section 1505 for requirements.

CBC Section 1510 is hereby amended to add a first paragraph as follows:

1510.0 Overlay on Existing Wood Roofs or Asphalt Shingle Roofs. Re-roofing over Class "C" wood or non-rated wood shakes and wood shingles is prohibited. When a roof has one or more layers of roof covering, any layer of which is wood shake or wood shingle, all built-up roof covering shall be completely removed before applying a new roof covering without exception (unless specifically provided for in SCMC Title 18).

Add sentence to CRC Section R907:

Refer to city amended CBC Section 1510.0 for requirements.

CBC Section 1510 is hereby amended to add a Section 1510.1.1 to read as follows:

1510.1.1 Minor Work on Existing Wood Roofs. The requirements of Section 1510.0 shall not apply when an existing building or structure with a wood roof covering is subject to roof installation, addition, repair, alteration or replacement of less than 25% of the existing building or structure's wood roof-covering area, accumulated over the life of the building, commencing on or after the official date of this ordinance. In such circumstances, wood roof coverings with a CSFM listed rating may be used, provided the completed roof assembly complies with all other provisions of this code. For the purpose of this ordinance, 25% of the wood roof covering area shall be calculated from the area of wood roof covering existing on the effective date of this ordinance.

CBC Section 1406 is hereby amended to add two new paragraphs as follows:

1406.1.1 Shingles or Shakes. A minimum Class "B" Listing by a manufacturer acceptable to the Fire Marshal or the Chief Building Official shall be required for all wood shingles or shakes, and other shingles or shakes that may be used for exterior wall covering referred to elsewhere in this code. No Class "C" wood and non-rated wood shakes or wood shingles shall be installed as an exterior wall covering on any new or existing building or structure. Wood shingles shall meet the minimum thickness requirements of Table 1405.2.

1406.1.2 Existing Wood Exterior Repairs or Installations of less than 25%. The Class "B" requirements of this section shall not apply when an existing building or structure with wood shake or wood shingle exterior wall covering is subject to installation, addition, repair, alteration or replacement of less than 25% of the existing building or structure's wood shake or wood shingle exterior wall covering area accumulated over the life of the building commencing on or after the effective date of this ordinance. For the purposes of this code, 25% of the area of wood exterior wall covering shall be calculated from the area of the wood exterior wall shake or wood shingle covering existing on the effective date of this ordinance.

Add sentence to CRC Section R703.5:

Refer to city amended CBC Sections 1406.1.1 and 1406.1.2 for requirements.

The UAC Chapter 1 and the CBC Chapter 1, Division II shall have the following inserted under their respective headings to read as follows:

The 1997 Uniform Administrative code (UAC) shall be used for the purpose of maintaining and administering the existing fee structure as established in the UAC or adopted by the City of Santa Cruz as authorized by the UAC. The California Building Code Chapter 1, Division II shall be used in its entirety, as applicable, for the administration of the building standards codes for all buildings, structures and equipment in the City of Santa Cruz, except as modified in SCMC Title 18.

CBC Section 101.4.4, replace references to “the Property Maintenance Code” with “the CBC” and/or “UHC” and/or “UCADB.”

CBC Section 105.1, insert second paragraph to read as follows:

Except as specified in Section 105.2, no building, structure or building service equipment regulated by this code and the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separated, appropriate permit for each building, structure or building service equipment has first been obtained from the building official.

CBC Section 105.2 is hereby amended to add the following modification to exemption No. 1 and to add exemption No. 14:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11m²). Exempted structures shall not be placed within six feet of each other or any other permanent structure and shall comply with local zoning requirements for setbacks and maximum number of structures allowed.

14. Decks and platforms not exceeding thirty inches above the adjacent grade and serving individual dwelling units and are not over any basement or story below. (Decks serving common areas in multi-family residential construction and all commercial decks are not exempted by this section.)

CRC Section 105.2 exemptions 1 and 10 shall be replaced with CBC modified exemptions 1 and 14 respectively.

CBC Section 107.2.3 shall strike reference to R-2 and I-1 occupancies with the second sentence to read as follows:

In other than occupancies in Group R-3, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

CBC Section 110.1, insert second paragraph to read as follows:

A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

CBC Section 112, add section 112.4 to read as follows:

112.4 Connection after Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been

disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

Add sentence to CBC Section 113:

Refer to SCMC 18.41, Board of Building and Fire Appeals.

CRC Table R301.2(1) shall be populated with the following criteria as established by the city of Santa Cruz, using criteria published in the CRC where applicable:

Ground Snow load = 0, Wind Design/Speed (mph) = 85, Wind Design/Topographic Effects = No, Seismic Design Category = D₂, Subject To Damage From/Weathering = Negligible, Subject To Damage From/Frost line depth = 12 inches below undisturbed soil, Subject To Damage From/Termite = Very Heavy, Winter Design Temp = 40 degrees Fahrenheit, Ice Barrier Underlayment Required = No, Flood Hazards = FIRM 3/2/2006 (Panels 219D, 238D, 329D, 331D, 332D, 333D, 334D, 351D), Air Freezing Index = 0, Mean Annual Temp = 55 degrees Fahrenheit.

UHC Section 401, Nuisance, is hereby amended by adding item 9 to read:

9. Any residential property upon which a person or persons conducts activities, accumulates materials, or fails to maintain structures and grounds to a degree, which by common standards, is disruptive and/or damaging to general welfare, peace and sanctity of the surrounding neighborhood.

UHC Section 103 and UCADB Section 102.2 shall have the following paragraph added, to read as follows:

Where reference is made to any code or standard, the most relevant code(s) and/or standard(s) as currently adopted in SCMC Title 18 shall be used. Where conflict may occur between other provisions of the Santa Cruz Municipal Code and this Title 18, Title 18 shall govern.

(Ord. 2010-23 § 2 (part), 2010).

18.04.050 PERMIT FEES.

The chief building official shall charge and receive such fees for services, inspections and permits relating to any work subject to this chapter as set forth in Chapter 3, Table 3A, of the Uniform Administrative Code as adopted in Section 18.04.030 and in the fee schedule established by city council resolution.

Where development is conducted pursuant to the filing of a vested tentative subdivision map, the permit fees charged pursuant to this section shall be charged in accordance with the fee schedule in effect on the date of building permit application.

(Ord. 2010-23 § 2 (part), 2010).

18.04.060 PENALTIES.

Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in Title 4 of the Santa Cruz Municipal Code or alternatively or delineated in the Santa Cruz County superior court uniform bail and penalty schedule for the city of Santa Cruz.

(Ord. 2010-23 § 2 (part), 2010).

18.04.080 ESTABLISHMENT OF INSPECTION SERVICES.

There is hereby established in the city of Santa Cruz, as part of the department of planning and community development, a division known as inspection services, which shall be under the jurisdiction of the chief building official designated by the city manager. The chief building official shall, for all purposes, including enforcement procedures, be charged with the duties of the "building official" described in this chapter.

(Ord. 2010-23 § 2 (part), 2010).

18.04.090 DUTIES OF THE BUILDING OFFICIAL – REPORTS AND RECORDS.

The chief building official shall submit a report to the city manager not less than once a year, covering the work of inspection services during the preceding period. He shall incorporate, in said report, a summary of his recommendations as to desirable amendments to this chapter and succeeding chapters of this title. The chief building official shall keep a permanent accurate account of all fees or other moneys collected and received under this chapter, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate.

(Ord. 2010-23 § 2 (part), 2010).

18.04.100 BUILDING PERMIT – CERTIFICATE OF INSURANCE REQUIREMENT.

Pursuant to Government Code Section 53080.5, the city of Santa Cruz is hereby authorized to require any applicant for a city of Santa Cruz building permit to file with the city a certificate of insurance evidencing coverage for bodily injury or property damage liability as a condition to issuance of the building permit applied for.

(Ord. 2010-23 § 2 (part), 2010).

Chapter 18.06

SPECIAL BUILDING REGULATIONS

Sections:

- 18.06.010 Standard doorway and passageway width.
- 18.06.015 Roll-in shower requirement for apartments and condominiums.
- 18.06.020 Building permit final inspection.
- 18.06.050 Seismic restraints for existing residential buildings.
- 18.06.060 Commercial decks and/or platforms.
- 18.06.080 Best management practices.
- 18.06.080.1 Best management practices for construction activity.
- 18.06.080.2 Post-construction best management practices.

18.06.010 STANDARD DOORWAY AND PASSAGEWAY WIDTH.

(a) The standard width of each doorway, through which a person may pass, shall accommodate a minimum two-foot-eight-inch standard swing or sliding door. A doorway shall include any doorway intended to, or designed to, give access to persons between adjoining rooms or between the inside or outside of the building. Closets, pantries and similar uses of less than two feet in depth are excepted. Any passageway or portal not containing a door shall have a net clearance of thirty-two inches; provided, that the minimum requirements shall not apply to floors or levels accessible only by stairway above or below the first floor, if such areas are not required by applicable law or regulation to be accessible to the disabled.

(b) The provisions of this section shall not apply to residential buildings and dwellings when the average slope of the access to the primary entrance doorway from a public sidewalk, easement or other similar path of travel fronting the primary entrance of the building is greater than fifteen percent gradient.

(Ord. 2007-22 § 2 (part), 2007: Ord. 2002-42 § 2 (part), 2002).

18.06.015 ROLL-IN SHOWER REQUIREMENT FOR APARTMENTS AND CONDOMINIUMS.

Every apartment building containing three or more units and every condominium complex containing four or more units constructed after the effective date of the ordinance codified in this section shall have provisions in addition to those of the California Building Code for a roll-in shower in at least one accessible bathroom at a ratio of one for every twenty-five units (1:25) constructed, with a minimum of one. The installation shall be limited to the provision of a space that is readily adaptable for the conversion of a roll-in shower design as specified in Chapter 11-B of the California Building Code. In complexes of twenty-five units or less, at the request of a disabled renter or purchaser, and after the acceptance of a rental/sales agreement, a roll-in shower will be installed at no expense to the renter/buyer within thirty days from the acceptance of said agreement; provided, that such request does not increase the ratio of 1:25 as described above. In apartment buildings and condominium complexes containing more than twenty-five units, the roll-in showers shall be completed in at least one in twenty-five units. In multi-story elevator buildings or multi-building projects, such units shall be dispersed to create accessible opportunities among a variety of styles and/or price ranges offered in the complex. To encourage higher ratios in existing complexes, permits to

create additional roll-in shower units may be issued by the chief building official not to exceed one hundred dollars in building, plan check, plumbing, electrical and mechanical fees per unit.

Covered multi-family dwelling units as defined by the California Building Code constructed after March 13, 1991, undergoing extensive remodeling and/or additions in excess of thirty percent of the market value of the existing improvements in a five-year cumulative period, shall have at least one in twenty-five (1:25) units modified to create roll-in shower opportunities on the ground floor(s).

(Ord. 2007-22 § 2 (part), 2007: Ord. 2005-13 § 1, 2005).

18.06.020 BUILDING PERMIT FINAL INSPECTION.

(a) It shall be unlawful for any person or persons to occupy any space for which a building permit has been issued by the building official until a final inspection has been performed and the building or work is found to comply with all applicable codes and ordinances.

(b) This section shall not apply to permits for interior remodel or renovation of existing accessory spaces such as utility rooms and any unheated spaces, or existing habitable rooms when not involving structural, electrical or plumbing work.

Failure to comply with this section by any permittee is a violation of the Santa Cruz Municipal Code and subject to the penalties of Title 4.

(Ord. 2007-22 § 2 (part), 2007: Ord. 2002-42 § 2 (part), 2002).

18.06.050 SEISMIC RESTRAINTS FOR EXISTING RESIDENTIAL BUILDINGS.

Persons applying for a building permit for any addition to or remodel of an existing building shall be required to allocate an amount equal to a percentage of the valuation of the proposed work for the purpose of installing seismic restraints in the existing building and its contents.

The percentage is one percent of the building permit valuation, but in no case shall the mandatory amount exceed five hundred dollars.

The following measures may be used singly or in combination to reach the required amount:

		Credits
(a)	Add new perimeter foundation and stem wall system	\$500.00
(b)	Secure sills to foundation	\$200.00
(c)	Provide shear panels to cripple walls	\$500.00
(d)	Provide lateral bracing at piers to exterior walls	\$200.00
(e)	Stabilize masonry chimney	\$200.00
(f)	Provide interior shear walls	\$500.00

(g)	Provide shear panels at garage door	\$100.00
(h)	Provide adequate lateral bracing of porches, decks, patio roofs and other attachments	\$100.00
(i)	Provide water heater restraints	\$25.00
(j)	Provide furnace restraints	\$25.00
(k)	Provide wall ties on tall freestanding furniture	\$215.00
(l)	Provide emergency tools for shutoff valves of gas and water services, including directions for location and operation of valves and switches for electrical main shutoff	\$25.00

Other methods may be proposed by the permit applicant for approval by the chief building official, who will evaluate the proposal and compute credits according to the merits of the work to be performed.

If the applicant can demonstrate, to the satisfaction of the chief building official, that the applicant's existing residential building complies with applicable sections of Chapters 16 and/or 23 of the adopted CBC or Chapter 6 of the CRC, then the applicant may, at the discretion of the chief building official, receive partial or complete exemption from the requirements of this section. No additional building permit fees will be charged for the above seismic retrofit work.

(Ord. 2010-23 § 3, 2010: Ord. 2007-22 § 2 (part), 2007: Ord. 2002-42 § 2 (part), 2002).

18.06.060

COMMERCIAL DECKS AND/OR PLATFORMS.

(a) All commercial decks and/or platforms when constructed above the finished grade, regardless of height or construction material, and used for commercial purposes, where the general public may access such deck or platform, shall be required to submit appropriate plans and obtain a permit and inspections prior to construction and occupancy.

(b) All such decks and/or platforms, when serving that floor area nearest grade level, shall be required to be accessible to disabled persons to the same degree as required by code for such floor area served.

(Ord. 2007-22 § 2 (part), 2007: Ord. 2002-42 § 2 (part), 2002).

18.06.080 BEST MANAGEMENT PRACTICES.

18.06.080.1 Best Management Practices for Construction Activity.

Any construction project, including those undertaken under any permit or approval granted pursuant to Titles 15, 18 and 24, shall implement the city's Best Management Practices for Construction Work as detailed in the latest Best Management Practices (BMP) Manual

published by the city's public works and/or planning departments. BMPs shall be maintained in full force and effect for the duration of the project.

Erosion and sediment control BMPs shall be in place and implemented, as appropriate, prior to commencing construction activity including grading or vegetation removal.

18.06.080.2 Post-Construction Best Management Practices.

Upon completion of a construction project, including those undertaken under any permit or approval granted pursuant to Titles 15, 18 and 24, post-construction Best Management Practices for Development and Remodeling Projects shall be in place.

BMPs shall be inspected and maintained in full force and effect. If a structural or treatment control BMP is required, the BMP shall be inspected and maintained on a schedule at a minimum of once per year, by October 1st, or more as necessary in order to retain the required capacity. The property owner shall be responsible for providing proof of any ongoing BMP inspection and maintenance to the city in accordance with the mandatory Best Management Practices for Development and Remodeling Projects.

(Ord. 2004-13 § 1, 2004).

Chapter 18.07

ENERGY CONSERVATION – EXISTING MULTIFAMILY RESIDENTIAL STRUCTURES

Sections:

- 18.07.010 Purpose.
- 18.07.020 Definitions.
- 18.07.030 Exemptions.
- 18.07.040 Nonapplicability.
- 18.07.050 Certificate of completion.
- 18.07.060 Energy conservation requirements.
- 18.07.070 Notification.
- 18.07.080 Violations.
- 18.07.090 Appeals.
- 18.07.100 Fees.

18.07.010 PURPOSE.

The purpose of this chapter is to establish standards which promote the efficient use of energy in existing multifamily residential structures by requiring installation of cost-effective conservation devices in connection with title transfers on all existing residential structures of four or more units.

(Ord. 85-25 § 1 (part), 1985).

18.07.020 DEFINITIONS.

(a) Accessible. There is sufficient space in which to install the specified conservation measures without significant structural alteration. In the case of attics, “accessible” shall mean a space between a ceiling joist and roof rafter where the vertical clear height from the top of the bottom chord of the truss or ceiling joist to the underside of the roof sheathing at the roof ridge is greater than thirty inches.

(b) Cost-Effective. A conservation measure is considered “cost-effective” if the savings it produces for the customer during its useful life exceed the cost of the measure.

(c) Dwelling – Multiple Dwelling. Any privately owned residential rental building, group of buildings, or portion thereof, which contains four units or more, under unified ownership and has a heating system; including apartments, flats, and all condominium conversions (as defined in Chapters 23, 27), but not including residential dwellings of less than four units, mobile homes or hotels, motels or inns whose primary purpose is to provide occupancy for less than thirty days.

(d) Certificate of Completion. Standard form certifying compliance with the energy conservation requirements specified by this chapter. Such certificate shall be signed by an authorized energy inspector as defined herein. The form includes the name or names of the owners of the property for which it is applicable, the street address, assessor’s parcel number, together with a legend after the title of certificate:

“NOTICE TO OWNER: This certificate is valuable since it indicates the completion of installation of certain energy conservation devices on your residential property which are prescribed by law. This is a recordable document, and you may want to keep a copy with your own records pertaining to this property.”

(e) Energy Inspector. Energy inspector of the city of Santa Cruz or person authorized by the city to certify that the energy conservation requirements specified in this chapter have been installed. Persons qualifying as energy inspectors include but are not limited to, Pacific Gas and Electric auditors, state licensed energy auditors, and authorized state licensed contractors. The authorization of energy inspectors shall be accomplished by completion of a form submitted to the building official and signed by the building official or his designee.

(f) Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

(g) Hardship. Demonstration that compliance with the provisions of this chapter will prevent the buyer/owner/seller from maintaining an adequate expenditure for food, health, shelter, or transportation between home and employment, thereby worsening their general welfare and/or that of their dependents.

(h) Buyer. Owner of the property after time of sale.

(i) Seller. Owner of property prior to time of sale.

(j) Transfer of Title. The conveyance of title to real property by deed or other instrument including conveyance by a real property sales contract as defined in Section 2985 of the California Civil Code. Any transfer of title made prior to the effective date of this chapter is not subject to the requirements of this chapter.

(Ord. 85-25 § 1 (part), 1985).

18.07.030 EXEMPTIONS.

(a) The following transfers shall be exempt from the provisions of this chapter:

(1) Transfers pursuant to court order, including, but not limited to, transfers ordered by a probate court in administration of an estate, transfers pursuant to a writ of execution; transfers by a trustee in bankruptcy; transfers by eminent domain; or transfers resulting from a decree for specific performance;

(2) Transfers to a mortgage by reason of the mortgagor defaulting; transfers to a beneficiary of a deed trust by reason of a trustor defaulting;

(3) Transfers, other than sales, by a fiduciary in the course of the administration of a guardianship, conservatorship, or trust;

(4) Transfers from one co-owner to one or more co-owners;

(5) Transfers made to a spouse, or to a person or persons in the lineal consanguinity of one or more of the transferors;

(6) Transfers between spouses resulting from a decree of dissolution of a marriage or a decree of legal separation or from a property settlement agreement incidental to such decrees;

(7) Transfers by the State Controller in the course of administering the Unclaimed Property Law, Chapter 7 (commencing with Section 1500) of Title 10 of Part 3 of the Code of Civil Procedure;

(8) Transfers under the provisions of Chapter 7 (commencing with Section 3691) and Chapter 8 (commencing with Section 3771) of Part 6 of Division I of the Revenue and Taxation Code;

(9) Transfers resulting by operation of law;

(10) Transfers by which title to real property is reconveyed pursuant to a deed of trust.

(b) No utility or representative of a utility shall be in violation of this chapter or liable under this ordinance, for any act done in the performance of an energy audit or other acts done in the course of providing utility services.

(c) Failure to comply with provisions of this chapter shall not prevent recordation of any legally recordable document or invalidate any transfer of title.

(Ord. 85-25 § 1 (part), 1985).

18.07.040 NONAPPLICABILITY.

The provisions of this chapter shall not apply to real property for which an energy conservation "Certificate of Completion" has been recorded.

(Ord. 85-25 § 1 (part), 1985).

18.07.050 CERTIFICATE OF COMPLETION.

(a) Multiple-Family Dwellings. The energy conservation requirements in Section 18.07.060 shall be installed in connection with each transfer of title unless the provisions of this chapter are made inapplicable by Section 18.07.040 or unless the transfer is made exempt by Section 18.07.030.

(b) Compliance. Compliance with this chapter shall be achieved by installation of the energy conservation requirement specified in Section 18.07.060 prior to, or within six months of the transfer of title of any multiple-family dwellings or time of sale. A "Certificate of Completion" shall be recorded with the county recorder and a recorded copy of the certificate of completion submitted to the planning director.

(c) Recordation. Recordation of a properly signed certification of completion shall indicate that the requirements of this chapter have been met and shall evidence compliance for subsequent title transfers. When recorded, an energy conservation certificate of completion shall include the legal description of the property, the owner's name, and the assessor's parcel number, so that it may be indexed by the county recorder.

(d) Disclosure. Landlords shall give thirty days' notice to the tenants of any building which the landlord intends to bring into compliance with the provisions of this chapter. The notice shall include his/her intent to install required conservation measures and state the potential for changed utility costs.

(Ord. 85-25 § 1 (part), 1985).

18.07.060 ENERGY CONSERVATION REQUIREMENTS.

(a) Ceiling Insulation. Ceiling insulation shall be installed to a minimum resistance level of R-19 within accessible attic space directly above conditioned space provided that the existing ceiling insulation is less than R-11. Dropped spaces in attic floors such as those above stairwells, shall be sealed to effectively limit air infiltration prior to installation of insulation.

(b) Weatherstripping. All doors, including attic access doors, and all windows which lead to the outside, unheated or uncooled areas, shall be weatherstripped so as to effectively limit air infiltration.

(c) Water Heater Insulation Blankets. All accessible water heaters shall be equipped with an external, commercially available water heater insulation blanket or equivalent insulation

material with minimum installed thermal resistance of R-6. Where the water heater is only partially accessible, the heater may be equipped with a lesser thickness blanket as approved by the city energy inspector.

(d) Infiltration. All major cracks and joints and other openings in the building exterior shall be caulked or sealed to reduce the loss of heated air or the entry of outside air. The sealing of accessible electrical outlets and plates shall be required. All major openings from heated space itself or from walls within or surrounding the heated space into the attic, including, but not limited to, those found around plumbing vent pipes, electrical wiring, or furnace fuel pipes shall be sealed.

(e) Ducts, Plenums, and Fitting Joints. All accessible transverse (both supply and return) air ducts, plenums, and fitting joints of all heating equipment in unheated areas such as attics, crawl spaces, garages and basements shall be insulated to the equivalent of two-inch-thick, 0.65 pounds per square foot density fibrous glass insulation. All visible unsealed duct and plenum joints shall be sealed with pressure-sensitive tape or mastic. Furnace blower compartment doors shall be securely fastened if located in unheated space.

(Ord. 85-25 § 1 (part), 1985).

18.07.070 NOTIFICATION.

(a) The city shall develop, maintain and periodically update a list of all dwelling units in the city which are either in compliance with or in violation of the provisions of this chapter.

(b) Prior to the operative date of this chapter, the city shall inform all affected owners of the requirements of this chapter. Notices shall also be placed in a newspaper of general circulation informing the public of the provisions of this chapter.

(Ord. 85-25 § 1 (part), 1985).

18.07.080 VIOLATIONS.

(a) Actions Constituting Violation. It shall be a violation of this chapter for any person to do any of the following:

(1) Sell or offer to sell any dwelling subject to this chapter without full disclosure of the provisions of this chapter;

(2) Refuse or neglect to install the energy conservation requirements specified in Section 18.07.060 of this chapter, according to the timetables established by Section 18.07.050, subsection (b);

(3) Evict any tenant in retaliation for the exercise by such tenant of any rights created by this chapter.

(b) Penalties. Each violation of this chapter shall be infractions punishable as provided by Chapter 1.08 of the Santa Cruz Municipal Code.

(Ord. 85-25 § 1 (part), 1985).

18.07.090 APPEALS.

Any property owner or other person for whom this chapter involves a hardship, as defined, or who is dissatisfied with any act or determination of any authorized employee charged with the administration of this chapter, may appeal to the housing advisory and appeals board. (Ord. 85-25 § 1 (part), 1985).

18.07.100 FEES.

Reasonable fees may be assessed to cover the costs of administering this chapter. (Ord. 85-25 § 1 (part), 1985).

Chapter 18.08

ELECTRICAL CODE

Sections:

- 18.08.010 Electrical Code of the city of Santa Cruz.
- 18.08.030 Adoption of the Electrical Code.
- 18.08.040 Electrical Code deletions and modifications.
- 18.08.050 Permit fees.
- 18.08.060 Penalties.
- 18.08.070 Permits – To whom issued.

18.08.010 ELECTRICAL CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Electrical Code of the city of Santa Cruz.
(Ord. 2010-23 § 5 (part), 2010).

18.08.030 ADOPTION OF THE ELECTRICAL CODE.

The following documents are hereby adopted as part of the Electrical Code of the city of Santa Cruz:

CCR T 24, Part 3, The 2013 California Electrical Code, except as modified herein (hereafter CEC).

One copy of the above documents is and shall be maintained on file in the office of the building official, for use and examination by the public.

(Ord. 2010-23 § 5 (part), 2010).

18.08.040 ELECTRICAL CODE DELETIONS AND MODIFICATIONS.

None.

(Ord. 2010-23 § 5 (part), 2010).

18.08.050 PERMIT FEES.

The chief building official shall charge and receive such fees for services, inspections and permits relating to any work subject to this chapter as set forth in Chapter 3, Table 3B, of the Uniform Administrative Code as adopted in Section 18.04.030 and in the fee schedule established by city council resolution.

(Ord. 2010-23 § 5 (part), 2010).

