

BUILDING STANDARDS COMMISSION

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



January 27, 2014

Bob Silva
Building Official
City of Yorba Linda
P.O. Box 87014
Yorba Linda, CA 92885-8714

RE: Ordinance #2013-984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994

Dear Mr. Silva:

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

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

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

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

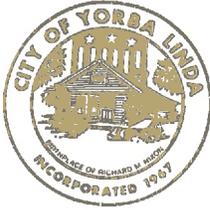
If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

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

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



CITY OF YORBA LINDA

P.O. BOX 87014

CALIFORNIA 92885-8714

December 13, 2013

California Building Standards Commission
2525 Natomas Park Dr., Suite 130
Sacramento, California 95833-2936

RE: City of Yorba Linda, Building Code Adoption Ordinance

Mr. Dave Walls:

The City of Yorba Linda has adopted the current Building, Residential, Green Building Standards, Fire, Plumbing, Mechanical, and Electrical Codes of the State of California.

The City of Yorba Linda has recommended changes and modifications to the Codes and have advised that certain said changes and modifications to the 2013 Editions of the California Building and Residential Codes are reasonable necessary due to local conditions in the City of Yorba Linda 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 reasonable necessary to safeguard life and property within the City of Yorba Linda.

The enclosed City Ordinances and Resolution setting forth findings for local amendments is for your files.

If additional information is desired, please telephone this office at (714) 961-7120.

Sincerely,

Bob Silva
Building Official

2013 DEC 19 P 12:18
CITY OF YORBA LINDA
BUILDING DEPARTMENT

RESOLUTION NO. 2013-5208

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA, CALIFORNIA, SETTING FORTH FINDINGS FOR LOCAL AMENDMENTS TO THE 2013 CALIFORNIA FIRE CODE, THE 2013 CALIFORNIA BUILDING CODE, THE 2013 CALIFORNIA PLUMBING CODE, THE 2013 CALIFORNIA ELECTRIC CODE, THE 2013 CALIFORNIA RESIDENTIAL CODE, THE 2013 CALIFORNIA MECHANICAL CODE, AND THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE RELATIVE TO LOCAL CLIMATIC, GEOGRAPHICAL AND TOPOGRAPHICAL CONDITIONS, AND REPEALING RESOLUTION NO. 2010-5012

WHEREAS, California Government code Section 50022.1 *et seq.* authorizes the City to enact any ordinance which adopts any code by reference, in whole or in part; and

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 Residential Code, the California Building Code, the California Plumbing Code, the California Mechanical Code, and the California Electrical Code, and the California Fire Code and the California Green Building Standards Code, (hereinafter referred to collectively as "Codes"); and

WHEREAS, Health and Safety Code Section 17958 *et seq.* provides that the City of Yorba Linda 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; and

WHEREAS, Health and Safety Code Sections 17958.5 and 18941.5 permits the City to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geographical, or topographical conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires that the City Council, before making any modifications or changes pursuant to Section 17958.5 shall make an express finding that such changes or modifications or changes are reasonably necessary because of local climatic, geographical or topographical conditions; and

WHEREAS, the Building Division has recommended that modifications and changes be made to the Codes and advised that certain said changes to the California Fire Code, 2013 Edition, the California Building Code, 2013 Edition, the California Plumbing Code, 2013 Edition, the California Electrical Code, 2013 Edition, the California Residential Code, 2013 Edition, the California Mechanical Code, 2013 Edition, and the California Green Building Standards, 2013 Edition are reasonably necessary due to local conditions in the City of Yorba Linda and have further advised that the remainder

buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of available water to floors in a fire.

D. Strong Winds. The dry climatic conditions with strong winds contribute to the rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as 50 to 75 percent.

E. Semi-arid Mediterranean Climate. The warm, dry climate of Yorba Linda is conducive to private swimming pool ownership. Increased numbers of adjacent private swimming pools also increases the likelihood of children drowning where pool enclosures are not of a permanent design. Therefore, leaving a pool unprotected by the use of temporary, electromechanical, or other means of protection that can be turned off, removed or left open for untold periods of time creates an extremely dangerous situation within communities and containing large numbers of private swimming pools.

II. Topographical Conditions

A. Hillside Community. Natural slopes of 15 percent or greater generally occur throughout the foothills of Orange County. Yorba Linda has a sizeable hillside community with little to no remaining developable lowlands. Mass grading for development on hillsides has become easier and cost effective. Therefore, mass grading on hillsides has increased the amount of structures constructed on and around sloping terrain. Sloped terrain places physical burdens upon fire fighters and their equipment in responding to emergencies and attacking fires. Hillside development mandates construction to comply with setbacks from slopes and typically requires soil reports and fuel modification plans to be prepared.

B. Traffic and Circulation Congestion is an artificially created, obstructive topographical condition, which is common throughout Orange County.

