

BUILDING STANDARDS COMMISSION

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



January 27, 2014

Matthew N. Winter
Building Official
City of Whittier
13230 Penn Street
Whittier, CA 90602-1772

RE: Ordinance #3015

Dear Mr. Winter:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 20, 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

Day, Kevin@DGS

From: mwinter@cityofwhittier.org
Sent: Friday, December 20, 2013 12:22 PM
To: OrdinanceFilings@DGS
Cc: aschindler@cityofwhittier.org; mharencame@cityofwhittier.org
Subject: City of Whittier Code Adoption Submittal
Attachments: ORD-3015.pdf; RESO-8602.pdf; Hearing-Notice.pdf

California Building Standards Commission
2525 Natomas Park Dr., Suite 120
Sacramento, California 95833

RE: City of Whittier, Building Ordinance

Dear Commission,

The City of Whittier has adopted the 2013 Editions of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Historical Building, Fire, Existing Building, Green Building Standards, Referenced Standards Codes of the State of California, and the 1997 Uniform Housing Code and the 1997 Uniform Code for the Abatement of Dangerous Buildings.

The City of Whittier has recommended changes and modifications to the Building Standards Code and have advised that certain said changes and modifications to the 2013 Editions of the California Building and Residential Codes are reasonably necessary due to local conditions in the City of Whittier and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Code or are reasonably necessary to safeguard life and property within the City of Whittier.

The enclosed City Ordinance and Resolution of Findings are for your files.

Please contact me at the number listed below if you have any questions.

Respectfully,

Matthew N. Winter

Building Official

City of Whittier

562-567-9331

mwinter@cityofwhittier.org

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City of Whittier

13230 Penn Street, Whittier, California 90602-1772
(562) 464-3380 Fax (562) 464-3509

NOTICE OF PUBLIC HEARING CALIFORNIA BUILDING STANDARDS CODE ADOPTION

Pursuant to the requirements of California Health and Safety Code 17922 and 17958 and in accordance with the provisions of California Government Code 50022.2, notice is hereby given that the City Council of the City of Whittier will conduct a public hearing on **Tuesday, November 12, 2013, at 6:30 p.m.**, or as soon thereafter as the matter can be heard, in The Whittier City Council Chamber, City Hall, 13230 Penn Street, Whittier, California, to consider adoption of the California Building Standards Code with amendments. The regulations include the: 2013 California Administrative Code, 2013 California Building Code, 2013 California Residential Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Energy Code, 2013 California Historical Building Code, 2013 California Fire Code, 2013 California Existing Building Code, 2013 California Green Building Standards Code, 2013 California Referenced Standards Code, the 1997 Uniform Housing Code, and the 1997 Uniform Code For The Abatement Of Dangerous Buildings.

The project has been deemed Exempt, pursuant to Section 15061(b)(3), of the California Environmental Quality Act.

If you challenge any part of the proposed project in court, you may be limited to raising only those issues you or someone else raised during the public hearing.

Any person with an interest in this matter is invited to attend said hearing and testify on all matters related thereto.

Kathryn A. Marshall
City Clerk -Treasurer

Publish: October 25, 2013
November 1, 2013

ORDINANCE NO. 3015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, AMENDING TITLE 15 OF THE WHITTIER MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2013 CALIFORNIA BUILDING CODE, THE 2013 CALIFORNIA RESIDENTIAL CODE, THE 2013 CALIFORNIA MECHANICAL CODE, THE 2013 CALIFORNIA PLUMBING CODE, THE 2013 CALIFORNIA ENERGY CODE, THE 2013 CALIFORNIA HISTORIC CODE, THE 2013 CALIFORNIA EXISTING BUILDING CODE, THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2013 CALIFORNIA REFERENCED STANDARDS CODE, THE 2013 CALIFORNIA ELECTRICAL CODE, THE 2013 CALIFORNIA FIRE CODE, THE 1997 UNIFORM HOUSING CODE THE 1997 UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDINGS WITH ERRATA AND AMENDMENTS THERETO

WHEREAS, pursuant to California Government Code Section 50022.1 *et seq.* and California Health and Safety Code Section 17922 *et seq.*, the City of Whittier may adopt by reference the 2013 California Building Standards Code;