18.08.060 PENALTIES.

Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in Title 4 of the Santa Cruz Municipal Code or alternatively or delineated in the Santa Cruz County superior court uniform bail and penalty schedule for the city of Santa Cruz.

(Ord. 2010-23 § 5 (part), 2010).

18.08.070 PERMITS – TO WHOM ISSUED.

(1) Permits shall be issued only to qualified contractors, duly licensed by the state of California and authorized by their license to perform electrical work except as specifically provided below:

(a) Maintenance Electrician. In lieu of an individual permit for each installation or alteration, an annual permit may, upon written application therefor, be issued to any person, firm or corporation regularly employing one or more qualified electricians for the installation and maintenance of electrical wiring, devices, appliances, apparatus or equipment on premises owned or occupied by the applicant for the permit.

(b) Homeowner. The chief building official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any electric fixture, appliance or electric system regulated by this chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings; provided, that such person is the owner of the premises, is the permanent occupant of the premises and personally performs the work. The building official may also revoke said homeowner's permit for cause if it is demonstrated the homeowner or his/her agent is not qualified to perform the permitted work and require that a licensed contractor install the work.

(Ord. 2010-23 § 5 (part), 2010).

Chapter 18.12

PLUMBING CODE

Sections:

- 18.12.010 Plumbing Code of the city of Santa Cruz.
- 18.12.030 Adoption of the Plumbing Code.
- 18.12.035 Plumbing Code additions.
- 18.12.040 Plumbing Code – Deletions and modifications.
- 18.12.045 Repealed by Ord. 89-48.
- 18.12.050 Permit fees.
- 18.12.060 Penalties.
- 18.12.070 Permits – To whom issued.

18.12.010 PLUMBING CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Plumbing Code of the city of Santa Cruz.
(Ord. 2010-23 § 7 (part), 2010).

18.12.030 ADOPTION OF THE PLUMBING CODE.

The following documents are hereby adopted as part of the Plumbing Code of the city of Santa Cruz:

CCR T 24, Part 5, The 2013 California Plumbing Code, including Appendices A, B, D, I and H except as modified herein (hereafter CPC).

One copy of the above documents are and shall be maintained on file in the office of the building official.

(Ord. 2010-23 § 7 (part), 2010).

18.12.035 PLUMBING CODE ADDITIONS.

The planning department and the public works department may direct that there be modifications of existing installation standards and/or the use of the old standard (three and one-half gallons per flush) water closet when, in the opinion of both departments, the configuration of the building drainage system and/or the current sewer line flow requires a greater quantity of water to adequately flush the system.

In existing single-family residences, where replacement fixtures are not available to match existing fixture colors, the planning department may allow the use of the old standard (three and one-half gallons per flush) water closet.

(Ord. 2010-23 § 7 (part), 2010).

18.12.040 PLUMBING CODE – DELETIONS AND MODIFICATIONS.

None.

(Ord. 2010-23 § 7 (part), 2010).

18.12.045 Repealed by Ord. 89-48.*

* Editor's Note: Section 18.12.045, "Backflow Prevention Devices," previously contained herein, was adopted by Ord. 82-49, amended by Ord. 84-61, and repealed in its entirety by Ordinance No. 89-48.

18.12.050 PERMIT FEES.

The chief building official shall charge and receive such fees for services, inspections and permits relating to any work subject to this chapter as set forth in Chapter 3, Table 3D, of the Uniform Administrative Code as adopted in Section 18.04.030 and in the fee schedule established by city council resolution.

(Ord. 2010-23 § 7 (part), 2010).

18.12.060 PENALTIES.

Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in Title 4 of the Santa Cruz Municipal Code or alternatively or delineated in the Santa Cruz County superior court uniform bail and penalty schedule for the city of Santa Cruz.

(Ord. 2010-23 § 7 (part), 2010).

18.12.070 PERMITS – TO WHOM ISSUED.

(1) Permits shall be issued only to qualified contractors, duly licensed by the state of California and authorized by their license to perform plumbing work except as specifically provided below:

(a) Homeowner. The chief building official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any plumbing fixture, appliance or piping system regulated by this chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings; provided, that such person is the owner of the premises, is the permanent occupant of the premises and personally performs the work. The building official may also revoke said homeowner's permit for cause if it is demonstrated the homeowner or his/her agent is not qualified to perform the permitted work and require that a licensed contractor install the work.

(Ord. 2010-23 § 7 (part), 2010).

Chapter 18.14

MECHANICAL CODE

Sections:

- 18.14.010 Mechanical Code of the city of Santa Cruz.
- 18.14.030 Adoption of the Mechanical Code.
- 18.14.040 Mechanical Code – Modifications.
- 18.14.050 Permit fees.
- 18.14.060 Penalties.
- 18.14.070 Permits – To whom issued.

18.14.010 MECHANICAL CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Mechanical Code of the city of Santa Cruz.
(Ord. 2010-23 § 9 (part), 2010).

18.14.030 ADOPTION OF THE MECHANICAL CODE.

The following documents are hereby adopted as part of the Mechanical Code of the city of Santa Cruz:

CCR T 24, Part 4, The 2013 California Mechanical Code, including Appendices B, C and D, except as modified herein (hereafter CMC).

One copy of the above documents is and shall be maintained on file in the office of the building official, for use and examination by the public.
(Ord. 2010-23 § 9 (part), 2010).

18.14.040 MECHANICAL CODE – MODIFICATIONS.

None.

(Ord. 2010-23 § 9 (part), 2010).

18.14.050 PERMIT FEES.

The chief building official shall charge and receive such fees for services, inspections, and permits relating to any work subject to this chapter as set forth in Chapter 3, Table 3C, of the Uniform Administrative Code as adopted in Section 18.04.030 and in the fee schedule established by city council resolution.

(Ord. 2010-23 § 9 (part), 2010).

18.14.060 PENALTIES.

Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in Title 4 of the Santa Cruz Municipal Code or alternatively or delineated in the Santa Cruz County superior court uniform bail and penalty schedule for the city of Santa Cruz.

(Ord. 2010-23 § 9 (part), 2010).

18.14.070 PERMITS – TO WHOM ISSUED.

(1) Permits shall be issued only to qualified contractors, duly licensed by the state of California and authorized by their license to perform mechanical work, except as specifically provided below:

(a) Homeowner. The chief building official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any mechanical appliance, apparatus or mechanical system regulated by this chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings; provided, that such person is the owner of the premises, is the permanent occupant of the premises, and personally performs the work. The building official may also revoke said homeowner's permit for cause if it is demonstrated the homeowner or his/her agent is not qualified to perform the permitted work and require that a licensed contractor install the work.

(Ord. 2010-23 § 9 (part), 2010).

Chapter 18.16

Repealed by Ord. 82-47*

- * Editor's Note: Chapter 18.16, Fences, was repealed in its entirety by Ord. 82-47, effective November 25, 1982. For provisions pertaining to fences, refer to Santa Cruz Zoning Ordinance, Chapter 24.26.

Chapter 18.20

HOUSE MOVING*

* For state law pertaining to power of cities to regulate removal of buildings, see Gov. Code § 38601.

Editor's Note: Chapter 18.20 entitled "House Moving" adopted by prior code §§ 8600 through 8615, as amended by Ord. 76-2, has been superseded in its entirety by Ordinance 84-20.

Sections:

- 18.20.090 Permit required.
- 18.20.100 Contents of application for permit.
- 18.20.110 Fees.
- 18.20.120 Bond.
- 18.20.130 Duration of bond.
- 18.20.140 Obstructing streets.
- 18.20.150 Time for completion.
- 18.20.160 Penalties for violations.

18.20.090 PERMIT REQUIRED.

It shall be unlawful for any person to move any building or structure over the public streets or alleys of the city without first filing a written application, and without first securing a permit from the inspection services division of the department of planning and community development to do so in the manner provided in this chapter.

(Ord. 84-20 § 1, 1984).

18.20.100 CONTENTS OF APPLICATION FOR PERMIT.

(a) Applications for permits to move a building or structure shall be filed with the inspection services division of the department of planning and community development and shall contain the following:

(1) A copy of the relocation permit issued by the Santa Cruz director of planning and community development unless the building or structure is to be moved to a location outside the city of Santa Cruz;

(2) The route on which the building is proposed to be moved;

(3) The loaded height of the building;

(4) The proposed moving date and hours.

(b) The following agencies or utilities shall be notified prior to issuing the permit:

(1) Santa Cruz police department;

(2) Santa Cruz fire department;

(3) Santa Cruz superintendent of streets, department of public works;

(4) Pacific Gas and Electric Company;

(5) Telephone communications purveyor under franchise to the city of Santa Cruz;

(6) Santa Cruz water department; and

(7) Television communication purveyor under franchise to the city of Santa Cruz.

(c) The Santa Cruz police department shall be notified of the date, time and place the building will be moved.

(Ord. 85-74 § 1, 1985; Ord. 84-20 § 1, 1984).

18.20.110 FEES.

A house moving fee established by resolution shall be paid to the chief building official prior to the issuance of a moving permit, which fee shall be in addition to any other fee required under the provisions of the code for constructing a building.
(Ord. 2006-03 § 2, 2006).

18.20.120 BOND.

A moving permit shall not be issued until after the person applying therefor has first delivered to the city clerk a surety bond to the city in the sum of five thousand dollars. Such bond shall be conditioned that the parties so desiring to move buildings will comply strictly with all the conditions and requirements of this chapter and of all ordinances hereafter adopted by the city council, regulating the moving of buildings or structures and the Building Code and Zoning Ordinance as the same now exist or as they may hereafter be amended, and that said party will pay any and all damages which may result by reason of any moving of buildings or structures by said party, his agent, employees or workmen, to any fence, tree, pavement, street, water line or hydrant, street sign, railroad line, or to any electric, telephone, telegraph, fire alarm, or telecommunication lines belonging to the city or to any company having a franchise with the city. It shall be conditioned further that said party and said principal will save, indemnify and hold harmless the city against all liabilities, damages, judgments, costs and expenses which may in any way accrue against the city in consequence of the granting or exercising of such permit and will in all things comply strictly with the conditions of such permit.
(Ord. 84-20 § 1, 1984).

18.20.130 DURATION OF BOND.

Any such bond filed by any person shall operate as a bond for the purpose required by this chapter for the term of one year from the date of the filing thereof, insofar that no other or additional bond need be given by any such party for the moving of buildings or structures in the city during the period of one year.
(Ord. 84-20 § 1, 1984).

18.20.140 OBSTRUCTING STREETS.

No person owning or having charge of the moving of any structure over and upon the public streets of the city, shall permit said building to stand on any street for a period longer than twenty-four hours without first having secured permission from the Santa Cruz chief of police to do so.
(Ord. 84-20 § 1, 1984).

18.20.150 TIME FOR COMPLETION.

Any building or structure, a permit for the removal whereof is granted, must be relocated onto the new site and remodeled or brought into conformity with the permit for relocation granted and the Building Code and Zoning Ordinance within six months after the issuance of such permit, or within such additional time and upon such additional terms as may be granted or imposed by the chief building official upon written application to him before the expiration of such period.
(Ord. 84-20 § 1, 1984).

18.20.160 PENALTIES FOR VIOLATIONS.

(1) Any person who violates any of the provisions of this chapter or who violates any of the terms and conditions of any permit issued pursuant to this chapter is subject to the penalties provided in Title 4 of this code, and is deemed guilty of a separate offense for each and every day during which any building moved by such person is in violation of the provisions of this chapter, or such building continues in such condition and is punishable therefor as provided in this code.

(2) In addition to enforcing penalties for any such violation, the city may institute civil action to enjoin any violation of any provision of this chapter or secure any other appropriate legal or equitable relief, including abatement.

(3) In addition to all other penalties imposed by this code, the moving of any building in violation of this chapter and failure to remove, remodel, relocate and complete the same in accordance with the terms of the permit shall constitute such building a public nuisance and the same may be abated by appropriate legal action.

(Ord. 84-20 § 1, 1984).

Chapter 18.24

HOUSE NUMBERING*

- * Editor's Note: Chapter 18.24 entitled "House Numbering" adopted by prior code §§ 8500-8501, has been superseded in its entirety by Ordinance 84-21.

Sections:

- 18.24.010 System.
- 18.24.020 Maximum footage.
- 18.24.030 Pacific Avenue and Front Street.
- 18.24.040 Soquel Avenue.
- 18.24.050 Repealed by Ord. 2005-12.
- 18.24.060 Notice designating proper numbers.

18.24.010 SYSTEM.

All houses, residences, places of business and structures along the streets of the city shall be numbered in the following manner: Streets extending generally east and west will start with their lowest address toward the downtown area, and increase numerically as they extend eastward or westward. The even numbers will be on the right side of the street as the numbers increase in size, and the odd numbers will be on the left side. Streets extending generally north and south will start

with their lowest address toward the south, and increase numerically as they extend northward. The even numbers will be on the right side of the street as the numbers increase in size, and the odd numbers will be on the left side.

(Ord. 2005-12 § 1, 2005; Ord. 84-21 § 1, 1984).

18.24.020 MAXIMUM FOOTAGE.

On Pacific Avenue and on Front Street each fifteen-foot frontage thereof shall have a number, and on all other streets each twenty-five-foot frontage thereof shall have a number.

(Ord. 84-21 § 1, 1984).

18.24.030 PACIFIC AVENUE AND FRONT STREET.

Pacific Avenue and Front Street shall be numbered commencing at their southerly ends, and proceeding northerly to their junction with Water Street and Mission Street. Water Street shall be numbered commencing at its intersection with Mission and in an easterly direction. Mission Street shall be numbered commencing at its intersection with Water Street and in a westerly direction.

(Ord. 84-21 § 1, 1984).

18.24.040 SOQUEL AVENUE.

Soquel Avenue shall commence to number from Pacific Avenue and Water Street shall commence to number from Mission Street.

(Ord. 84-21 § 1, 1984).

18.24.050 Repealed by Ord. 2005-12.

18.24.060 NOTICE DESIGNATING PROPER NUMBERS.

All entrances from public and private streets of the city to buildings shall be numbered as hereinafter provided in this chapter. The number of each and every entrance shall be placed so that it is visible from the street on which the building fronts. Each figure of such numbers shall be at least four inches in height for all single-family dwellings, duplexes, accessory dwelling units and individual apartment, store or office sub-addresses on main exterior entrance doors, and six inches in height for all non-residential and general complex building addresses within multi-family projects. Apartments and office suites accessed by interior hallways only may have numbers that are two inches in height. All such numbers shall be of corresponding width. For the purpose of this section, the number shall also include any other address identifier such as a letter designation. Numbers shall be placed against a contrasting background to enhance visibility. The appropriate number of any entrance to any building shall be placed thereon within ten days after the receipt by the owner, occupant, lessee, or person in possession of the building, of a notice from the chief building official of the number or numbers designated for such building; and all numbers, other than the number provided for in this section for the respective entrances, shall be removed from every building by the owners, occupants, lessees or persons in possession thereof, within ten days from the service of said notice designating the appropriate number to be placed thereon. It shall be the duty of the chief building official to designate the respective numbers for buildings fronting on streets heretofore laid out or hereafter to be laid out or extended, or which for any reason may require numbering. The chief building official is authorized, in his or her discretion, to renumber any street the name of which has been changed or which has

been consolidated with or become an extension of any other street. If in the opinion of the chief building official or the fire chief that the placement of numbers on buildings does not adequately provide clearly visible and legible identification of a structure from the street or road fronting the lot, or is blocked by vegetation, fences or other obstructions, then a "witness post" bearing a listing of all appropriate addresses shall be established within the front setback of said lot as directed by said chief building official or fire chief. (Ord. 2005-12 § 3, 2005; Ord. 84-21 § 1, 1984).

Chapter 18.28

SIDEWALK MARQUEES

Sections:

18.28.010 Permission required.

18.28.010 PERMISSION REQUIRED.

No person shall erect any porch which shall extend over any sidewalk within the limits of the city, without permission from the city council; provided, that marquees may be erected over any sidewalk if such marquees are constructed of noncombustible material and supported from the building to which they are attached, and not supported over the sidewalk by posts and in conformance to current code as adopted in Title 18.

(Ord. 2010-23 § 10, 2010: Ord. 84-22 § 1, 1984: prior code § 8400).

Chapter 18.32

SWIMMING POOLS*

Editor's Note: Chapter 18.32 entitled "Swimming Pools" adopted by prior code §§ 3800-3802 has been superseded in its entirety by Ordinance 84-23.

Sections:

- 18.32.010 Definitions.
- 18.32.020 Swimming pools – General.
- 18.32.030 Enclosure of swimming pools.
- 18.32.040 Enclosure of swimming pool equipment.

18.32.010 DEFINITIONS.

"Swimming pool" means every outdoor pool, lake, or other natural or artificial body of water designed, constructed, or used for swimming, dipping, or immersion purposes, and having a depth in excess of twenty-four inches, or with a surface area exceeding one hundred square feet.

(Ord. 84-23 § 1, 1984).

18.32.020 SWIMMING POOLS – GENERAL.

(1) The issuance of a permit based upon submitted plans and specifications, shall not prevent the chief building official from thereafter requiring the correction of any errors in said plans and specifications, or from preventing construction operations being carried on thereunder, when in violation of this code, or of any state law, or the regulations of any state department, agency or board, or from revoking any approval when issued in error.

(2) The permittee shall indicate on the plans and specifications, facilities for the disposal of swimming pool wastewater, to the satisfaction of the chief building official.

(3) The application for permit shall be filed with the chief building official and shall be accompanied by plans in duplicate and in sufficient detail, including plot plan, to indicate clearly the intended method of construction and location of said swimming pool.

(4) Any permit granted by the chief building official hereunder may be revoked by him for failure to comply with the provisions of this chapter, or the rules promulgated hereunder, or whenever, in the determination of the chief building official, further operation under such permit creates a menace to the health or safety of the users of the swimming pool; provided, that the holder of any permit which has been revoked may appeal to the city council the chief building official's revocation of the permit, in accordance with the provisions of Chapter 1.16, in order to have the city council determine the legality or reasonableness of the revocation of said permit. No appeal so taken, however, shall entitle the permit holder to continue operation of the swimming pool pending action by the city council on the appeal.

(Ord. 84-23 § 1, 1984).

18.32.030 ENCLOSURE OF SWIMMING POOLS.

(1) Every outdoor swimming pool shall be completely surrounded by a fence or wall not less than five feet in height, which shall be so constructed so as to have no openings through which a four inch sphere can pass. The maximum vertical clearance from the ground to the bottom of the enclosure shall not exceed two inches. Access gates to such enclosures shall be

both self-closing with a gate height of not less than five feet and self-latching with a latching device height of not less than fifty-four inches. Gates, fences and walls shall be of a design to discourage climbing and be free of protrusions or cavities that could serve as hand or footholds that a child under five could climb. Gates shall open away from the pool area.

(2) Enclosures which do not isolate the pool from access directly from an adjoining residence shall be prohibited unless one of the following devices are installed:

a. An approved safety pool cover.

b. Exit alarms shall be installed on all doors providing direct access to the pool area. Such alarms shall be continuous sounding until reset and shall be audible throughout the residence. Reset devices shall be located not closer than fifty-four inches from the floor.

(3) The chief building official may make modifications in individual cases, upon a showing of good cause, with respect to the height, nature or location of the fence, wall, gates or latches, or the necessity therefor, provided the protection sought hereunder is not reduced thereby. The chief building official may permit other protective devices or structures, including, but not limited to, hedges to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the wall, fence, gate and/or latch described herein.

(4) The fence or wall, or other enclosure, as herein specified, shall be installed or provided around all existing swimming pools within ninety days from and after the effective date of these regulations. No swimming pool, the construction of which is completed after the effective date of these regulations, shall be filled with water until the fencing, wall, or other enclosure required hereby has been provided.

(5) The requirements of this section shall be applicable to all outdoor swimming pools now existing or hereafter constructed, except hotel and motel pools where an attendant or supervisor is on duty on the premises at all times. No person in possession of land within the city, either as owner or purchaser, lessee, tenant or licensee, upon which is situated an outdoor swimming pool which is subject to the regulations hereof, shall fail to provide and maintain such fence or wall as is herein specified.

(Ord. 99-08 § 6, 1999; Ord. 84-23 § 1, 1984).

18.32.040 ENCLOSURE OF SWIMMING POOL EQUIPMENT.

All mechanical equipment associated with the operation of any swimming pool shall be enclosed in such a manner so as to minimize noise generated by said equipment.

(Ord. 85-67 § 1, 1985).

Chapter 18.36

APPLICABILITY OF BUILDING REGULATIONS

Sections:

18.36.010 All structures.

18.36.010 ALL STRUCTURES.

The provisions of this title relating to building regulations shall apply to all structures within the city constructed or maintained by any person, firm or corporation, including those constructed or maintained by the state of California or any of its agencies, or by any district organized under the laws of the state of California, or by the United States of America or by any agency thereof.

(Prior code § 8700).

Chapter 18.40

HISTORICAL BUILDING CODE

Sections:

- 18.40.010 Historical Building Code of the city of Santa Cruz.
- 18.40.020 Definitions.
- 18.40.030 Adoption of Historical Building Code.
- 18.40.040 Effect on zoning ordinance.
- 18.40.050 Amendments to the CHBC.

18.40.010 HISTORICAL BUILDING CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Historical Building Code of the city of Santa Cruz.
(Ord. 2010-23 § 12 (part), 2010).

18.40.020 DEFINITIONS.

The following definitions apply to this chapter:

(1) "Qualified historical building" means any structure, collection of structures, and their associated sites which have importance to the history, architecture, or culture of the Santa Cruz area and which have been included on any existing or future national or state historical register which has been officially adopted by a governmental agency, or which have been included in the Santa Cruz Historical Building Survey, or which have been designated as a historical landmark by the city of Santa Cruz, or which are located within a historic district designated by the city of Santa Cruz.

(Ord. 2010-23 § 12 (part), 2010).

18.40.030 ADOPTION OF HISTORICAL BUILDING CODE.

CCR T 24, Part 8, The 2013 California Historical Building Code (hereafter CHBC) is hereby adopted as part of the Historical Building Code of the city of Santa Cruz. One copy of the CHBC referred to above shall be maintained on file in the office of the building official, for use and examination by the public.

(Ord. 2010-23 § 12 (part), 2010).

18.40.040 EFFECT ON ZONING ORDINANCE.

If there is any conflict between the provisions of Chapter 8-10 of the CHBC and the provisions of the city of Santa Cruz zoning ordinance (Title 24), then the provisions of the zoning ordinance shall prevail.

(Ord. 2010-23 § 12 (part), 2010).

18.40.050 AMENDMENTS TO THE CHBC.

To the extent required by law the CHBC adopted by the state of California and becoming effective after January 1, 2014, shall be effective in the city of Santa Cruz. To the extent authorized by law the city of Santa Cruz shall have the authority to adopt ordinances pertaining to historical building which vary from the CHBC or impose requirements in addition to those imposed by the CHBC.

(Ord. 2010-23 § 12 (part), 2010).

Chapter 18.41

BOARD OF BUILDING APPEALS

Sections:

- 18.41.010 Purpose.
- 18.41.020 Appointment of board and length of term.
- 18.41.030 Composition of board.
- 18.41.040 Appeals.
- 18.41.050 Conduct of hearing.
- 18.41.060 Limitation of authority.

18.41.010 PURPOSE.

A board of building and fire appeals is hereby established to hear and decide appeals of orders, decisions or determinations made by the chief building official and/or the fire chief regarding the application and interpretation of the various provisions of Title 18 (Buildings and Construction) and Title 19 (Fire Prevention Code) of the Santa Cruz Municipal Code. The board of building and fire appeals shall determine whether the orders, decisions and determinations of the chief building official and/or fire chief are consistent with the responsibilities as set forth in Section 204 of the Uniform Administrative Code, the other California building and construction codes adopted by reference in Title 18, the California Fire Code adopted by reference in Title 19 (including all local amendments thereto), or with any other applicable provision of federal, state or local law for which the chief building official and/or fire chief has enforcement responsibility. The board may be used to determine the suitability of alternate materials and methods of construction. (Ord. 2010-23 § 14 (part), 2010).

18.41.020 APPOINTMENT OF BOARD AND LENGTH OF TERM.

The board of building and fire appeals shall consist of five regular members. Special members as listed, but not limited to those as specified, in Section 18.41.030 will serve with the regular members at the request of the regular members. The city council shall appoint all members to terms not to exceed four years. Members may be reappointed to additional consecutive terms by said council without limitation. Such board shall act voluntarily, and without commission. (Ord. 2010-23 § 14 (part), 2010).

18.41.030 COMPOSITION OF BOARD.

(a) Regular Members. Each member shall be licensed as an architect, engineer (structural, civil, mechanical or electrical), general building contractor, engineering contractor, electrician, plumber, or mechanical or sheet metal contractor. A nonjurisdictional building inspector (either private or of another municipality), fire inspector or similar person demonstrating a suitable technical background may be considered as an alternate member by the city council. Retired technical members demonstrating the necessary background and experience may be placed on the board as appropriate by appointment. The chief building official or, alternatively, the city fire chief, depending upon the nature of the appeal before the board, shall be an ex officio member and act as secretary, but shall have no power to vote. The chief

building official and fire chief may delegate this duty to the deputy building official and fire marshal in their absence as appropriate.

Membership of the board shall include the greatest range of professional experience as may be reasonably available.

(b) Special Members. Special members shall consist of at least the following: two representatives of the disabled community; an energy contractor or representative of an energy conservation design service and a fire code professional that is nonjurisdictional.

Such special members shall be called upon from time to time by the chairperson of the board to assist in making determinations on those matters involving their particular field of expertise and shall hold full voting rights when so employed.

(Ord. 2010-23 § 14 (part), 2010).

