

BUILDING STANDARDS COMMISSION

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



January 13, 2014

Terri A. Griffin
City Clerk
City of Santa Rosa
100 Santa Rosa Avenue, Room 10
Santa Rosa, CA 95404

RE: Ordinance #4015 & #4016

Dear Ms. Griffin:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 11, 2013.

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

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

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

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

Sincerely,

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

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

From: Griffin, Terri <tgriffin@srcity.org>
Sent: Wednesday, December 11, 2013 2:59 PM
To: OrdinanceFilings@DGS
Cc: Pedroia, Mark; Whitaker, Michael; Williams, Stephanie
Subject: Local Filings - 2013 California Fire Code and 2013 California Building Standards Code
Attachments: Ordinance No. 4015 - Building.pdf; Ordinance No. 4016 - Fire.pdf

RECEIVED
2013 DEC 11 PM 3:38
CITY CLERK'S OFFICE

To Whom it May Concern:

Attached please find certified copies of the following ordinances, adopted by the Santa Rosa City Council on December 3, 2013:

1. ORDINANCE NO. 4015 - ORDINANCE OF THE CITY OF SANTA ROSA ADOPTING BY REFERENCE THE 2013 CALIFORNIA ADMINISTRATIVE CODE, 2013 CALIFORNIA BUILDING CODE, 2013 CALIFORNIA RESIDENTIAL CODE, 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2013 CALIFORNIA REFERENCED STANDARD CODE, 2013 CALIFORNIA ELECTRICAL CODE, 2013 CALIFORNIA MECHANICAL CODE, 2013 CALIFORNIA PLUMBING CODE, 2013 CALIFORNIA HISTORICAL BUILDING CODE, 2013 CALIFORNIA EXISTING BUILDING CODE, 2013 CALIFORNIA ENERGY CODE, 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE
2. ORDINANCE NO. 4016 - ORDINANCE OF THE CITY OF SANTA ROSA ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA FIRE CODE

Should you have any questions, please contact me at (707) 543-3015.

Terri A. Griffin | City Clerk
City Clerk's Office | 100 Santa Rosa Avenue, Room 10 | Santa Rosa, CA 95404
Tel. (707) 543-3015 | Fax (707) 543-3030 | CityClerk@srcity.org



ORDINANCE NO.4015

ORDINANCE OF THE CITY OF SANTA ROSA ADOPTING BY REFERENCE THE 2013 CALIFORNIA ADMINISTRATIVE CODE, 2013 CALIFORNIA BUILDING CODE, 2013 CALIFORNIA RESIDENTIAL CODE, 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2013 CALIFORNIA REFERENCED STANDARD CODE, 2013 CALIFORNIA ELECTRICAL CODE, 2013 CALIFORNIA MECHANICAL CODE, 2013 CALIFORNIA PLUMBING CODE, 2013 CALIFORNIA HISTORICAL BUILDING CODE, 2013 CALIFORNIA EXISTING BUILDING CODE, 2013 CALIFORNIA ENERGY CODE, 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. The existing sections of Chapter 18-04, General Provisions, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-04.015 Adoption by reference, Subsection (A), of the Santa Rosa City Code is amended to read as follows:

“(A) It is hereby adopted by reference by the City of Santa Rosa those certain model codes as adopted and amended by the State of California and defined in the Health and Safety Code and contained in Title 24 of the California Code of Regulations as applicable to various occupancies as depicted in the matrix adoption tables therein or the promulgating instruments thereof, which codes are known as: The CALIFORNIA ADMINISTRATIVE CODE, Part 1 of Title 24, 2013 Edition, published by the International Code Council and amended by the California Building Standards Commission; The CALIFORNIA BUILDING CODE, Part 2 of Title 24, 2013 Edition, published by the International Code Council and amended by the California Building Standards Commission, and Appendix C, Agricultural Buildings; Appendix H, Signs; Appendix I, Patio Covers; Appendix J, Grading; the CALIFORNIA RESIDENTIAL CODE, Part 2.5 of Title 24, 2013 Edition, published by the International Code Council and amended by the California Building Standards Commission, and Appendix H, Patio Covers; CALIFORNIA GREEN BUILDING STANDARDS CODE, Part 11 of Title 24, 2013 Edition, including Appendix Chapter A4, Residential Voluntary Measures at Tier I level for Planning and Design, Water Efficiency and Conservation, Material Conservation and Resource Efficiency, and Environmental Quality, and Appendix A5, Nonresidential Voluntary Measures at Tier I level for Planning and Design, Water Efficiency and Conservation, Material Conservation and Resource Efficiency, and Environmental Quality; CALIFORNIA REFERENCED STANDARDS CODE, Part 12 of Title 24, 2013 Edition, published by the International Code Council and the California Building Standards Commission.; The CALIFORNIA ELECTRICAL CODE, Part 3 of Title 24, 2013 Edition, published by the National Fire Protection Association and amended by the California Building Standards Commission, and Annex H, Administration; CALIFORNIA MECHANICAL CODE, Part 4 of Title 24, 2013 Edition, published by the International Association of Plumbing and Mechanical Officials and

amended by the California Building Standards Commission, including tables and Appendix B, Uniform Mechanical Code Standards; The CALIFORNIA PLUMBING CODE, Part 5 of Title 24, 2013 Edition, published by the International Association of Plumbing and Mechanical Officials and amended by the California Building Standards Commission, including IAPMO Installation Standards, including tables and Appendix A, Recommended Rules for Sizing the Water Piping System; Appendix B, Explanatory Notes on Combination Waste and Vent Systems; Appendix D, Sizing Storm Water Drainage Systems; Appendix I, Installation Standards; and Appendix L, Alternate Plumbing Systems; The CALIFORNIA HISTORICAL BUILDING CODE, Part 8 of Title 24, 2013 Edition, published by the International Code Council and adopted by the California Building Standards Commission; The CALIFORNIA EXISTING BUILDING CODE, Part 10 of Title 24, 2013 Edition, published by the International Code Council and the California Building Standards Commission; The CALIFORNIA ENERGY CODE, Part 6 of Title 24, 2013 Edition, published by the International Code Council and the California Building Standards Commission; the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 Edition, published by the International Code Council.”

Section 18-04.040 Building Official – Administrative authority of the Santa Rosa City Code is amended to read as follows:

“The Chief Building Official is appointed and designated as the Director of Building and Code Compliance, Chief Building Official, Building Official, Code Official or Administrative Authority, as such terms are used and such positions are established in the Santa Rosa City Code, California Administrative Code, California Building Code, California Residential Code, California Fire Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, International Property Maintenance Code, California Green Building Standards Code, California Historical Building Code, and the California Existing Building Code. The Assistant Director of Community Development is charged with the enforcement of and given the authority to administer all provisions of such codes and City regulations and requirements adopted under the authority provided in Government Code Sections 38601(b) and 38660.”

Section 18-04.065 Form of appeal – Filing, Subsection (A)(8) is added to the Santa Rosa City Code to read as follows:

“(8) Payment of fee to file an application to appeal a decision by the Chief Building Official to Board of Building Regulations Appeals in the amount fixed by resolution of the City Council.”

Section 18-04.080 Violation—Penalty.

Any person violating any of the provisions of this title, including, but not limited to, adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of this code.

Section 2. The existing sections of Chapter 18-08, Permits and Fees, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-08.020 Single forms, Subsection (A) of the Santa Rosa City Code is amended to read as follows:

“(A) Fees for the issuance of such permits shall be payable in the amounts fixed by resolution of the City Council, based on the valuation listed therein or on the cost based fees in the amounts fixed by resolution of the City Council. The fees shall be charged and collected at the time of issuance of the permit.”

Section 18-08.050 Expiration of plan review of the Santa Rosa City Code is amended to read as follows:

“A building permit application and plan review shall expire if no permit is issued within one year of the date the application is filed. The construction plans and support documents submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period of 180 days upon written request by the applicant showing that circumstances beyond the full control of the applicant have prevented any action from being taken. In the event that the applicant is diligently pursuing permit issuance and there have been no updates to the State of California adopted building codes or expiration of any other applicable City required permit since the time of initial submittal of the building permit application, the Building Official may extend the application an additional 180 days. Fees for extension of permit applications and plan review shall be in the amounts fixed by resolution of the City Council. In order to renew action on an application after expiration, the applicant shall reapply for the building permit, resubmit construction plans and support documents and pay a new plan review fee.”