WHEREAS, the City of Whittier held a public hearing on November 12, 2013, at which time all interested persons were given the opportunity to appear and be heard on the matter of adopting the 2013 California Building Standards Code with errata and as amended herein;

WHEREAS, the City of Whittier published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 28, 2013 and November 3, 2013;

WHEREAS, the City Council finds that the publication of the entire text of this ordinance in a newspaper of general circulation would cost significantly more than the cost of publishing other ordinances and it is infeasible to prepare a fair and accurate summary of the ordinance;

WHEREAS, pursuant to subdivision (c) of Section 36933 of the California Government Code, the City Council may publish a summary of this ordinance in lieu of the entire text; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

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

SECTION 1. Section 15.04.010 (California Codes adoption by reference) of Chapter 15.04 (Building Codes) of Title 15 (Buildings and Construction) of the Whittier Municipal Code shall be hereby repealed in its entirety, and a new Section 15.040.010 (California Codes adoption by reference) of Chapter 15.04 (Building Codes) of Title 15 (Buildings and Construction) shall be hereby added in place thereof to read as follows:

1. a. **ADOPTION OF THE 2013 CALIFORNIA ADMINISTRATIVE CODE**

Except as provided in this chapter, the California Administrative Code, 2010 Edition with all errata, as published by the International Code Council shall become the building administrative code of the City of Whittier to serve as the administrative, organizational and enforcement rules and regulations for the technical codes which regulate the site preparation, erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the city. The California Administrative Code is on file for public examination in the office of the Building Official.

b. **AMENDMENTS TO THE CALIFORNIA ADMINISTRATIVE CODE**

The 2013 Edition of the California Administrative Code shall be hereby amended as follows:

New Chapter 1-A shall be added to read as follows:

Division II of the 2013 California Building Code shall be the administrative Code for the City of Whittier.

2 a. **ADOPTION OF THE 2013 CALIFORNIA BUILDING CODE**

Except as provided in this chapter, those certain building codes known and designated as the California Building Code, 2013 Edition, Volumes 1 and 2 including Appendix Chapters C, F, H, I, and J with all errata based on the 2012 International Building Code as published by the International Code Council, shall become the building codes of the City of Whittier for the purpose of regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the city. The California Building Code will be on file for public examination in the office of the Building Official.

b. **AMENDMENTS TO THE CALIFORNIA BUILDING CODE**

The 2013 California Building Code shall be hereby amended as follows:

Section 105.2.2, regarding work exempt from permit for fences shall be hereby repealed in its entirety and a new Section 105.2.2 of Chapter 1 shall be hereby added in place thereof to read as follows:

Exception: Fences not over 18 inches (457 mm) high in residential zones and walls not over 18 inches (457 mm) high in all zones as measured from the lowest adjacent grade.

Section 105.2.4, regarding work exempt from permit for retaining walls shall be hereby repealed in its entirety and a new Section 105.2.4 shall be hereby added in place thereof to read as follows:

Retaining walls not over 18 inches (457 mm) high as measured from the lowest adjacent grade or of any height when the wall supports any surcharge or similar load as determined by the Building Official or when the wall impounds Class I, II or IIIA liquids.

Table 1505.1 of Chapter 15 regarding minimum roof covering classifications shall be hereby repealed in its entirety and a new Table 1505.1 of Chapter 15 shall be hereby added in place thereof to read as follows:

**TABLE 1505.1^a
MINIMUM ROOF COVERING CLASSIFICATIONS
TYPES OF CONSTRUCTION**

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A	A	A	A	A	A	A	A	A

Section 1505.1.2 of Chapter 15 regarding roof coverings in all other areas shall be hereby repealed in its entirety and a new Section 1505.1.2 of Chapter 15 shall be hereby added in place thereof to read as follows:

1505.1.2 Roof coverings within all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any three-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

Section 3109.4.4 of Chapter 31 regarding private swimming pool definitions shall be hereby amended to add a definition to read as follows:

PRIVATE POOL, is any pool, permanent or portable, which is intended for non-commercial use as swimming pool by not more than three owner families and their guests.