18.41.040 APPEALS.

Any appeal of technical action by the chief building official or fire chief in relation to the California Building, Plumbing, Electrical, Mechanical, Residential, Green Building Standards or Fire Codes must be made within five working days from such action. Any appeal of a notice and order by the chief building official or fire chief in relation to the Uniform Housing Code or the International Existing Building Code must be filed within thirty calendar days from the date of service of such order; provided, however, that if the building or structure is in such condition as to make it immediately dangerous to life, limb, property or safety of the public or adjacent property and is ordered vacated and posted in accordance with the provisions of the two codes, such appeal shall be filed within ten calendar days from the date of service of the notice and order. Appeals shall be in writing and may either be submitted in a letter by the appellant or on a form provided by the building official or fire chief, with an appeal fee established by the city of Santa Cruz. Within fifteen working days after receipt of the notice of appeal, the building official or fire chief shall notify the chairperson of the board of building and fire appeals. If possible, the appeal shall be heard by the board within thirty days of notice to the chairperson, but no later than sixty days from the filing of an appeal. The board shall be limited to the technical merits of the appeal and shall have no authority over the interpretation of the administrative aspects of these codes or the power to waive requirements of the codes.

(Ord. 2010-23 § 14 (part), 2010).

18.41.050 CONDUCT OF HEARING.

The board of building and fire appeals shall adopt bylaws and, at their first official meeting, elect a chair and vice-chair. The chair and vice-chair shall be elected annually to coincide upon the appointment of new members. The findings and decisions of the board shall be final and shall be presented to the appellant in writing.

(Ord. 2010-23 § 14 (part), 2010).

18.41.060 LIMITATION OF AUTHORITY.

The board of building and fire appeals shall have no authority relative to interpretation of the administrative provisions of this title or Title 19, nor shall the board be empowered to waive requirements of this title or Title 19.

(Ord. 2010-23 § 14 (part), 2010).

Chapter 18.44

EARTHQUAKE HAZARD REDUCTION

Sections:

- 18.44.010 Definitions.
- 18.44.020 Adoption.
- 18.44.030 Requirement of official notice of action.
- 18.44.040 Applicability.
- 18.44.050 Time line for compliance
- 18.44.060 Appeals.
- 18.44.070 Failure to comply with time line.

18.44.010 DEFINITIONS.

The following definitions apply to this chapter.

(1) Uniform Code for Building Conservation. Any reference to this code shall mean Chapters 1 through 7, and amended Appendix Chapter A1, of the 1987 edition of the Uniform Code for Building Conservation, copies of which are on file with the city clerk.

(2) 1970 Uniform Building Code. Any reference to this code shall mean Section 2314 and sections referenced therein of Chapter 23 of the 1970 Uniform Building Code.

(3) Official Notice of Action. The notice given by the chief building official to inform record owners and record tenants that their described property is an unreinforced masonry building, which must be repaired or retrofitted under the provisions of this chapter.

(4) Essential Risk Building. Any building housing a hospital, or other medical facility having surgery or emergency treatment areas; fire and police stations; municipal government disaster operation and communication centers.

(5) High-Risk Buildings. Any building not classified as an essential building having an occupant load (as determined by Table 33A of the UBC) of one hundred occupants or more. Examples include, but are not limited to, theaters, meeting halls, churches, dancehalls, restaurants, larger retail stores, and manufacturing buildings.

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

(a) Any building having exterior walls braced with masonry or wood frame crosswalls spaced less than forty feet apart in each story;

(b) Any building used for its intended purpose, as determined by the chief building official, less than twenty hours per week.

(6) Medium-Risk Buildings. Any building, not classified as a high-risk building or an essential building, having an occupant load (as determined by Table 33A of the UBC) of twenty occupants or more. Examples include, but are not limited to, apartment houses, office buildings, smaller retail stores, and manufacturing buildings.

(7) Low-Risk Buildings. Any building, not classified as an essential building having an occupant load (as determined by Table 33A of the UBC) of less than twenty occupants. Examples include, but are not limited to, warehouses, and small residential, commercial and industrial buildings.

(Ord. 90-20 § 2, 1990; Ord. 90-03 § 1, 1990; Ord. 89-46 § 1, 1989).

18.44.020 ADOPTION.

The city hereby adopts the Uniform Code for Building Conservation (1987 edition), Chapters 1 through 7 and Amended Appendix Chapter A1, "Earthquake Hazard Reduction in Existing Unreinforced Masonry Bearing Wall Buildings," and the Uniform Building Code, 1970 Edition, Chapter 23, Section 2314 and sections referenced therein.

(1) Three copies of each of the above documents are and shall be maintained on file in the office of the city clerk, for use and examination by the public. Except as otherwise specifically provided herein, each and every provision, section, table, diagram, illustration, figure, phrase and paragraph thereof is hereby adopted in the same manner as if set forth here in full.

(Ord. 90-20 § 2, 1990; Ord. 90-03 § 2, 1990; Ord. 89-46 § 1, 1989).

18.44.030 REQUIREMENT OF OFFICIAL NOTICE OF ACTION.

The chief building officer shall give official notice of action to both the record owners and tenants of record of any unreinforced masonry building identified under the provisions of this chapter. Such notice shall be transmitted by certified mail, return receipt requested.

(Ord. 90-20 § 2, 1990).

18.44.040 APPLICABILITY.

Earthquake hazard reduction requirements shall apply to the following:

(1) Unreinforced Masonry Buildings. The earthquake hazard reduction requirements as contained in the Uniform Code for Building Conservation (1987 edition) and amended Appendix Chapter A1 shall apply to any nonresidential unreinforced masonry building within the city, whether damaged or not; and to any residential structure which is damaged as a result of earthquake, fire, flood, or other calamity causing such structure to become structurally unsound.

(2) Repair, Reconstruction and Alterations of All Other Structures Damaged by Seismic Activity. The 1970 UBC shall apply to the repair of any structure or portion thereof damaged by seismic activity, not included in Subsection (1) above, and built before the adoption date of the 1970 UBC. All buildings for which original building permits were issued since the

adoption date of the 1970 UBC shall comply with the seismic requirements of the UBC in effect at the time of original building permit issuance.
(Ord. 90-20 § 2, 1990; Ord. 89-46 § 1, 1989).

18.44.050 TIME LINE FOR COMPLIANCE.

The following time lines shall be employed in establishing compliance with the earthquake hazard reduction requirements of Section 18.44.040. Time shall commence upon receipt of official notice of action from the chief building official. All permits issued under this section shall be specifically marked within the area provided for project description to reflect time lines for compliance.

(1) Seismically Damaged Unreinforced Masonry Buildings. The chief building official may issue a permit for reoccupancy of seismically damaged unreinforced masonry buildings provided that repair of seismic damage is certified by a licensed architect or engineer as bringing the structure to a degree of soundness equal to or better than before the seismic event which damaged the structure. Prior to such occupancy, plans and specifications shall be submitted and approved for full compliance with this chapter. Full compliance with the requirements of this chapter must be complete within five years from the date of official notice of action, except for essential and high-risk buildings, which shall be in compliance within three years of official notice of action.

(2) Undamaged Unreinforced Masonry Buildings.

(a) Plans and specifications demonstrating full compliance with the requirements of this chapter shall be submitted within one year of official notice and permits obtained within two years of such notification.

(b) Essential and high-risk buildings shall be in full compliance no later than three years from official notice of action.

(c) Medium- and low-risk buildings shall be in full compliance within five years from official notice of action.

(3) Extensions.

(a) In medium-risk buildings, a two-year extension may be granted if wall anchors are installed within two years of the official notice of action.

(b) In low-risk buildings, a three-year extension may be granted if wall anchors are installed within two years of the official notice of action.

(c) Structures in which wall anchors already exist may not take advantage of extension periods.

(Ord. 90-20 § 2, 1990).

18.44.060 APPEALS.

Any person who believes the chief building official has erred in the technical application of this code may appeal such action to the board of building appeals as provided in Chapter 18.41 of the Municipal Code.

(Ord. 90-20 § 2, 1990).

18.44.070 FAILURE TO COMPLY WITH TIME LINE.

The chief building official shall forbid use of any structure which has not been reconstructed in accordance with the time lines set forth in Section 18.44.050. At least ninety days before forbidding further use, the chief building official shall notify the record building

owners and tenants of record in writing, delivered by certified mail, return receipt requested. Such buildings shall remain unoccupied until they are brought into compliance with the requirements of this chapter and the chief building official issues a new certificate of occupancy. Refusal to obey the order forbidding further use shall constitute a misdemeanor punishable as provided by Chapter 1.08 of the Santa Cruz Municipal Code. (Ord. 90-20 § 2, 1990).

Chapter 18.45

EXCAVATION AND GRADING REGULATIONS

Sections:

- 18.45.010 General provisions.
- 18.45.015 Construction site management.
- 18.45.020 Definitions.
- 18.45.030 General grading permit requirements.
- 18.45.035 Specific application requirements.
- 18.45.040 Winter (rainy season) grading restrictions.
- 18.45.050 Emergency work.
- 18.45.060 Grading fees.
- 18.45.070 Bonds.
- 18.45.080 Cuts and fills.
- 18.45.090 Setbacks.
- 18.45.100 Drainage and terracing.
- 18.45.110 Erosion control.
- 18.45.115 Dust control.
- 18.45.120 Grading inspection.
- 18.45.130 Completion of work.
- 18.45.140 Transfer of authority.
- 18.45.150 Violations.

18.45.010 GENERAL PROVISIONS.

(1) Purpose. The purpose of this chapter is to detail the technical regulations of grading and excavation and in conjunction with Chapter 24.14. (Environmental Resource Management) of this code, to safeguard life, health, safety and the public welfare; to protect fish and wildlife, and riparian corridors and habitats, domestic and industrial water supplies, private and public property, and to otherwise protect the environment from the effects of flooding, accelerated erosion and/or siltation by establishing minimum requirements for clearing, excavation, cuts, fills, earth moving, grading operations (including cumulative grading), water runoff and sediment control.

(2) Scope. This chapter sets forth guidelines, rules, regulations and minimum standards to control excavation, grading, erosion, and earthwork construction, including cut-and-fill embankments; establishes administrative, procedures for issuance of permits; and provides for approval of plans and inspections during construction and subsequent maintenance.

(3) Relationship to Zoning Ordinance. The technical regulations set forth in this chapter shall be used in conjunction with Sections 24.14.050 (Drainage Control), 24.14.060 (Erosion Hazard Areas) and 24.14.070 (Seismic Hazards) of the Santa Cruz Municipal Code. (Ord. 94-48 § 1 (part), 1994).

18.45.015 CONSTRUCTION SITE MANAGEMENT.

(1) The city's mandatory Best Management Practices (BMP's), as published by the city's public works department and/or planning department, shall be maintained in full force and effect for the duration of any permitted grading project.

(2) Erosion and sediment control BMP's shall be in place and implemented, as appropriate under Section 18.45.110, prior to commencing grading or vegetation removal. Such measures shall be maintained on all disturbed areas in order to prevent a net increase of sediment load in a site's storm water discharge relative to pre-construction levels.

(3) During the rainy season, erosion control measures must also be located at all appropriate locations along the site's perimeter and at all inlets to the storm drain system. Effective methods to protect storm drain inlets include sand bag barriers, heavy rubber mats to cover and seal the inlet, and approved sediment traps or basins.

(4) All on-site erosion control measures and structural devices, both temporary and permanent, shall be properly installed and maintained. If damaged during construction, they shall be promptly repaired or reinstalled.

(5) Unless granted a specific exemption grading operations shall be conducted in phases in order to reduce the amount of disturbed areas and exposed soil at any one time. Unless specifically approved on the project's Erosion Control Plan, clearing, excavation, and grading shall not be conducted during rainy weather. All rainy season grading must be in accordance with Section 18.45.040 of this chapter. An exception may be granted for minor clearing or grading that does not present a hazard and is approved by the building official.

(6) Clearing limits, easements, setbacks, sensitive or critical areas, trees, drainage courses, and buffer zones must be delineated to prevent excessive or unnecessary disturbances and exposure prior to construction.

(7) Use one or more of the following to reduce the erosion potential from bare, exposed, or disturbed soil: filter fabric, erosion control blankets, geo-textiles, mulching, seeding, vegetation planting, or other appropriate cover material. If vegetative cover is used, a uniform vegetative cover with a minimum of seventy percent coverage must be established.

(8) Access roads and entrances must be constructed to minimize the tracking of soil, mud, or hazardous materials into the roadway or into storm drains. Shaker roads and/or wash down facilities for construction vehicles must be installed on any site greater than one acre and on a case-by-case basis for smaller sites. Shaker road design and maintenance must be approved by either city public works or inspection services staff prior to installation. Mud, dirt, gravel, sand and other materials tracked or dropped on city streets must be cleaned up to prevent washing into storm drains. Heavy equipment that is not rubber wheeled or smooth-tracked, must be off-loaded on the construction site, not in the street.

(9) Cleared vegetation may not be disposed of in a creek, gully or waterway.

(10) Sediment or pollutant laden water may not be discharged into the storm drain system. De-watering operations must be pre-approved by the city public works department (and county environmental health department if containing hazardous contaminants).

(11) Leaks, spills and drips of hazardous materials and chemicals must be contained and cleaned up as quickly as possible to minimize run off or soak in. This includes fuel and motor oil, hydraulic fluid, and glycol based anti-freeze from vehicles. Encountered abandoned fuel/oil tanks (and their contents) must be removed in a manner consistent with methodology approved by both the city of Santa Cruz and county environmental health department.

(12) Paint and paint thinner may never be discharged into the storm drain system. Paint brushes, paint spray guns, paint trays or containers, and paint cans may not be cleaned or rinsed into the street or storm drain system.

(13) Concrete, cement, and masonry products may never be discharged into the storm drain system. Concrete, cement, and masonry mixing containers and tools may not be washed

or rinsed into the street or storm drain system. If a concrete transit mixer is used, a suitable washout box, excavation or self-washing mixer able to contain the waste material shall be provided on-site.

(14) Store materials, including stockpiles and excavation spoils, under cover and protected from wind, rain, and runoff. Stockpiles may never be stored on a street or alley. Paints, chemicals, solvents, and other hazardous materials must be stored inside or within a shed with double containment.

(15) Discarded building materials and demolition wastes must never be left in a street, gully, or waterway. Dispose of all wastes properly including leftover paint and chemicals. When the job is completed, collect and properly dispose of all unused or waste materials. Never leave or abandon materials or excavation spoils onsite. Usable leftover materials should be recycled or donated as appropriate and appropriately separated from unusable/non-recyclable garbage and debris. Ensure that nothing has "drifted" towards the street, gutter, or catch basin.

(Ord. 2004-13 § 2, 2004).

18.45.020 DEFINITIONS.

As used in this chapter:

(1) "Accelerated erosion" means rapid erosion caused by artificially induced alteration of the vegetation, land surface topography or runoff patterns. Evidence of accelerated erosion is indicated by exposed soils, active gullies, rills, sediment deposits, or slope failures caused by such artificial activities.

(2) "Access and building area envelope" means an area delineated on the site plan within which all grading, land clearing, and other disturbances for construction of access and/or building will be confined.

(3) "Bedrock" means in-place solid rock.

(4) "Bench" means a relatively level step excavated into earth material designed to receive fill and prevent its movement downhill, or to level a portion or portions of a sloping surface for the purpose of a construction pad or other usable level area.

(5) "Borrow" means and is synonymous with "import": earth fill material acquired from an off-site location for use in grading on a site.

(6) "Clearing" means and is synonymous with "scarify": the removal of vegetation and debris down to bare soil by any method.

(7) "Civil engineer" means a professional engineer registered in the state of California to practice in the field of civil works.

(8) "Compaction" means the densification of earth and solids or fill by mechanical means.

(9) "Cumulative grading" means total combined grading, including both excavation and fill, accomplished over a ten-year period.

(10) "Drainage course" means a well-defined, natural or artificial channel which conveys stormwater either year round or intermittently.

(11) "Earth material" means any rock, natural soil or fill, or any combination thereof.

(12) "Engineering geologist" means a geologist experienced and knowledgeable in engineering geology and registered as such in the state of California.

(13) "Engineering geology" means the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

(14) "Erosion" means the wearing away of the ground surface by the actions of water, wind, ice, gravity, or a combination thereof.

(15) "Erosion control specialist" means and shall be synonymous with soils engineer, geotechnical engineer, engineering geologist, civil engineer, or other such individual, licensed by the state of California as an engineer or architect and who holds him/herself as capable and qualified in the field of grading, drainage and erosion control.

(16) "Erosion hazard" means the susceptibility of a site to erosion, based on soils, conditions and steepness of a slope, rock type, vegetation, and other site factors.

(17) "Excavation" means the mechanical removal of earth material.

(18) "Fill" means the deposit of earth materials by artificial means.

(19) Geotechnical Engineer. See "Soils Engineer."

(20) "Grade" means the vertical location of a point or elevation on a site. (Refer to "Slope" for the angle of the ground surface expressed as a ratio or percentage in relation to level ground.)

(a) "Existing grade" means the grade prior to grading.

(b) "Rough grade" means the stage where the approximate elevation(s) of the ground surface match the approved plans.

(c) "Finished grade" means the final grade of the site which conforms to the approved plans.

(21) "Grading" means any excavation, filling, leveling or combination thereof which qualifies either as regular or engineering grading under the terms of this chapter.

(22) "Key" means a designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.

(23) "Land disturbance" means any clearing, excavation, grading or manipulation of the natural terrain which exposes soils to erosion hazards or alters the natural condition of the site. Land disturbances, in relation to previously existing conditions, may be classified as:

Nominal: bearing little or no evidence of alteration;

Minimal: bearing only minor changes in appearance or drainage patterns;

Moderate: bearing definite differences in topography and/or drainage patterns, potentially affecting habitats which would require mitigation;

Substantial: bearing major changes in topography, drainage patterns and/or habitats where extensive mitigation would be required to maintain the area ecology.

The degree of severity of such land disturbance and/or exposure shall be determined by the building official in conjunction with the provisions of Chapter 24.14 (Environmental Resource Management) of the zoning code.

(24) "Lateral support" means and refers to the support that the land or soil receives from other land or soil around it. Support is lateral when the supported and supporting lands are divided by a vertical plane. At common law, an owner of land has the right to lateral support of his/her land from the adjoining parcels.

(25) "Professional inspection" means inspections shall be performed by the civil engineer, soils engineer or engineering geologist or other erosion control specialist. Such inspections include those performed by persons supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work. (See Special Inspectors, Section 18.45.120(5) of this chapter.)

(26) "Runoff" means the movement of surface water over ground surface.

(27) "Sediment" means eroded earth material that is carried by water, wind, gravity or ice and deposited into channels, lakes, rivers and other areas.

(28) "Setback" means the distance from the toe or top of a slope, structure or property line where grading is to occur.

(29) "Site" means any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

(30) "Slope" means an inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance. Slope is termed positive or negative depending on whether it rises or falls respectively from the point of observation. Percentage of slope is defined in one of three ways:

a. $\% \text{ slope} = 100(y/x)$ where:
x = the horizontal
axis
y = the vertical
axis

b. $\% \text{ slope} = 100(\text{TAN}$
theta)

c. $\% \text{ slope} = \text{difference in}$
elevation in inches over a
horizontal distance of 100
inches. (i.e.: a 30" rise in
100" = an average of 30%
slope.)

(31) "Soil" means naturally occurring superficial deposits overlying bedrock.

(32) "Soils engineer (geotechnical engineer)" means an engineer, licensed by the state of California, who is experienced and knowledgeable in the practice of soils engineering.

(33) "Soil engineering" means the application of the principles of soil mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection and testing of the construction thereof.

(34) "Stream (riparian corridor)" means any watercourse as designated by a solid line or a dash and three dots symbol shown on the largest scale of United States Geological Survey map most recently published, or shown in the general plan or as designated as part of the environmental review process.

(a) "Perennial stream" means a stream or watercourse which runs generally year round.

(b) "Intermittent stream" means a stream or watercourse which runs generally only during the wet season and tends to dry up between seasons.

(35) "Ten-year storm" means a storm with such intensity and duration that its magnitude would only be exceeded, on the average, once every ten years. A one-hundred-year storm compares similarly, in that its intensity and duration is on a magnitude which would only be exceeded, on the average, once every one hundred years.

(36) "Terrace" means a relatively level step constructed in the face of a graded slope surface for erosion control, drainage and maintenance purposes.

(37) "Topsoil" means the first eight to sixteen inches of loose, friable, organic and fertile earth materials on top of a soil profile, usually referred to as the "A horizons."

(38) "Waterbreak" means a ditch, dike, dip, or combination thereof, constructed to effectively divert and/or slow water as an aid to erosion control.

(Ord. 94-48 § 1 (part), 1994).

18.45.030 GENERAL GRADING PERMIT REQUIREMENTS.

No person shall do any excavation, filling, clearing and/or erosion control work without first having obtained a permit from the city, except as exempted in subsection (1)(a) through (i), below. Cumulative grading as defined in Section 18.45.020 shall be taken into account when considering which type of grading permit (regular or engineering) to issue or if an exemption is appropriate. A separate grading permit shall be obtained for each site and may cover both excavations and fills.

(1) Exemptions. A grading permit is not required for the following:

(a) An excavation below finished grade from basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill containing material from such excavation or exempt any excavation having an unsupported height greater than five feet after completion of such structure.

This shall also not exempt any person from the requirements under Section 832 of the Civil Code requiring lateral and subjacent support to which each coterminous owner is entitled.

(b) Building pads and driveways for which a valid building permit has been issued. However, while a separate grading permit is generally not required for driveways, the design standards as set forth in this title shall be adhered to:

Driveway design standards:

(i) Driveways shall be designed incorporating existing contours to the maximum extent feasible.

(ii) Driveways shall enter public/private streets in such a manner as to maintain adequate line of sight. In all cases, the public works director or his/her designee shall make final ruling on driveways entering public ways; the building official or his/her designee shall make final ruling on driveways entering private ways.

(iii) Driveways may have a maximum grade of 25% of grade, except for the first ten feet from any right-of-way and any parking pad or entrance to a garage, which shall not exceed

10%. The maximum transition between differing grades for any portion of a driveway shall not exceed 15% over a ten-foot section. A pad not exceeding 5% slope may be established at the entrance to any garage or carport for a distance of ten feet. Approaches shall be designed as per public works standards when entering public ways. (Accompanying illustration is on file with Ord. 94-48 in the office of the city clerk.)

(c) Individual cemetery graves.

(d) Refuse disposal sites controlled by the city and excavations for individual sewage disposal systems made pursuant to the health agency permits.

(e) Excavations for wells, tunnels or utilities when regulated by other authorities.

(f) Exploratory excavations performed under the direction of a soils engineer or engineering geologist. Test bores shall be protected to prevent small children or animals from falling in, and no excavation shall be left unattended unless adequately shored to prevent failure or relieved to a maximum slope of 1' horizontal to 1 vertical. All such sites shall be returned to their original condition within forty-five days unless extended under agreement with the building official. Test or monitoring wells established on occupied sites shall be protected by appropriate fencing or enclosure as determined by the building official.

(g) An excavation which:

(i) Is less than two feet in depth, or

(ii) Does not create a cut slope greater than five feet in height measured vertically from toe to top of slope and steeper than 1-1/2 horizontal to 1 vertical, or

(iii) Comprises less than fifty cubic yards on any one lot.

(h) A fill less than one foot in depth and placed on natural terrain with a slope flatter than 5 horizontal to 1 vertical, or less than three feet in depth, not intended to support structures, which does not exceed fifty cubic yards on any one lot, and does not obstruct any drainage course.

(i) When approved by the building official, minor grading in an isolated, self-contained area, if there is no danger to private or public property, except riparian corridors or other protected natural areas where permits are required for all grading operations.

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

No exemption shall be allowed within ten feet of any slope exceeding 30%, including clearing (scarifying), which would tend to increase erosion potential and reduce average slope.

(2) Application. The provisions of Section 302 of the Uniform Building Code as adopted by this title are applicable to grading. The application shall also state the estimated quantities of material to be moved or placed, including import, export and on-site reuse of materials.

(3) Prohibited Grading Areas. No grading permit shall be issued for a project located in a protected natural resource area, including species-protected area, archaeologically sensitive area, riparian corridor, or on slopes greater than 30% unless an appropriate zoning permit for the special area is first obtained. No grading permit shall be issued within ten feet of any slope exceeding 30%, unless a variance granting such slope modification is first obtained.

(Ord. 94-48 § 1 (part), 1994).

18.45.035 SPECIFIC APPLICATION REQUIREMENTS.

Grading in excess of five thousand cubic yards shall be performed in accordance with the approved plan of an erosion control specialist and shall be designated as "engineered grading." Grading involving less than five thousand cubic yards shall be designated as "regular grading," unless the permittee chooses to have the grading performed as engineered grading, or the building official determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading.

(1) Engineered Grading Requirements. Application for a grading permit shall be accompanied by a minimum of three sets of plans, two sets of specifications, and supporting data consisting of an engineering soils report and engineering geology report. Log borings shall be as specified by the engineer. The building official may require additional borings in questionable soils. The plans and specifications shall be prepared and signed by an individual licensed by the state of California to prepare such plans or specifications.

Specifications shall contain information covering construction and material requirements. Log borings may be cross-referenced to scale plans as to actual site location; however, a detail of each boring taken shall be contained in the report.

Plans shall be drawn to scale in either blueprint or photocopy form and shall be suitable for the purpose intended, sufficient in clarity to indicate the nature and extent of the work proposed, and show in detail that they will conform to the provisions of this chapter and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the location of the work, the name and address of the owner, and the person by whom they were prepared, as indicated by their affixed registration seal and original (wet) signature.

The plans shall include the following information:

(a) General vicinity of the proposed work site;

(b) Property limits, delineated by length and bearing, accurate contours of existing ground, and details of terrain and area drainage. Properties within one thousand feet of a riparian corridor and draining thereto shall indicate the presence of such corridor in relation to the property;

(c) Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction. (Such details shall be clearly distinguishable from existing contour indications. Contours shall be normally detailed in two-foot increments, except for very large areas, which may use five-foot major contours. (Only the five-foot lines need be labeled if intermediate contour lines are also used.) Smaller details, such as building pads, roadways and driveways, shall be contoured as necessary using one-foot increments. In all cases, topography shall be indicated at least twenty feet from any proposed structure, even if such contours appear on an adjoining parcel.