Section 3. The existing sections of Chapter 18-12, Improvement Requirements, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 4. The existing sections of Chapter 18-16, California Building Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-16.010 Citations of sections of the Santa Rosa City Code is amended to read as follows:

“This chapter shall be known as the “California Building Code,” and may be cited as such. For purposes of citation, the California Building Code, Part 2 of Title 24, 2013 Edition, published by the International Code Council and amended by the California Building Standards Commission, and only Appendix H, Signs; Appendix I, Patio Covers; and Appendix J, Grading and thereto adopted by reference and amended by the City, is renumbered by adding “18-16.”

before each section.”

Section 18-16.114.4 Violation penalties is amended to read as follows:

“California Building Code, Section 114.4 is amended to read as follows:

Section 114.4 Violation penalties. Any person violating any of the provisions of this title, including, but not limited to, adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of this code”

Section 18-16.903.2 Where required is amended to read as follows:

“California Building Code Section 903.2 paragraph number one is amended to read as follows:

Section 903.2. Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in locations described in sections 903.2.1 through section 903.2.20. The most restrictive requirement shall apply.”

Section 18-16.903.2.18 Exception is amended to read as follows:

“California Building Code Section 903.2.18 Exception is amended to read as follows:

Section 903.2.18 Exception.

1. Carports of noncombustible construction with non-habitable spaces above.
2. Additions and/or alterations not exceeding 50 percent of the existing square footage.”

Section 18-16.903.2.19 of the Santa Rosa City Code is deleted.

Section 18-16.903.2.20 Local fire sprinkler requirements is added to read as follows:

“California Building Code Section 903.2.20 is added to read as follows:

Section 903.2.20 Local fire sprinkler requirements.”

Section 18-16.903.2.20.1 Automatic sprinkler system. is added to read as follows:

“California Building Code Section 903.2.20.1 is added to read as follows:

Section 903.2.20.1 An approved automatic sprinkler system shall be installed and maintained in all newly constructed buildings.

Exceptions:

1. Agricultural buildings as approved by the Fire or Building Official.
2. Detached pool houses up to 1000 sq. ft. in floor area within 50 feet of the pool and limited to a single bathroom.

3. Detached non-combustible motor vehicle fuel dispensing canopies classified as Group M occupancy.
4. Detached Group U occupancies 1,000 square feet or less.
5. A room above a detached garage used for storage only that does not contain a bathroom, cooking or refrigeration facilities.
6. Carports of non-combustible construction with non-habitable spaces above.
7. B or M occupancies 500 sq. ft or less."

Section 18-16.903.2.20.2 Additions, remodels, alterations or repairs is added to read as follows:

"California Building Code Section 903.2.20.2 is added to read as follows:

Section 18-16.903.2.20.2 Additions, Remodels, Alterations or Repairs.

1. "An automatic fire sprinkler system shall be provided in an existing one- or two-family dwelling when additions increase the area by 50% or more of the calculated existing gross floor area.
2. An automatic fire sprinkler system shall be provided in an existing non-residential building when additions increase the area by 25% or more calculated by existing gross floor area.
3. Additions to existing Group R, Division 1 occupancies that result in additional guest rooms or dwellings units, the building shall meet the requirements for a newly constructed building.
4. For remodels, alterations or repairs to an existing building involving demolition, removal or repair of more than 50% of the structure (to include walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations or similar components), the building shall meet the requirements for a newly construction building. For the purpose of applying this sections, the following criteria shall be considered in the 50% threshold evaluation:
 - a. The removal or demolition of more than 50% of the exterior or interior weight-bearing walls. Or,
 - b. Removal of the roof structure or ceiling thereby permitting installation of overhead piping. Or,
 - c. Removal of interior tenant improvements reducing the building to a "shell" condition shall require the future build-out to comply with fire sprinkler requirements.

Exception: Alterations or additions made solely for the purpose of complying with the Americans with Disabilities Act.
5. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.
6. Any combination of items above where the improvements equals or exceeds fifty percent (50%) of the structure, the entire building shall meet the requirements for a newly constructed building."

Section 18-16.903.2.20.3 Changes of occupancy is added to read as follows:

“California Building Code Section 903.2.20.3 is added to read as follows:

Section 903.2.20.3 Changes of Occupancy. When any change of occupancy occurs where the proposed new occupancy classification is more hazardous, as determined by the Building Code Official, including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.”

Section 18-16.903.2.11.7 Design Criteria is added to read as follows:

“California Building Code Section 903.2.11.7 is added to read as follows:

Section 903.2.11.7 Design Criteria. Fire sprinkler systems installed in buildings of an undetermined use shall be designed and installed to have a design density of .33 gallons per minute per square foot over a minimum design area of 3000 square feet. Where a subsequent occupancy change requires a system with greater capacity, it shall be the building owner’s responsibility to upgrade the system to the required density.”

Section 18-16.903.4.2 Alarms is amended to read as follows:

“California Building Code Section 903.4.2 is amended to read as follows:

Section 903.4.2 Alarms. One exterior approved audible and visible device shall be connected to every automatic fire sprinkler system in an approved location. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic fire sprinkler system shall actuate the building fire alarm system.

Every new commercial fire alarm system installed as a sprinkler system monitoring alarm shall also provide notification for the purpose of initiating evacuation, including those systems activated solely by fire sprinkler systems, so that occupants of the building shall be notified audibly and visually within each suite or building division. A minimum of one notification appliance shall be located in each suite or building division in an occupied location.”

Section 18-16.905.3.1 Exception 2 is amended to read as follows:

“California Building Code Section 905.3.1, Exception 2, is amended to read as follows:

Section 905.3.1 Exception 2. Buildings that are three or more stories in height.”

Section 5. The existing sections of chapter 18-20, Property Maintenance Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model

codes herein adopted.

Section 18-20.010 Citation of sections is amended to read as follows:

"This chapter shall be known as the "Property Maintenance Code," and may be cited as such. For purposes of citation, the International Property Maintenance Code, 2012 Edition, published by the International Code Council; adopted by reference and amended by the City, is renumbered by adding "18-20." before each section."

Section 18-20.106.4 Violation penalties is amended to read as follows:

"International Property Maintenance Code Section 106.4 is amended to read as follows:

Section 106.4 Violation penalties. Any person violating any of the provisions of this title, including, but not limited to, adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of this code."

Section 6. The existing sections of chapter 18-22, California Residential Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-22.010 Citation of sections is amended to read as follows:

"For purposes of citation, the California Residential Code, Part 2.5 of Title 24, 2013 Edition, published by the International Code Council, as amended by the California Building Standards Commission, and Appendix H, Patio Covers, adopted by reference and amended by the City, are renumbered by adding "18-22." before each section."

Existing Section 18-22.R313.1 of the Santa Rosa City Code is deleted.

Section 18-22.R313.1 Section R313.1 Exception is added to read as follows:

"California Residential Code Section R313.1 Exception is deleted."

Section 18-22.R313.2 Section R313.2 Exception is added to read as follows:

"California Residential Code Section R313.2 Exception is deleted."

Section 18-22.R313.2.2 Section R313.2.2 is added to read as follows:

"California Residential Code Section R313.2.2 is added to read as follows:

Section R313.2.2 Additions, Remodels, Alterations or Repairs.

1. "An automatic fire sprinkler system shall be provided in an existing one- or two-family dwelling when additions increase the area by 50% or more of the calculated existing gross floor area.

2. An automatic fire sprinkler system shall be provided in an existing non-residential building when additions increase the area by 25% or more calculated by existing gross floor area.
3. Additions to existing Group R, Division 1 occupancies that result in additional guest rooms or dwellings units, the building shall meet the requirements for a newly constructed building.
4. For remodels, alterations or repairs to an existing building involving demolition, removal or repair of more than 50% of the structure (to include walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations or similar components), the building shall meet the requirements for a newly construction building. For the purpose of applying this sections, the following criteria shall be considered in the 50% threshold evaluation:
 - a. The removal or demolition of more than 50% of the exterior or interior weight-bearing walls. Or,
 - b. Removal of the roof structure or ceiling thereby permitting installation of overhead piping. Or,
 - c. Removal of interior tenant improvements reducing the building to a "shell" condition shall require the future build-out to comply with fire sprinkler requirements.
 - i. Exception: Alterations or additions made solely for the purpose of complying with the Americans with Disabilities Act.
5. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.
6. Any combination of items above where the improvements equals or exceeds fifty percent (50%) of the structure, the entire building shall meet the requirements for a newly constructed building."

Section 18-22.R908 of the Santa Rosa City Code is deleted.