C. Response Time. These topographical conditions combine to create a situation, which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

III. Geological Conditions.

The Orange County region is a densely populated area that has buildings constructed over and near a vast and complex network of faults that are believed to be capable of producing future earthquakes similar or greater in size than the 1994 Northridge and the 1971 Sylmar earthquakes. Earthquake faults run along the

E. Chino Hills State Park. The entire northern and eastern boundaries of Yorba Linda are adjacent to the Chino Hills State Park. The park area stretches nearly 31 miles, from the Santa Ana Mountains to the Whittier Hills. There are several different scrub and chaparral communities including coastal sage scrub, California sagebrush, California buckwheat and purple sage, as well as a mixed chaparral community that becomes fuel for fires during summer months. The winds mentioned in Paragraph I-A above, can allow pieces of burning wood roofing material or debris behind solar panels mounted to roofs, to become flying brands that can be carried to other locations and thereby spread fire quickly. Therefore, a City wide ban of untreated wood roofing material should continue, with a minimum requirement for Class A roofing. Mandating clearance requirements for solar panels, attached to roofs, will reduce the accumulation of debris behind the panels, thus eliminating fire potential and preserving the water protective integrity of a roof covering by not impairing drainage.

F. Soil Structure. The structure of soil can either block or allow effluent waste, generated by private sewage disposal systems, to percolate into underground water supplies. The City is dependent on local water wells that are fed by underground water aquifers and the Santa Ana River. Due to health concerns related to the use of private systems in close proximity to heavily populated residential areas, the City must regulate the use of certain private sewage disposal systems. Soils routinely experienced by developers and other builders in Yorba Linda are expansive and routinely requires structures to be designed accordingly. Therefore, a blanket mandate is necessary for new construction to meet expansive soil construction requirements unless otherwise justified by a soils report.

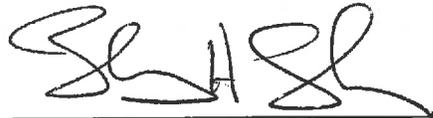
Due to the topographical conditions of sprawling development separated by waterways and narrow and congested streets and the expected infrastructure damage inherent in seismic zone described above, it is prudent to rely on automatic fire sprinkler systems to mitigate extended fire department response time and keep fires manageable with reduced fire flow (water) requirements for a given structure. Additional fire protection is also justified to match the current resources of firefighting equipment and personnel within the Orange County fire Authority.

Section 2. The City Council hereby finds that the amendments to the Codes as set forth in detail in Ordinance Nos. 2013-984, 2013-985, 2013-986, 2013-987, 2013-988, 2013-989 and 2013-990 are reasonably necessary based on the climatic, geographical and topographical conditions cited in Section I of this Resolution and apply to the amendments as follows:

36	Section 2808.3	Existing	Clarifies requirements for storage sites of combustible materials	Sections I & II
37	Section 2808.5	Existing	Clarifies requirements for size of combustible storage material	Sections I & II
38	Section 2808.7	Existing	Clarifies requirements for automatic sprinkler systems of combustible storage	Sections I & II
39	Section 2808.9	Existing	Provides requirements for spark arrestors on material/handling equipment	Sections I & II
40	Section 2808.11	Existing	Add requirements for temperature controls	Section I
41	Section 5001.5.2	Existing	Modify the requirements for hazardous materials inventory statement, administrative	N/A
42	Section 5003.1.1.1	Existing	Add requirements for extremely hazardous substances, administrative	N/A
43	Section 5003.5	Existing	Adds requirements for hazardous identification signs, administrative	N/A
44	Section 5503.4.1	Existing	Clarifies requirements for identification signs for cryogenic fluids, administrative	N/A
45	Chapter 57	Existing	Amends and adds requirements for storage, use, sale, possession, handling, seizure and outdoor display of fireworks, administrative	N/A
46	Section 5704.2.3.2	Existing	Clarifies requirements for label or placard on flammable or combustible containers, administrative	N/A
47	Section 6004.2.2.7	Existing	Clarifies requirement for treatment of highly toxic and toxic materials, administrative	N/A
48	Chapter 80 NFPA 13	Existing	Clarify and increase fire protection standards for new automatic fire sprinkler systems	Sections I & II
49	Chapter 80 NFPA 13D	Existing	Clarify and revise maintenance and installation requirements for automatic fire sprinkler systems	Sections I & II
50	Chapter 80 NFPA 14	Existing	Clarify and revise installation requirements for public fire hydrants	Sections I & II
51	Chapter 80 NFPA 24	Existing	Clarify and revise installation requirements for fire department access and special control rooms	Sections I & II
52	Chapter 80 NFPA 13R	Existing	Clarify and increase fire protection standards for new residential fire sprinkler systems	Sections I & II
53	Section 4906.3	Existing	Add OCFA vegetation guideline to hazardous vegetation and fuel management requirements, administrative	N/A
54	Section 4908	New	Add fuel modification requirements for new construction	Sections I & II
2013 California Building Code (CBC)				
55	Chapter 1 Division II	Existing	Administration	N/A
56	Section 202	Existing	Add definitions for flow-line, hazardous fire area and high-rise building, administrative, helicopter pads, pools	N/A
57	Section 403.1	Existing	Clarify and amend requirements for high-rise commercial building	Section I & II
58	Section 412.7	New	Add specific requirements for air-craft related occupancies and emergency helicopter landing facilities, administrative	N/A
59	Section 903.2	Existing	Add requirements for automatic fire sprinkler systems in commercial buildings	Sections I & II
60	Section 903.2.8	Existing	Add requirements for automatic fire sprinkler systems in residential buildings	Sections I & II
61	Section 903.4	New	Add requirements for sprinkler system supervision	Sections I & II
62	Section 905.4	Existing	Clarify requirements for Fire Department access	I C
63	Section 907.2.13	Existing	Revise height above grade to 55 feet for high-rise building requirements	II A
64	Section 907.3.1	Existing	Clarify requirements for smoke detectors installed in A/C ducts	Section I
65	Section 907.5.2.2	New	Add requirements for emergency communication systems in residential occupancies	Sections I & II
66	Section 907.6.3.2	Existing	Revise height above grade to 55 feet for high-rise building requirements	II A