Elevations shall be detailed in actual feet above sea level. A basis of bearings and elevations shall accompany each plan set;

(d) Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing the drain-

age area and the estimated runoff of the area served by any drains;

(e) Location of any buildings or structures on the property where the work is to be performed, and the location of any buildings or structures on land of adjacent owners which are within fifteen feet of the property or which may be affected by the proposed grading operations;

(f) Recommendations included in the soils engineering report and/or the engineering geology report shall be incorporated in the grading plans or specifications. When approved by the building official, specific recommendations contained in the soils engineering report and the engineering geology report, which are applicable to grading, may be included by reference;

(g) The dates of the soils engineering and engineering geology reports, together with the names, addresses and phone numbers of the firms or individuals who prepared the reports.

(2) Soils Engineering and Engineering Geology Report. The soils engineering report required by subsection (1) shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, and design criteria for corrective measures, including buttress fills, when necessary, and an opinion on the adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes.

The engineering geology report required by subsection (1)(g) shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and an opinion on the adequacy for the intended use of sites to be developed by the proposed grading as affected by geologic factors.

(3) Regular Grading Requirements. Each application for a grading permit shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner and the name of the person who prepared the plan. The plan shall include the following information:

(a) General vicinity of the proposed site;

(b) Limiting dimensions and depth of cut and fill;

(c) Location of any buildings or structures where work is to be performed and the location of any buildings or structures within fifteen feet of the proposed grading.

The provisions of Section 303 of the Uniform Building Code are applicable to grading permits. The building official may require that grading operations and project designs be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.

The building official may require professional inspection and testing by an approved special inspector. When the building official has reason to believe that geologic factors may be involved, the grading will be required to conform to engineered grading standards.

(Ord. 94-48 § 1 (part), 1994).

18.45.040 WINTER (RAINY SEASON) GRADING RESTRICTIONS.

The rainy season shall be generally considered to occur between October 15th and April 1st of each year in the city of Santa Cruz.

(1) Grading shall not occur during the rainy season on or within ten feet of any slope greater than thirty percent.

(2) Grading on slopes between ten percent and thirty percent may be approved throughout the rainy season provided an erosion control system approved by an erosion-control specialist

is in place and the project does not present a hazard. No such grading may take place if precluded by the conditions of any discretionary zoning permit.

(3) Grading may be allowed on slopes of less than ten percent during winter months, provided positive erosion-control methods are placed to prevent off-site movement of materials.

(4) All grading or other land disturbance, regardless of the time of year or weather conditions, shall employ best management practices (BMP's) as prescribed in this chapter. (Ord. 2005-11 § 1, 2005: Ord. 94-48 § 1 (part), 1994).

18.45.050 EMERGENCY WORK.

Emergency work necessary to preserve life or property under imminent threat of excessive erosion, slope failure or flooding, performed under this section, may occur as required, provided the person rendering such service reports all pertinent facts to the building official as soon as possible and no later than fifteen days after commencement of the work. Persons performing such emergency work shall thereafter obtain a permit pursuant to Section 18.45.030. Any such work as may be deemed reasonably necessary to correct any erosion or conditions with a potential to cause erosion as a result of such emergency work shall be performed as expeditiously as possible. An imminent threat shall not be construed to include ongoing erosion problems and is intended to refer to a sudden and unexpected alteration to slope stability or ponding due to natural occurrences such as heavy rain, earthquake, or other unusual circumstances.

(Ord. 94-48 § 1 (part), 1994).

18.45.060 GRADING FEES.

The chief building official shall charge and receive such fees for services, inspections and permits relating to any work subject to this chapter as set forth in the fee schedule established by city council resolution.

(Ord. 2010-04 § 5, 2010: Ord. 94-48 § 1 (part), 1994).

18.45.070 BONDS.

The building official may require bonds in sufficient amounts as may be deemed necessary to assure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions. Bonds shall be cash bonds or a letter of credit (interest payable to the person or firm required to supply such bond) from a regionally local banking institution, payable to the city of Santa Cruz upon a finding of default by the city council. Default shall be determined in one of two ways:

(1) The project was not completed within the time specified in the conditions of a design permit approved for the project; or

(2) The project constitutes an erosion hazard and the specified time has elapsed in a notice from the building official to complete said work without satisfactory performance on the property.

(Ord. 94-48 § 1 (part), 1994).

18.45.080 CUTS AND FILLS.

(1) General. Unless otherwise recommended in the approved soils engineering or engineering geology report, cuts and fills shall conform to the provisions of this section.

Minor cuts and fills not intended to support structures or other surcharges may be approved in the absence of an approved soils report or have additional provisions waived by the building official on a case-by-case basis.

(2) Cut Slopes. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than two horizontal to one vertical, unless the permittee furnishes a soils engineer or an engineering geology report, or both, stating the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property.

(3) Retained Cuts. As provided in Section 301(b)5 of the Uniform Building Code, retaining walls not over four feet in height measured from the bottom of the footing to the top of the wall are exempt from permit requirements. If such a wall is subjected to a surcharge, such as a structure or vehicle load, sufficient engineering shall be provided to demonstrate the adequacy of such a retaining wall to perform the function as designed and either an inclusive grading permit or building permit must be

obtained depending upon the amount and depth of soil moved.

Cuts, regardless of height, which tend to alter the natural drainage of property and accelerate erosion, concentrate runoff, or otherwise create a hazardous condition, shall be reviewed by an engineer and permits obtained as provided for in this chapter.

(4) Fill Slopes. Fill slopes shall not be constructed on natural slopes steeper than 2 to 1. The ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, topsoil and other unsuitable materials, scarifying to provide a bond with the new fill and, where slopes are steeper than 2 to 1 and the height is greater than five feet, by benching into sound bedrock or other competent material as determined by the soils engineer. The bench under the toe of a fill on a slope steeper than 5 to 1 shall be at least ten feet wide. The area beyond the toe of the fill shall be sloped for sheet overflow or a paved drain shall be provided. Such drains shall be constructed with energy dissipaters and shall discharge into an approved area. When fill is to be placed over a cut, the bench under the toe of fill shall be at least ten feet wide, but the cut shall be made before placing the fill and acceptance by the soils engineer or engineering geologist or both as a suitable foundation for fill.

(5) Fill Material. Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the building official, no rock, broken concrete, asphalt, or similar irreducible materials with a maximum dimension greater than twelve inches shall be buried or placed in fills. In areas where leaching of oil may be detrimental to the quality of the water table, permission shall first be obtained from the water department before placing any asphaltic materials. No soils containing hazardous or toxic material of any kind may be used as fill within the city limits.

Exception. The building official may permit placement of larger rock when the soils engineer devises a method of placement and continuously inspects its placement and approves the fill stability. The following shall also apply:

(a) Prior to issuance of a grading permit, provisions shall be made to separate organic materials, such as tree stumps and brush, as well as large rocks. An area for stockpiling shall be delineated on the grading plans as well as provisions for their disposition.

(b) Rock greater than twelve inches in size may be placed a minimum of ten feet under the surface of the finish grade. Soils shall be compacted in short lifts around such materials to assure adequate filling around the large rock and preventing voids.

(6) Compaction. All fills shall be compacted to a minimum relative density of 90%. The top eighteen inches may be excepted when no load is expected, and the slope does not exceed 2 horizontal to 1 vertical.

(7) Slope. The maximum slope of fill surfaces shall not exceed 2 horizontal to 1 vertical or steeper than is safe, whatever occurs first. Batter walls using only large aggregate may be excepted with proper engineering.
(Ord. 94-48 § 1 (part), 1994).

18.45.090 SETBACKS.

(1) General. Cut-and-fill slopes shall be set back from site boundaries in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary. Setback dimensions shall be as shown in the accompanying figure (on file in the office of the city clerk).

(2) Top of Cut Slope. The top of cut slopes shall not be made nearer to a site boundary line than one-fifth of the vertical height of the cut, with a minimum of two feet and a maximum of ten feet. The setback may need to be increased for any required interceptor drains.

(3) Toe of Fill Slope. The toe of a fill slope shall be made not nearer to the site boundary line than one-half the height of the slope, with a minimum of two feet and a maximum of twenty feet. Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the building official deems necessary to protect the adjoining property from damage as a result of such grading. These precautions may include, but are not limited to:

- (a) Additional setbacks;
- (b) Provision for retaining or slough walls;
- (c) Mechanical or chemical treatment of the fill slope to minimize erosion;
- (d) Provisions for the control of both surface water and subsurface water, such as springs, which may exert undesirable pressures on the fill slope.

(4) Modification of Slope Location. The building official may approve alternative setbacks. The building official may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied.

(Ord. 94-48 § 1 (part), 1994).

18.45.100 DRAINAGE AND TERRACING.

Drainage plans shall be prepared as provided in Section 24.14.050 of this code.

(1) Terraces. Terraces at least six feet in width shall be established at not more than thirty-foot intervals on all cut or fill slopes to control surface drainage and debris, except that where only one terrace is required, it shall be at mid-height. For cut or fill slopes greater than sixty feet and up to one hundred and twenty feet in vertical height, one terrace at approximately mid-height shall be twelve feet in width. Terrace widths and spacing for cut-and-fill slopes greater than one hundred and twenty feet in height shall be designated by the civil engineer and approved by the building official. Suitable access shall be provided to permit proper cleaning and maintenance.

Swales or ditches on terraces shall have a minimum gradient of 5% and must be paved with reinforced concrete not less than three inches in thickness or an approved equal paving.

They shall have a minimum depth at the deepest point of one foot and a minimum paved area of five feet.

A single run of swale or ditch shall not collect runoff from a tributary area exceeding thirteen thousand five hundred square feet (projected horizontally) without discharging into a down drain.

(2) Subsurface Drainage. Cut-and-fill slopes shall be provided with subsurface drainage as necessary for stability.

(3) Disposal of Drainage. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the appropriate jurisdiction as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of nonerosive down drains and other devices.

Building pads shall have a drainage gradient of 2% minimum toward approved drainage facilities unless waived by the building official.

Exception. The gradient from the building pad may be 1% if all of the following conditions exist throughout the permit boundary area:

- (a) No proposed fill area greater than ten feet in maximum depth;
- (b) No proposed finish cut or fill slope faces have a vertical height in excess of ten feet;
- (c) No existing slope faces, which have a slope face steeper than 10 horizontal to 1 vertical have a vertical height in excess of ten feet.

(4) Interceptor Drains. Paved interceptor drains shall be installed along the top of all cut slopes where the tributary drainage area above the slopes toward the cut has a drainage path greater than forty feet measured horizontally. Interceptor drains shall be paved with a minimum of three inches of concrete or gunite and reinforced. They shall have a minimum depth of twelve inches and a minimum paved width of thirty inches, measured horizontally across the drain. The slope of drain shall be approved by the building official.

(5) Oil Separators. Interceptor drains receiving runoff from paved areas likely to be fouled with motor oil or grease shall be equipped with approved-type oil separators prior to discharge into any waterway.

(Ord. 94-48 § 1 (part), 1994).

18.45.110 EROSION CONTROL.

In addition to the erosion control requirements outlined in Section 24.14.060 (Erosion hazard areas), the following shall apply to all cut-and-fill slopes:

The faces of cut-and-fill slopes shall be prepared and maintained to control against erosion. This control may consist of effective planting, use of armor rock, terracing, water breaks, check dams, cribbing, rip rap, or combinations thereof. The protection for the slopes shall be installed as soon as practicable and prior to calling for final inspection. During the approach of the rainy season, the contractor performing the work shall be prepared to install temporary measures as required to protect exposed areas until permanent measures can be taken. Where cut slopes are not subject to erosion, due to the erosion resistant character of the materials, such protection may be omitted with the permission of the building official.

(Ord. 94-48 § 1 (part), 1994).

18.45.115 DUST CONTROL.

Contractors performing grading operations within the city where dry conditions or dry admixtures are encountered shall adequately and effectively control dust to prevent spread

off-site or onto existing structures on-site. Prior to commencement of grading operations, the contractor shall furnish details of proposed dust control measures to the building official for approval. Failure to control dust shall result in suspension of grading operations until adequate measures are in place to allow continuance.

(Ord. 94-48 § 1 (part), 1994).

18.45.120 GRADING INSPECTION.

(1) General. Grading operations for which a permit is required shall be subject to inspection by the building official. Professional inspection of grading operations shall be provided by the civil, soils and/or geological engineer(s) of record and retained to provide such services when requested by the building official as provided for in subsections (2) through (4) below.

(2) Civil Engineer. Upon request of the building official, the civil engineer shall provide professional inspection within such engineer's area of technical specialty, which shall consist of observation and review as to the establishment of line, grade and surface drainage of the development area. If revised plans are required during the course of the work, they shall be prepared under the supervision of the civil engineer.

(3) Soils Engineer. Upon request of the building official, the soils engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The soils engineer shall provide sufficient observation during the preparation of the natural ground, and placement and compaction of the fill, to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the building official and the civil engineer.

(4) Engineering Geologist. Upon request of the building official, the engineering geologist shall provide professional inspection within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer.

(5) Special Inspectors. Special inspectors may be employed by the owner upon approval by the building official or may be required by the building official. A special inspector may not be employed by the contractor or engineer of record. Each special inspector shall be qualified in the particular field of expertise and shall meet eligibility criteria as established by the building official.

Only qualified laboratory facilities shall be employed for soil sampling and testing outside of the design engineer. Each laboratory and/or test facility shall meet the requirements established under the guidelines as approved jointly by the East Bay, Peninsula and Monterey Bay Chapters of the International Conference of building officials. Each qualified laboratory or special inspection agency shall be required to sign a contract of responsibilities with the City, unless waived by the building official.

(6) Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this chapter, and the permittee shall engage consultants, if required by the building

official, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, the contractor and the building official. In the event of changed conditions, the permittee shall be responsible for informing the building official of such changes, and shall provide revised plans for the approval.

(7) Building Official. The building official shall inspect the project at various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants.

(8) Notification of Noncompliance. If, in the course of fulfilling their respective duties under this chapter, the civil, soils or geological engineer finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to both the permittee and the building official.

(9) Archeological Discovery. If in the course of any grading operation, any artifacts, human remains, or substantial fossils are discovered, all grading operations shall cease, and the discovery site suitably marked and protected from further damage. A report of such findings shall be as outlined in Section 24.12.430 of the Zoning Ordinance; specifically, if human remains are discovered, the sheriff-coroner and planning director shall be notified. If no human remains are discovered, but artifacts or significant fossils are discovered, the planning director shall be notified.

(Ord. 94-48 § 1 (part), 1994).

18.45.130 COMPLETION OF WORK.

(1) Final Reports. Upon completion of the rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required for engineered grading, or when professional inspection is performed for regular grading, as required:

(a) An as-built grading plan prepared by the civil engineer retained to provide such services in accordance with Section 18.45.120 showing original ground surface elevations, as-graded ground surface elevations, lot drainage patterns and the locations and elevations of surface drainage facilities and the outlets of subsurface drains. As-constructed locations, elevations and details of subsurface drains shall be shown as reported by the soils engineer.

Civil engineers shall state that, to the best of their knowledge, the work within their area of responsibility was done in accordance with the final approved grading plan.

(b) A report prepared by the soils engineer retained to provide such services in accordance with Section 18.45.120, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigative report. Soils engineers shall submit a statement that, to the best of their knowledge, the work within their areas of responsibility is in accordance with the approved soils engineering report and applicable provisions of this chapter.

(c) A report prepared by the engineering geologist retained to provide such services in accordance with Section 18.45.120, including a final description of the geology of the site and any new information disclosed during grading, and the effect of same on recommendations incorporated in the approved grading plan. Engineering geologists shall submit a statement that, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved engineering geologist's report and applicable provisions of this chapter.

(d) The grading contractor shall submit in writing, upon their business letterhead, a statement of conformance to said as-built plan and specifications.

(2) Notification of Completion. The permittee shall notify the building official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion-control measures have been completed in accordance with the final approved grading plan, all debris and waste has been properly removed from the site, and the required reports have been submitted.

(Ord. 94-48 § 1 (part), 1994).

18.45.140 TRANSFER OF AUTHORITY.

From time to time, the building official may transfer authority to enforce the provisions of this chapter to other qualified city inspection staff such as public works or water department engineering staff for such projects as the development of subdivision infrastructure involving streets, roads and sidewalks or other infrastructure work to be dedicated in the public way, and development of city-constructed and/or -maintained facilities.

The building official may also transfer authority to the civil, soils or geologic engineer of record to make specified inspections for suitability and placement of materials, verification of grades, etc. A special inspector, as described in Section 18.45.120(5) of this chapter shall be employed when required by the building official.

Should the engineer of record change during grading, work shall be stopped until the replacement has agreed in writing to accept responsibility for the work within the area of their technical competence to the satisfaction of the building official.

It shall be the responsibility of the permittee to notify the building official in writing of such change prior to recommencement of grading operations.

(Ord. 94-48 § 1 (part), 1994).

18.45.150 VIOLATIONS.

(1) Work Stoppage. Whenever the building official determines that the work does not comply with the terms of the permit or of this chapter, he or she may order the immediate cessation of all work thereunder until such corrective measures have been completed.

(2) Right of Entry. Whenever the building official has reasonable and/or probable cause to believe that there exists accelerated erosion, and/or a violation of this chapter, he/she may enter such site at all reasonable times to inspect the same, to perform any duty imposed upon him/her by this chapter; providing that, if such premises are occupied, he/she shall first present proper credentials and request entry, and if the premises are found to be unoccupied, he/she shall first make a reasonable effort to locate the owner or other person having charge or control of said premises and request entry. If such entry is refused, the building official shall have recourse to every remedy provided by law to secure entry.

(3) Notification of Violation. Any person found to be in violation of the provisions of this chapter shall be required to correct the problem upon written notification from the building official. Such written notification may require that certain conditions be adhered to in the correction of the problem. These may include, but are not limited to, the following:

(a) Use of specific erosion-control techniques;

(b) Submittal of plans and specifications to be approved by the community development department, and any other department affected by such work, prior to the commencement of corrective work;

(c) Completion of corrective work within a specified time period.

(4) Abatement of Violation. If the responsible party fails to act in response to written notification of the building official, the violation may be declared a public nuisance and be abated as required to restore the site to its original condition. Where there is an emergency condition of erosion or sediment damaging a waterway, marsh, or other body of water, or significant habitat or archeological site, the building official may have the necessary corrective work done and bill the property owner or lien the property for repayment.

(5) Penalties.

(a) Any person, whether as principal, agent, employee or otherwise, violating, or causing or permitting the violation of any of the provisions of this chapter shall be deemed guilty as follows:

(i) Violations of the requirement for regular grading permits shall be infractions, punishable as set forth in the Santa Cruz County Uniform Bail Schedule;

(ii) Violations of the requirement for engineering grading permits shall be misdemeanors, punishable as set forth in the Santa Cruz County Uniform Bail Schedule;

(iii) Any person, firm or corporation who shall place upon a slope greater than thirty percent or within one hundred fifty feet of the high-water mark of a riparian corridor any fill, debris, spoils or other deleterious material exceeding fifty cubic yards, without an approved grading permit shall be guilty of a misdemeanor, punishable as set forth in the Santa Cruz County Uniform Bail Schedule.

(b) Each separate day or portion thereof during which any violation occurs or continues without a good-faith effort by the responsible person to correct the violation shall be deemed to constitute a separate offense.

(c) In addition to the above-noted penalties, the building official is hereby authorized to attach an investigation fee, equal to twice the grading permit fee, to any such permit issued for corrective action.

(6) Enforcement. The building official and/or his/her designated subordinate(s) is hereby authorized and directed to enforce all the provisions of this chapter. For such purpose, the building official shall have the powers of a law enforcement officer.

(7) Appeals. Any person who believes the chief building official has erred in the technical application of this chapter may appeal such action to the board of building appeals as provided in Chapter 18.41 of the Municipal Code.

(Ord. 95-25 § 8, 1995; Ord. 94-48 § 1 (part), 1994).

Chapter 18.46

EXCAVATION SITES ON PACIFIC AVENUE

Sections:

- 18.46.010 Findings and determinations.
- 18.46.020 Purpose.
- 18.46.030 Authority for adoption and application.
- 18.46.040 Methods of abatement.
- 18.46.050 Permit requirements.
- 18.46.060 Determination of existence of public nuisance.
- 18.46.070 Notice to owner to abate.
- 18.46.080 Notice to city council.
- 18.46.090 Resolution declaring intent to abate.
- 18.46.100 Notice to abate public nuisance – Posting and mailing.
- 18.46.110 Hearing on objections.
- 18.46.120 Abatement of violation.
- 18.46.130 Record of expenses.
- 18.46.140 Hearing on statement of expenses.
- 18.46.150 Expenses a special assessment against the property.
- 18.46.160 Collection on tax roll.

18.46.010 FINDINGS AND DETERMINATIONS.

The city council finds and determines as follows:

(1) Several buildings located on Pacific Avenue were demolished as a result of the October 17, 1989 earthquake. A number of those buildings resulted in exposing the basement excavations to the elements and to public view. The basement excavations are deep pits in the ground. They cover large areas of the lots on which they existed and in many instances abut city sidewalks. Other buildings on Pacific Avenue and on side streets adjacent thereto which were demolished had no basements, which therefore resulted in uncovered bare lots abutting Pacific Avenue and side streets adjacent thereto. Several properties on Pacific Avenue which had exposed excavations as a result of building demolition have now had those excavations filled, resulting in additional uncovered bare lots on Pacific Avenue. In addition, other Pacific Avenue parcels contain buildings still standing, which were rendered structurally uninhabitable as a result of damage sustained in the October 17, 1989 earthquake. A number of these buildings have not been adequately repaired and remain uninhabited and not usable. They are exposed to public view, susceptible to entry, and exposed to the elements. In addition, walls of these buildings and other buildings which were previously not exposed to view are now visible. Many of these newly exposed walls have debris and remnants from demolished buildings affixed to the walls, creating visual blight.

(2) All or some of the following conditions exist on the sites referenced in subsection (1): the uncontrolled growth of weeds and the accumulation of rubble, debris, and litter; the unfilled basement excavations are a trap for debris and litter.

(3) The sites referenced in subsection (1) are hereby declared to constitute a public nuisance in that one, or some of the following conditions apply to them:

- (a) They constitute health and safety hazards to any individual who might enter onto them;
- (b) They are attractive nuisances to children;
- (c) They attract potential trespassers;
- (d) They are a source of wind-blown dust and standing water;
- (e) They constitute severe fire hazards;
- (f) They are unsafe for public entry; and
- (g) They create visual blight in the city's downtown district, thereby impairing the city's economic recovery.

(4) The existence of these conditions is injurious and inimical to the public health, safety and welfare of residents of this city and is detrimental to the recovery of the downtown business district. Corrective measures must be undertaken to alleviate these conditions which constitute a public nuisance and which are detrimental to the public health, safety and general welfare of those who live in, work in and visit the city of Santa Cruz.

(5) This public nuisance must be abated immediately. The abatement of these conditions will enhance the public's use and enjoyment of properties on Pacific Avenue. The abatement procedures set forth in this section are reasonable and are intended to afford maximum due process and procedural guarantees.

(Ord. 93-02 § 2, 1993; Ord. 92-41 § 1, 1992; Ord. 91-10 § 1, 1991).

18.46.020 PURPOSE.

The purposes of this chapter are as follows:

- (1) To safeguard the health, safety and welfare of the people by maintaining property in a safe, attractive, and appropriate condition;
 - (2) To enhance property values in the downtown business district;
 - (3) To promote economic vitality in the downtown business district.
- (Ord. 91-10 § 1, 1991).

18.46.030 AUTHORITY FOR ADOPTION AND APPLICATION.

The procedures set forth in this chapter for abatement of a public nuisance are adopted pursuant to California Government Code Sections 38660 and 38771 et seq. These procedures apply to any public nuisance as described in this chapter. The procedures set forth in this chapter do not limit or restrict the city from enforcing other city ordinances or abating public nuisances in any other manner provided by law.

(Ord. 91-10 § 1, 1991).

18.46.040 METHODS OF ABATEMENT.

Conditions described in Section 18.46.010 shall be abated by the property owner. If the property owner fails to abate the nuisance on his or her property within the time set forth in Section 18.46.070, the city may proceed to abate the nuisance. The nuisance shall be abated in the following manner:

- (a) Parcels with exposed basement excavations and vacant parcels without exposed basement excavations shall be fenced in accordance with the provisions of this subsection. Properties managed or owned by the city for public parking may be exempt from this subsection where visual screening creates safety and enforcement issues for the police department. A fence six feet in height shall be constructed wherever the parcel abuts a public

sidewalk or alley. The fence shall be located on the parcel along the interior edge of the sidewalk or alley where the parcel abuts the sidewalk or alley. The fencing shall be chain-link fencing with wooden, plastic or metal slats. The fencing shall contain openings of sufficient size and location so as to allow persons walking on the sidewalk to look through the fence. Fence poles shall be anchored securely in the ground. Where the owner of a parcel with an exposed basement excavation or a vacant parcel without an exposed basement excavation has submitted plans for the parcel's development, has obtained all discretionary land use permits necessary to proceed with the parcel's development, and will have obtained a building permit and undertaken construction on the parcel no later than May 1, 1993, the parcel owner, in lieu of fencing the property as required herein, may alternatively erect a wooden construction fence. All fences erected pursuant to this subsection shall be constructed in accordance with the pertinent provisions of any applicable building codes adopted by the city in Title 18 of this code. All fences erected pursuant to this subsection are subject to the approval of the chief building official of the city and shall not be erected until a building permit allowing construction has been issued by the chief building official. No fences constructed pursuant to this subsection shall encroach upon the city's sidewalks or alleys unless an encroachment permit has first been obtained from the city's public works department. The property owner shall keep any fencing constructed pursuant to this subsection free from graffiti and will obtain a sign permit from the city's planning department before posting signs on fences.