Section 7. The existing sections of Chapter 18-24, California Plumbing Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-24.010 Citation of sections is amended to read as follows:

"This Chapter shall be known as the "California Plumbing Code," and may be cited as such. For purposes of citation, the California Plumbing Code, Part 5 of Title 24, 2013 Edition, published by the International Association of Plumbing and Mechanical Officials including IAPMO Installation Standards, and Appendix A, Recommended Rules for Sizing the Water Supply System; Appendix B, Explanatory Notes on Combination Waste and Vent Systems; Chapter D, Sizing Storm Water Drainage Systems; Appendix I, Installation Standards, as amended by the California Building Standards Commission, adopted by reference and amended by the City, are renumbered by adding "18-24," before each section."

Section 18-24.102.3 Board of appeals is amended to read as follows:

“California Plumbing Code Section 102.3, Board of Appeals, is amended to read as follows:

Section 102.3 The Board of Building Regulation Appeals, established in Section 18-04.050 of the Santa Rosa City Code, shall hear and determine any appeal arising from an action or determination made by the building official relative to the application and interpretation of this code. Section 18-04.060 of the City Code shall apply to the Board’s determination. All appeals shall be filed in accordance with the requirements and within the time period set forth in Section 18-04.065 of the Santa Rosa City Code.”

Section 18-24.102.3.2 of the Santa Rosa City Code is deleted.

Section 18-24.102.5 is amended to read as follows:

“California Plumbing Code Section 102.5 is amended to read as follows:

Section 102.5 Penalties. Any person violating any of the provisions of this code, including but not limited to adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of the Santa Rosa City Code.”

Section 18-24.103.1.1 Work Exempt from Permit is amended by adding new subsection (3):

“California Plumbing Code Section 103.1.1 is amended by adding subsection (3):

Section 103.1.1(3) The replacement of lavatory and sink faucets, shower heads, water closets, or urinals that comply with or exceed the water conservation program requirements of the City of Santa Rosa Utilities Department or criteria set forth in California Code of Regulations Title 20, Chapter 2, and Health and Safety Code Section 17921.3. This provision applies only to installations that do not require the rearrangement of valves, pipes or fixtures.”

Section 18-24.103.1.2 of the Santa Rosa City Code is deleted.

Section 18-24.103.3.3 Expiration is amended to read as follows:

“California Plumbing Code Section 103.3.3 is amended to read as follows:

Section 103.3.3 Expiration. Expiration of issued permit shall be determined as set forth in Section 18-08.060 of the Santa Rosa City Code.”

Section 18-24.103.3.4 of the Santa Rosa City Code is deleted.

Sections 18-24.103.4.1, 103.4.2, and 103.4.3 of the Santa Rosa City Code are deleted.

Section 18-24.103.4 Fees is amended to read as follows:

“California Plumbing Code Section 103.4 is amended to read as follows:

Section 103.4 Fees. Fees shall be determined as set forth in Section 18-08.130 of the Santa Rosa City Code.”

Section 18-24.103.4.1 Plan Review Fees is amended to read as follows:

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

Section 103.4.1 Plan review fees. Fees shall be determined as set forth in Section 18-08.130 of the Santa Rosa City Code.”

Section 18-24.103.4.2 Expiration of Plan Review is amended to read as follows:

“California Plumbing Code Section 103.4.2 is amended to read as follows:

Section 103.4.2 Expiration of plan review. Expiration of permit application and plan review shall be determined as set forth in Section 18-08.050 of the Santa Rosa City Code.”

Section 18-24.103.4.3.1 Investigative Fees is amended to read as follows:

“California Plumbing Code Section 103.4.3.1 is amended to read as follows:

Section 103.4.3.1 Investigation fees. Fees shall be determined as set forth in Section 18-08.130 of the Santa Rosa City Code.”

Section 18-24.304.0 Connections to plumbing system required is amended by adding new subsection to read as follows:

Section 18-24.304.2 Section 304.2 is added to read as follows:

“California Plumbing Code Section 304.2 is added to read as follows:

Section 304.2 Sewers required. Every building in which plumbing fixtures are installed shall have a connection to a public sewer or an approved private sewage disposal system or to an approved grey water disposal system.”

Section 8. The existing sections of Chapter 18-32, California Electrical Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-32.010 Citation of sections is amended to read as follows:

"This Chapter shall be known as the "California Electrical Code," and may be cited as such. For purposes of citation, the California Electrical Code, Part 3 of Title 24, 2013 Edition, published by the National Fire Protection Association and amended by the California Building Standards Commission, including tables, and Annex H. Administration and Enforcement; thereto adopted by reference and amended by the City, is renumbered by adding "18-32." before each section."

Section 18-32.89.111.4.7 Penalties is added to read as follows:

"California Electrical Code Article 89.111.4.7 is added to read as follows:

Article 89.111.4.7 Penalties. Any person violating any of the provisions of this code, including but not limited to adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of the Santa Rosa City Code."

Section 9. The existing sections of Chapter 18-33, California Energy Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-33.010 Citation of sections is amended to read as follows:

"This chapter shall be known as the "California Energy Code," and may be cited as such. For purposes of citation, the California Energy Code, Part 6 of Title 24, 2013 Edition, published by the International Code Council, Inc. and the California Building Standards Commission, including tables and appendices thereto adopted by reference by the City, are renumbered by adding "18-33" before each section."

Section 10. The existing sections of Chapter 18-36, California Mechanical Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-36.010 Citation of sections is amended to read as follows:

"This chapter shall be known as the "California Mechanical Code," and may be cited as such. For purposes of citation, the California Mechanical Code, Part 4 of Title 24, 2013 Edition, published by the International Association of Plumbing and Mechanical Officials and the California Building Standards Commission, as amended by the California Building Standards Commission and adopted by reference and amended by the City, are renumbered by adding "18-36." before each section."

Section 18-36.108.1 Board of Appeal is amended to read as follows:

"California Mechanical Code Section 108.1, Board of Appeal, is amended to read as follows:

Section 108.1 The Board of Building Regulation Appeals, established in Section 18-04.050 of the Santa Rosa City Code, shall hear and determine any appeal arising from an

action or determination made by the building official relative to the application and interpretation of this code. Section 18-04.060 of the City Code shall apply to the Board's determination. All appeals shall be filed in accordance with the requirements and within the time period set forth in Section 18-04.065 of the Santa Rosa City Code."

Section 18-36.110 of the Santa Rosa City Code is deleted.

Section 18-36.110.1 California Mechanical Code, Subsection 110.1 is amended to read as follows:

"California Mechanical Code Section 110.1 is amended to read as follows:

Section 110.1 Penalties. Any person violating any of the provisions of this code, including but not limited to adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of the Santa Rosa City Code."

Section 18-36.113.4 Expiration is amended to read as follows:

"California Mechanical Code Section 113.4 is amended to read as follows:

Section 113.4 Expiration of issued permit shall be determined as set forth in Section 18-08.060 of the Santa Rosa City Code."

Section 18-36.114.0 is amended to read as follows:

"California Mechanical Code Section 114.0 is amended to read as follows:

Section 114.0 Fees shall be determined as set forth in Section 18-08.130 of this code."

Section 18-36.114.2 Permit Fees.

"California Mechanical Code Section 114.2 is deleted"

Existing Section 18-36.114.4 of the Santa Rosa City Code is deleted.

Section 18-36.114.4 Expiration of plan review is amended to read as follows:

"California Mechanical Code Section 114.4 is amended to read as follows:

Section 114.4 Expiration of plan review permit shall be determined as set forth in Section 18-08.050 of the Santa Rosa City Code."

Section 18-36.114.5.1 Investigation fee is amended to read as follows:

"California Mechanical Code Section 114.5.1 is amended to read as follows:

Section 114.5.1 Investigation fees shall be determined as set forth in Section 18-08.170 of the Santa Rosa City Code.”

Section 18-36.115 of the Santa Rosa City Code is deleted.

Section 18-36.115.4 of the Santa Rosa City Code is deleted.

Section 11 The existing sections of Chapter 18-40, Existing Building Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-40.010 Citation of sections is amended to read as follows:

“This Chapter shall be known as the “California Existing Building Code,” and may be cited as such. For purposes of citation, the California Existing Building Code, Part 10 of Title 24, 2013 Edition, including Appendix Chapter A1, Referenced Standards, and Appendix Chapter A3, published by the International Code Council and the California Building Standards Commission, as adopted by the California Building Standards Commission and adopted by reference by the City, are renumbered by adding “18-40.” before each section.”