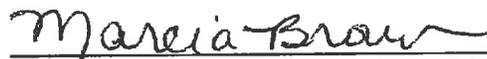
98	Appendix M	Delete	Delete requirements for tsunami-generated flood hazard	N/A
2013 California Plumbing Code (CPC)				
99	Chapter 1, Division II	Existing	Administration	N/A
100	Section 610.8	Existing	Establish minimum water service sizes	I C
1001	Appendix H	Existing	Allows for an alternate design for seepage pits. Prohibits the installation of disposal fields and cesspools.	I B
102	Appendix D Section D1.1	Existing	Establish local rain fall rate	I B
2013 California Mechanical Code (CMC)				
103	Chapter 1 Division II	Existing	Administration	N/A
2013 Green Building Standards Code (GBSC)				
104	Section 305	Deleted	Delete references to additional conservation measures in the appendices	N/A
105	Section 306	Deleted	Delete references to additional conservation measures in the appendices	N/A
2013 California Electrical Code (CEC)				
106	Article 95	Existing	Administration	N/A
107	Article 100	Existing	Adds definition for continuous special inspection, administrative	N/A
108	Article 110	Existing	Changes requirements for conductor types and branch circuit sizes	I B & I E
109	Article 422.10	Existing	Increases requirements for branch circuits with motors of 1/4 H.P. or larger	N/A
2013 California Residential Code (CRC)				
110	Chapter 1 Division II	Existing	Administration	N/A
111	Section R202	New	Add definition for hazardous fire area	N/A
112	Table R301.2(1)	Existing	Complete table specifying local climatic and geographic design criteria	Sections I & III
113	Section R301.9	New	Add requirements for development on or near land with toxic or combustible materials	Section III
114	Section R301.10	New	Add requirements for fuel modification areas	Sections I & II
115	Section R309.6	New	Add requirements for fire sprinklered garages	Sections I & II
116	Sections R313.1 & R313.2	Existing	Adding requirement for automatic fire sprinklers in existing buildings	Sections I, II & III
117	Section R313.3.6.2.2	New	Add requirements for calculating water distribution piping	Sections I & II
118	Section R319	New	Add requirements for site address	N/A
119	Section R327.1.6	New	Add requirements for fuel modification for new construction	Sections I, II, & III
120	Section R902.1	Existing	Increase minimum roof covering fire classification (new construction)	Sections I & II
121	Section R902.1.3	Existing	Increase minimum roof covering fire classification (additions)	Sections I & II
122	Section R902.2	Existing	Increasing fire retardant standards for wood shingles and shakes	Sections I & II
123	Section R907.3	New	Add requirements for recovering existing roofs	Sections I & II
124	Section R1001.14	New	Add requirements for outdoor fireplaces	Sections I & II
125	Chapter 44 NFPA 13	Existing	Clarify and increase fire protection standards for new automatic fire sprinkler systems	Sections I & II
126	Chapter 44 NFPA 13R	Existing	Clarify and increase fire protection standards for new residential fire sprinkler systems	Sections I & II
127	Chapter 44 NFPA 13D	Existing	Clarify and revise maintenance and installation requirements for automatic fire sprinkler systems	Sections I & II
128	Appendix A	Deleted	Delete requirements for sizing of gas piping, duplication of plumbing code, administrative	N/A
129	Appendix B	Deleted	Delete requirements for venting system of appliances, duplication of mechanical code, administrative	N/A

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 5th day of November, 2013.



TOM LINDSEY, MAYOR
CITY OF YORBA LINDA, MAYOR

ATTEST:

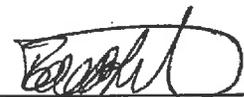


MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

STATE OF CALIFORNIA
COUNTY OF ORANGE
CITY OF YORBA LINDA

APPROVED AS TO FORM
RUTAN & TUCKER LLP

I, MARCIA BROWN, CITY CLERK, DO CERTIFY THAT THIS IS A FULL, TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE OF THE CITY CLERK.