(b) Subject to the owner's written permission, the city may permit wooden panels containing artwork to be affixed to those fences referenced in subsection (a). No such artwork shall be affixed to the fences unless it has first been approved and recommended by the city's arts commission. The city council shall be authorized to review and overrule any such decisions, approvals and/or recommendations of the city's arts commission.

(c) Vacant parcels with exposed basement excavations and vacant parcels without exposed basement excavations shall be kept free of all rubble, debris and litter. In addition, no weeds or vegetation shall be allowed to grow on these parcels when such weeds or vegetation are found by the director of parks and recreation to constitute a nuisance.

(d) Owners of parcels containing buildings that are structurally uninhabitable as a result of damage sustained, in whole or in part, in the October 17, 1989 earthquake shall be secured in a manner acceptable to the city's chief building official and in accordance with the pertinent provisions of any applicable building codes adopted by the city in Title 18 of this code. Said buildings shall be secured so as to render them safe for those using the public sidewalks abutting the parcels on which they sit, so as to render entry into them difficult, and so as to eliminate, to the extent possible, any attractive nuisance the building might present.

(e) Owners of parcels containing buildings, whether habitable or uninhabitable, that have exposed walls creating visual blight, as referenced in Section 18.46.010(1) shall remove all items affixed to the wall, or paint or otherwise cover said items so as to eliminate the visual blight. Said items shall be removed or covered in a manner acceptable to, and to the satisfaction of, the director of planning. If the owner paints or otherwise treats the surface of the wall in order to eliminate the visual blight, the owner shall paint, or otherwise treat, the entire surface of the exposed wall so as to result in a uniform finish upon the entire wall.

(f) The city manager shall have the discretion to authorize alternative means of abatement other than those referenced in this section if the property owner requests permission to abate by alternative means and demonstrates to the city manager's satisfaction that the alternative

proposal will actually serve to completely abate the condition constituting a nuisance on the property.

(Ord. 95-10 § 1, 1995; Ord. 92-41 § 2, 1993; Ord. 91-10 § 1, 1991).

18.46.050 PERMIT REQUIREMENTS.

Permits for the construction of said fencing may be obtained at the Santa Cruz planning and community development department, inspection services.

(Ord. 91-10 § 1, 1991).

18.46.060 DETERMINATION OF EXISTENCE OF PUBLIC NUISANCE.

The chief building official shall be responsible for determining the existence of a public nuisance as described in this chapter.

(Ord. 91-10 § 1, 1991).

18.46.070 NOTICE TO OWNER TO ABATE.

Upon a determination by the chief building official that a condition exists in violation of this chapter, he shall cause a copy of this chapter to be sent by certified mail to the last address of record of the property owner concerned, together with a notice setting forth the details of the violation and requirements of its abatement. The notice shall advise the owner of the property that the violation must be abated by the owner within thirty days. The notice shall further state that if the property owner fails to abate the nuisance within the time set forth, the city may proceed to abate the nuisance and the cost of such abatement will be assessed upon the real property and constitute a lien on said property.

(Ord. 91-10 § 1, 1991).

18.46.080 NOTICE TO CITY COUNCIL.

In the event that the public nuisance is not abated by the property owner within the time set forth in the "Notice To Owner To Abate," the chief building official may forward to the city clerk a request for a resolution by the city council stating its intent to declare the conditions a public nuisance, that adequate notice has been given to the property owner to abate, that the conditions still exist on the property, and that the city intends to abate the nuisance.

(Ord. 91-10 § 1, 1991).

18.46.090 RESOLUTION DECLARING INTENT TO ABATE.

The city clerk shall place on the agenda of the next regular meeting of the city council a resolution stating the city council's intent to declare and abate a public nuisance and setting a hearing thereon. Said hearing may take place at the next regularly scheduled meeting of the city council or at a subsequent meeting. After the passage of such resolution, the city clerk shall cause a copy of the resolution to be mailed to the property owner at least ten days prior to such hearing.

(Ord. 91-10 § 1, 1991).

18.46.100 NOTICE TO ABATE PUBLIC NUISANCE – POSTING AND MAILING.

After the passage of a resolution as described in Section 18.46.090, the chief building official shall cause to be conspicuously posted on the property upon which the public nuisance is alleged to exist, a notice headed "Notice To Abate Public Nuisance," such

heading to be in letters not less than one inch in height. Said notice shall be in substantially the following form:

NOTICE TO ABATE PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN that on _____, 19____, the City Council of the City of Santa Cruz passed a resolution stating its intent to declare conditions on the property at _____, Assessor's Parcel No. _____, a public nuisance, in that one or more of the conditions declared to be a public nuisance in Chapter 18.46 of the Santa Cruz Municipal Code exists on the property, i.e., an excavation site, an uncovered vacant lot, an uncovered lot containing fill, a structurally unsafe or uninhabitable building, or visual blight on exposed building wall. The property is accessible to the public and/or exposed to public view. These conditions must be abated [by the construction of fencing around the property pursuant to Section 18.46.040(a) of the Santa Cruz Municipal Code] [by removing all rubble, debris, litter and vegetation pursuant to Section 18.46.040(c) of the Santa Cruz Municipal Code] [by securing the property pursuant to Section 18.46.040(d) of the Santa Cruz Municipal Code] [by removing or covering items creating visual blight upon exposed building walls pursuant to Section 18.46.040(e) of the Santa Cruz Municipal Code].

NOTICE IS FURTHER GIVEN that if the owner of the property at _____ does not abate said nuisance, City authorities shall abate it, in which case the cost of such abatement shall be assessed upon the property. Such cost will constitute a lien upon the property until paid and shall be collected upon the next tax roll upon which general municipal taxes are collected.

Any person objecting to the proposed abatement of nuisance on the property or the proposed method of abatement, is hereby notified to attend the meeting of said City Council to be held in the Council Chambers in City Hall at ___ p.m. on the _____ day of _____, 19 __, when such objections will be heard and given due consideration.

DATED this _____ day of _____ 19 ____.

CHIEF BUILDING OFFICIAL

City of Santa Cruz

Said notice shall be posted at the property at least five days prior to the time for hearing objections to the abatement of such public nuisance. In addition to the posted notice, the chief building official shall mail a copy of the notice to abate public nuisance by certified mail to the owner of the property at his or her last known address. The notice to abate public nuisance may be mailed with the resolution declaring the city council's intent to abate the nuisance and shall be mailed to the property owner at least ten days prior to the scheduled hearing.

(Ord. 92-41 § 3, 1993; Ord. 91-10 § 1, 1991).

18.46.110 HEARING ON OBJECTIONS.

At the time stated in the notice to abate public nuisance, the city council shall hear and consider any and all objections to the proposed abatement of the public nuisance, and may continue the hearing from time to time. The city council shall, by motion or resolution, allow or overrule any and all objections. Upon the conclusion of the hearing, the council shall declare its findings by resolution. If the council so concludes, it may declare the conditions to be a public nuisance and order its abatement. At this time the city council shall have acquired jurisdiction to proceed to abate the nuisance, and the decision of the city council on the

matter shall be final and conclusive. The city council may grant an extension of time for the property owner to abate the nuisance if, in its opinion, good cause for an extension exists. (Ord. 91-10 § 1, 1991).

18.46.120 ABATEMENT OF VIOLATION.

After final action has been taken by the city council declaring a public nuisance, or in case no protests or objections have been received, the city council shall by resolution order the director of public works, his deputies and assistants, to abate the public nuisance by performing the work or contracting it out. The director of public works or his designee is expressly authorized to enter upon private property for such purpose. Any property owner shall retain the right to have such work performed at his or her own expense providing this work is done prior to the arrival of the director of public works or his designee to abate the nuisance. (Ord. 91-10 § 1, 1991).

18.46.130 RECORD OF EXPENSES.

The director of public works shall keep an itemized account of the expenses involved in abating the nuisance. When the work has been completed, the director of public works shall submit an itemized statement thereof to the city council at a subsequent city council meeting. The director of public works shall mail a full and correct copy of such statement by certified mail to the owner of such property at his or her last known place of residence, together with a notice of the time and place when the statement will be submitted to the city council for approval and confirmation. Said statement of expenses and notice shall be mailed to the property owner at least ten days prior to the hearing on the statement of expenses. In the event that the identity or address of any such property owner is unknown, the statement shall be posted on the property and bulletin board of City Hall for one week, giving notice when such statement will be submitted to the city council for approval. (Ord. 91-10 § 1, 1991).

18.46.140 HEARING ON STATEMENT OF EXPENSES.

At the time fixed for the hearing on the statement of expenses, the city council shall consider the statement and protests or objections, if any, raised by the person liable to be assessed for the cost of the abatement. The council may revise, correct or modify the statement as it considers just and thereafter shall confirm the statement by resolution. The city council's determination shall be final and conclusive. (Ord. 91-10 § 1, 1991).

18.46.150 EXPENSES A SPECIAL ASSESSMENT AGAINST THE PROPERTY.

If the property owner does not pay the expense of abating the nuisance within five days after the council confirms the cost of abatement, the cost shall become a special assessment against the real property upon which the nuisance was abated and shall constitute a lien upon such property for the amount of such assessments, until paid. (Ord. 91-10 § 1, 1991).

18.46.160 COLLECTION ON TAX ROLL.

After the statement of expenses is confirmed by the city council and the expenses become a special assessment against the property, the city clerk may submit to the county recorder for recordation a certified copy of the resolution confirming the assessments, and shall cause a

certified copy of the confirmed report to be filed with the county auditor, county assessor and tax collector, in order that the assessment may be entered on the county tax roll opposite the parcel of land. Thereafter such amounts may be collected at the same time and in the same manner as general city taxes are collected and shall be subject to the same penalties and interest, and the same procedure for sale in case of delinquency as provided by law for city taxes. All laws and ordinances applicable to the levy, collection and enforcement of city taxes are made applicable to such special assessment.
(Ord. 91-10 § 1, 1991).

Chapter 18.47

SAFETY ASSESSMENT PLACARDS

Sections:

- 18.47.010 Intent.
- 18.47.020 Application of provisions.
- 18.47.030 Definitions.
- 18.47.040 Placards.

18.47.010 Intent.

This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy and conforms to the statewide program administered by the California Emergency Management Agency (hereafter CalEMA) for ease in the rapid assessment of damaged structures. This chapter further authorizes the building official and his or her authorized representatives to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment.

(Ord. 2010-23 § 16 (part), 2010).

18.47.020 Application of provisions.

The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the city of Santa Cruz.

(Ord. 2010-23 § 16 (part), 2010).

18.47.030 Definitions.

(a) "Safety assessment" is a visual, non-destructive examination of a building or structure for the purpose of determining the condition for continued occupancy.

(b) "Safety assessment program (SAP)" is a statewide voluntary program managed by the CalEMA and the Federal Emergency Management Authority, which establishes the protocol for a uniform placarding program that can be used anywhere in the United States using the ATC-20 system.

(Ord. 2010-23 § 16 (part), 2010).

18.47.040 Placards.

(a) The following are verbal descriptions of the official jurisdiction placards to be used to designate the condition for continued occupancy of buildings or structures.

(1) "INSPECTED – Lawful Occupancy Permitted" is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean there is no damage to the building or structure. This placard is printed on a green background.

(2) "RESTRICTED USE" is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restriction on continued occupancy. This placard is printed on a yellow background.

(3) "UNSAFE – Do Not Enter or Occupy" is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings

or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the building official, or his or her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered. This placard is printed on a red background.

(b) The number of the ordinance codified in this chapter, the name and address of the jurisdiction and phone number shall be permanently affixed to each placard.

(c) Once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the building official. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.

(Ord. 2010-23 § 16 (part), 2010).

BUILDING STANDARDS COMMISSION

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



January 8, 2014

Jeff Trapp
Fire Chief
City of Santa Cruz Fire Department
230 Walnut Ave.
Santa Cruz, CA 95060

RE: Ordinance #2013-15

Dear Mr. Trapp:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 2, 2013.

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

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

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

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

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

ORDINANCE NO. 2013-15

2013 DEC -2 P 2-35

AN ORDINANCE OF THE CITY OF SANTA CRUZ REPEALING CHAPTER 19.05 OF THE SANTA CRUZ MUNICIPAL CODE AND ADOPTING A NEW CHAPTER 19.05 INCORPORATING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS AS THE FIRE CODE OF THE CITY OF SANTA CRUZ

BE IT ORDAINED by the City Council of the City of Santa Cruz as follows:

Section 1. Chapter 19.05 of the Santa Cruz Municipal Code is hereby repealed.

Section 2. A new Chapter 19.05 of the Santa Cruz Municipal Code is hereby adopted to read as follows:

“Chapter 19.05
Fire Code

- 19.05.010 California Fire Code adopted.
- 19.05.020 Section [A] 101.1 is amended – Title.
- 19.05.030 Section [A] 104.1 is amended – General.
- 19.05.040 Section [A] 105.1.1 is amended – Permits required.
- 19.05.050 Section [A] 106.1 is amended – Inspection authority.
- 19.05.060 Section [A] 107.5 is amended – Overcrowding.
- 19.05.070 Section [A] 109.4 is amended – Violation penalties.
- 19.05.080 Section [A] 111.4 is amended – Failure to comply.
- 19.05.090 Section 202 is amended – Definition of a driveway.
- 19.05.100 Section 202 is amended – Definition of wildfire risk area.
- 19.05.110 Section 202 is amended – Definition of imposed loads.
- 19.05.120 Section 202 is amended – Definition of state responsibility area (SRA).
- 19.05.130 Section 304.1.2 is amended – Vegetation.
- 19.05.140 Section 305.4 is amended – Deliberate or negligent burning
- 19.05.150 Section 307.2 – 307.5 is amended - Open burning, recreational fires, and portable outdoor fireplaces.
- 19.05.160 Section 308.1.2.is amended – Throwing or placing sources of ignition.
- 19.05.170 Section 308.1.7 is amended – Religious ceremonies.
- 19.05.180 Section 311.2.2 is amended – Fire Protection.
- 19.05.190 Section 311.5 is amended – Placards.
- 19.05.200 Section 315.3.5 is added – Storage under fixed bleachers.
- 19.05.210 Section 503 is amended – Fire apparatus access roads.
- 19.05.220 Section 507.1 is amended – Required water supply.
- 19.05.230 Section 507.5.4 is amended – Obstruction.
- 19.05.240 Section 507.5.5 is amended – Clear space around fire hydrants.
- 19.05.250 Section 507.5.6 is amended – Physical protection.
- 19.05.260 Section 508.5.7 is added – Painting.
- 19.05.270 CFC Sections 903.1 through 903.2.10.1 are deleted – Automatic sprinkler systems.
- 19.05.280 Section 903.3.1.3 is amended – NFPA 13D sprinkler systems
- 19.05.290 Section 1103.5.1 is amended – Pyroxylin plastics.

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19.05.300 Section 5303.5.3 is amended – Securing compressed gas containers, cylinders and tanks.

19.05.310 Chapter 56 – Explosives and fireworks.

19.05.320 Chapter 90 is added – Suppression and control of wildfire risk areas.

19.05.010 CALIFORNIA FIRE CODE ADOPTED

An ordinance of the City of Santa Cruz adopting the 2013 edition of the *California Fire Code with local amendments*, 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 Santa Cruz; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. 2010-19 & (part) 2010 of the City of Santa Cruz and all other ordinances and parts of the ordinances in conflict therewith.

The City Council of the City of Santa Cruz does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the Santa Cruz City Clerk of the City of Santa Cruz, being marked and designated as the California Fire Code, 2013 edition including “Appendix Chapters 4, B, BB, C, CC, D) as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Santa Cruz, 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; for the issuance of permits and collection of fees therefor; 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 Santa Cruz are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. That the following sections are hereby revised:

19.05.020 SECTION [A] 101.1 IS AMENDED – TITLE.

Section [A] 101.1 of Chapter 1 of the Fire Code of the city of Santa Cruz is amended to read as follows:

[A] 101.1 Title. These regulations shall be known as the Fire Code of the City of Santa Cruz, hereinafter referred to as “this code.”

19.05.030 Section [A] 104.1 IS AMENDED – GENERAL

Section [A] 104.1 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 104.1 – General. The fire code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such

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interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code.

19.05.040 SECTION [A] 105.1.1 IS AMENDED – PERMITS REQUIRED

Section [A] 105.1.1 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 105.1.1 – Permits required. Any property owner or authorized agent who intends to conduct an operation or business, or install or modify systems and equipment which is regulated by this code, or to cause any such work to be done, shall first make application to the fire code official and obtain the required permit.

When required by the fire code official, a permit shall be obtained. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

19.05.050 SECTION [A] 106.1 IS AMENDED – INSPECTION AUTHORITY

Section [A] 106.1 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 106.1 – Inspection authority. The fire code official is authorized to enter and examine any building, structure, marine vessel, vehicle or premises in accordance with Section 104.3 for the purpose of enforcing this code.

19.05.060 SECTION [A] 107.5 IS AMENDED – OVERCROWDING

Section [A] 107.5 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 107.5 – Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

19.05.070 SECTION [A] 109.4 IS AMENDED – VIOLATION PENALTIES.

Section [A] 109.4 of Chapter 1 of the Fire Code of the city of Santa Cruz is amended to read as follows:

[A] 109.4 – Violation Penalties. 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 of a permit or certificate used under provisions of this code, shall be guilty of an infraction.

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Acts denominated as infractions shall not be punishable by imprisonment. Every violation determined to be an infraction is punishable by:

1. A fine not exceeding one hundred dollars for a first violation;
2. A fine not exceeding two hundred dollars for a second violation of the same provision of this code within one year;
3. A fine not exceeding five hundred dollars for each additional violation of the same provision of this code within one year.

A person charged with an infraction shall not be entitled to a trial by jury. A judgment that a person convicted of an infraction be punished by fine may also provide for the payment to be made within a specified time or in specified installments, contingent upon the person giving his written promise to either pay the fine as provided or to appear in court on the due date. Any person who willfully violates any such written promise is guilty of a misdemeanor. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

19.05.080 SECTION [A] 111.4 IS AMENDED – FAILURE TO COMPLY.

Section [A] 111.4 of Chapter 1 of the Fire Code of the city of Santa Cruz is amended to read as follows:

[A] 111.4 Failure to comply. It is unlawful for any person, firm or corporation to violate or fail to comply with any lawful order of the fire code official; fail to comply with an order by the Board of Appeals; or, fail to comply with an order of the court of competent jurisdiction within the time fixed therein. Every such violation shall be deemed a misdemeanor and shall be punishable by a fine of not more than \$500.00 plus court assigned fees or by imprisonment not exceeding 1 year in the county jail, or both such fine and imprisonment.

19.05.090 SECTION 202 IS AMENDED – DEFINITION OF A DRIVEWAY

Definition of “Driveway” in Section 202 of Chapter 2 of the Fire Code of the City of Santa Cruz is added after “Draft Stop” to read as follows:

Driveway. DRIVEWAY is vehicular ingress and egress routes that serve no more than 2 residential buildings or structures, not including accessory structures, on one parcel, containing no more than 3 dwelling units.

(a) All driveways shall provide a minimum unobstructed width of 12 feet and minimum unobstructed vertical clearance of 13 feet 6 inches. Exception: Driveways serving parcels which are not considered a flag lot by the City Planning Department may be 10 feet wide when approved by the Fire Code Official.

(b) All curb cuts at entrances to driveways or other private ways shall be of sufficient width to permit safe travel by emergency vehicles at all times of the year.

(c) Turnouts shall be designed and constructed every 400 feet along the driveway’s length or at the midpoint when the driveway is over 400 but not more than 800 feet in length.

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(d) A turnaround shall be provided at all building or structure sites on driveways over 300 feet in length and shall be at 50 feet from the structure.

(e) In addition, where applicable, all driveways shall conform to N.F.P.A. Standard 1141, the standard for planned building groups.

19.05.100 SECTION 202 IS ADDED – DEFINITION OF WILDFIRE RISK AREA.

Definition of “Wildfire Risk Area” in Section 202 of Chapter 2 of the Fire Code of the city of Santa Cruz is added after “Wharf” to read as follows:

WILDFIRE RISK AREA. Land that is covered with grass, grain, brush, or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great or unusual damage through fire or resulting erosion as defined by the Fire Code Official.

19.05.110 SECTION 202 IS AMENDED – DEFINITION OF IMPOSED LOADS.

Definition of “Imposed Loads” in Section 202 of Chapter 2 of the Fire Code of the city of Santa Cruz is added after “Impairment Coordinator” to read as follows:

IMPOSED LOADS OF APPARATUS is a minimum of 40,000 pounds for a fire engine and 75,000 pounds for an aerial ladder fire truck.

19.05.120 SECTION 202 IS AMENDED – DEFINITION OF STATE RESPONSIBILITY AREA (SRA).

Definition of “State Responsibility Area (SRA)” in Section 202 of Chapter 2 of the Fire Code of the city of Santa Cruz is added after “Spraying Space” to read as follows:

STATE RESPONSIBILITY AREA (SRA) shall mean lands that are classified by the Board of Forestry pursuant to Public Resources Code Section 4125 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the State of California.

19.05.130 SECTION 304.1.2 IS AMENDED – VEGETATION.

Section 304.1.2 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

304.1.2 – Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be maintained around and adjacent to buildings and structures. A firebreak shall be made by removing and clearing away, for a distance of not less than 30 feet on each side of the building or structure or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This does not apply to single specimens of trees or other vegetation that is well-pruned and

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maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to any building or structure.

When required by state law, or local ordinance, rule or regulation, an additional fire protection zone or firebreak may be made by removing all brush, flammable vegetation, or combustible growth that is located within 100 feet from the building or structure or to the property line. This section does not prevent an insurance company that insures a building or structure from requiring the owner of the building or structure to maintain a firebreak of more than 100 feet around the building or structure. Grass and other vegetation located more than 30 feet from the building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion. This does not apply to single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure.

No owner, agent, lessee or other person occupying or having charge or control of any building, lot or premises within the city shall permit weeds to remain upon said premises or public sidewalk, or street or alleys between said premises and the centerline of any public street or alley after May 15th.

Whenever any such weeds are growing upon any private property or properties or in any street or alley within the city, the chief of the fire department shall give notice to the owner, agent, lessee or other person occupying or having charge or control of any building, lot or premises within the city, that unless such nuisance be abated without delay by the destruction or removal of such weeds, the work of abating such nuisance will be done by the city authorities, and the cost thereof assessed upon the lots and lands from which weeds shall have been destroyed or removed.

Method of Abatement

(a) The chief of the fire department shall cause weeds to be abated through mowing, cutting, disking, removal or any other approved method except spraying.

(b) When the chief determines that total removal of weed growth is impractical due to size or environmental factors, approved fuel breaks shall be established. Designated areas shall be cleared of combustible vegetation to establish fuel breaks.

(c) The chief of the fire department, and its deputies, assistants, employees, contracting agents, or other representatives are hereby expressly authorized to enter upon private property for the purpose of destroying weeds.

(d) Any property owner shall have the right to abate such weeds themselves, or have the same abated at their own expense provided that such weeds shall have been destroyed or removed prior to May 15th and the arrival of the chief of the fire department or his/her agents or representative to abate them.

(e) Combustible rubbish which hampers or otherwise obstructs city weed abatement efforts may also be removed by the chief of the fire department or his/her agents or authorized representative at the owner's expense under the reimbursement and collection provisions of this chapter.

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19.05.140 SECTION 305.4 IS AMENDED - DELIBERATE OR NEGLIGENT BURNING

Section 305.4 of Chapter 3 of the Fire Code of the city of Santa Cruz is amended to read as follows:

305.4 Deliberate or negligent burning. It shall be unlawful to deliberately or through negligence set fire to or cause the burning of combustible material in such a manner as to endanger the safety of persons or property.

19.05.150 Section 307.2 – 307.5 OPEN BURNING, RECREATIONAL FIRES, AND PORTABLE OUTDOOR FIREPLACES

Section 307.2 – 307.5 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

307.2 Permit required. When required by the fire chief, a permit shall be obtained prior to kindling a fire for recognized agricultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such permit shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

The open burn season for Santa Cruz County unless otherwise declared shall be December 1st through April 30th of the calendar year. The dates may only be changed by Monterey Bay Area Unified Air Pollution Control District.

Exceptions:

1. During the “Declared open burn season” (As declared by the Monterey Bay Area Unified Air Pollution Control District) pile burning is allowed, at the discretion of the Fire Chief, when the “Guidelines for Pile Burning” (published by the California Department of Forestry and Fire Protection or Monterey Bay Area Unified Air Pollution Control District) are strictly adhered to.

SECTION 307.2.1 - AUTHORIZATION.

Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

SECTION 307.3 - EXTINGUISHMENT AUTHORITY.

The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

SECTION 307.4 - LOCATION

The location for open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.

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Exceptions:

1. Fires in approved containers that are not less than 15 feet from a structure.
2. The minimum required distance from a structure shall be 25 feet when the pile size is 3 feet or less in diameter and 2 feet or less in height.

SECTION 307.4.1 - AMENDED - BONFIRES

A bonfire shall not be conducted within 50 feet of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet of a structure shall be eliminated prior to ignition.

SECTION 307.4.2 - RECREATIONAL FIRES

Recreational fires shall not be conducted within 25 feet of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition.

SECTION 307.4.3 - PORTABLE OUTDOOR FIREPLACES

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one and two family dwellings.

SECTION 307.5 - ATTENDANCE

Open burning; bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire – extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

19.05.160 SECTION 308.1.2 IS AMENDED – Throwing or placing sources of ignition

Section 308.1.2 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

308.1.2 – Throwing or placing sources of ignition. No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire.

19.05.170 SECTION 308.1.7 IS AMENDED – Religious ceremonies

Section 308.1.7 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

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308.1.7 – Religious ceremonies. When, in the opinion of the fire code official, adequate safeguards have been taken, participants in religious ceremonies are allowed to carry hand-held candles. Hand-held candles shall not be passed from one person to another while lighted.