Section 12 The existing sections of Chapter 18-42, California Green Building Standards Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-42.010 Citation of sections is amended to read as follows:

“This Chapter shall be known as the “California Green Building Standards Code,” and may be cited as such. For purposes of citation, the California Green Building Standards Code, Part 11 of Title 24, 2013 Edition, published by the California Building Standards Commission, including Appendix Chapter A4, Sections A4.1; A4.3, A4.4; A4.5 and A4.6 Residential Voluntary Measures at Tier I level for new structures and Appendix Chapter A5, Sections A5.1; A5.3; A5.4; A5.5 and A5.6, Nonresidential Voluntary Measures at Tier I level for new structures only, are adopted by reference and amended by the City of Santa Rosa, and are renumbered by adding “18-42.” before each section.”

Section 13. The existing sections of Chapter 18-48, Review and Abatement of Existing Buildings, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-48.050 subsections (A) and (B) of the Santa Rosa City Code are amended to read as follows:

“(A) 2013 California Building Code Title 24, Part 2-Chapter 34 Existing Structures;

(B) 2013 California Historical Building Code Title 24, Part 8.”

Section 14. The existing sections of Chapter 18-64, Historical or Architecturally Significant Buildings, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-64.010 of the Santa Rosa City Code, Purpose - is amended to read as follows:

“Purpose. In order to maintain the historical and architectural integrity of buildings designated as historical or architecturally significant buildings within the community consistent with objectives of the urban design element of the General Plan, it is necessary to provide necessary code alternatives of rehabilitation and restoration of such buildings. Such alternative building regulations are intended to facilitate the restoration or changes of occupancy so as to preserve the original or restored architectural elements and features, to provide a cost-effective approach to the preservation of historical or architecturally significant buildings and to provide for the safety of the building occupants consistent with the Title 24, Part 8, of the 2013 California Historical Building Code.”

Section 16. Findings of Fact. The Council finds that the standards for buildings within the City of Santa Rosa should comply with the CALIFORNIA ADMINISTRATIVE CODE, 2013 Edition; CALIFORNIA BUILDING CODE, 2013 Edition; CALIFORNIA RESIDENTIAL CODE, 2013 Edition; the CALIFORNIA HISTORICAL BUILDING CODE, 2013 Edition; the CALIFORNIA EXISTING BUILDING CODE, 2013 Edition; the CALIFORNIA ELECTRICAL CODE, 2013 Edition; the CALIFORNIA PLUMBING CODE, 2013 Edition; the CALIFORNIA MECHANICAL CODE, 2013 Edition; the CALIFORNIA ENERGY CODE, 2013 Edition; the CALIFORNIA GREEN BUILDING STANDARDS CODE, 2013 Edition; all as amended and adopted by the State of California and further amended by this Ordinance; the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 Edition, as further amended by this Ordinance. Based on materials presented by the Chief Building Official of the City of Santa Rosa, the Council finds that it is necessary to make procedural and administrative modifications and changes to the model codes as amended and adopted by the State of California and specifically adopted and amended in this Ordinance. Such standards are needed for efficient, economical, and expeditious enforcement of the Buildings and Construction of the Santa Rosa City Code, Chapter 18. The Council further finds and determines, based on the materials and reports presented, that the substantive amendments to the model codes, which are identified by and adopted in this Ordinance, are hereby determined to be reasonably necessary because of local climatic, geological or topographical conditions and do not lessen, diminish or change the standards set forth within the model codes except as authorized by law. If any non-administrative or non-procedural model code provision or applicable State of California amendment is in conflict with this ordinance, it is the intent of this ordinance to amend or delete such provision when findings of local conditions are stated as required by sections 17958.5 and 17958.7 of the Health and Safety Code.

Said local conditions are:

- A. Earthquake hazards associated with the Healdsburg-Rodgers Creek Fault and other localized earthquake faults in close proximity of a densely populated urban area.
- B. History of heavy winter rains and poorly drained soils including expansive adobe soils in many locations.
- C. High groundwater tables and unconsolidated alluvial soils.
- D. Heavy accumulations of flammable plant material covering many areas, periodic high winds and an extended dry season.
- E. The propensity of local streams to flood due to periods of intense rainfall.
- F. Santa Rosa is an inland city that discharges treated reclaimed water in three ways: to urban and agricultural irrigation, to the Russian River during certain period of the year at a rate based on the flow of the river, and pumped to the Geysers hydrothermal field.
- G. Santa Rosa has established goals for green house gas reduction. The construction of new structures has a direct impact on green house gas emissions for climate control.

Such local conditions apply to local amendments and modifications to the State of California adopted model codes as indicated below:

SRCC 18-16.501	D
SRCC 18-16.903 – 907	A, D
SRCC 18-16.J103-J105	A, B, C, D, E
SRCC 18-1804.3	B, C
SRCC 18-20.	B, D
SRCC 18-22R313	A, D
SRCC 18-24.103	F
SRCC 18-42	G
SRCC 18-48	A

Section 17. Environmental Review. The Council determines that this ordinance establishes procedures for issuing permits and is not a project, and, therefore, is not subject to the California Environmental Quality Act. The Council further finds that the adoption of this ordinance is exempt from CEQA under the provisions of State CEQA guidelines, section 15061 (b) (3), in that there is no possibility that the provisions enacted by this ordinance will effect a substantial adverse change in the environment.

Section 18. Duty. Notwithstanding any provision contained in Title 18 of the Santa Rosa City Code, whenever the words "shall", "will", "must", "is charged with the enforcement of", or words of similar import, are used in said chapters to establish a responsibility of the City of Santa Rosa, or of the members of any board, commission, department, officers of the City, including, but not limited to the Council and City Planning Commission thereof, or of any officer, official,

or employee of the City of Santa Rosa, it is the legislative intent that such words shall establish a discretionary authority or power requiring the exercise of judgment and discretion, as distinguished from a mandatory duty. No mandatory duty is imposed upon any member of the Council, or upon any board or commission of the City of Santa Rosa, or upon any department, officer, official, or employee of the City of Santa Rosa by the provisions of said chapters, and said chapters shall not be construed so as to hold the City of Santa Rosa or any member of the Council or of any board, commission, or department of the City, or any officer, official or employee of the City of Santa Rosa responsible or liable for any damage to persons or property by reason of any action taken or by reason of any approval given or not given, under the provisions of said chapters or in connection with any such members, officers, or employees duties set forth in said chapters.

Section 19. Severability. 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 remaining portions of this ordinance. The Council 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, clauses or phrases be declared unconstitutional.

Section 20. Effective Date. This ordinance shall take effect on January 3, 2014, upon passage by the Council and publication pursuant to Section 8 of the Santa Rosa City Charter. The existing non-administrative or non-procedural provisions of this Title shall remain in effect as applicable to specific permit applications as of the date of submittal for plan review when such date of submittal is prior to the effective date of this ordinance. For purposes of this section, the date of submittal for master planned projects shall be the date of submittal for plot plan review.

IN COUNCIL DULY PASSED this 3rd day of December, 2013.

AYES: (6) Mayor Bartley, Vice Mayor Swinth, Council Members Combs, Olivares, Ours, Wysocky
NOES: (0)
ABSENT: (1) Council Member Carlstrom
ABSTAIN: (0)

ATTEST: Stephanie Williams APPROVED: Scott P. Bartley
Deputy City Clerk 12/10/2013 Mayor

APPROVED AS TO FORM:

Candace L. Grove
City Attorney

I hereby certify that the foregoing is a true and correct copy of a ~~resolution~~ ordinance duly and regularly adopted by the Council of the City of Santa Rosa at a regular meeting thereof held December 3, 2013

TERRI GRIFFIN Date 12/10/13
TERRI GRIFFIN, City Clerk
City of Santa Rosa

ORDINANCE NO. 4016

ORDINANCE OF THE CITY OF SANTA ROSA ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA FIRE CODE

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. Subsection (B) of Section 18-04.015 of the Santa Rosa City Code is amended to read as follows:

“(B) There is hereby adopted by reference the 2013 Edition of the California Fire Code including Appendices 4, B, C, D, E, F, G, H, I, J and K.”

Section 2. All the existing sections of Chapter 18-44 of the Santa Rosa City Code are repealed and a new Chapter 18-44 entitled “California Fire Code” is added as follows:

“Chapter 18-44

CALIFORNIA FIRE CODE

Section 18-44.101.1 Title.

California Fire Code Chapter 1 Division II Administration, Section 101.1 is amended to read as follows:

Section 18-44.101.1 Title. This chapter shall be known as the “2013 California Fire Code,” and may be cited and referred to as such. For purposes of citation, the sections of the “2013 California Fire Code”, including the appendices identified in Section 18-04.015(B) of this code, are renumbered by adding 18-44 before each section of the California Fire Code (e.g., Sections 101.1 and 5001.1 of the California Fire Code shall be cited respectively as Sections 18-44.101.1 and 18-44.5001.1 of this code).