Section 3109.4.4.2 of Chapter 31 regarding safety features shall be hereby amended to repeal the first paragraph and a new paragraph shall be added in place thereof to read as follows:

3109.4.4.2 Construction permit; safety features required. Commencing January 1, 2007, except as provided in Section 3109.4.4.5, whenever a construction permit is issued for construction of a new private pool or spa, or any permit is issued for remodeling of an existing pool or spa at a private single family residence, it shall have an enclosure complying with 3109.4.4.3 and, it shall be equipped with safety feature number 6 and at least one of the following safety features:

1. The pool shall be isolated from access to a home by an enclosure that meets the requirements of section 3109.4.4.3.
2. The pool shall incorporate removable mesh pool fencing that meets American Society for Testing and Materials (ASTM) Specifications F-2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.
3. The pool shall be equipped with an approved safety cover that meets all requirements of the ASTM Specifications F-1346.
4. The residence shall be equipped with exit alarms on those doors providing direct access to the pool.
5. All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches (1372 mm) above the floor.
6. Swimming pool alarms that, when placed in pools, will sound upon detection of accidental or unauthorized entrance into the water. These pool alarms shall meet and be independently certified to the ASTM Standards F 2208 "standards specification for pool alarms" which includes surface motion, pressure, sonar, laser, and infrared type alarms. For the purpose of this article "swimming pool alarms" shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water.
7. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth in items 1-4, and have been independently verified by an approved testing laboratory as meeting standards for those devices established by the ASTM or the American Society of Testing Mechanical Engineers (ASME).

3 a. ADOPTION OF THE 2013 CALIFORNIA RESIDENTIAL CODE

Except as provided in this chapter, the California Residential Code, 2013 Edition, including Appendix Chapters H, J, and K based on the 2012 International Residential Code as published by the International Code Council, shall be and become the Residential Code of the City of Whittier, for the purpose of regulating and controlling the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of certain residential buildings and/or structures within the city. The California Residential Code is on file for public examination in the office of the Building Official.

b. **AMENDMENTS THE CALIFORNIA RESIDENTIAL CODE**

The 2013 Edition of the California Residential Code shall be hereby amended as follows:

Section R105.2.2 regarding work exempt from permit for fences shall be hereby repealed in its entirety and a new Section R105.2.2 of Chapter 1 shall be hereby added in place thereof to read as follows:

Fences not over 18 inches (457 mm) high and walls not over 18 inches (457 mm) high as measured from the lowest adjacent grade.

Section R105.2.4 regarding work exempt from permit for retaining walls shall be hereby repealed in its entirety and a new Section R105.2.4 shall be hereby added in place thereof to read as follows:

Retaining walls not over 18 inches (457 mm) high as measured from the lowest adjacent grade, or of any height when the wall supports any surcharge or similar load as determined by the Building Official or when the wall impounds Class I, II, or III A liquids.

Section R902.1 is amended by revising it to allow only class A roofs as follows:

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. Minimum Class A roofing shall be installed in areas designated by this section. Class A roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.
2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

Section R902.1.3 is amended by revising it to require a minimum Class A roof as follows:

R902.1.3 Roof coverings within all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any three-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

Section R902.2, first paragraph is amended by revising it to allow only Class A treated wood roofs as follows:

R902.2 Fire-retardant-treated shingles and shakes. Fire-retardant-treated wood shakes and shingles are wood shakes and shingles complying with UBC Standard 15-3 or 15-4 which are impregnated by the full-cell vacuum-pressure process with fire-retardant chemicals, and which have been qualified by UBC Standard 15-2 for use on Class A roofs fire-retardant-treated wood shakes and shingles shall comply with ICC-ES EG107 and with the weathering requirements contained in Health and Safety Code section 13132.7 (j) each bundle shall bear labels from an accredited quality control agency identifying their roof covering classification and indicating this compliance with ICC-ES EG107 and with the weathering requirements contained in Health and Safety Code 13132.7 (j)

4 a. ADOPTION OF THE 2013 CALIFORNIA MECHANICAL CODE

Except as provided in this chapter, the California Mechanical Code, 2013 Edition, with all errata based on the 2012 Uniform Mechanical Code as published by the International Association of Mechanical and Plumbing Officials, shall be and become the Mechanical Code of the City of Whittier, for the purpose of regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat producing appliances within the city. The California Mechanical Code is on file for public examination in the office of the Building Official.

b. AMENDMENTS TO THE CALIFORNIA MECHANICAL CODE

The 2013 Edition of the California Mechanical Code shall be hereby adopted with no amendments.