19.05.180 SECTION 311.2.2 IS AMENDED – Fire Protection

Section 311.2.2 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

311.2.2 Fire protection. Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times.

19.05.190 SECTION 311.5 IS AMENDED – PLACARDS.

Section 311.5 of Chapter 3 of the Fire Code of the city of Santa Cruz is amended to read as follows:

311.5 – Placards. When required by the fire code official, any building or structure determined to be unsafe pursuant to Section 110 of this code shall be marked as required by Sections 311.5.1 through 311.5.5.

19.05.200 SECTION 315.3.5 IS ADDED – STORAGE UNDER FIXED BLEACHERS.

Section 315.3.5 of Chapter 3 of the Fire Code of the City of Santa Cruz is added to read as follows:

315.3.5 - Storage Under Fixed Bleachers. Storage under fixed bleachers shall meet the same requirements as section 304.1.3.

19.05.210 SECTION 503 IS AMENDED - FIRE APPARATUS ACCESS ROADS

Section 503 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

503 Fire apparatus access roads.

503.1 Where required.

Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities.

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

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Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is 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.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional access.

The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage.

Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

503.2 Specifications.

Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.7.

503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority.

The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface.

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4 Turning radius.

The required turning radius of a fire apparatus access road shall be determined by the fire code official.

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503.2.5 Dead ends.

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces.

Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade.

The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking.

Where required by the fire code official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads.

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.4.1. Traffic calming devices

Traffic calming devices shall be prohibited unless approved by the fire code official.

503.5 Required gates or barricades.

The fire code official is authorized to require the installation and maintenance of gates or the approved barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways.

503.5.1 Secured gates and barricades.

When required, gates and barricades shall be secured in an approved manner. Roads, trails and other access ways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.

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Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

[B] 503.5.2 Fences and gates.

School grounds may be fenced and gates therein may be equipped with locks, provided that safe dispersal areas based on 3 square feet (0.28 m²) per occupant are located between the school and the fence. Such required safe dispersal areas shall not be located less than 50 feet (15 240 mm) from school buildings.

Every public and private school shall conform with Section 32020 of the Education Code which states:

The governing board of every public school district, and the governing authority of every private school, which maintains any building used for the instruction or housing of school pupils on land entirely enclosed (except for building walls) by fences, or walls, shall, through cooperation with the local law enforcement and fire protection agencies having jurisdiction of the area, make provision for the erection of gates in such fences or walls. The gates shall be of sufficient size to permit the entrance of the ambulances, police equipment and fire-fighting apparatus used by the law enforcement and fire protection agencies. There shall be no less than one such access gate and there shall be as many such gates as needed to ensure access to all major buildings and ground areas. If such gates are to be equipped with locks, the locking devices shall be designed to permit ready entrance by the use of the chain or bolt-cutting devices with which the local law enforcement and fire protection agencies may be equipped.

503.6 Security gates.

The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.

19.05.220 SECTION 507.1 IS AMENDED – REQUIRED WATER SUPPLY.

Section 507.1 of Chapter 5 of the Fire Code of the city of Santa Cruz is amended to read as follows:

507.1 – Required Water Supply. 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.

The minimum water supply for all new dwellings within State Responsibility Areas (SRA) shall be capable of supplying a flow of 500 gallons per minute for 20 minutes (10,000 gallons) for each parcel. Privately owned water that is not supplied by a licensed water purveyor shall: (1) serve no more than two dwellings and no more than 10,000 square feet of habitable dwelling space, and (2) be provided pursuant to a recorded covenant that runs with the land if the water supply originates from another parcel. If a water purveyor supplies the water, the applicant must

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submit with the building plan written verification from the licensed purveyor that the water supply meets the flow requirement.

Exceptions:

1. A 2% reduction will be allowed for flow supplied by approved stationary water tanks, to account for the nominal standardized capacity of such tanks.
2. The Fire Chief may reduce the flow requirement to 250 gallons per minute for 20 minutes by substituting approved enhanced access, defensible space, and/or ignition-resistant material requirements.

19.05.230 SECTION 507.5.4 IS AMENDED - OBSTRUCTION

Section 507.5.4 of the Fire Code of the City of Santa Cruz is amended to read as follows:

Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

19.05.240 SECTION 507.5.5 IS AMENDED – CLEAR SPACE AROUND HYDRANTS

Section 507.5.5 of the Fire Code of the City of Santa Cruz is amended to read as follows:

A 3-foot (914) mm clear space shall be maintained around the circumference of fire hydrants, except as otherwise required or approved.

19.05.250 SECTION 507.5.6 IS AMENDED – PHYSICAL PROTECTION

Section 507.5.6 of the Fire Code of the City of Santa Cruz is amended to read as follows:

Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall comply with Section 312.

19.05.260 SECTION 507.5.7 IS ADDED – PAINTING.

Section 508.5.7 of Chapter 5 of the Fire Code of the city of Santa Cruz is added to read as follows:

507.5.7 – Painting. When required by the fire code official, fire hydrants shall be painted in accordance with NFPA 291.

19.05.270 CFC SECTIONS 903.1 THROUGH 903.2.10.1 ARE DELETED – AUTOMATIC SPRINKLER SYSTEMS.

Sections 903.1 through 903.2.10.1 of Chapter 9 of the Fire Code of the city of Santa Cruz are deleted and replaced to read as follows:

903.1 General. Automatic sprinkler systems shall comply with this section.

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903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

903.2.1 New Structures. An automatic fire sprinkler system shall be provided in all new occupancies as defined in Chapter 3 of the California Building Code, regardless of type of construction and/or floor area, unless otherwise pre-empted by the California Health and Safety Code. Any occupancy not specifically mentioned shall be included in the group that it most nearly resembles based on the proposed life and fire hazard.

EXCEPTIONS: 1. Private garages, carports, sheds not more than 1,000 square feet (93 m²) of total floor area shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code.

2. Sheds exceeding 1,000 square feet, (93 m²) but not exceeding 3,000 square feet (278 m²) shall not require fire sprinklers at the discretion of the Fire Chief when the applicant demonstrates that the applicant's proposal does not increase the fire hazard or fire load.

3. Agricultural buildings as defined in Appendix Chapter C, of the California Building Code not exceeding 2,000 square feet (186 m²), not exceeding 25 feet (7620 mm) in height, having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, or as exempted by the Fire Chief, shall not require fire sprinklers.

Additionally, agricultural buildings exceeding 2,000 square feet (186 m²) but not exceeding 5,000 square feet, not exceeding 25 feet (7620 mm) in height, having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, shall not require fire sprinklers at the discretion of the Fire Chief when the applicant demonstrates the applicant's proposal does not increase the fire hazard or fire load.

4. Group B and Group M Occupancies not more than 500 square feet (46.5 m²) shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code, Table 508.4.

5. Greenhouses of non-combustible construction shall not require fire sprinklers.

903.2.2 Existing Structures. An automatic sprinkler system shall be provided in existing structures when, after the effective date of this code, a building permit is issued to allow additions to be made to existing structures which either:

1. Are already six thousand (6,000) square feet or greater in total floor area; or

2. Will increase the total floor area of a structure by 10% or more; or

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3. When there is a change in the character of the occupancy or use of any building which in the opinion of the fire chief increases or may cause to increase the hazard of fire or threat to life or safety.

4. When additions are made to a structure which contains an existing fire sprinkler system. The fire sprinkler system shall be augmented, thus, creating fire sprinkler protection in the entire structure.

Exceptions:

1. Group U occupancies not more than one thousand (1,000) square feet.
2. Group B and Group M occupancies not more than five hundred (500) square feet.
3. Group R-3 dwellings where additions do not increase the total existing square footage by more than 50%.
4. Group A-2 occupancies not more than five thousand (5,000) square feet.

903.2.3 During construction. Automatic sprinkler systems required during construction, alteration and demolition operations shall be provided in accordance with Section 1413.

903.2.4 Other hazards. Automatic sprinkler protection shall be provided for the hazards indicated in Sections 903.2.4.1 through 903.2.4.8.

903.2.4.1 Windowless stories in all occupancies. An automatic sprinkler system shall be installed in the locations set forth in Sections 903.2.4.1.1 through 903.2.4.1.4.

Exception: Group R-3 and Group U.

903.2.4.1.1 Stories and basements without openings. An automatic sprinkler system shall be installed in every story or basement of all buildings where the floor area exceeds 1,500 square feet (139.4m²) and where there is not provided at least one of the following types of exterior wall openings:

1. Openings below grade that lead directly to ground level by an exterior stairway complying with Section 1009 or an outside ramp complying with Section 1010. Openings shall be located in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on at least one side.
2. Openings entirely above the adjoining ground level totaling at least 20 square feet (1.86 m²) in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on at least one side.

903.2.4.1.2 Opening dimensions and access. Openings shall have a minimum dimension of not less than 30 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

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903.2.4.1.3 Openings on one side only. Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22 860 mm) from such openings, the story shall be equipped throughout with an approved automatic sprinkler system or openings as specified above shall be provided on at least two sides of the story.

903.2.4.1.4 Basements. Where any portion of a basement is located more than 75 feet (22 860 mm) from openings required by Section 903.2.4.1.1, the basement shall be equipped throughout with an approved automatic sprinkler system.

903.2.4.2 Rubbish and linen chutes. An automatic sprinkler system shall be installed at the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Chute sprinklers shall be accessible for servicing.

903.2.4.3 Buildings 55 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level having an occupant load of 30 or more that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

Exceptions:

1. Airport control towers.
2. Open parking structures.
3. Occupancies in Group F-2.

903.2.4.4 Ducts conveying hazardous exhausts. Where required by the California Mechanical Code, automatic sprinklers shall be provided in ducts conveying hazardous exhausts, flammable or combustible materials.

Exception: Ducts where the largest cross-sectional diameter of the duct is less than 10 inches (254 mm).

903.2.4.5 Commercial cooking operations. An automatic sprinkler system shall be installed in a commercial kitchen exhaust hood and duct system where an automatic sprinkler system is used to comply with Section 904.

903.2.4.6 Change of hazard. The fire code official may require the installation of an automatic fire system when there is a change in the character of the occupancy or use of any building which increases or may cause to increase the hazard of fire or threat to life or safety.

903.2.4.7 Change in access. The fire code official may require the installation of an automatic fire system when any alteration or change in the use of a building or portion thereof changes access to property so as to impede the fire department's ability to control a fire.

19.05.280 SECTION 903.3.1.3 IS AMENDED – NFPA 13D SPRINKLER SYSTEMS.

Section 903.3.1.3 of Chapter 9 of the Fire Code of the city of Santa Cruz is amended to read as follows:

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903.3.1.3 NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems installed in one and two-family dwellings shall be installed throughout in accordance with NFPA 13D, and installation guidelines as promulgated by the Santa Cruz County Fire Chiefs Association.

19.05.290 SECTION 1103.5.1 IS AMENDED – PYROXYLIN PLASTICS.

Section 1103.5.1 of Chapter 11 of the Fire Code of the city of Santa Cruz is amended to read as follows:

1103.5.1 Pyroxylin plastics. An automatic sprinkler system shall be provided in all existing buildings where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg). Vaults located within buildings for the storage of raw pyroxylin shall be protected with an approved automatic sprinkler system capable of discharging 1.66 gallons per minute per square foot (68 L/min/m²) over the area of the vault.

19.05.300 SECTION 5303.5.3 IS AMENDED – SECURING COMPRESSED GAS CONTAINERS, CYLINDERS AND TANKS.

Section 5303.5.3 of Chapter 53 of the Fire Code of the city of Santa Cruz is amended to read as follows:

5303.5.3 Securing compressed gas containers, cylinders and tanks. Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity. Securing of compressed gas containers, cylinders and tanks shall be by one of the following methods:

1. Securing containers, cylinders and tanks to a fixed object with two or more non-combustible restraints. The object used to anchor the restraint shall be capable of withstanding the anticipated load(s) imposed. Anchor(s) shall be attached to a structural framing member or similar.
2. Securing containers, cylinders and tanks on a cart or other mobile device designed for the movement of compressed gas containers, cylinders or tanks.
3. Nesting of compressed gas containers, cylinders and tanks at container filling or servicing facilities or in seller's warehouses not accessible to the public. Nesting shall be allowed provided the nested containers, cylinders or tanks, if dislodged, do not obstruct the required means of egress.
4. Securing of compressed gas containers, cylinders and tanks to or within a rack, framework, cabinet or similar assembly designed for such use.

Exception: Compressed gas containers, cylinders and tanks in the process of examination, filling, transport or servicing.

19.05.310 CHAPTER 56 – EXPLOSIVES AND FIREWORKS.

CFC Chapter 56 is deleted in entirety. The following shall become Chapter 56:

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5601.1 Scope. For explosives requirements see California Code of Regulations, Title 19, Division 1, Chapter 10. For fireworks requirements see California Code of Regulations, Title 19, Division 1, Chapter 6.

Exceptions:

1. The Armed Forces of the United States, Coast Guard or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The possession, storage and use of small arms ammunition when packaged in accordance with DOTn packaging requirements.
4. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
5. Items preempted by federal regulations.

5601.1.2 Fireworks. Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

5602 – Display Fireworks

5602.1 Permit Restrictions. The fire code official is authorized to limit the quantity of fireworks permitted at a given location. No person, possessing a permit for storage of fireworks at any place, shall keep or store an amount greater than authorized in such permit.

5602.2 – Financial Responsibility. The permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the fire code official for the payment of all potential damages to a person or persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors. The permit holder shall comply with all provisions of Title 19 California Code of Regulations, Chapter 6.

5602.3 – Special Effects and other Proximate Displays. The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with all provisions of Title 19 California Code of Regulations, Chapter 6.

19.05.320 CHAPTER 90 IS ADDED – SUPPRESSION AND CONTROL OF WILDFIRE RISK AREAS.

Chapter 90 of the Fire Code of the city of Santa Cruz is added to read as follows:

9001 — SCOPE. The unrestricted use of grass-, grain-, brush- or forest-covered land in wildfire risk areas is a potential menace to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire that might be caused by recreational, residential, commercial, industrial or other activities shall be in accordance with Chapter 90.

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9002 — DEFINITIONS. For the purpose of this chapter, certain terms are defined as follows:

TRACER is any bullet or projectile incorporating a feature which marks or traces the flight of said bullet or projectile by flame, smoke or other means which results in fire or heat.

TRACER CHARGE is any bullet or projectile incorporating a feature designed to create a visible or audible effect by means which result in fire or heat and shall include any incendiary bullets and projectiles.

9003— PERMITS. The fire chief is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the fire code official.

9004— RESTRICTED ENTRY. The fire chief shall determine and publicly announce when wildfire risk areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of wildfire risk areas, except public roadways, inhabited areas or established trails and camp sites which have not been closed during such time when the wildfire risk area is closed to entry, is prohibited.

EXCEPTIONS: 1. Residents and owners of private property within wildfire risk areas and their invitees and guests going to or being upon their lands.

2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

9005 — TRESPASSING ON POSTED PROPERTY.

9005.1 General. When the fire chief determines that a specific area within a wildfire risk area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

9005.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to Appendix II-A shall be placed on every closed area.

9005.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

EXCEPTION: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

9006 — SMOKING. Lighting, igniting or otherwise setting fire to or smoking tobacco, cigarettes, pipes or cigars in wildfire risk areas is prohibited.

EXCEPTION: Places of habitation or within the boundaries of established smoking areas or campsites as designated by the fire code official.

9007— SPARK ARRESTERS. Chimneys used in conjunction with fireplaces, barbecues, incinerators or heating appliances in which solid or liquid fuel is used, upon buildings, structures

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or premises located within 200 feet (60 960 mm) of wildfire risk areas, shall be provided with a spark arrester constructed with heavy wire mesh or other noncombustible material with openings not to exceed 1/2 inch (12.7 mm).

9008 — TRACER BULLETS, TRACER CHARGES, ROCKETS AND MODEL AIRCRAFT. Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across wildfire risk areas.

Rockets, model planes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause fire shall not be fired or projected into or across wildfire risk areas.

9009— APIARIES. Lighted and smoldering material shall not be used in connection with smoking bees in or upon wildfire risk areas except by permit from the fire chief.

9010— OPEN-FLAME DEVICES. Welding torches, tar pots, decorative torches and other devices, machines or processes liable to start or cause fire shall not be operated or used in or upon wildfire risk areas, except by permit from the fire chief.

EXCEPTION: Use within habited premises or designated campsites which are a minimum of 30 feet (9144 mm) from grass-, grain-, brush- or forest-covered areas.

Flame-employing devices, such as lanterns or kerosene road flares, shall not be operated or used as a signal or marker in or upon wildfire risk areas.

EXCEPTION: The proper use of fuses at the scenes of emergencies or as required by standard railroad operating procedures.

9011 — OUTDOOR FIRES. Outdoor fires shall not be built, ignited or maintained in or upon wildfire risk areas, except by permit from the fire code official.

EXCEPTION: Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill manufactured for such use.

Permits shall incorporate such terms and conditions which will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or upon wildfire risk areas under the following conditions:

1. When high winds are blowing,
2. When a person age 17 or over is not present at all times to watch and tend such fire, or
3. When public announcement is made that open burning is prohibited.

Permanent barbecues, portable barbecues, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash or combustible waste material.

ORDINANCE NO. 2013-15

9012 — INCINERATORS AND FIREPLACES. Incinerators, outdoor fireplaces, permanent barbecues and grills shall not be built, installed or maintained in wildfire risk areas without prior approval of the fire chief.

Incinerators, outdoor fireplaces, permanent barbecues and grills shall be maintained in good repair and in a safe condition at all times. Openings in such appliances shall be provided with an approved spark arrester, screen or door.

EXCEPTION: When approved, unprotected openings in barbecues and grills necessary for proper functioning.

9013— CLEARANCE OF BRUSH AND VEGETATIVE GROWTH FROM ELECTRICAL TRANSMISSION LINE.

9013.1 General. Clearance of brush and vegetative growth from electrical transmission and distribution lines shall be in accordance with Section 9013.

EXCEPTION: Section 9013 does not authorize persons not having legal right of entry to enter on or damage the property of others without consent of the owner.

9013.2 Support Clearance. Persons owning, controlling, operating or maintaining electrical transmission or distribution lines shall have an approved program in place that identifies poles or towers with equipment and hardware types that have a history of becoming an ignition source, and provides a combustible free space consisting of a clearing of not less than 10 feet (3048 mm) in each direction from the outer circumference of such pole or tower during such periods of time as designated by the fire chief.

EXCEPTION: Lines used exclusively as telephone, telegraph, messenger call, alarm transmission or other lines classed as communication circuits by a public utility.

9013.3 Electrical Distribution and Transmission Line Clearances.

9013.3.1 General. Clearances between vegetation and electrical lines shall be in accordance with Section 9013.3.

9013.3.2 Trimming clearance. At the time of trimming, clearances not less than those established by Table 9013-A should be provided. The radial clearances shown below are minimum clearances that should be established, at time of trimming, between the vegetation and the energized conductors and associated live parts.

EXCEPTION: The fire chief is authorized to establish minimum clearances different than those specified in Table 9013-A when evidence substantiating such other clearances is submitted to the fire code official and approved.

9013.3.3 Minimum clearance to be maintained. Clearances not less than those established by Table 9013-B shall be maintained during such periods of time as designated by the fire code official. The site specific clearance achieved, at time of pruning, shall vary based on species growth rates, the utility company specific trim cycle, the potential line sway due to wind, line

ORDINANCE NO. 2013-15

sway due to electrical loading and ambient temperature, and the tree's location in proximity to the high voltage lines.

EXCEPTION: The fire code official is authorized to establish minimum clearances different than those specified by Table 9013-B when evidence substantiating such other clearances is submitted to the fire code official and approved.

TABLE 9013-A
—MINIMUM CLEARANCES BETWEEN VEGETATION AND ELECTRICAL
LINES AT TIME OF TRIMMING

LINE VOLTAGE	MINIMUM RADIAL CLEARANCE FROM CONDUCTOR (feet)
	x 304.8 mm
2,400- 72,000	4
72,001- 110,000	6
110,001- 300,000	10
300,001 or more	15

TABLE 9013-B
—MINIMUM CLEARANCES BETWEEN VEGETATION AND ELECTRICAL
LINES TO BE MAINTAINED

LINE VOLTAGE	MINIMUM CLEARANCE (inches)
	x 25.4 mm
750-35,000	6
35,001- 60,000	12
60,001- 115,000	19
115,001- 230,000	30 1/2
230,001- 500,000	115

ORDINANCE NO. 2013-15

9013.3.4 Electrical power line emergencies. During emergencies, the utility company shall perform the required work to the extent necessary to clear the hazard. An emergency can include situations such as trees falling into power lines, or trees in violation of Table 9013-B.

9013.4 Correction of Condition. The fire chief is authorized to give notice to the owner of the property on which conditions regulated by Section 9013 exist to correct such conditions. If the owner fails to correct such conditions, the legislative body of the jurisdiction is authorized to cause the same to be done and make the expense of such correction a lien on the property where such condition exists.

9014 — CLEARANCE OF BRUSH OR VEGETATIVE GROWTH FROM STRUCTURES.

9014.1 General. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining wildfire risk areas, and persons owning, leasing or controlling land adjacent to such buildings or structures, shall:

9014.1.1 Clearance. Maintain an effective firebreak through clearance of brush and vegetation in accordance with Section 304.1.2.

9014.1.2 Trees and Deadwoods. Maintain trees adjacent to or overhanging a building free of deadwood.

9014.2 Corrective Actions. The executive body is authorized to instruct the fire chief to give notice to the owner of the property upon which conditions regulated by Section 9014.1 exist to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

9015 — CLEARANCE OF BRUSH OR VEGETATIVE GROWTH FROM ROADWAYS. The fire chief is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The fire code official is authorized to enter upon private property to do so.

EXCEPTION: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

9016 — UNUSUAL CIRCUMSTANCES. If the fire chief determines that difficult terrain, danger of erosion or other unusual circumstances make strict compliance with the clearance of vegetation provisions of Sections 9013, 9014 or 9015 is undesirable or impractical, enforcement thereof may be suspended and reasonable alternative measures shall be provided.

9017 — DUMPING. Garbage, cans, bottles, papers, ashes, refuse, trash, rubbish or combustible waste material shall not be placed, deposited or dumped in or upon wildfire risk areas or in, upon or along trails, roadways or highways in wildfire risk areas.

EXCEPTION: Approved public and private dumping areas.

ORDINANCE NO. 2013-15

9018 — DISPOSAL OF ASHES. Ashes and coals shall not be placed, deposited or dumped in or upon wildfire risk areas.

EXCEPTIONS: 1. In the hearth of an established fire pit, camp stove or fireplace.

2. In a noncombustible container with a tight-fitting lid, which is kept or maintained in a safe location not less than 10 feet (3048 mm) from combustible vegetation or structures.

3. Where such ashes or coals are buried and covered with 1 foot (304.8 mm) of mineral earth not less than 25 feet (7620 mm) from combustible vegetation or structures.

9019 — USE OF FIRE ROADS AND FIREBREAKS. Motorcycles, motor scooters and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner which obstructs the entrance to a fire road or firebreak.

EXCEPTION: Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or firebreaks unless located 16 feet (4877 mm) or more above such fire road or firebreak.

9020 — USE OF MOTORCYCLES, MOTOR SCOOTERS AND MOTOR VEHICLES. Motorcycles, motor scooters and motor vehicles shall not be operated within wildfire risk areas, without a permit by the fire code official, except upon clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

9021 — TAMPERING WITH FIRE DEPARTMENT LOCKS, BARRICADES AND SIGNS. Locks, barricades, seals, cables, signs and markers installed within wildfire risk areas, by or under the control of the fire code official, shall not be tampered with, mutilated, destroyed or removed.

Gates, doors, barriers and locks installed by or under the control of the fire chief shall not be unlocked.

9022 — LIABILITY FOR DAMAGE. The expenses of fighting fires which result from a violation of this chapter shall be a charge against the person whose violation caused the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the fire chief in the same manner as in the case of an obligation under a contract, expressed or implied."

Section 3. 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 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): City of Santa Cruz.

Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in

ORDINANCE NO. 2013-15

above-ground tanks is prohibited): City of Santa Cruz.

Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): City of Santa Cruz

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): City of Santa Cruz.”

Section 4. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Santa Cruz City Council 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. Nothing in this ordinance 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 ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. This ordinance shall be in force and take effect on January 1, 2014.

PASSED FOR PUBLICATION this 24th day of September, 2013, by the following vote:

AYES: Councilmembers Terrazas, Comstock, Lane, Mathews, Posner; Vice Mayor Robinson, Mayor Bryant.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: _____



Mayor

ATTEST: _____



City Clerk Administrator

ORDINANCE NO. 2013-15

PASSED FOR FINAL ADOPTION this 8th day of October, 2013, by the following vote:

AYES: Councilmembers Terrazas, Comstock, Lane, Mathews, Posner; Vice Mayor Robinson, Mayor Bryant.

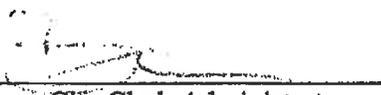
NOES: None.

ABSENT: None.

DISQUALIFIED: None.

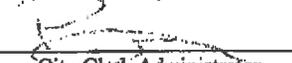
APPROVED: 

Mayor

ATTEST: 

City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2013-15 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.