Section 18-44.103.1.1 Bureau of Fire Prevention.

California Fire Code Chapter 1 Division II Administration Section 103.1.1 is added to read as follows:

Section 18-44.103.1.1 Bureau of Fire Prevention. Where this code refers to the Department of Fire Prevention, the Bureau of Fire Prevention will be inserted. Where this code refers to the Fire Code Official, the Fire Marshal will be inserted.

18-44.103.2 Appointment.

California Fire Code Chapter 1 Division II Administration, Section 103.2 is amended to read as follows:

Section 18-44.103.2 Appoinment. The fire code official shall be appointed by the chief appointing authority of the jurisdiction.

18-44.104.3.2 Inspection access.

California Fire Code Chapter 1 Division II Administration, Section 104.3.2 is added to read as follows:

Section 18-44.104.3.2 Inspection Access.

1. The Chief or authorized representative, in the performance of the duties herein prescribed, shall have the right to enter upon and into any and all premises under his jurisdiction, at all reasonable hours for the purpose of inspecting the same to determine whether or not the provisions of this code and of all other applicable laws or ordinances pertaining to the protection of persons and property from fire and explosions are observed therein; provided, however, that an inspection warrant, issued pursuant to Title 13, Part 3 of the Code of Civil Procedure be first secured where entry is refused, except in an emergency situation.

2. The owner, lessee, manager or operator of any such building or premises shall permit the Chief or authorized representatives to enter and inspect them at the time and for the purpose stated in this section. Failure to permit such entry when an inspection warrant is not required shall constitute a misdemeanor.

3. The Chief or duly authorized representative shall have the authority to enter any building or premises for the purposes of extinguishing or controlling any fire, performing any rescue operation, investigating the existence of suspected or reported fires, gas leaks, or other hazardous conditions or taking any other action necessary in the reasonable performance of their duty.

18-44.105.1.4 New materials and permits.

California Fire Code Chapter 1 Division II Administration, Section 105.1.4 is added to read as follows:

Section 18-44.105.1.4 New Materials and Permits. The Chief and the Fire Marshal may act as a committee to determine and specify any new regulated materials, and shall establish processes or occupancies requiring permits in addition to those enumerated in this code. The Chief or designee shall post such list in a conspicuous place in the office, and distribute copies thereof to interested persons. Permits under this section shall be administered in accordance with Section 105.

18-44.105.6.8 Permit amounts for compressed gasses.

California Fire Code Chapter 1 Division II Administration, Table 105.6.8 is amended to read as follows:

Table: 105.6.8
Permit Amounts for Compressed Gases

Type of Gas	Amount (cubic feet at NTP)
Corrosive	Any Amount
Flammable	Any Amount
Highly toxic	Any Amount
Inert and simple asphyxiant	600
Oxidizing (including Oxygen)	Any Amount
Pyrophoric	Any Amount
Toxic	Any Amount

18-44.105.6.10 Permit amounts for cryogenic fluids.

California Fire Code Chapter 1 Division II Administration, Table 105.6.10 is amended to read as follows:

Table 105.6.10
Permit Amounts for Cryogenic Fluids

Type	Inside Building (gallons)	Outside Buildings (gallons)
Flammable	Any Amount	Any Amount
Oxidizer (includes Oxygen)	Any Amount	10
Corrosive	Any Amount	5
Highly toxic	Any Amount	Any Amount
Nonflammable	Any Amount	5

18-44.105.6.16.12 Transfer of ownership.

California Fire Code Chapter 1 Division II Administration, Section 105.6.16.12 is added to read as follows:

Section 18-44.105.6.16.12 Transfer of Ownership. An operational permit shall be required to transfer ownership of an Underground Storage Tank (UST) facility. Permits shall be issued at least 30 days prior to completion of transaction.

18-44.105.6.20 Permit amounts for hazardous materials.

California Fire Code Chapter 1 Division II Administration, Table 105.6.20 is amended to read as

follows:

**Table 105.6.20
Permit Amounts for Hazardous Materials**

Type of Material	Amount
Combustible liquids	25 gallons
Corrosive materials	
Gases	Any Amount
Liquids	Any Amount
Solids	Any Amount
Explosive materials	See Section 105.6.14
Flammable materials	
Gases	See Section 105.6.8
Liquids	See Section 105.6.16
Solids	100 Pounds
Highly toxic materials	
Gases	See Section 105.6.8
Liquids	Any Amount
Solids	Any Amount
Oxidizing materials	
Gases	See Section 105.6.8
Liquids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	1 gallon
Class 1	1 gallon
Solids	
Class 4	Any Amount
Class 3	5 pounds
Class 2	10 pounds
Class 1	100 pounds
Organic peroxides	
Liquids	
Class I	Any Amount
Class II	Any Amount
Class III	1 gallon
Class IV	2 gallons
Class V	25 gallons
Solids	
Class I	Any Amount
Class II	Any Amount
Class III	10 pounds
Class IV	20 pounds
Class V	500 pounds
Pyrophoric materials	Any Amount

Gas	Any Amount
Liquids	Any Amount
Solids	
Toxic materials	
Gases	See Section 105.6.8
Liquids	See Section 3701
Solids	Any Amount
Unstable (reactive) materials	
Liquids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	1 gallon
Class 1	5 gallons
Solids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	10 Pounds
Class 1	20 Pounds
Water-reactive materials	
Liquids	
Class 3	Any Amount
Class 2	1 gallon
Class 1	5 gallons
Solids	
Class 3	Any Amount
Class 2	10 pounds
Class 1	20 pounds

18-44.105.6.20.1 Hazardous materials storage range.

California Fire Code Chapter 1 Division II Administration, Section 105.6.20.1 is added to read as follows:

**Table 105.6.20.1 Hazardous Materials Permit Ranges.
HAZARDOUS MATERIALS STORAGE RANGE**

Range	Solids in Pounds	Liquids in Gallons	Compressed Gas (Cu. Ft. at STP)	Duration
Range 1	Up to 500	Up to 55	Up to 200	Annual
Range 2	501 to 5,000	56 to 550	201 to 2,000	Annual
Range 3	5,001 to 25,000	551 to 2,750	2001 to 10,000	Annual
Range 4	25,001 to 50,000	2,751 to 5,500	10,001 to 20,000	Annual
Range 5	50,001 to 75,000	5,501 to 7,500	20,001 to 30,000	Annual
Range 6	75,001 to 100,000	7,501 to 9,500	30,001 to 40,000	Annual
Range 7	100,001 or greater	9,501 or greater	40,001 or greater	Annual

18-44.105.6.48 Apartment, hotel, or motel.

California Fire Code Chapter 1 Division II Administration, Section 105.6.48 is added to read as follows:

Section 18-44.105.6.48 Apartment, hotel, or motel. An operational permit is required to operate an apartment house, hotel or motel

18-44.105.6.49 Bowling pin or alley refinishing.

California Fire Code Chapter 1 Division II Administration, Section 105.6.49 is added to read as follows:

Section 18-44.105.6.49 Bowling Pin or Alley Refinishing. An operational permit is required to operate a Bowling Pin or Alley Refinishing operation.

18-44.105.6.50 Bonfires or rubbish fires.

California Fire Code Chapter 1 Division II Administration, Section 105.6.50 is added to read as follows:

Section 18-44.105.6.50 Bonfires or rubbish fires. An operational permit is required to kindle or authorize the kindling or maintenance of bonfires or rubbish fires.

18-44.105.6.51 Day care.

California Fire Code Chapter 1 Division II Administration, Section 105.6.51 is added to read as follows:

Section 18-44.105.6.51 Day care. An operational permit is required to operate a day care occupancy with an occupant load in excess of eight (8) persons.

18-44.105.6.52 High rise occupancy.

California Fire Code Chapter 1 Division II Administration, Section 105.6.52 is added to read as follows:

Section 18-44.105.6.52 High rise occupancy. An operational permit is required to operate a high rise building as defined in Title 24, Part 2, California Code of Regulations.

18-44.105.6.53 Residential and commercial institutional care occupancy.

California Fire Code Chapter 1 Division II Administration, Section 105.6.53 is added to read as follows:

Section 18-44.105.6.53 Residential and Commercial Institutional Care Occupancy.

An operational permit is required to operate a residential or commercial institutional care occupancy. Occupancies complying with Health and Safety Code Section 13235 are exempt.

18-44.105.6.54 Institutional occupancy/residential care/day care pre-licensure inspection.