5 a. ADOPTION OF THE 2013 CALIFORNIA PLUMBING CODE

Except as provided in this chapter, the California Plumbing Code, 2013 Edition, including Appendix Chapters A, B, D, G, H, I, and K, with all errata based on the 2012 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, shall be and become the Plumbing Code of the City of Whittier, for the purpose of regulating erection, installation, alteration, repair, relocation, replacement, maintenance or use of plumbing systems within the city. The California Plumbing Code will be on file for public examination in the office of the Building Official.

b. AMENDMENTS TO THE CALIFORNIA PLUMBING CODE

The 2013 Edition of the California Plumbing Code shall be hereby adopted with no amendments.

6. a. ADOPTION OF THE 2013 CALIFORNIA ENERGY CODE

Except as provided in this chapter, the California Energy Code, 2013 Edition, including Appendix 1-A with all errata as published by the International Code Council, shall be and become the Energy Code of the City of Whittier, for the purpose of regulating building envelope, space- conditioning systems, water-heating systems and indoor lighting of buildings, and outdoor lighting systems and signs located either indoors or outdoors within the city. The California Energy Code will be on file for public examination in the office of the Building Official.

b. AMENDMENTS TO THE CALIFORNIA ENERGY CODE

The 2013 Edition of the California Energy Code shall be hereby adopted with no amendments.

7 a. ADOPTION OF THE 2013 CALIFORNIA HISTORICAL BUILDING CODE

Except as provided in this chapter, the California Historical Building Code, 2013 Edition, including Appendix A with all errata as published by the International Code Council, shall be and become the Historical Building Code of the City of Whittier, for the purpose of regulating repairs, alterations, and additions for the preservation, restoration, rehabilitation, moving or continued use of a designated historical building or structure within the city. The California Historical Building Code will be on file for public examination in the office of the Building Official.

c. AMENDMENTS TO THE CALIFORNIA HISTORICAL BUILDING CODE

The 2013 Edition of the California Historical Building Code shall be hereby adopted with no amendments.

8 a. ADOPTION OF THE 2013 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE

Except as provided in this chapter, the California Existing Building Code, 2013 Edition, including Appendix Chapter A 1, with all errata based on the 2012 International Existing Building Code as published by the International Code Council, shall become the Existing Building Code of the City of Whittier for the purpose of regulating existing buildings in the city. The California Existing Building Code will be on file for public examination in the office of the Building Official.

b. AMENDMENTS TO THE CALIFORNIA EXISTING BUILDING CODE

All Sections of the 2013 Edition of the California Existing Building Code shall be hereby deleted in their entirety except Appendix Chapter A 1 which is hereby adopted with no amendments.

9. a. ADOPTION OF THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE

Except as provided in this chapter, the California Green Building Standards Code, 2013 Edition, with all errata as published by the International Code Council, shall be and become the Green Building Standards Code of the City of Whittier, for the purpose of improving public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in planning and design, water efficiency and Conservation, material conservation and resource efficiency and environmental quality within the city. The California Green Building Standards Code is on file for public examination in the office of the Building Official.

b. AMENDMENTS TO THE CALIFORNIA GREEN BUILDING STANDARDS CODE

The 2013 Edition of the California Green Building Standards Code shall be hereby adopted with no amendments.

10.a. ADOPTION OF THE 2013 CALIFORNIA REFERENCED STANDARDS CODE

Except as provided in this chapter, the California Referenced Standards Code, 2010 Edition, with all errata as published by the International Code Council, shall be and become the Referenced Standards Code of the City of Whittier, for the purpose of regulating erection, installation, alteration,

repair, relocation, replacement, maintenance or use of systems involving referenced standards within the city. The California Referenced Standards Code will be on file for public examination in the office of the Building Official.

b. AMENDMENTS TO THE CALIFORNIA REFERENCED STANDARDS CODE

The 2013 Edition of the California Referenced Standards Code shall be hereby adopted with no amendments.