CITY ATTORNEY



MARCIA BROWN
CITY CLERK

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, MARCIA BROWN, City Clerk of the City of Yorba Linda, California, DO HEREBY CERTIFY that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 5th day of November, 2013, and was carried by the following roll call vote:

AYES: COUNCILMEMBERS: Anderson, Hernandez, Lindsey, Schwing, Young
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

ORDINANCE NO. 2013-984

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.04 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA BUILDING CODE VOLUMES 1 AND 2, 2013 EDITION, WHICH INCORPORATES AND AMENDS THE INTERNATIONAL BUILDING CODE, 2012 EDITION, WITH CERTAIN APPENDICES AND AMENDMENTS, THE CALIFORNIA HISTORICAL BUILDING CODE, 2013 EDITION, THE CALIFORNIA EXISTING BUILDING, 2013 EDITION, AND REPEALING ORDINANCE NO. 2007-951

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the California Building Standards Code (California Code of Regulations, Title 24) adopting certain uniform codes, including the California Building Code Volumes 1 and 2, 2013 Edition (which incorporates and amends the International Building Code, 2012 Edition), with certain appendices and amendments, the California Historical Building, 2013 Edition, the California Existing Building Code, 2013 Edition; and

WHEREAS, California Health and Safety Code Sections 17958 *et seq.* and 18941.5 authorizes cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Yorba Linda desires to adopt the California Building Code, as adopted by the State of California Building Standards Commission in Title 24 of the California Code of Regulations (the "Building Code"), with certain appendices and amendments to assure the Building Code is tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City Council held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the California Building Code, 2013 Edition, as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 17, 2013 and October 24, 2013; 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 YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent that the following changes and modifications to the California Building Code, 2013 Edition, are deemed more restrictive than the standards contained therein, thus requiring that findings be made pertaining to local conditions justifying such modifications, the City Council adopted Resolution No. 2013-5208 that found and determined that the following changes and modifications are reasonably necessary due to local conditions.

Section 2. Chapter 15.04 of the Yorba Linda Municipal Code is hereby amended to read as follows:

“CHAPTER 15.04

BUILDING CODE

Sections:

15.04.010	Documents adopted.
15.04.020	Chapter 1, Division II, Scope and Administration – amendments.
15.04.030	Chapter 2 Definitions – amendments.
15.04.040	Chapter 4 Special Detailed Requirements Based On Use and Occupancy – amendments.
15.04.050	Chapter 9 Fire Protection Systems – amendments.
15.04.060	Chapter 15 Roof Assemblies and Rooftop Structures - amendments
15.04.070	Section 3109 Swimming Pool Enclosures and Safety Devices – amendments.
15.04.080	Chapter 35 Referenced Standards – amendments.
15.04.090	Appendix A Employee Qualifications – deleted.
15.04.100	Appendix B Board of Appeals- adopted.
15.04.110	Appendix C Group U – Agricultural Buildings – adopted.
15.04.120	Appendix D Fire Districts – deleted.
15.04.130	Appendix E Reserved – deleted.
15.04.140	Appendix F Rodentproofing – deleted.
15.04.150	Appendix G Flood-Resistant Construction – deleted.
15.04.160	Appendix H Signs – deleted.
15.04.170	Appendix I Patio Covers – adopted.
15.04.180	Appendix J Grading – deleted.
15.04.190	Appendix K Administrative Provisions – deleted.
15.04.200	Appendix L Earthquake Recording Instrumentation – deleted.
15.04.210	Appendix M Tsunami-Generated Flood Hazard – deleted.

15.04.010. Building Code Adopted.

There is hereby adopted by reference, as the Building Code of the City, the California Building Code, 2013 Edition, with certain appendices and amendments, which incorporates and amends the International Building Code, 2012 Edition, with certain

appendices and amendments, published by the International Code Council, the California Historical Building Code, 2013 Edition and the California Existing Building code, 2013 Edition, one certified copy of which is on file in the office of the City Clerk for public inspection and is adopted with the same force and effect as though set out herein in full. The California Building Code, 2013 Edition, as adopted herein, is amended as set forth in Sections 15.40.020 through 15.04.210

15.04.020. Chapter 1, Division II, Scope and Administration – amendments.

Section 101.4.1 Gas is hereby amended to read as follows:

101.4.1 Gas. The provisions of the California Plumbing Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. Where the term “International Fuel Gas Code” is used in this code, it shall be interpreted to mean the California Plumbing Code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

Section 101.4.2 Mechanical is hereby amended to read as follows:

101.4.2 Mechanical. The provisions of the California Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators and other energy-related systems. Where the term “International Mechanical Code” is used in this code, it shall be interpreted to mean the California Mechanical Code.

Section 101.4.3 Plumbing is hereby amended to read as follows:

101.4.3 Plumbing. The provisions of the California Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system. The provisions of the California Plumbing Code shall also apply to all private sewage disposal systems. Where the terms “International Plumbing Code” or “International Private Sewage Disposal Code” are used in this code, it shall be interpreted to mean the California Plumbing Code.