California Fire Code Chapter 1 Division II Administration, Section 105.6.54 is added to read as follows:

Section 18-44.105.6.54 Institutional occupancy/residential care/day care pre-licensure inspection. A fee shall be required for a Pre-Licensure Inspection in accordance with Health and Safety Code Section 13235.

18-44.105.6.55 Model rockets rental, sale or operation.

California Fire Code Chapter 1 Division II Administration, Section 105.6.55 is added to read as follows:

Section 18-44.105.6.55 Model rockets rental, sale or operation. An operational permit is required to operate, manufacture, import, export, possess, store, rent or sell model rockets as defined by Health and Safety Code Section 12519.

18-44.105.6.56 Live entertainment.

California Fire Code Chapter 1 Division II Administration, Section 105.6.56 is added to read as follows:

Section 18-44.105.6.56 Live Entertainment. An operational permit is required to operate a business providing live entertainment to the public.

18-44.105.6.57 Emergency responder radio system.

California Fire Code Chapter 1 Division II Administration, Section 105.6.57 is added to read as follows:

Section 18-44.105.6.57 Emergency Responder Radio System. An operational permit is required to operate an Emergency Responder Radio System.

California Fire Code Chapter 1 Division II Administration, Section 108 is amended to read as follows:

Section 18-44.108 Board of Appeals.

18-44.108.1 Whenever the Fire Marshal shall disapprove an application or refuse to grant a permit applied for, the applicant or any aggrieved person may appeal the decision of the Fire Marshal to the Chief within fifteen (15) days of such decision. The decision of the

Chief may be appealed to the Board of Building Regulation Appeals and shall be appealed within fifteen (15) days of the decision. The decision of the Board of Building Regulation Appeals shall be a final decision exhausting the administrative remedies of the appellant notwithstanding Santa Rosa City Code Section 1-20.010. Appeals shall comply with procedures specified in Santa Rosa City Code Section 18-04.050 et. seq.

18-44.109.4 Abatement of violation and penalties.

California Fire Code Chapter 1 Division II Administration, Section 109.4 is amended to read as follows:

Section 18-44.109.4 Abatement of violation and penalties. Any person operating or maintaining any occupancy, premises, or vehicle subject to this code or any person who shall permit any violation of this code, fire and life safety provisions of the California Building Code, any fire hazard to exist on premises under his control or who shall fail to take immediate action to abate a fire hazard when ordered or notified to do so by the Chief or the Chief's duly authorized representative, shall be subject to the penalty provisions of Section 1-28.010, of the Santa Rosa City Code or state law. Each day that a violation continues after due notice has been given shall be deemed a separate offense.

18-44.109.5 Authority to issue citations.

California Fire Code Chapter 1 Division II Administration, Section 109.5 is added to read as follows:

Section 18-44.109.5 Authority to issue citations. The Chief and members of the Fire Prevention Bureau who have the discretionary duty to enforce a statute or ordinance may, pursuant to Section 836.5 of the California Penal Code and subject to the provisions thereof, arrest a person without a warrant whenever the Chief or member of the Fire Prevention Bureau has reasonable cause to believe that the person to be arrested has committed a violation in the presence of the Chief or member of the Fire Prevention Bureau which he or she has discretionary duty to enforce, and to issue a notice to appear and to release such person on his or her written promise to appear in court, pursuant to the provisions of Section 853.5 et seq. of the California Penal Code.

18-44.111.4 Failure to comply.

California Fire Code Chapter 1 Division II Administration, Section 111.4 is amended to read as follows:

Section 18-44.111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalty provisions of Section 1-28.010, of the Santa Rosa City Code or state law.

18-44.503.2.6.1 Evaluation.

California Fire Code Section 503.2.6.1 is added to read as follows:

Section 18-44.503.2.6.1 Evaluation. All existing private bridges and elevated surfaces shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for safety and weight rating, and the vehicle load limits shall be posted at both entrances to bridges. These evaluations shall be performed when directed by the Fire Code Official.

18-44.503.2.6.2 Bridge maintenance.

California Fire Code Section 503.2.6.2 is added to read as follows:

Section 18-44.503.2.6.2 Bridge maintenance. All new and existing bridges and elevated structures providing emergency access shall be routinely evaluated and maintained in accordance with the American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation," First Edition, 2008, published by the American Association of State Highway and Transportation Officials, or other approved standard.

18-44.505.1 Address identification.

California Fire Code Section 505.1 is amended to read as follows:

Section 18-44.505.1 Address Identification. New and existing buildings shall be provided with approved illuminated address numbers or letters. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. Address numbers shall be Arabic numerals or alphabetic letters. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure. Address identification shall comply with Fire Department Standards.

18-44.505.1 One and two-family dwellings.

California Fire Code Section 505.1.1 is added to read as follows:

Section 18-44.505.1.1 One and two-family dwellings. Numbers for one and two family dwellings shall be a minimum of four (4) inches in height with a minimum stroke width of one-half (0.5) inches.

18-44.505.1.2 Numbers for other than one and two-family dwellings.

California Fire Code Section 505.1.2 is added to read as follows:

Section 18-44.505.1.2 Numbers for other than one and two-family dwellings. Numbers for other than one and two family dwellings shall be a minimum of

twelve (12) inches in height with a minimum stroke width of two (2) inches. Suite and unit directional numbers shall be a minimum of six (6) inches in height with a minimum stroke width of three-quarter (0.75) inches. Individual unit numbers shall be a minimum of 4 inches in height with a minimum of strike with of one-half (0.5) inches.

18-44.505.1.3 Complex directory.

California Fire Code Section 505.1.3 is added to read as follows:

Section 18-44.505.1.3 Complex Directory. Where two or more buildings are set back off the street in excess of 150 feet or when required by the Fire Code Official, an approved illuminated complex directory shall be provided at the main entrances to the property.

18-44.505.1.4 Roof top address.

California Fire Code Section 505.1.4 is added to read as follows:

Section 18-44.505.1.4 Roof Top Address. Buildings four or more stories in height or greater than 15,000 square feet in area shall provide a reflective roof top address. Roof top address numbers shall be a minimum of 48 inches in height with a minimum stroke width of 8 inches and located in a central approved roof top area.

18-44.507.5 Fire hydrant systems.

California Fire Code Section 507.5 is amended to read as follows:

Section 18-44.507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C as amended.

18-44.507.5.1 Where required.

California Fire Code Section 507.5.1 is amended to read as follows:

Section 18-44.507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet (45.179 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

18-44.507.5.1 Section 507.5.1 Exception.

California Fire Code Section 507.5.1 "Exception" is deleted.

18-44.507.5.1.1 Hydrant for fire department connection.

California Fire Code Section 507.5.1.1 is amended to read as follows:

Section 18-44.507.5.1.1 Hydrant for Fire Department Connection.

A fire hydrant shall be located within 50 feet of a Fire Department Connection (FDC), or as approved by the fire code official.

18-44.510.1 Emergency responder radio coverage in buildings.

California Fire Code Section 510.1 is amended to read as follows:

Section 18-44.510.1 Emergency Responder Radio Coverage in Buildings. All buildings shall have approved radio coverage for emergency responders within the building. The system shall comply with this section and the Fire Department Standard for Emergency Responder Radio Coverage Systems.

18-44.510.1 Section 510.1 Exception 1.

California Fire Code Section 510.1 "Exception 1" is deleted.

18-44.510.3.1 Operational permit required.

California Fire Code Section 510.3.1 is added to read as follows:

Section 18-44.510.3.1 Operational Permit Required. Operation of an Emergency Responder Radio Coverage System shall require a permit.

18-44.605.11 Photovoltaic power systems.

California Fire Code Section 605.11 is added to read as follows:

Section 18-44.605.11 Solar Photovoltaic Power Systems. Solar Photovoltaic power systems shall be installed in accordance with Sections 605.11.1 through 605.11.4, (California Building Code, California Electrical Code and Santa Rosa Fire Department Standard for installation of Photovoltaic Power Systems).

18-44.903.2 Where required.

California Fire Code Section 903.2 is amended to read as follows:

Section 18-44.903.2 Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in locations described in Sections 903.2.1 through Section 903.2.20. The most restrictive requirement shall apply.

18-44.903.2.11.7 Design criteria.

California Fire Code Section 903.2.11.7 is added to read as follows:

Section 18-44-903.2.11.7 Design Criteria. Fire sprinkler systems installed in buildings of an undetermined use shall be designed and installed to have a design density of .33 gallons per minute per square foot over a minimum design area of 3000 square feet. Where a subsequent occupancy change requires a system with greater capacity, it shall be the building owner's responsibility to upgrade the system to the required density.