11.a. ADOPTION OF THE 1997 UNIFORM HOUSING CODE

Except as provided in this chapter, the Uniform Housing Code, 1997 Edition, with all errata as published by the International Conference of Building Officials, shall be and become the Housing Code of the City of Whittier, for the purpose of applying minimum standards to safe guard life, limb, health, property and maintenance of all residential buildings. The Uniform Housing Code is on file for public examination in the office of the Building Official.

b. AMENDMENTS TO THE UNIFORM HOUSING CODE

The 1997 Edition of the Uniform Housing Code shall be hereby adopted with no amendments.

12. a. ADOPTION OF THE 1997 UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDINGS

Except as provided in this chapter, the Uniform Code For The Abatement Of Dangerous Buildings, 1997 Edition, with all errata as published by the International conference of Building Officials, shall be and become the Abatement Code of the City of Whittier, for the purpose to provide a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the Building Code, Housing Code or otherwise available by law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants may be required to be repaired, vacated or demolished. Uniform Code for the Abatement of Dangerous Buildings is on file for public examination in the office of the Building Official.

b. AMENDMENTS TO THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

The 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings shall be hereby adopted with no amendments.

SECTION 2. Section 15.08.010 (The 2010 California Electrical Code – Adoption

and Amendments) of Chapter 15.08 (Electrical Code) of Title 15 (Buildings and Construction) of the Whittier Municipal Code shall be hereby repealed in its entirety, and a new Section 15.08.010 (The 2013 California Electrical Code – Adoption and Amendments) of Chapter 15.08 (Electrical Code) of Title 15 (Buildings and Construction) shall be hereby added in place thereof to read as follows:

A. ADOPTION OF THE 2013 CALIFORNIA ELECTRICAL CODE

Except as provided in this chapter, the California Electrical Code, 2013 Edition, based on the 2011 National Electrical Code with all errata as published by the National Fire Protection Association, shall be and become the Electrical Code of the City of Whittier, for the purpose of regulating all installation, arrangement, alteration, repair, use and other operation of electrical wiring, connections, fixtures and other electrical appliances on premises within the city. The California Electrical Code is on file for public examination in the office of the Building Official.

B. AMENDMENTS TO THE CALIFORNIA ELECTRICAL CODE

The 2013 Edition of the California Electrical Code shall be hereby adopted with no amendments.

SECTION 3. Section 15.12.010 (The 2010 Fire Code – Adoption and amendments) of Chapter 15.12 (Fire Code) of Title 15 (Buildings and Construction) of the Whittier Municipal Code shall be hereby repealed in its entirety, and a new Section 15.12.010 (The 2013 Fire Code – Adoption and amendments) of Chapter 15.12 (Fire Code) of Title 15 (Buildings and Construction) shall be hereby added in place thereof to read as follows:

A. ADOPTION OF THE 2013 CALIFORNIA FIRE CODE

Except as provided in this chapter, the California Fire Code, 2013 Edition, including Appendix Chapter 4, B, BB, C, CC, D, E, F, G H, I and J, with all errata based on the 2012 International Fire Code as published by the International Code Council, shall be and become the Fire Code of the City of Whittier, for the purpose of regulating and governing the safeguarding of life and property from fire and explosion hazards, hazardous materials 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 within the city. The California Fire Code will be on file for public examination in the office of the Building Official.

B. AMENDMENTS TO THE CALIFORNIA FIRE CODE

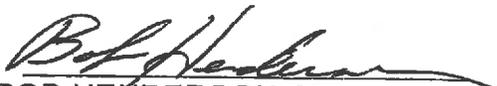
The 2013 Edition of the California Fire Code shall be hereby adopted with no amendments.

SECTION 4. If any section, subsection, subdivision, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not affect the validity of this entire Ordinance or any of the remaining portions hereof. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, subdivision, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sees, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 5. Any provision of the Whittier Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 6. The Mayor shall sign and the City Clerk-Treasurer shall attest to the passage of this Ordinance. The City Clerk-Treasurer shall cause a display advertisement of at least one-quarter of a page to be published once in the official newspaper within 15 days after the adoption of the Ordinance, which advertisement indicates the general nature of the Ordinance and information about the Ordinance, including how to obtain copies of the complete text of the Ordinance. This Ordinance shall become effective 30 days from its adoption.

APPROVED AND ADOPTED this 10th day of December 2013.