Section 101.4.4 Property maintenance is hereby amended to read as follows:

101.4.4 Property Maintenance. The provisions of the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, Uniform Housing Code, 1997 Edition, and Chapter 18.40, Enforcement, of the YLMC shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures. Where the term “International Property Maintenance Code” is used in this code, it shall be

interpreted to mean the Uniform Code for the Abatement of Dangerous Buildings, Uniform Housing Code and Chapter 18-40 of the YLMC.

Section 101.4.5 Fire prevention is hereby amended to read as follows:

101.4.5 Fire Prevention. The provisions of the California Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from the occupancy or operation. Where the term "International Fire Code" is used in this code, it shall be interpreted to mean the California Fire Code.

Sections 105.1.1 and 105.1.2 are hereby deleted .

Section 105.2 Work exempt from permits is hereby amended by modifying subsections under the heading of "Building" to read as follows:

2. Masonry or concrete fences not over 3 feet (1829 mm) in height measured from the lowest adjacent finish grade.
4. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall unless supporting a surcharge, supporting a sloped backfill with a slope greater than 2:1 or impounding flammable Class I, II, or III-A liquids.
9. Prefabricated swimming pools that are less than 18" deep, do not exceed 5,000 gallons and are installed entirely above ground.
14. Wood, vinyl or chain link fences not over six (6) feet high measured from the lowest adjacent finish grade, unless a wood, vinyl or chain link fence is a full or partial pool enclosure. Such wood, vinyl or chain link fences shall conform to the pool enclosure requirements of Section 3119B of this code.

Section 105.3.1 Action on application is hereby amended by adding the additional paragraphs to read as follows:

When plans or other data are required to be submitted by section 105.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The amount of the plan review fee shall be as established by resolution adopted by the City Council.

When submittal documents for plan review are incomplete or modified so as to require additional plan review, an additional plan review fee shall be charged as established by resolution adopted by the City Council.

Section 105.3.2 Time limitation of applications is hereby amended to read as follows:

105.3.2 Time limitation of applications. An application for which no permit is issued within 180 days following the date of application shall automatically expire, and plans and other data 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 not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application.

An application for a permit may only be extended if a written request for an extension is received prior to the expiration of the permit application and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. Payment of the \$250 application fee shall not automatically grant an extension. Permit application extensions shall not be granted after the expiration of the original permit application and payment of plan review fees. Full plan review fees as set forth in the fee resolution adopted by the City Council shall be paid should the permit application expire.

Section 105.5 Expiration is hereby amended to read as follows:

105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days any time after the work is commenced. The suspension or abandonment of work shall be defined as failing to obtain a formal approval of any required inspection as specified in Section 110.3 of this code within a 180 day time period. The Building Official is authorized to grant, in writing, no more than two (2) extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

A permit may only be extended, with no additional permit fees charged, if a written request for an extension is received prior to the expiration of the permit and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the

Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. No additional permit fees, other than the application fee of \$250, shall be charged. Payment of the \$250 application fee shall not automatically grant an extension. Permits which have become invalid shall pay a renewal fee of 50% of the original permit fee when the permit has been expired for up to one (1) year. When a permit has been expired for a period in excess of one (1) year, the renewal fee shall be 100% of the original permit fee.

Section 107.2.2 Fire protection system shop drawings is hereby amended by amending the first sentence to read as follows:

107.2.2 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to the Orange County Fire Authority for review to indicate conformance to the adopted codes and the construction documents and shall be approved prior to the framing inspection. Shop drawing shall contain all information as required by the referenced installation standards in Chapter 9.

Section 107.2.5 Site plan is hereby amended to read as follows:

107.2.5 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing the location and dimensions of all new construction, the location and dimensions of all existing construction, all property lines shown and labeled, dimensions between all new construction and all property lines, dimensions between all existing construction and all property lines, dimensions between all new and existing construction, locations of all slopes with the top of any slope or the bottom of any slope specifically plotted and indicated, the structural setback line from top of slope specifically plotted as required by Chapter 18, the overall vertical height of all slope shown, dimensions from the top of any slope to all new proposed construction, show a dimensioned location of any active or abandon oil wells, show a dimensioned location of any active or abandon septic tanks and seepage pits and any other site related information. The Building Official is authorized to waive or modify the requirement for a site plan when the application for permit is for an alteration or repair or when otherwise warranted.

Section 107.3.4.1 Deferred submittals is hereby deleted.

Section 108.1 General is hereby amended by changing the number of days in the second sentence from "180 days" to "30 days".

Section 109.2 Schedule of permit fees is hereby amended to read as follows:

109.2 Schedule of permit fees. For each permit required by this Article, there shall be charged and paid to the Building Department, a fee as established by resolution adopted by the City Council, and at the rate provided for each classification shown therein.

Section 109.4 Work commencing before permit issuance is hereby amended to read as follows:

109.4 Work commencing before permit issuance.

109.4.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

109.4.2 Fee. An investigation fee, in addition to the permit, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

109.4.3 The investigation fee shall not apply to emergency work when it shall be proved to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefor before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, an investigation fee as herein provided shall be charged.