18-44.903.2.18 Exception.

California Fire Code Section 903.2.18 Exception is amended to read as follows:

Section 18-44.903.2.18 Exception -

1. Carports of noncombustible construction with non-habitable spaces above.
2. Additions and or alterations not exceeding 50 percent of the existing square footage.

18-44.903.2.20. Local Automatic Sprinkler Systems.

California Fire Code Section 903.2.20 is added to read as follows:

Section 18-44.903.2.20. Local Automatic Sprinkler Systems. Automatic sprinkler systems shall comply with this section.

18-44.903.2.20.1 Local automatic fire sprinkler system requirements.

California Fire Code Section 903.2.20.1 is added to read as follows:

Section 18-44.903.2.20.1. Local Automatic Fire Sprinkler System Requirements. An approved automatic sprinkler system shall be installed and maintained in all newly constructed buildings.

Exceptions:

1. Agricultural buildings as approved by the Fire or Building Official.
2. Detached pool houses up to 1000 sq. ft. in floor area within 50 feet of the pool and limited to a single bathroom.
3. Detached non-combustible motor vehicle fuel dispensing canopies classified as Group M occupancy.
4. Detached Group U occupancies 1,000 square feet or less.
5. A room above a detached garage used for storage only that does not contain a

bathroom, cooking or refrigeration facilities.

6. Carports of non-combustible construction with non-habitable spaces above.

7. B or M occupancies 500 sq. ft or less.

18-44.903.2.20.2 Additions, remodel, alteration or repairs.

California Fire Code Section 903.2.20.2 is added to read as follows:

903.2.20.2 Additions, Remodel, Alteration or Repairs.

1. An automatic fire sprinkler system shall be provided in an existing one- or two-family dwelling when additions increase the area by 50% or more calculated by existing gross floor area.
2. An automatic fire sprinkler system shall be provided in an existing non-residential building when additions increase the area by 25% or more calculated by existing gross floor area.
3. Additions to existing Group R, Division 1 occupancies that result in additional guest rooms or dwelling units, the building shall meet the requirements for a newly constructed building.
4. For remodels, alterations or repairs to an existing building involving demolition, removal or repair of more than 50% of the structure (to include walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations or similar components), the building shall meet the requirements for a newly constructed building. For the purpose of applying this section, the following criteria shall be considered in the 50% threshold evaluation:
 - a. The removal or demolition of more than 50% of the exterior or interior weight-bearing walls. Or,
 - b. Removal of the roof structure or ceiling thereby permitting installation of overhead piping. Or,
 - c. Removal of interior tenant improvements reducing the building to a "shell" condition shall require the future build-out to comply with fire sprinkler requirements.

Exception: Alterations or additions made solely for the purpose of complying with the Americans with Disabilities Act.

5. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.
6. Any combination of items above where the improvements equals or exceeds fifty percent (50%) of the structure, the entire building shall meet the requirements for a newly constructed building.

18-44.903.2.20.3 Changes of occupancy.

California Fire Code Section 903.2.20.3 is added to read as follows:

Section 18-44.903.2.20.3 Changes of Occupancy. When any change of occupancy occurs where the proposed new occupancy classification is more hazardous, or as determined by the Fire Code Official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

18-44.903.4.2 Alarms.

California Fire Code Section 903.4.2 is amended to read as follows:

Section 18-44.903.4.2 Alarms. One exterior approved audible and visible device shall be connected to every automatic fire sprinkler system in an approved location. Such sprinkler waterflow alarm devices shall be activated by waterflow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic fire sprinkler system shall actuate the building fire alarm system.

Every new commercial fire alarm system installed as a sprinkler system monitoring alarm shall also provide notification for the purpose of initiating emergency action, including those systems activated solely by fire sprinkler systems, so that occupants of the building shall be notified audibly and visually within each suite or building division. A minimum of one notification appliance shall be located in each suite or building division in a normally occupied location.

California Fire Code Section 905.3.1.2, is amended to read as follows:

Section 18-44.905.3.1.2. *Buildings that are three or more stories in height.*

18-44.905.9 Section 905.9 Exception 2 deleted.

California Fire Code Section 905.9 Exception 2 is deleted.

18-44.907.8.5.1 False fire alarms.

California Fire Code Section 907.8.5.1 is added to read as follows:

Section 18-44.907.8.5.1 False Fire Alarms. Owners of properties with a fire alarm system shall maintain the system in accordance with Section 907.8.5. When more than one false fire alarm activates within a calendar year, a fee shall be assessed per the current adopted fee schedule.

18-44.910.1 Section 910.1 Exception 2 deleted.

California Fire Code Section 910.1 Exception 2 is deleted.

18-44.910.3.2.1 Section 910.3.2.1 deleted.

California Fire Code Section 910.3.2.1 is deleted.

18-44.1103.2.1 Section 1103.2.1 deleted.

California Fire Code Section 1103.2.1 is deleted.

18-44.1103.2.2 Section 1103.2.2 Exception deleted.

California Fire Code Section 1103.2.2 Exception is deleted

18-44.3314.3 Large building sprinkler protection.

California Fire Code Section 3314.3 is added to read as follows:

Section 18-44.3314.3 Large Building Sprinkler Protection. Buildings in excess of three stories in height or having a first story in excess of 100,000 square feet in area shall provide an approved operating fire sprinkler system on each floor during construction prior to continuing construction on upper stories.

18-44.3206.2 Section 3206.2, Table 3206.2 footnote j deleted.

California Fire Code Section 3206.2, Table 3206.2 footnote j is deleted.

18-44.3206.8.1 Small hose stations.

California Fire Code Section 3206.8.1 is added to read as follows:

Section 18-44.3206.8.1 Small Hose Stations. Small hose valves and stations shall be required when a High Piled Storage Area exceeds 2500 square feet in area. An approved 1 1/2-inch hose valve shall be provided at approved locations. Hose, nozzles, hose racks and covers shall be provided.

18-44.4902.1 Wildland-urban interface fire area.

California Fire Code Section 4902.1 is amended to read as follows:

Section 18-44.4902.1 Wildland-Urban Interface Fire Area. Wildland-Urban Interface Fire Area is a geographical area in the City of Santa Rosa at significant risk from wildfires as designated on the map titled Wildland-Urban Interface Fire Area, dated January 28, 2009, and retained on file in the City Geographic Information System and in the Office of the City's Fire Marshal.

18-44.4907.1 Defensible space.

California Fire Code Section 4907.1 is amended to read as follows:

Section 18-44.4907.1 Defensible Space. Buildings and structures located within a designated Wildland-Urban Interface Fire Areas of a Local Responsibility Area (LRA) shall maintain defensible space as outlined in the Government Code Sections 51175-51189 and local standards of the authority having jurisdiction.

18-44.5001.5.3 Electronic reporting.

California Fire Code Section 5001.5.3 is added to read as follows:

Section 18-44.5001.5.3 Electronic Reporting. All hazardous Material Management Plans (HMMP) and Hazardous Material Inventory Statements (HMIS) shall be submitted electronically as required by the Fire Code Official.

18-44.5308 Materials which are or may become toxic gases.

California Fire Code Section 5308 is added to read as follows:

Section 18-44.5308 Materials which are or may become toxic gases. The Fire Code Official shall publish standards providing requirements for facilities that use, handle or store materials that are or may become toxic gases.

18-44.5608.2 Fireworks definition.

California Fire Code Section 5608.2 is added to read as follows:

Section 18-44.5608.2 Fireworks Definitions. The following words and phrases, as used in this chapter, are defined as follows:

“Dangerous fireworks” shall mean dangerous fireworks as defined in Health and Safety Code Sections 12505 and 12561 and the relevant sections of Title 19, Code of Regulations, and Subchapter 6 which are hereby incorporated by reference.

“Person” includes any individual, firm, partnership, joint venture, association, concern, corporation, state, trust, business trust, receiver, syndicate or any other group or combination acting as a unit.

“Public display of fireworks” shall mean an entertainment feature where the public is admitted or permitted to view the display or discharge of fireworks, including but not limited to, those defined below.

“Pyrotechnical displays” are public firework displays or displays used in conjunction

with special effects, for motion pictures, theatrical and group entertainment productions operated by a professional California State licensed pyrotechnician. All such displays must secure a fire department permit and meet all applicable requirements of California Health and Safety Code.

"State-approved fireworks" shall mean state-approved fireworks defined in Health and Safety Code Sections 12529 and 12562 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference.

18-44.5608.3 Sale, use or discharge of fireworks prohibited – exception.