BOB HENDERSON, Mayor

ATTEST:


KATHRYN MARSHALL
City Clerk- Treasurer

CITY OF WHITTIER)
) SS
 STATE OF CALIFORNIA)

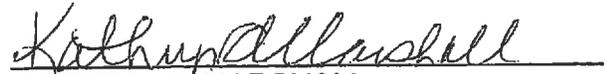
I, Kathryn A. Marshall, City Clerk-Treasurer in and for the City of Whittier, California, hereby certify that the foregoing ordinance was duly introduced at a regular meeting of the City Council of the City of Whittier on the 12th day of November 2013, and adopted at a regular meeting of the City Council of the City of Whittier on the 10th day of December 2013 by the following roll call vote:

AYES: J.A. Vinatieri F. Dutra O. Newcomer
 C. Warner R.L. Henderson

NOES: None

ABSENT: None

WITNESS my hand and the official seal of the City of Whittier, California, this
16th day of December 2013.


 KATHRYN A. MARSHALL
 City Clerk-Treasurer

Published as required by law: December 24, 2013.

RESOLUTION NO. 8602

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS WITHIN THE CITY OF WHITTIER WHICH MAKE CERTAIN MODIFICATIONS AND CHANGES TO THE 2013 CALIFORNIA BUILDING CODE, THE 2013 CALIFORNIA RESIDENTIAL CODE, AND THE WITH ERRATA AND AS AMENDED BY THE STATE OF CALIFORNIA REASONABLY NECESSARY

WHEREAS, Health and Safety Code Section 17958 provides that the City of Whittier shall adopt Ordinances and regulations imposing the same or modified or changed requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922;

WHEREAS, the State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent edition of the California Building Code, and the California Residential Code (hereinafter referred to collectively as "Codes"); WHEREAS, Health and Safety Code Section 17958.5 permits the City of Whittier to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geographic or topographic conditions;

WHEREAS, Health and Safety Code Section 17958.7 requires that the City Council, before making any modifications or changes to the Codes, shall make an express finding that such changes or modifications are reasonably necessary because of local climatic, geographic or topographic conditions; and

WHEREAS, the Building & Safety Division has recommended that changes and modifications be made to the Codes and has advised that certain said changes and modifications to the 2013 California Building Code, and the 2013 California Residential Code, are reasonably necessary due to local climatic, geographic, or topographic conditions in the City of Whittier.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. Amendments related to Sections, 1505.1.2, 3109.4.4, 3109.4.4.2, and Table 1505.1 of the 2013 California Building Code; amendments related to Sections, R902.1, and 902.2 of the 2013 California Residential Code as recommended by the Community Development Department, Building and Safety Division are hereby found to be reasonably necessary due to the following local conditions.

A. Climatic Conditions

1. Hot, dry Santa Ana winds are common to all areas within the City of Whittier and Los Angeles County in general. These winds, which can cause small fires which spread quickly, are a contributing factor to the high fire danger in the area, and create the need for an increased level of fire protection. Further, obstacles generated by a strong wind, such as fallen trees, street lights and utility poles greatly impact the response time to reach an incident scene. This added protection will supplement normal fire department response available and provide immediate protection for life and safety of multiple occupancy occupants during fire occurrences.
2. Los Angeles County and the City of Whittier are located in a semi-arid, Mediterranean-type climate which predisposes all fuels, including wood shingles, to rapid ignition and spread of fire. Therefore, there exists a need for additional fire protection measures.
3. The Los Angeles Air Basin and the City of Whittier are located in a semi-arid Mediterranean-type climate which is directly and negatively affected by the emission of greenhouse gases. Therefore, there exists a need for additional green building measures which will have the net effect of providing an enhanced and sustainable environment.
4. Large portions of the City of Whittier are located within the State and County designated Very High Fire Hazard Severity Zone (VHFHSZ) and according to the City of Whittier Natural Hazards Mitigation Plan (2004), the City has approximately 1,500 acres of underdeveloped wildland along the northern boundary of the city that has the potential brushfires, fire threats originating from human influence in the urban interface area, potential lack of water supply for fire protection, and periods of high Santa Ana winds. Also related to hazard concern is the post-fire hazards of erosion, debris flow, and flooding.
5. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when accompanied by high winds. Pieces of burning wooden roofs become fire brands and are carried by the wind to other locations and may thereby spread fire quickly. Grand Jury Report findings support this concern.
6. Los Angeles County and the City of Whittier are located in a semi-arid, Mediterranean-type climate where potable water resources are limited. Therefore, there exists a need for additional landscape irrigation measures which will have the net effect of preserving water resources.
7. The warm, dry climate is conducive to swimming pools which creates a higher probability of child drowning where pools are minimally or unprotected.