Section 109.6 Refunds is hereby amended to read as follows:

109.6 Refunds. The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 110.7 Reinspections is hereby added to read as follows:

110.7 Reinspections: The Authority Having Jurisdiction shall have the authority to assess a reinspection fee for each inspection or reinspection when such portion of work for which inspection is requested is not complete or when required corrections have not been made. Reinspection fees may also be assessed when the approved plans are not readily available to the inspector, or failure to provide access on the

date for which inspection is requested or for deviating from plans requiring the approval of the Building Official.

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

To obtain reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee established by resolution adopted by the City Council.

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

Section 110.8 Extra inspections is hereby added to read as follows:

110.8 Extra inspections: When extra inspections are necessary by reason of deficient or defective work, or otherwise through fault or error on the part of the holder of the permit or on the part of his employees, only one such extra inspection shall be made under the regular fees as herein prescribed; and the holder of the permit shall be entirely responsible for each and every subsequent extra visit or inspection. A reinspection fee shall be paid for every subsequent extra visit or inspection.

Section 111.5 Posting is hereby added to read as follows:

111.5 Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

Section 112.3 Authority to disconnect service utilities is hereby amended by modifying the first sentence to read as follows;

112.3 Authority to disconnect service utilities. The building official or the building official's authorized representative shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life and property.

Section 115.1 Authority is hereby amended to read as follows:

115.1 Authority. Whenever the building official finds any work regulated by this code, or other pertinent laws or ordinances implemented through the enforcement of this code, is being performed in a manner either contrary to their provisions or in a dangerous or unsafe manor, the building official is authorized to issue a stop work order."

15.04.030. Chapter 2 Definitions – amendments.

Sections 202 Definitions is hereby amended by adding definitions to read as follows:

APPROACH-DEPARTURE PATH. The flight path of the helicopter as it approaches or departs from the landing pad.

EMERGENCY HELICOPTER LANDING FACILITY (EHLF). A landing area on the roof of a building that is not intended to function as a heliport or helistop but is capable of accommodating fire or medical helicopters engaged in emergency operations.

FLOW-LINE. The lowest continuous elevation on a rolled curb defined by the path traced by a particle in a moving body of water at the bottom of the rolled curb.

SAFETY AREA. A defined area surrounding the landing pad which is free of obstructions.

TAKEOFF AND LANDING AREA. The combination of the landing pad centered within the surrounding safety area.

Section 202 Definitions is hereby amended to read as follows:

High-rise structure. Every building of any type of construction or occupancy having floors used for human occupancy located more than 55 above the lowest floor level having building access (see Section 403), except buildings used as hospitals as defined in the Health and Safety Code Section 1250.

SWIMMING POOL or POOL. Any structure intended for swimming, recreational bathing or wading, artificial bodies of water such as fountains, fish ponds, architectural features and any similar body of water that contains water over eighteen (18) inches deep. This includes in-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools; fountains; ponds and any artificial architectural feature impounding water.

15.04.040. Chapter 4 Special Detailed Requirements Based On Use and Occupancy – amendments.

Section 403.1 Applicability, first paragraph, is hereby amended to read as follows:

403.1 Applicability. New high-rise buildings and Group I-2 having occupied floors located more than 55 feet above the lowest level of fire department vehicle access and new Group I-2 occupancies having occupied floors located more than 55 feet above the lowest level of fire department vehicle access shall comply with Sections 403.2 through 403.6.

Section 412.7 Heliports and helistops is hereby amended to add a new subsection to read as follows:

Section 412.7.6 Emergency Helicopter Landing Facility (EHLF)

412.7.6. Emergency Helicopter Landing Facility. Emergency Helicopter Landing Facility (EHLF) shall be constructed as specified in Section 412.7.6.1 through 412.7.6.13.

412.7.6.1 General. Every building of any type of construction or occupancy having floors used for human occupancy located more than 75 ft above the lowest level of the fire department vehicle access shall have a rooftop emergency helicopter landing facility (EHLF) in a location approved by the fire code official for use by fire, police, and emergency medical helicopters only.

412.7.6.2 Rooftop Landing Pad. The landing pad shall be 50 ft. x 50 ft. or a 50 ft. diameter circle that is pitched or sloped to provide drainage away from access points and passenger holding areas at a slope of 0.5 percent to 2 percent. The landing pad surface shall be constructed of approved non-combustible, nonporous materials. It shall be capable of supporting a helicopter with a maximum gross weight of 15,000 lbs. For structural design requirements, see California Building Code.

412.7.6.3 Approach-Departure Path. The emergency helicopter landing facility shall have two approach-departure paths separated in plan from each other by at least 90 degrees. No objects shall penetrate above the approach-departure paths. The approach-departure path begins at the edge of the landing pad, with the same width or diameter as the landing pad and is a rising slope extending outward and upward at a ratio of eight feet horizontal distance for every one foot of vertical height.

412.7.6.4 Safety Area. The safety area is a horizontal plane level with the landing pad surface and shall extend 25 ft in all directions from the edge of the landing pad. No objects shall penetrate above the plane of the safety area.