California Fire Code Section 5608.3 is added to read as follows:

Section 18-44.5608.3 Sale, use or discharge of fireworks prohibited – exception.

1. Except for public displays of fireworks authorized pursuant to this section, it is unlawful for any person to possess, store, offer or expose for sale, sell at retail, give away or in any manner dispose of any fireworks, or to use, explode, or otherwise discharge any fireworks.
2. Any person or group desiring to perform a public display of fireworks shall first make written application for a permit to the Fire Chief. Application for a permit shall be made in writing at least twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the Fire Chief pursuant to Title 19, Chapter 6, Article 3 - Licenses of the California Code of Regulations. Any permit for a public display of fireworks may be suspended or revoked at any time by the Fire Chief.

18-44.B105.1 One- and two-family dwellings.

California Fire Code Appendix B Section B105.1 is amended to read as follows:

Section 18-44.B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 m²) shall be 1,500 gallons per minute at 20 psi. Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5 m²) shall not be less than that specified in Table B 105.1.

18-44.B105.2 Buildings other than one- and two-family dwellings.

California Fire Code Appendix B Section B105.2 is amended to read as follows:

Section 18-44.B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

Exception: A reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 18-44.903.3.1.1 or 18-44.903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute or the prescribed duration as specified in Table B105.1.

18-44.C105.1 Table C105.1 Footnote f and g.

California Fire Code Appendix C Table C105.1 is amended to add "footnote f and g" to read as follows:

Section 18-44.C105.1 Table C105.1 Footnote f. For commercial, industrial, multifamily residential and designated Fire Severity Zones, average spacing shall be no greater than 300 feet.

Section 18-44.C105.1 Table C105.1 Footnote g. A fire hydrant shall be located within 50 feet of the Fire Department Connection (FDC), or as approved by the fire code official.

18-44.D103.1 Section D103.1 deleted.

California Fire Code Appendix D Section D103.1 is deleted.

18-44.D103.2 Grade.

California Fire Code Appendix D Section D103.2 is amended to read as follows:

Section 18-44.D103.2 Grade. The grade of fire apparatus access roads shall be in accordance with the local agency requirement for public streets or as approved by the fire code official.

18-44.D103.3 Turning radius.

California Fire Code Appendix D Section D103.3 is amended to read as follows:

Section 18-44.D103.3 Turning radius. The minimum turning radius shall be determined by local agency requirements or as approved by the fire code official.

18-44.D103.4 Dead ends.

California Fire Code Appendix D Section D103.4 is amended to read as follows:

Section 18-44.D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in

accordance with the local agency requirements for public streets or as approved by the fire code official.

18-44.D103.4 Table D103.4 deleted.

California Fire Code Appendix D Table D103.4 is deleted.

18-44.D103.6 Signs.

California Fire Code Appendix D Section D103.6 is amended to read as follows:

Section 18-44.D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs that comply with the California Vehicle Code.

18-44.D103.6.1 Section D103.6.1 deleted.

California Fire Code Appendix D Section D103.6.1 is deleted.

18-44.D103.6.2 Section D103.6.2 deleted.

California Fire Code Appendix D Section D103.6.2 is deleted.

18-44.D104.2 Buildings exceeding 62,000 square feet in area.

California Fire Code Appendix D Section D104.2 is amended to delete the Exception and read as follows:

Section 18-44.D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 m²) shall be provided with two separate and approved fire apparatus access roads.

18-44.D106.1 Multi-family dwelling residential developments.

California Fire Code Appendix D Section D106.1 is amended to delete the Exception and read as follows:

Section 18-44.D106.1 Multi-family dwelling residential developments. Projects having more than 50 dwelling units shall be provided with two separate and approved fire apparatus access roads.

18-44.D106.2 Section D106.2 deleted.

California Fire Code Appendix D Section D106.2 is deleted.

18-44.D107.1 One- or two-family dwelling residential developments.

California Fire Code Appendix D Section D107.1 is amended to delete Exceptions 1 and 2 and read as follows:

Section 18-44.D107.1 One- or two-family dwelling residential developments. Projects having more than 50 dwelling units shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section 18-44.D104.3.”

Section 3. Findings of Fact. The Council finds that the standards for buildings within the City of Santa Rosa should comply with the 2013 CALIFORNIA FIRE CODE, with adopted amendments. Based on materials presented by the Fire Chief of the City of Santa Rosa the Council finds that it is necessary to make procedural and administrative modifications and changes to the model codes as amended and adopted by the State of California and specifically adopted and amended in this Ordinance. Such standards are needed for efficient, economical, and expeditious enforcement of the Fire Code of the City of Santa Rosa. The Council further finds and determines, based on the materials and reports presented, that the substantive amendments to the model codes, which are identified by and adopted in this Ordinance, are hereby determined to be reasonable and necessary because of local conditions and do not lessen, diminish or change the standards set forth within the model codes except as authorized by law. If any non-administrative or non-procedural model code provision or applicable State of California amendment is in conflict with this ordinance, it is the intent of this ordinance to amend or delete such provision when findings of local conditions are stated as required by Sections 17958.5 and 17958.7 of the Health and Safety Code.

Said local conditions are:

- A. Earthquake hazards associated with the Healdsburg-Rodgers Creek Fault and other localized earthquake faults in close proximity of a densely populated urban area.
- B. History of heavy winter rains and poorly drained soils including expansive adobe soils in many locations.
- C. High groundwater tables and unconsolidated alluvial soils.
- D. Heavy accumulations of flammable plant material covering many areas, periodic high winds and an extended dry season.
- E. The propensity of local streams to flood due to periods of intense rainfall.
- F. Santa Rosa is an inland city that discharges treated reclaimed water in three ways: to urban and agricultural irrigation, to the Russian River during certain period of the year at a rate based on the flow of the river, and pumped to the Geysers hydrothermal field.

Section 4. Environmental Review. The Council determines that this ordinance establishes procedures for issuing permits and is not a project, and, therefore, is not subject to the

California Environmental Quality Act. The Council further finds that the adoption of this ordinance is exempt from CEQA under the provisions of State CEQA guidelines, Section 15061 (b) (3), in that there is no possibility that the provisions enacted by this ordinance will effect a substantial adverse change in the environment.

Section 5. Duty. Notwithstanding any provision contained in Title 18 of the Santa Rosa City Code, whenever the words "shall," "will," "must," "is charged with the enforcement of," or words of similar import are used in said chapters to establish a responsibility of the City of Santa Rosa, or of the members of any board, commission, department, officers of the City, including, but not limited to the Council and City Planning Commission thereof, or of any officer, official, or employee of the City of Santa Rosa, it is the legislative intent that such words shall establish a discretionary authority or power requiring the exercise of judgment and discretion, as distinguished from a mandatory duty. No mandatory duty is imposed upon any member of the Council, or upon any board or commission of the City of Santa Rosa, or upon any department, officer, official, or employee of the City of Santa Rosa by the provisions of said chapters, and said chapters shall not be construed so as to hold the City of Santa Rosa or any member of the Council or of any board, commission, or department of the City, or any officer, official or employee of the City of Santa Rosa responsible or liable for any damage to persons or property by reason of any action taken or by reason of any approval given or not given, under the provisions of said chapters or in connection with any such members, officers, or employees duties set forth in said chapters.

Section 6. Severability. 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 remaining portions of this ordinance. The Council 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, clauses or phrases be declared unconstitutional.

Section 7. Effective Date. This ordinance shall take effect on January 1, 2014, upon passage by the Council and publication pursuant to Section 8 of the Santa Rosa City Charter. The existing non-administrative or non-procedural provisions of this Title shall remain in effect as applicable to specific permit applications as of the date of submittal for plan review when such

date of submittal is prior to the effective date of this ordinance. For purposes of this section, the date of submittal for master planned projects shall be the date of submittal for plot plan review.

IN COUNCIL DULY PASSED this 3rd day of December, 2013.

AYES: (6) Mayor Bartley, Vice Mayor Swinth, Council Members Combs, Olivares, Ours, Wysocky

NOES: (0)

ABSENT: (1) Council Member Carlstrom

ABSTAIN: (0)

ATTEST: Stephanie Williams
Deputy City Clerk 12/10/2013

APPROVED: Scott P. Bartley
Mayor

APPROVED AS TO FORM:

Caroline L. Jones
City Attorney

I hereby certify that the foregoing is a true and correct copy of a ~~resolution~~/ordinance duly and regularly adopted by the Council of the City of Santa Rosa at a regular meeting thereof held December 3, 2013

TERRI GRIFFIN Date 12/10/2013
TERRI GRIFFIN, City Clerk
City of Santa Rosa