City Clerk Administrator

RESOLUTION NO. XXXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ MAKING EXPRESS FINDINGS FOR THE MODIFICATION AND ADOPTION OF THE 2013 CALIFORNIA FIRE CODE AND FIRE CODE STANDARDS, RELATING TO AUTOMATIC FIRE SPRINKLER SYSTEMS, INCLUDING ANNUAL SUPPLEMENTS AND STATE AMENDMENTS AND ERRATA

WHEREAS,

- A. The City of Santa Cruz proposes to adopt the 2013 edition of the California Fire Code and Fire Code Standards, including annual supplements and State amendments and errata; and
- B. The City proposes to make certain changes in the requirements of the 2013 California Fire Code which changes and will affect all occupancies and be more restrictive than State Law; and,
- C. California Health and Safety Code Section 17958.5 requires the City to make certain findings before adopting such changes, and Section 17958.7 requires that such findings be filed with the California Building Standards Commission.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that insofar as Ordinance XXXX of the Santa Cruz City Fire Department may change or modify the State Housing Standards adopted pursuant to Health and Safety Code Section 17922, as to the requirement for installation of an automatic sprinkler system in all new buildings, the Santa Cruz City Council, after duly noticed and held public meeting, expressly finds that such change or modification to Sections 903 through 903.2.10.1 of Part 9 of the California Building Standards Code is reasonably necessary because of local conditions as more specifically set forth as follows:

1. The provisions relating to automatic sprinkler systems, proposed to be adopted by the City Council as changes to the 2013 edition of the California Fire Code, relating to automatic sprinkler systems, are reasonably necessary because of local conditions, as set forth in this resolution.
2. The City of Santa Cruz places a high value on protection of human life against hazards of fire. Sprinkler systems have been found to be highly effective systems for the protection of human life and should be used whenever feasible.
3. The water supply in the Santa Cruz area makes extensive use of automatic sprinkler systems feasible. The Santa Cruz area is favored with many sources of high quality water. These sources include springs, wells and surface streams. The watersheds of the Santa Cruz Mountains produce abundant quantities of good water in periods of normal rainfall. The Santa Cruz Water Treatment Plant built in 1961 has a rated capacity of 24 million gallons per day, and has completed a modernization project in 1988. The City of Santa Cruz owns and maintains Loch Lomond Water Storage Reservoir as its principal raw water storage reservoir.

Most of the City is ideally located below the Bay Street reservoir, which operates as a gravity flow water system with storage capacity at 6 million gallons. Many of our fire service installations maintain static pressures in excess of 100 pounds per square inch and residual flows in excess of 60 pounds per square inch. The City of Santa Cruz water distribution system is a major contributing factor toward the fire suppression capabilities of the City of Santa Cruz Fire

Department. There are jurisdictions within the State, which have difficulty providing required water flows for automatic fire sprinkler systems, making the operation of such sprinkler systems less feasible than in the City of Santa Cruz.

4. The City of Santa Cruz is also subject to certain dangers, making the use of automatic sprinkler systems a more significant factor in fire suppression. The City of Santa Cruz is located in seismic zone #4. Seismic zones are determined according to the proximity to certain major fault systems. The City of Santa Cruz is located adjacent to one of the most active fault systems in the United States. Major damage corresponding to intensity 8 and higher of the Modified Marcella Intensity Scale can be expected. Severe seismic action would place extreme demands on the limited resources of our small fire department. Communications would be disrupted. Damage to gas and water mains is to be expected. As previously mentioned, the City of Santa Cruz water system is the key to sprinkler supply. However, entire system failure due to earthquake is more unlikely than a partial failure. Automatic fire sprinkler systems will operate on much less pressure than normally available in Santa Cruz. The City of Santa Cruz water system is constructed in a grid to reduce the effect of a single pipe or area of pipes breaking. Automatic fire sprinklers would control or extinguish fires and thus reduce the demand on the fire department over unsprinklered buildings. Although sprinklers may only partially control a fire, this would be especially important to reduce the fire problem or delayed response that may be created by broken communications and obstructed access. Automatic fire sprinkler systems would therefore reduce demands on firefighting forces during emergency earthquake conditions.

5. Floods are another hazard to which the City of Santa Cruz is subject. Flood in the central (low areas) of the City of Santa Cruz would reduce the movement of fire apparatus. Two large fires at the same time during flood conditions would be disastrous. Automatic fire sprinklers may be the only fire control inside buildings within the flood area. Any delay in structural firefighting could allow a fire on our many wood shake or wood shingled structures to quickly involve a number of buildings. Additional fire apparatus and equipment from other communities responding on a mutual aid request may not be able to reach some fire areas. Access could be obstructed due to flooded streets and/or damaged bridges. Additional demands on the fire department for rescue and first aid would deplete available fire personnel to the point that the only protection in some buildings against fire would be automatic fire sprinkler systems. Automatic fire sprinkler systems would reduce demands on firefighting forces and protect buildings which may be otherwise inaccessible to the fire department during flood conditions.

6. The experience of efficiency of automatic fire sprinkler systems within the City of Santa Cruz exceed those of the National Fire Protection Association which indicate that automatic fire sprinkler systems have established an efficiency record of approximately 96% satisfactory performance in the United States since 1925. The local statistics show that all fires have been extinguished with fewer than 2 fire sprinkler heads activating, and that no further fire suppression was necessary upon arrival of fire suppression forces.

7. The local climatic conditions affect acceleration, intensity and size of fire in the community. Times of little or no rainfall create extremely hazardous conditions when a fire is introduced to the environment. Fires in structures can easily spread to the wildland as well as a fire in the wildland into a structure.

8. For the above reasons, it is imperative that developers and builders provide for built-in fire protection within buildings covered by the City of Santa Cruz Sprinkler Ordinance. Unless fires are kept in their incipient stages (and automatic fire sprinkler systems do that), the fire department as presently staffed and equipped cannot function effectively against large or numerous fires. Further, the City of Santa Cruz is a tourist oriented community and it is common for 35,000 to 60,000 people to visit Santa Cruz on an average summer weekend. This impacts emergency call volume dramatically.

Since the early 1970's our emergency responses have increased from approximately 500 calls per year to over 7,600 calls per year. An alternative fire protection solution would be to hire many additional firefighters, resulting in continuous cost increases each year. Due to increasing budget constraints, this additional cost would pose an economic hardship on the City's general fund. Tax revenues are not sufficient to support a large fire department.

Therefore, the only solution to maintain reasonable fire and life safety for building occupants is to install built-in fire protection wherever possible. Since 1988, when the City's fire sprinkler ordinance was first adopted, there have been numerous documented sprinkler activations, resulting in millions of dollars in property value saved. This approach to fire safety has proven to be an unequivocal success.

San Joaquin Fire Department
2200 Walnut Avenue
San Joaquin, CA 95060



SAN JOAQUIN PROC 95101-5153
WED 13 NOV 2013 PM

RECEIVED
NOV 18 2013
In Support Services

STATE FIRE MARSHAL'S OFFICE
1131 "S" STREET
P.O. BOX 944246
SACRAMENTO, CA 94244-246

BUILDING STANDARDS COMMISSION

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



April 1, 2014

Eric Aasen
Division Chief
City of Santa Cruz
230 Walnut Avenue
Santa Cruz, CA 95060

RE: Ordinance #2013-15

Dear Mr. Aasen:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on November 11, 2013.

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

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

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

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

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



CITY COUNCIL AGENDA REPORT

DATE: 9/18/2013

AGENDA OF: 9/24/2013

DEPARTMENT: Fire

SUBJECT: Adoption of Findings for Modification of the 2013 Edition of the California Fire Code and Fire Code Standards, Including Annual Supplements and State Amendments and Errata (FD)

RECOMMENDATION: Resolution making findings for modification of the California Fire Code, 2013 Edition, relating to automatic fire sprinkler systems.

Introduce for publication an ordinance repealing Title 19 of the City of Santa Cruz Municipal Code, in order to adopt and amend the 2013 Edition of the California Fire Code and Fire Code Standards, including annual supplements and State amendments and errata.

BACKGROUND: The proposed ordinance will adopt the California Fire Code, 2013 Edition with amendments. The California Health and Safety Code identifies a specific process for adoption of the Fire Code locally with specific actions and timelines. The California Building Standards Commission is charged with developing the minimum building standards for the State of California on a three-year cycle or when a new model code is available. With each code cycle the City is required to update its own ordinance and adopt the current model code with amendments.

Members of the Santa Cruz County Fire Prevention Officers have collectively prepared the ordinance text. By working cooperatively, we have been able to bring forth a fire code that is substantially consistent throughout the county. The Santa Cruz County Fire Chiefs' and Fire Prevention Officers' Associations recognize that regulatory consistency between the various fire agencies minimizes confusion and lessens the impact on the public. While there may be a few minor differences based on individual needs or other ordinances that are already in place, on the whole, the proposed code meets this goal.

DISCUSSION: The proposed revision to Title 19 of the Santa Cruz Municipal Code includes the 2013 edition of the California Fire Code (C.F.C.) and the City of Santa Cruz local amendments to the model Fire Code.

The draft ordinance before the City Council contains the amended code sections. The document tracks changes in the columns.

Prepared by:
Eric Aasen
Fire Division Chief

Submitted by:
Jeff Trapp
Chief of Fire

Approved by:
Martin Bernal
City Manager

ATTACHMENTS:
Ordinance
2013 Municipal Code Section 1905 Redline
Resolution



FIRE DEPARTMENT

230 Walnut Avenue, Santa Cruz, CA 95060 • 831 420-5280 • FAX: 831 420-5281

October 28, 2013

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 94244-2460

To Whom It May Concern::

The Santa Cruz Fire Department is forwarding our local findings and local amendment to the California State Building Standards Code to file with your office. One certified copy of each document is included with this cover letter.

Sincerely,

Eric Aasen
Division Chief

encl.

RECEIVED
CALIFORNIA BUILDING STANDARDS COMMISSION
OCT 29 11 05 AM '13

RESOLUTION NO. NS-28,692

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
MAKING EXPRESS FINDINGS FOR THE MODIFICATION AND ADOPTION OF THE
2013 CALIFORNIA FIRE CODE AND FIRE CODE STANDARDS, RELATING TO
AUTOMATIC FIRE SPRINKLER SYSTEMS, INCLUDING ANNUAL SUPPLEMENTS
AND STATE AMENDMENTS AND ERRATA**

WHEREAS, the City of Santa Cruz proposes to adopt the 2013 edition of the California Fire Code and Fire Code Standards, including annual supplements and State amendments and errata; and

WHEREAS, the City proposes to make certain changes in the requirements of the 2013 California Fire Code which changes and will affect all occupancies and be more restrictive than State Law; and

WHEREAS, California Health and Safety Code Section 17958.5 requires the City to make certain findings before adopting such changes, and Section 17958.7 requires that such findings be filed with the California Building Standards Commission.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that insofar as Ordinance No. 2013-15 of the City of Santa Cruz may change or modify the State Housing Standards adopted pursuant to Health and Safety Code Section 17922, as to the requirement for installation of an automatic sprinkler system in all new buildings, the Santa Cruz City Council, after duly noticed and held public meeting, expressly finds that such change or modification to Sections 903 through 903.2.10.1 of Part 9 of the California Building Standards Code is reasonably necessary because of local conditions as more specifically set forth as follows:

Section 1. The provisions relating to automatic sprinkler systems, proposed to be adopted by the City Council as changes to the 2013 edition of the California Fire Code, relating to automatic sprinkler systems, are reasonably necessary because of local conditions, as set forth in this resolution.

Section 2. The City of Santa Cruz places a high value on protection of human life against hazards of fire. Sprinkler systems have been found to be highly effective systems for the protection of human life and should be used whenever feasible.

Section 3. The water supply in the Santa Cruz area makes extensive use of automatic sprinkler systems feasible. The Santa Cruz area is favored with many sources of high quality water. These sources include springs, wells and surface streams. The watersheds of the Santa Cruz Mountains produce abundant quantities of good water in periods of normal rainfall. The Santa Cruz Water Treatment Plant built in 1961 has a rated capacity of 24 million gallons per day, and has completed a modernization project in 1988. The City of Santa Cruz owns and maintains Loch Lomond Water Storage Reservoir as its principal raw water storage reservoir.

RESOLUTION NO. NS-28,692

Section 7. The local climatic conditions affect acceleration, intensity and size of fire in the community. Times of little or no rainfall create extremely hazardous conditions when a fire is introduced to the environment. Fires in structures can easily spread to the wildland as well as a fire in the wildland into a structure.

Section 8. For the above reasons, it is imperative that developers and builders provide for built-in fire protection within buildings covered by the City of Santa Cruz Sprinkler Ordinance. Unless fires are kept in their incipient stages (and automatic fire sprinkler systems do that), the fire department as presently staffed and equipped cannot function effectively against large or numerous fires. Further, the City of Santa Cruz is a tourist oriented community and it is common for 35,000 to 60,000 people to visit Santa Cruz on an average summer weekend. This impacts emergency call volume dramatically.

Since the early 1970s our emergency responses have increased from approximately 500 calls per year to over 7,600 calls per year. An alternative fire protection solution would be to hire many additional firefighters, resulting in continuous cost increases each year. Due to increasing budget constraints, this additional cost would pose an economic hardship on the City's general fund. Tax revenues are not sufficient to support a large fire department.

Therefore, the only solution to maintain reasonable fire and life safety for building occupants is to install built-in fire protection wherever possible. Since 1988, when the City's fire sprinkler ordinance was first adopted, there have been numerous documented sprinkler activations, resulting in millions of dollars in property value saved. This approach to fire safety has proven to be an unequivocal success.

PASSED AND ADOPTED THIS 24th day of September 24, 2013, by the following vote:

AYES: Councilmembers Terruzas, Comstock, Lane, Mathews, Posner; Vice Mayor Robinson; Mayor Bryant.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED:



Mayor

ATTEST:


City Clerk Administrator

ORDINANCE NO. 2013-15

AN ORDINANCE OF THE CITY OF SANTA CRUZ REPEALING CHAPTER 19.05 OF THE SANTA CRUZ MUNICIPAL CODE AND ADOPTING A NEW CHAPTER 19.05 INCORPORATING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS AS THE FIRE CODE OF THE CITY OF SANTA CRUZ

BE IT ORDAINED by the City Council of the City of Santa Cruz as follows:

Section 1. Chapter 19.05 of the Santa Cruz Municipal Code is hereby repealed.

Section 2. A new Chapter 19.05 of the Santa Cruz Municipal Code is hereby adopted to read as follows:

“Chapter 19.05
Fire Code

- 19.05.010 California Fire Code adopted.
- 19.05.020 Section [A] 101.1 is amended – Title.
- 19.05.030 Section [A] 104.1 is amended – General.
- 19.05.040 Section [A] 105.1.1 is amended – Permits required.
- 19.05.050 Section [A] 106.1 is amended – Inspection authority.
- 19.05.060 Section [A] 107.5 is amended – Overcrowding.
- 19.05.070 Section [A] 109.4 is amended – Violation penalties.
- 19.05.080 Section [A] 111.4 is amended – Failure to comply.
- 19.05.090 Section 202 is amended – Definition of a driveway.
- 19.05.100 Section 202 is amended – Definition of wildfire risk area.
- 19.05.110 Section 202 is amended – Definition of imposed loads.
- 19.05.120 Section 202 is amended – Definition of state responsibility area (SRA).
- 19.05.130 Section 304.1.2 is amended – Vegetation.
- 19.05.140 Section 305.4 is amended – Deliberate or negligent burning
- 19.05.150 Section 307.2 – 307.5 is amended - Open burning, recreational fires, and portable outdoor fireplaces.
- 19.05.160 Section 308.1.2 is amended – Throwing or placing sources of ignition.
- 19.05.170 Section 308.1.7 is amended – Religious ceremonies.
- 19.05.180 Section 311.2.2 is amended – Fire Protection.
- 19.05.190 Section 311.5 is amended – Placards.
- 19.05.200 Section 315.3.5 is added – Storage under fixed bleachers.
- 19.05.210 Section 503 is amended – Fire apparatus access roads.
- 19.05.220 Section 507.1 is amended – Required water supply.
- 19.05.230 Section 507.5.4 is amended – Obstruction.
- 19.05.240 Section 507.5.5 is amended – Clear space around fire hydrants.
- 19.05.250 Section 507.5.6 is amended – Physical protection.
- 19.05.260 Section 508.5.7 is added – Painting.
- 19.05.270 CFC Sections 903.1 through 903.2.10.1 are deleted – Automatic sprinkler systems.
- 19.05.280 Section 903.3.1.3 is amended – NFPA 13D sprinkler systems
- 19.05.290 Section 1103.5.1 is amended – Pyroxylin plastics.

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19.05.300 Section 5303.5.3 is amended – Securing compressed gas containers, cylinders and tanks.

19.05.310 Chapter 56 – Explosives and fireworks.

19.05.320 Chapter 90 is added – Suppression and control of wildfire risk areas.

19.05.010 CALIFORNIA FIRE CODE ADOPTED

An ordinance of the City of Santa Cruz adopting the 2013 edition of the *California Fire Code with local amendments*, 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 Santa Cruz; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. 2010-19 & (part) 2010 of the City of Santa Cruz and all other ordinances and parts of the ordinances in conflict therewith.

The City Council of the City of Santa Cruz does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the Santa Cruz City Clerk of the City of Santa Cruz, being marked and designated as the California Fire Code, 2013 edition including “Appendix Chapters 4, B, BB, C, CC, D) as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Santa Cruz, 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; for the issuance of permits and collection of fees therefor; 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 Santa Cruz are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. That the following sections are hereby revised:

19.05.020 SECTION [A] 101.1 IS AMENDED – TITLE.

Section [A] 101.1 of Chapter 1 of the Fire Code of the city of Santa Cruz is amended to read as follows:

[A] 101.1 Title. These regulations shall be known as the Fire Code of the City of Santa Cruz, hereinafter referred to as “this code.”

19.05.030 Section [A] 104.1 IS AMENDED – GENERAL

Section [A] 104.1 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 104.1 – General. The fire code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such

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interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code.

19.05.040 SECTION [A] 105.1.1 IS AMENDED – PERMITS REQUIRED

Section [A] 105.1.1 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 105.1.1 – Permits required. Any property owner or authorized agent who intends to conduct an operation or business, or install or modify systems and equipment which is regulated by this code, or to cause any such work to be done, shall first make application to the fire code official and obtain the required permit.

When required by the fire code official, a permit shall be obtained. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

19.05.050 SECTION [A] 106.1 IS AMENDED – INSPECTION AUTHORITY

Section [A] 106.1 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 106.1 – Inspection authority. The fire code official is authorized to enter and examine any building, structure, marine vessel, vehicle or premises in accordance with Section 104.3 for the purpose of enforcing this code.

19.05.060 SECTION [A] 107.5 IS AMENDED – OVERCROWDING

Section [A] 107.5 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 107.5 – Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

19.05.070 SECTION [A] 109.4 IS AMENDED – VIOLATION PENALTIES.

Section [A] 109.4 of Chapter 1 of the Fire Code of the city of Santa Cruz is amended to read as follows:

[A] 109.4 – Violation Penalties. 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 of a permit or certificate used under provisions of this code, shall be guilty of an infraction.

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Acts denominated as infractions shall not be punishable by imprisonment. Every violation determined to be an infraction is punishable by:

1. A fine not exceeding one hundred dollars for a first violation;
2. A fine not exceeding two hundred dollars for a second violation of the same provision of this code within one year;
3. A fine not exceeding five hundred dollars for each additional violation of the same provision of this code within one year.

A person charged with an infraction shall not be entitled to a trial by jury. A judgment that a person convicted of an infraction be punished by fine may also provide for the payment to be made within a specified time or in specified installments, contingent upon the person giving his written promise to either pay the fine as provided or to appear in court on the due date. Any person who willfully violates any such written promise is guilty of a misdemeanor. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

19.05.080 SECTION [A] 111.4 IS AMENDED – FAILURE TO COMPLY.

Section [A] 111.4 of Chapter 1 of the Fire Code of the city of Santa Cruz is amended to read as follows:

[A] 111.4 Failure to comply. It is unlawful for any person, firm or corporation to violate or fail to comply with any lawful order of the fire code official; fail to comply with an order by the Board of Appeals; or, fail to comply with an order of the court of competent jurisdiction within the time fixed therein. Every such violation shall be deemed a misdemeanor and shall be punishable by a fine of not more than \$500.00 plus court assigned fees or by imprisonment not exceeding 1 year in the county jail, or both such fine and imprisonment.

19.05.090 SECTION 202 IS AMENDED – DEFINITION OF A DRIVEWAY

Definition of “Driveway” in Section 202 of Chapter 2 of the Fire Code of the City of Santa Cruz is added after “Draft Stop” to read as follows:

Driveway. DRIVEWAY is vehicular ingress and egress routes that serve no more than 2 residential buildings or structures, not including accessory structures, on one parcel, containing no more than 3 dwelling units.

(a) All driveways shall provide a minimum unobstructed width of 12 feet and minimum unobstructed vertical clearance of 13 feet 6 inches. Exception: Driveways serving parcels which are not considered a flag lot by the City Planning Department may be 10 feet wide when approved by the Fire Code Official.

(b) All curb cuts at entrances to driveways or other private ways shall be of sufficient width to permit safe travel by emergency vehicles at all times of the year.

(c) Turnouts shall be designed and constructed every 400 feet along the driveway’s length or at the midpoint when the driveway is over 400 but not more than 800 feet in length.

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(d) A turnaround shall be provided at all building or structure sites on driveways over 300 feet in length and shall be at 50 feet from the structure.

(e) In addition, where applicable, all driveways shall conform to N.F.P.A. Standard 1141, the standard for planned building groups.

19.05.100 SECTION 202 IS ADDED – DEFINITION OF WILDFIRE RISK AREA.

Definition of “Wildfire Risk Area” in Section 202 of Chapter 2 of the Fire Code of the city of Santa Cruz is added after “Wharf” to read as follows:

WILDFIRE RISK AREA. Land that is covered with grass, grain, brush, or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great or unusual damage through fire or resulting erosion as defined by the Fire Code Official.

19.05.110 SECTION 202 IS AMENDED – DEFINITION OF IMPOSED LOADS.

Definition of “Imposed Loads” in Section 202 of Chapter 2 of the Fire Code of the city of Santa Cruz is added after “Impairment Coordinator” to read as follows:

IMPOSED LOADS OF APPARATUS is a minimum of 40,000 pounds for a fire engine and 75,000 pounds for an aerial ladder fire truck.

19.05.120 SECTION 202 IS AMENDED – DEFINITION OF STATE RESPONSIBILITY AREA (SRA).

Definition of “State Responsibility Area (SRA)” in Section 202 of Chapter 2 of the Fire Code of the city of Santa Cruz is added after “Spraying Space” to read as follows:

STATE RESPONSIBILITY AREA (SRA) shall mean lands that are classified by the Board of Forestry pursuant to Public Resources Code Section 4125 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the State of California.

19.05.130 SECTION 304.1.2 IS AMENDED – VEGETATION.

Section 304.1.2 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

304.1.2 – Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be maintained around and adjacent to buildings and structures. A firebreak shall be made by removing and clearing away, for a distance of not less than 30 feet on each side of the building or structure or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This does not apply to single specimens of trees or other vegetation that is well-pruned and

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maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to any building or structure.

When required by state law, or local ordinance, rule or regulation, an additional fire protection zone or firebreak may be made by removing all brush, flammable vegetation, or combustible growth that is located within 100 feet from the building or structure or to the property line. This section does not prevent an insurance company that insures a building or structure from requiring the owner of the building or structure to maintain a firebreak of more than 100 feet around the building or structure. Grass and other vegetation located more than 30 feet from the building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion. This does not apply to single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure.

No owner, agent, lessee or other person occupying or having charge or control of any building, lot or premises within the city shall permit weeds to remain upon said premises or public sidewalk, or street or alleys between said premises and the centerline of any public street or alley after May 15th.

Whenever any such weeds are growing upon any private property or properties or in any street or alley within the city, the chief of the fire department shall give notice to the owner, agent, lessee or other person occupying or having charge or control of any building, lot or premises within the city, that unless such nuisance be abated without delay by the destruction or removal of such weeds, the work of abating such nuisance will be done by the city authorities, and the cost thereof assessed upon the lots and lands from which weeds shall have been destroyed or removed.

Method of Abatement

- (a) The chief of the fire department shall cause weeds to be abated through mowing, cutting, disking, removal or any other approved method except spraying.
- (b) When the chief determines that total removal of weed growth is impractical due to size or environmental factors, approved fuel breaks shall be established. Designated areas shall be cleared of combustible vegetation to establish fuel breaks.
- (c) The chief of the fire department, and its deputies, assistants, employees, contracting agents, or other representatives are hereby expressly authorized to enter upon private property for the purpose of destroying weeds.
- (d) Any property owner shall have the right to abate such weeds themselves, or have the same abated at their own expense provided that such weeds shall have been destroyed or removed prior to May 15th and the arrival of the chief of the fire department or his/her agents or representative to abate them.
- (e) Combustible rubbish which hampers or otherwise obstructs city weed abatement efforts may also be removed by the chief of the fire department or his/her agents or authorized representative at the owner's expense under the reimbursement and collection provisions of this chapter.

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19.05.140 SECTION 305.4 IS AMENDED - DELIBERATE OR NEGLIGENT BURNING

Section 305.4 of Chapter 3 of the Fire Code of the city of Santa Cruz is amended to read as follows:

305.4 Deliberate or negligent burning. It shall be unlawful to deliberately or through negligence set fire to or cause the burning of combustible material in such a manner as to endanger the safety of persons or property.

19.05.150 Section 307.2 – 307.5 OPEN BURNING, RECREATIONAL FIRES, AND PORTABLE OUTDOOR FIREPLACES

Section 307.2 – 307.5 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

307.2 Permit required. When required by the fire chief, a permit shall be obtained prior to kindling a fire for recognized agricultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such permit shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

The open burn season for Santa Cruz County unless otherwise declared shall be December 1st through April 30th of the calendar year. The dates may only be changed by Monterey Bay Area Unified Air Pollution Control District.

Exceptions:

1. During the “Declared open burn season” (As declared by the Monterey Bay Area Unified Air Pollution Control District) pile burning is allowed, at the discretion of the Fire Chief, when the “Guidelines for Pile Burning” (published by the California Department of Forestry and Fire Protection or Monterey Bay Area Unified Air Pollution Control District) are strictly adhered to.

SECTION 307.2.1 - AUTHORIZATION.

Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

SECTION 307.3 - EXTINGUISHMENT AUTHORITY.

The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

SECTION 307.4 - LOCATION

The location for open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.