B. Geographic Conditions

1. Los Angeles County and the City of Whittier are located in Seismic Zone 4. There are earthquake faults that run throughout the boundaries of Los Angeles County. The San Andreas and Newport-Inglewood Fault Zones are capable of Major earthquakes. Running along the entire north boundary of the City of Whittier is the Whittier and Workman Mill Faults. In October 1987, the Whittier Fault (Type B classification) caused damage or destruction to over 9,100 structures and resulted in eight deaths. In 1933, the Newport-Inglewood Fault was the source of the destructive 1933 Long Beach earthquake (6.3 magnitude, hypocenter off Newport Beach coast), which took 120 lives, with areas damaged from Laguna Beach to Marina del Rey and inland to Whittier, and poses one of the greatest hazards to lives and property in the nation. Regional planning for reoccurrence is recommended by the State of California, Department of Conservation.

The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district, but when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. Experts predict a major earthquake in the Whittier area within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake;

2. Traffic and circulation congestion presently existing in the City of Whittier on occasion places fire department response time to emergency occurrences at risk. This condition may be exacerbated by any major disaster, including any earthquake wherein damage to the highway systems may occur. These conditions make the need for additional on-site protection for property and occupants necessary.
3. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints make it difficult for the fire department to locate additional fire stations and provide manpower sufficient to concentrate fire companies and personnel to control fires in buildings. These conditions create the need for built-in on-site fire protection systems to protect occupants and property until firefighting apparatus and personnel arrive on the scene.

The City of Whittier is located in the middle of the seismically active area identified as Seismic Areas D, E and F. The viability of the public water system may become questionable after a major seismic event. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section

above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of a building.

C. Topographic Conditions

1. Large portions of the City of Whittier are located in the underdeveloped wild land along the northern boundary of the city. The topographic contours of the land within the wild land and adjoining urban interface is primarily sloped and ranges on average from 5% to 50% and greater slopes. Areas with land sloped in excess of 15% become more difficult to access with emergency equipment and thus delayed response times can result. Also related to the steep slope of the land are the post-fire hazards of erosion, debris flow, and flooding from concentrated run-off.

SECTION 2. Amendments to the 2013 California Building Code, the 2013 California Residential Code are found reasonably necessary based on the climatic, geographic and or topographic conditions cited in Section 1 of this Resolution are as follows:

<u>Code Section</u>	<u>Findings in Section 1</u>
Table 1505.1, 1505.1.2 CBC	A1, A2, A4, A5, B1, B2, B3
3109.4.4.2 CBC	A7
R902.1, R902.1.3, R902.2 CRC	A1, A2, A4, A5, B1, B2, B3

The aforementioned amendments will be incorporated in detail upon adoption of the Ordinance.

SECTION 3. The Building & Safety Division shall file copies of this Resolution and adopting Ordinance with the California Building Standards Commission as required by Health and Safety Code Section 17958.7.

SECTION 4. The City Clerk-Treasurer shall certify to the passage and adoption hereof.

APPROVED AND ADOPTED this 12th day of November 2013.



 BOB HENDERSON, Mayor

ATTEST:



 KATHRYN A. MARSHALL
 City Clerk-Treasurer

CITY OF WHITTIER)
) SS
 STATE OF CALIFORNIA)

I, Kathryn A. Marshall, City Clerk-Treasurer in and for the City of Whittier, California, hereby certify that the foregoing resolution was duly introduced and adopted at a regular meeting of the City Council of said City held on the 12th day of November 2013, by the following roll call vote:

AYES: J.A. Vinatieri F. Dutra O. Newcomer
 C. Warner R.L. Henderson

NOES: None

ABSENT: None

WITNESS my hand and the official seal of the City of Whittier, California, this
19th day of November 2013.

Kathryn A. Marshall
 KATHRYN A. MARSHALL
 City Clerk-Treasurer