412.7.6.5 Safety Net. If the rooftop landing pad is elevated more than 30 in. (2'-6") above the adjoining surfaces, a 6 ft in wide horizontal safety net capable of supporting 25 lbs/psf shall be provided around the perimeter of the landing pad. The inner edge of the safety net attached to the landing pad shall be slightly dropped (greater than 5 in. but less than 18 in.) below the pad elevation. The safety net shall slope upward but the outer safety net edge shall not be above the elevation of the landing pad.

412.7.6.6 Take-off and Landing Area. The takeoff and landing area shall be free of obstructions and 100 ft x 100 ft. or 100 ft. diameter.

412.7.6.7 Wind Indicating Device. An approved wind indicating device shall be provided but shall not extend into the safety area or the approach-departure paths.

412.7.6.8 Special Markings. The emergency helicopter landing facility shall be marked as indicated in Figure 412.7.5.8

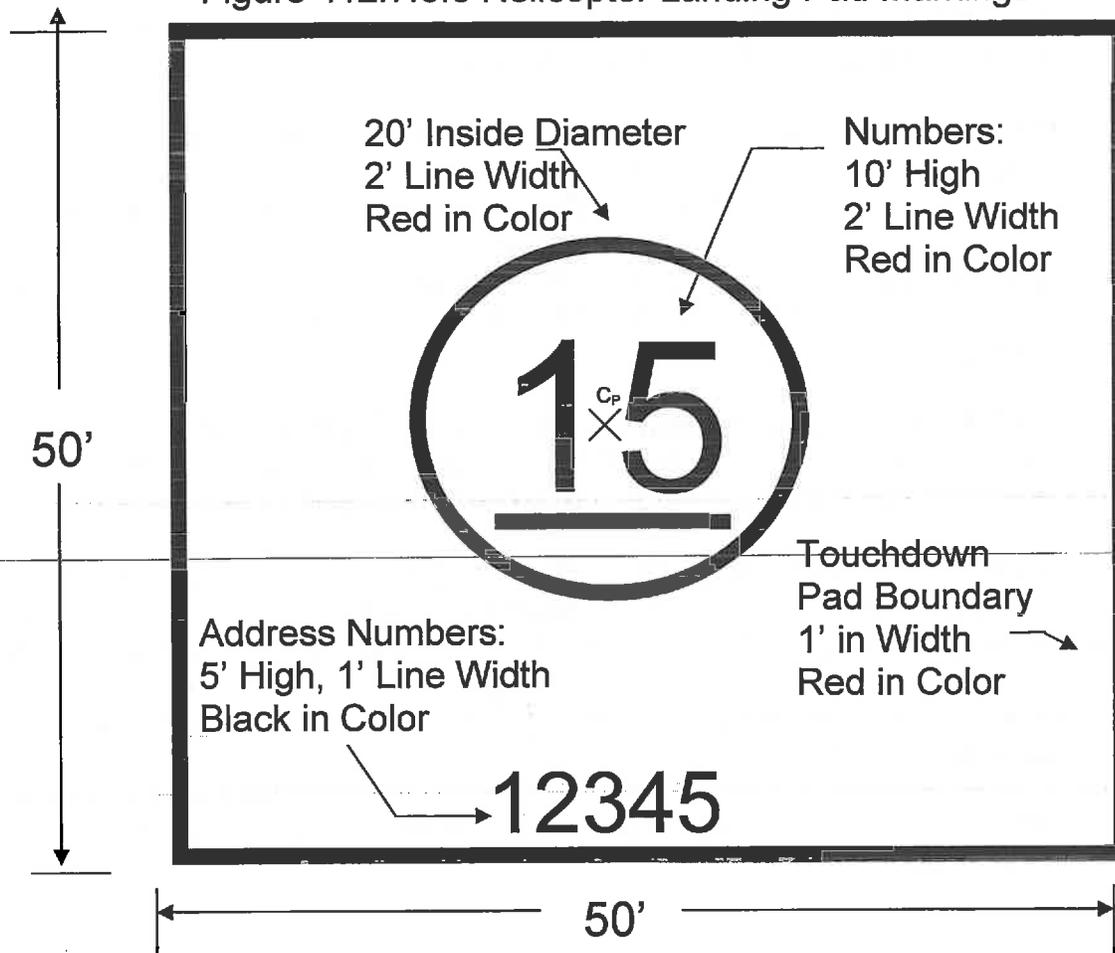
412.7.6.9 EHLF Exits. Two stairway exits shall be provided from the landing platform area to the roof surface. For landing areas less than 2,501 square feet in area, the second exit may be a fire escape or ladder leading to the roof surface below. The stairway from the landing facility platform to the floor below shall comply with CFC 1009.4.2 for riser height and tread depth. Handrails shall be provided, but shall not extend above the platform surface.

412.7.6.10 Standpipe systems. The standpipe system shall be extended to the roof level on which the EHLF is located. All portions of the EHLF area shall be within 150 feet of a 2.5-inch outlet on a Class I or III standpipe.