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Exceptions:

1. Fires in approved containers that are not less than 15 feet from a structure.
2. The minimum required distance from a structure shall be 25 feet when the pile size is 3 feet or less in diameter and 2 feet or less in height.

SECTION 307.4.1 - AMENDED - BONFIRES

A bonfire shall not be conducted within 50 feet of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet of a structure shall be eliminated prior to ignition.

SECTION 307.4.2 - RECREATIONAL FIRES

Recreational fires shall not be conducted within 25 feet of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition.

SECTION 307.4.3 - PORTABLE OUTDOOR FIREPLACES

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one and two family dwellings.

SECTION 307.5 - ATTENDANCE

Open burning; bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire – extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

19.05.160 SECTION 308.1.2 IS AMENDED – Throwing or placing sources of ignition

Section 308.1.2 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

308.1.2 – Throwing or placing sources of ignition. No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire.

19.05.170 SECTION 308.1.7 IS AMENDED – Religious ceremonies

Section 308.1.7 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

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308.1.7 – Religious ceremonies. When, in the opinion of the fire code official, adequate safeguards have been taken, participants in religious ceremonies are allowed to carry hand-held candles. Hand-held candles shall not be passed from one person to another while lighted.

19.05.180 SECTION 311.2.2 IS AMENDED – Fire Protection

Section 311.2.2 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

311.2.2 Fire protection. Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times.

19.05.190 SECTION 311.5 IS AMENDED – PLACARDS.

Section 311.5 of Chapter 3 of the Fire Code of the city of Santa Cruz is amended to read as follows:

311.5 – Placards. When required by the fire code official, any building or structure determined to be unsafe pursuant to Section 110 of this code shall be marked as required by Sections 311.5.1 through 311.5.5.

19.05.200 SECTION 315.3.5 IS ADDED – STORAGE UNDER FIXED BLEACHERS.

Section 315.3.5 of Chapter 3 of the Fire Code of the City of Santa Cruz is added to read as follows:

315.3.5 - Storage Under Fixed Bleachers. Storage under fixed bleachers shall meet the same requirements as section 304.1.3.

19.05.210 SECTION 503 IS AMENDED - FIRE APPARATUS ACCESS ROADS

Section 503 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

503 Fire apparatus access roads.

503.1 Where required.

Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities.

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

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Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is 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.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional access.

The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage.

Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

503.2 Specifications.

Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.7.

503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority.

The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface.

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4 Turning radius.

The required turning radius of a fire apparatus access road shall be determined by the fire code official.

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503.2.5 Dead ends.

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces.

Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade.

The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking.

Where required by the fire code official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads.

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.4.1. Traffic calming devices

Traffic calming devices shall be prohibited unless approved by the fire code official.

503.5 Required gates or barricades.

The fire code official is authorized to require the installation and maintenance of gates or the approved barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways.

503.5.1 Secured gates and barricades.

When required, gates and barricades shall be secured in an approved manner. Roads, trails and other access ways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.

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Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

[B] 503.5.2 Fences and gates.

School grounds may be fenced and gates therein may be equipped with locks, provided that safe dispersal areas based on 3 square feet (0.28 m²) per occupant are located between the school and the fence. Such required safe dispersal areas shall not be located less than 50 feet (15 240 mm) from school buildings.

Every public and private school shall conform with Section 32020 of the Education Code which states:

The governing board of every public school district, and the governing authority of every private school, which maintains any building used for the instruction or housing of school pupils on land entirely enclosed (except for building walls) by fences, or walls, shall, through cooperation with the local law enforcement and fire protection agencies having jurisdiction of the area, make provision for the erection of gates in such fences or walls. The gates shall be of sufficient size to permit the entrance of the ambulances, police equipment and fire-fighting apparatus used by the law enforcement and fire protection agencies. There shall be no less than one such access gate and there shall be as many such gates as needed to ensure access to all major buildings and ground areas. If such gates are to be equipped with locks, the locking devices shall be designed to permit ready entrance by the use of the chain or bolt-cutting devices with which the local law enforcement and fire protection agencies may be equipped.

503.6 Security gates.

The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.

19.05.220 SECTION 507.1 IS AMENDED – REQUIRED WATER SUPPLY.

Section 507.1 of Chapter 5 of the Fire Code of the city of Santa Cruz is amended to read as follows:

507.1 – Required Water Supply. 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.

The minimum water supply for all new dwellings within State Responsibility Areas (SRA) shall be capable of supplying a flow of 500 gallons per minute for 20 minutes (10,000 gallons) for each parcel. Privately owned water that is not supplied by a licensed water purveyor shall: (1) serve no more than two dwellings and no more than 10,000 square feet of habitable dwelling space, and (2) be provided pursuant to a recorded covenant that runs with the land if the water supply originates from another parcel. If a water purveyor supplies the water, the applicant must

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submit with the building plan written verification from the licensed purveyor that the water supply meets the flow requirement.

Exceptions:

1. A 2% reduction will be allowed for flow supplied by approved stationary water tanks, to account for the nominal standardized capacity of such tanks.
2. The Fire Chief may reduce the flow requirement to 250 gallons per minute for 20 minutes by substituting approved enhanced access, defensible space, and/or ignition-resistant material requirements.

19.05.230 SECTION 507.5.4 IS AMENDED - OBSTRUCTION

Section 507.5.4 of the Fire Code of the City of Santa Cruz is amended to read as follows:

Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

19.05.240 SECTION 507.5.5 IS AMENDED – CLEAR SPACE AROUND HYDRANTS

Section 507.5.5 of the Fire Code of the City of Santa Cruz is amended to read as follows:

A 3-foot (914) mm clear space shall be maintained around the circumference of fire hydrants, except as otherwise required or approved.

19.05.250 SECTION 507.5.6 IS AMENDED – PHYSICAL PROTECTION

Section 507.5.6 of the Fire Code of the City of Santa Cruz is amended to read as follows:

Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall comply with Section 312.

19.05.260 SECTION 507.5.7 IS ADDED – PAINTING.

Section 508.5.7 of Chapter 5 of the Fire Code of the city of Santa Cruz is added to read as follows:

507.5.7 – Painting. When required by the fire code official, fire hydrants shall be painted in accordance with NFPA 291.

19.05.270 CFC SECTIONS 903.1 THROUGH 903.2.10.1 ARE DELETED – AUTOMATIC SPRINKLER SYSTEMS.

Sections 903.1 through 903.2.10.1 of Chapter 9 of the Fire Code of the city of Santa Cruz are deleted and replaced to read as follows:

903.1 General. Automatic sprinkler systems shall comply with this section.

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903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

903.2.1 New Structures. An automatic fire sprinkler system shall be provided in all new occupancies as defined in Chapter 3 of the California Building Code, regardless of type of construction and/or floor area, unless otherwise pre-empted by the California Health and Safety Code. Any occupancy not specifically mentioned shall be included in the group that it most nearly resembles based on the proposed life and fire hazard.

EXCEPTIONS: 1. Private garages, carports, sheds not more than 1,000 square feet (93 m²) of total floor area shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code.

2. Sheds exceeding 1,000 square feet, (93 m²) but not exceeding 3,000 square feet (278 m²) shall not require fire sprinklers at the discretion of the Fire Chief when the applicant demonstrates that the applicant's proposal does not increase the fire hazard or fire load.

3. Agricultural buildings as defined in Appendix Chapter C, of the California Building Code not exceeding 2,000 square feet (186 m²), not exceeding 25 feet (7620 mm) in height, having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, or as exempted by the Fire Chief, shall not require fire sprinklers.

Additionally, agricultural buildings exceeding 2,000 square feet (186 m²) but not exceeding 5,000 square feet, not exceeding 25 feet (7620 mm) in height, having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, shall not require fire sprinklers at the discretion of the Fire Chief when the applicant demonstrates the applicant's proposal does not increase the fire hazard or fire load.

4. Group B and Group M Occupancies not more than 500 square feet (46.5 m²) shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code, Table 508.4.

5. Greenhouses of non-combustible construction shall not require fire sprinklers.

903.2.2 Existing Structures. An automatic sprinkler system shall be provided in existing structures when, after the effective date of this code, a building permit is issued to allow additions to be made to existing structures which either:

1. Are already six thousand (6,000) square feet or greater in total floor area; or
2. Will increase the total floor area of a structure by 10% or more; or

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3. When there is a change in the character of the occupancy or use of any building which in the opinion of the fire chief increases or may cause to increase the hazard of fire or threat to life or safety.

4. When additions are made to a structure which contains an existing fire sprinkler system. The fire sprinkler system shall be augmented, thus, creating fire sprinkler protection in the entire structure.

Exceptions:

1. Group U occupancies not more than one thousand (1,000) square feet.
2. Group B and Group M occupancies not more than five hundred (500) square feet.
3. Group R-3 dwellings where additions do not increase the total existing square footage by more than 50%.
4. Group A-2 occupancies not more than five thousand (5,000) square feet.

903.2.3 During construction. Automatic sprinkler systems required during construction, alteration and demolition operations shall be provided in accordance with Section 1413.

903.2.4 Other hazards. Automatic sprinkler protection shall be provided for the hazards indicated in Sections 903.2.4.1 through 903.2.4.8.

903.2.4.1 Windowless stories in all occupancies. An automatic sprinkler system shall be installed in the locations set forth in Sections 903.2.4.1.1 through 903.2.4.1.4.

Exception: Group R-3 and Group U.

903.2.4.1.1 Stories and basements without openings. An automatic sprinkler system shall be installed in every story or basement of all buildings where the floor area exceeds 1,500 square feet (139.4m²) and where there is not provided at least one of the following types of exterior wall openings:

1. Openings below grade that lead directly to ground level by an exterior stairway complying with Section 1009 or an outside ramp complying with Section 1010. Openings shall be located in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on at least one side.
2. Openings entirely above the adjoining ground level totaling at least 20 square feet (1.86 m²) in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on at least one side.

903.2.4.1.2 Opening dimensions and access. Openings shall have a minimum dimension of not less than 30 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

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903.2.4.1.3 Openings on one side only. Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22 860 mm) from such openings, the story shall be equipped throughout with an approved automatic sprinkler system or openings as specified above shall be provided on at least two sides of the story.

903.2.4.1.4 Basements. Where any portion of a basement is located more than 75 feet (22 860 mm) from openings required by Section 903.2.4.1.1, the basement shall be equipped throughout with an approved automatic sprinkler system.

903.2.4.2 Rubbish and linen chutes. An automatic sprinkler system shall be installed at the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Chute sprinklers shall be accessible for servicing.

903.2.4.3 Buildings 55 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level having an occupant load of 30 or more that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

Exceptions:

1. Airport control towers.
2. Open parking structures.
3. Occupancies in Group F-2.

903.2.4.4 Ducts conveying hazardous exhausts. Where required by the California Mechanical Code, automatic sprinklers shall be provided in ducts conveying hazardous exhausts, flammable or combustible materials.

Exception: Ducts where the largest cross-sectional diameter of the duct is less than 10 inches (254 mm).

903.2.4.5 Commercial cooking operations. An automatic sprinkler system shall be installed in a commercial kitchen exhaust hood and duct system where an automatic sprinkler system is used to comply with Section 904.

903.2.4.6 Change of hazard. The fire code official may require the installation of an automatic fire system when there is a change in the character of the occupancy or use of any building which increases or may cause to increase the hazard of fire or threat to life or safety.

903.2.4.7 Change in access. The fire code official may require the installation of an automatic fire system when any alteration or change in the use of a building or portion thereof changes access to property so as to impede the fire department's ability to control a fire.

19.05.280 SECTION 903.3.1.3 IS AMENDED – NFPA 13D SPRINKLER SYSTEMS.

Section 903.3.1.3 of Chapter 9 of the Fire Code of the city of Santa Cruz is amended to read as follows:

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903.3.1.3 NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems installed in one and two-family dwellings shall be installed throughout in accordance with NFPA 13D, and installation guidelines as promulgated by the Santa Cruz County Fire Chiefs Association.

19.05.290 SECTION 1103.5.1 IS AMENDED – PYROXYLIN PLASTICS.

Section 1103.5.1 of Chapter 11 of the Fire Code of the city of Santa Cruz is amended to read as follows:

1103.5.1 Pyroxylin plastics. An automatic sprinkler system shall be provided in all existing buildings where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg). Vaults located within buildings for the storage of raw pyroxylin shall be protected with an approved automatic sprinkler system capable of discharging 1.66 gallons per minute per square foot (68 L/min/m²) over the area of the vault.

19.05.300 SECTION 5303.5.3 IS AMENDED – SECURING COMPRESSED GAS CONTAINERS, CYLINDERS AND TANKS.

Section 5303.5.3 of Chapter 53 of the Fire Code of the city of Santa Cruz is amended to read as follows:

5303.5.3 Securing compressed gas containers, cylinders and tanks. Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity. Securing of compressed gas containers, cylinders and tanks shall be by one of the following methods:

1. Securing containers, cylinders and tanks to a fixed object with two or more non-combustible restraints. The object used to anchor the restraint shall be capable of withstanding the anticipated load(s) imposed. Anchor(s) shall be attached to a structural framing member or similar.
2. Securing containers, cylinders and tanks on a cart or other mobile device designed for the movement of compressed gas containers, cylinders or tanks.
3. Nesting of compressed gas containers, cylinders and tanks at container filling or servicing facilities or in seller's warehouses not accessible to the public. Nesting shall be allowed provided the nested containers, cylinders or tanks, if dislodged, do not obstruct the required means of egress.
4. Securing of compressed gas containers, cylinders and tanks to or within a rack, framework, cabinet or similar assembly designed for such use.

Exception: Compressed gas containers, cylinders and tanks in the process of examination, filling, transport or servicing.

19.05.310 CHAPTER 56 – EXPLOSIVES AND FIREWORKS.

CFC Chapter 56 is deleted in entirety. The following shall become Chapter 56:

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5601.1 Scope. For explosives requirements see California Code of Regulations, Title 19, Division 1, Chapter 10. For fireworks requirements see California Code of Regulations, Title 19, Division 1, Chapter 6.

Exceptions:

1. The Armed Forces of the United States, Coast Guard or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The possession, storage and use of small arms ammunition when packaged in accordance with DOTn packaging requirements.
4. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
5. Items preempted by federal regulations.

5601.1.2 Fireworks. Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

5602 – Display Fireworks

5602.1 Permit Restrictions. The fire code official is authorized to limit the quantity of fireworks permitted at a given location. No person, possessing a permit for storage of fireworks at any place, shall keep or store an amount greater than authorized in such permit.

5602.2 – Financial Responsibility. The permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the fire code official for the payment of all potential damages to a person or persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors. The permit holder shall comply with all provisions of Title 19 California Code of Regulations, Chapter 6.

5602.3 – Special Effects and other Proximate Displays. The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with all provisions of Title 19 California Code of Regulations, Chapter 6.

19.05.320 CHAPTER 90 IS ADDED – SUPPRESSION AND CONTROL OF WILDFIRE RISK AREAS.

Chapter 90 of the Fire Code of the city of Santa Cruz is added to read as follows:

9001 — SCOPE. The unrestricted use of grass-, grain-, brush- or forest-covered land in wildfire risk areas is a potential menace to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire that might be caused by recreational, residential, commercial, industrial or other activities shall be in accordance with Chapter 90.

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9002 — DEFINITIONS. For the purpose of this chapter, certain terms are defined as follows:

TRACER is any bullet or projectile incorporating a feature which marks or traces the flight of said bullet or projectile by flame, smoke or other means which results in fire or heat.

TRACER CHARGE is any bullet or projectile incorporating a feature designed to create a visible or audible effect by means which result in fire or heat and shall include any incendiary bullets and projectiles.

9003— PERMITS. The fire chief is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the fire code official.

9004— RESTRICTED ENTRY. The fire chief shall determine and publicly announce when wildfire risk areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of wildfire risk areas, except public roadways, inhabited areas or established trails and camp sites which have not been closed during such time when the wildfire risk area is closed to entry, is prohibited.

EXCEPTIONS: 1. Residents and owners of private property within wildfire risk areas and their invitees and guests going to or being upon their lands.

2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

9005 — TRESPASSING ON POSTED PROPERTY.

9005.1 General. When the fire chief determines that a specific area within a wildfire risk area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

9005.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to Appendix II-A shall be placed on every closed area.

9005.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

EXCEPTION: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

9006 — SMOKING. Lighting, igniting or otherwise setting fire to or smoking tobacco, cigarettes, pipes or cigars in wildfire risk areas is prohibited.

EXCEPTION: Places of habitation or within the boundaries of established smoking areas or campsites as designated by the fire code official.

9007— SPARK ARRESTERS. Chimneys used in conjunction with fireplaces, barbecues, incinerators or heating appliances in which solid or liquid fuel is used, upon buildings, structures

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or premises located within 200 feet (60 960 mm) of wildfire risk areas, shall be provided with a spark arrester constructed with heavy wire mesh or other noncombustible material with openings not to exceed 1/2 inch (12.7 mm).

9008 — TRACER BULLETS, TRACER CHARGES, ROCKETS AND MODEL AIRCRAFT. Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across wildfire risk areas.

Rockets, model planes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause fire shall not be fired or projected into or across wildfire risk areas.

9009— APIARIES. Lighted and smoldering material shall not be used in connection with smoking bees in or upon wildfire risk areas except by permit from the fire chief.

9010— OPEN-FLAME DEVICES. Welding torches, tar pots, decorative torches and other devices, machines or processes liable to start or cause fire shall not be operated or used in or upon wildfire risk areas, except by permit from the fire chief.

EXCEPTION: Use within habited premises or designated campsites which are a minimum of 30 feet (9144 mm) from grass-, grain-, brush- or forest-covered areas.

Flame-employing devices, such as lanterns or kerosene road flares, shall not be operated or used as a signal or marker in or upon wildfire risk areas.

EXCEPTION: The proper use of fuses at the scenes of emergencies or as required by standard railroad operating procedures.

9011 — OUTDOOR FIRES. Outdoor fires shall not be built, ignited or maintained in or upon wildfire risk areas, except by permit from the fire code official.

EXCEPTION: Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill manufactured for such use.

Permits shall incorporate such terms and conditions which will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or upon wildfire risk areas under the following conditions:

1. When high winds are blowing,
2. When a person age 17 or over is not present at all times to watch and tend such fire, or
3. When public announcement is made that open burning is prohibited.

Permanent barbecues, portable barbecues, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash or combustible waste material.

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9012 — INCINERATORS AND FIREPLACES. Incinerators, outdoor fireplaces, permanent barbecues and grills shall not be built, installed or maintained in wildfire risk areas without prior approval of the fire chief.

Incinerators, outdoor fireplaces, permanent barbecues and grills shall be maintained in good repair and in a safe condition at all times. Openings in such appliances shall be provided with an approved spark arrester, screen or door.

EXCEPTION: When approved, unprotected openings in barbecues and grills necessary for proper functioning.

9013— CLEARANCE OF BRUSH AND VEGETATIVE GROWTH FROM ELECTRICAL TRANSMISSION LINE.

9013.1 General. Clearance of brush and vegetative growth from electrical transmission and distribution lines shall be in accordance with Section 9013.

EXCEPTION: Section 9013 does not authorize persons not having legal right of entry to enter on or damage the property of others without consent of the owner.

9013.2 Support Clearance. Persons owning, controlling, operating or maintaining electrical transmission or distribution lines shall have an approved program in place that identifies poles or towers with equipment and hardware types that have a history of becoming an ignition source, and provides a combustible free space consisting of a clearing of not less than 10 feet (3048 mm) in each direction from the outer circumference of such pole or tower during such periods of time as designated by the fire chief.

EXCEPTION: Lines used exclusively as telephone, telegraph, messenger call, alarm transmission or other lines classed as communication circuits by a public utility.

9013.3 Electrical Distribution and Transmission Line Clearances.

9013.3.1 General. Clearances between vegetation and electrical lines shall be in accordance with Section 9013.3.

9013.3.2 Trimming clearance. At the time of trimming, clearances not less than those established by Table 9013-A should be provided. The radial clearances shown below are minimum clearances that should be established, at time of trimming, between the vegetation and the energized conductors and associated live parts.

EXCEPTION: The fire chief is authorized to establish minimum clearances different than those specified in Table 9013-A when evidence substantiating such other clearances is submitted to the fire code official and approved.

9013.3.3 Minimum clearance to be maintained. Clearances not less than those established by Table 9013-B shall be maintained during such periods of time as designated by the fire code official. The site specific clearance achieved, at time of pruning, shall vary based on species growth rates, the utility company specific trim cycle, the potential line sway due to wind, line

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sway due to electrical loading and ambient temperature, and the tree's location in proximity to the high voltage lines.

EXCEPTION: The fire code official is authorized to establish minimum clearances different than those specified by Table 9013-B when evidence substantiating such other clearances is submitted to the fire code official and approved.

TABLE 9013-A
—MINIMUM CLEARANCES BETWEEN VEGETATION AND ELECTRICAL LINES AT TIME OF TRIMMING

LINE VOLTAGE	MINIMUM RADIAL CLEARANCE FROM CONDUCTOR (feet)
	x 304.8 mm
2,400-72,000	4
72,001-110,000	6
110,001-300,000	10
300,001 or more	15

TABLE 9013-B
—MINIMUM CLEARANCES BETWEEN VEGETATION AND ELECTRICAL LINES TO BE MAINTAINED

LINE VOLTAGE	MINIMUM CLEARANCE (inches)
	x 25.4 mm
750-35,000	6
35,001-60,000	12
60,001-115,000	19
115,001-230,000	30 1/2
230,001-500,000	115

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9013.3.4 Electrical power line emergencies. During emergencies, the utility company shall perform the required work to the extent necessary to clear the hazard. An emergency can include situations such as trees falling into power lines, or trees in violation of Table 9013-B.

9013.4 Correction of Condition. The fire chief is authorized to give notice to the owner of the property on which conditions regulated by Section 9013 exist to correct such conditions. If the owner fails to correct such conditions, the legislative body of the jurisdiction is authorized to cause the same to be done and make the expense of such correction a lien on the property where such condition exists.

9014 — CLEARANCE OF BRUSH OR VEGETATIVE GROWTH FROM STRUCTURES.

9014.1 General. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining wildfire risk areas, and persons owning, leasing or controlling land adjacent to such buildings or structures, shall:

9014.1.1 Clearance. Maintain an effective firebreak through clearance of brush and vegetation in accordance with Section 304.1.2.

9014.1.2 Trees and Deadwoods. Maintain trees adjacent to or overhanging a building free of deadwood.

9014.2 Corrective Actions. The executive body is authorized to instruct the fire chief to give notice to the owner of the property upon which conditions regulated by Section 9014.1 exist to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

9015 — CLEARANCE OF BRUSH OR VEGETATIVE GROWTH FROM ROADWAYS. The fire chief is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The fire code official is authorized to enter upon private property to do so.

EXCEPTION: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

9016 — UNUSUAL CIRCUMSTANCES. If the fire chief determines that difficult terrain, danger of erosion or other unusual circumstances make strict compliance with the clearance of vegetation provisions of Sections 9013, 9014 or 9015 is undesirable or impractical, enforcement thereof may be suspended and reasonable alternative measures shall be provided.

9017 — DUMPING. Garbage, cans, bottles, papers, ashes, refuse, trash, rubbish or combustible waste material shall not be placed, deposited or dumped in or upon wildfire risk areas or in, upon or along trails, roadways or highways in wildfire risk areas.

EXCEPTION: Approved public and private dumping areas.

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9018 — DISPOSAL OF ASHES. Ashes and coals shall not be placed, deposited or dumped in or upon wildfire risk areas.

EXCEPTIONS: 1. In the hearth of an established fire pit, camp stove or fireplace.

2. In a noncombustible container with a tight-fitting lid, which is kept or maintained in a safe location not less than 10 feet (3048 mm) from combustible vegetation or structures.

3. Where such ashes or coals are buried and covered with 1 foot (304.8 mm) of mineral earth not less than 25 feet (7620 mm) from combustible vegetation or structures.

9019 — USE OF FIRE ROADS AND FIREBREAKS. Motorcycles, motor scooters and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner which obstructs the entrance to a fire road or firebreak.

EXCEPTION: Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or firebreaks unless located 16 feet (4877 mm) or more above such fire road or firebreak.

9020 — USE OF MOTORCYCLES, MOTOR SCOOTERS AND MOTOR VEHICLES. Motorcycles, motor scooters and motor vehicles shall not be operated within wildfire risk areas, without a permit by the fire code official, except upon clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

9021 — TAMPERING WITH FIRE DEPARTMENT LOCKS, BARRICADES AND SIGNS. Locks, barricades, seals, cables, signs and markers installed within wildfire risk areas, by or under the control of the fire code official, shall not be tampered with, mutilated, destroyed or removed.

Gates, doors, barriers and locks installed by or under the control of the fire chief shall not be unlocked.

9022 — LIABILITY FOR DAMAGE. The expenses of fighting fires which result from a violation of this chapter shall be a charge against the person whose violation caused the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the fire chief in the same manner as in the case of an obligation under a contract, expressed or implied."

Section 3. 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 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): City of Santa Cruz.

Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in

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above-ground tanks is prohibited): City of Santa Cruz.

Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): City of Santa Cruz

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): City of Santa Cruz.”

Section 4. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Santa Cruz City Council 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. Nothing in this ordinance 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 ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. This ordinance shall be in force and take effect on January 1, 2014.

PASSED FOR PUBLICATION this 24th day of September, 2013, by the following vote:

AYES: Councilmembers Terrazas, Comstock, Lane, Mathews, Posner; Vice Mayor Robinson, Mayor Bryant.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: _____



Mayor

ATTEST: _____



City Clerk Administrator

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PASSED FOR FINAL ADOPTION this 8th day of October, 2013, by the following vote:

AYES: Councilmembers Terrazas, Comstock, Lane, Mathews, Posner; Vice Mayor Robinson, Mayor Bryant.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: _____



Mayor

ATTEST: _____

City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2013-15 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

City Clerk Administrator