412.7.6.11 Fire extinguishers. A minimum of one portable fire extinguisher having a minimum 80-B:C rating shall be provided and located near the stairways or ramp to the landing pad. The fire extinguisher cabinets shall not penetrate the approach-departure paths, or the safety area. Installation, inspection, and maintenance of extinguishers shall be in accordance with the CFC, Section 906.

412.7.6.13 EHLF. Fueling, maintenance, repairs, or storage of helicopters shall not be permitted.

Figure 412.7.6.8 Helicopter Landing Pad Markings



1. The preferred background is white or tan.
2. The circled, red numbers indicate the allowable weight that the facility is capable of supporting in thousands of pounds.
3. The numbers shall be oriented towards the preferred flight (typically facing the prevailing wind).

15.04.050. Chapter 9 Fire Protection Systems – amendments.

Section 903.2 Where required is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided in the following locations:

1. **New buildings:** In addition to the requirements of section 903.2.1 through 903.2.12, an automatic fire-extinguishing system shall also be installed in all occupancies when the total building area, as defined in Section 502.1, exceeds 5,000 ft² or more than two-stories in height, regardless of fire areas or allowed areas.

Exception: Group R-3 Occupancies. Group R-3 Occupancies shall comply with Section 903.2.8.

2. **Existing Buildings:** Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when one of the following conditions exists:
 - a. When an addition occurs and the combined area of the existing building plus the area of the addition exceeds 5,000 s.f.; or
 - b. Any addition when the existing building is already provided with an automatic sprinkler system.
 - c. An additional story is added above the second floor regardless of fire areas or allowed areas.

Section 903.2.8 Group R is hereby amended to read as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area as follows:

1. **New Buildings:** An automatic sprinkler system shall be installed throughout all new buildings.
2. **Existing Buildings:** An automatic sprinkler system shall be provided in an existing building when one of the following conditions exists:
 - a. When an addition occurs and the combined area of the existing building plus the area of the addition, including attached garage, exceeds 4,800 s.f.; or

Exception: An addition less than 200 s.f.

- b. Any addition when the existing building is already provided with an automatic sprinkler system.

Section 903.4 Sprinkler system supervision alarms is hereby amended to read as follows:

[F] **903.4 Sprinkler system supervision and alarms.** All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.

2. Limited area systems serving fewer than 20 sprinklers.
3. Jockey pump control valves that are sealed or locked in the open position.
4. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
5. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

Section 905.4 Location of Class I standpipe hose connections is hereby amended to add number 7 to read as follows:

7. The centerline of the 2.5" outlet shall be no less than 18" above and no more than 24" above the finished floor.

Section 907.2.13 High-rise buildings and Group I-2 occupancies having occupied floors located more than 55 feet above the lowest level of fire department vehicle access is hereby amended in its entirety to read as follows:

907.2.13 High-rise buildings and Group I-2 occupancies having floors located more than 55 feet above the lowest level fire department vehicle access. High-rise buildings and Group I-2 occupancies having occupied floors located more than 55 feet above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2

Exceptions:

1. Airport traffic control towers in accordance with Section 907.2.22 and Section 412 of the California Building Code.
2. Open parking garages in accordance with Section 406.5.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the California Building Code.
4. Low-hazard special occupancies in accordance with Section 503.1.1 of the California Building Code.
5. In Group I-2 and R-2.1 occupancies, the alarm shall sound at a constantly attended location and general occupant notification shall be broadcast by the emergency voice/alarm communication system.

Section 907.3.1 Duct smoke detectors is hereby amended to read as follows:

[F] 907.3.1 Duct smoke detectors. Smoke detectors installed in ducts shall be listed for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be connected to the building's fire alarm control unit when a fire alarm system is installed. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at a constantly attended location and shall perform the intended fire safety function in accordance with this code and the California

Mechanical Code. Duct smoke detectors shall not be used as a substitute for required open area detection.

Exception:

In occupancies not required to be equipped with a fire alarm system, actuation of a smoke detector shall activate a visible and an audible signal in an approved location. Smoke detector trouble conditions shall activate a visible or audible signal in an approved location and shall be identified as air duct detector trouble.

Section 907.5.2.2 Emergency voice/alarm communication system is hereby amended to read as follows.

907.5.2.2 Emergency voice/alarm communication system. Emergency voice/alarm communication system required by this code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler waterflow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information and directions for a general or staged evacuation in accordance with the building's fire safety and evacuation plans required by Section 404. In high-rise buildings and Group I-2 occupancies having occupied floors located more than 55 feet above the lowest level of fire department vehicle access, the system shall operate on a minimum of the alarming floor, the floor above and the floor below. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

1. Elevator groups.
2. Exit stairways.
3. Each floor.
4. Areas of refuge as defined in Section 1002.1.
5. Dwelling Units in apartment houses.
6. Hotel guest rooms or suites.

Exception: In Group I-1 and R-2.1 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

Section 907.6.3.2 High-rise buildings is hereby amended to read as follows:

907.6.3.2 High-rise buildings. High-rise buildings and Group I-2 occupancies having occupied floors located more than 55 feet above the lowest level of fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler waterflow devices.
3. Manual fire alarm boxes
4. Other approved types of automatic detection devices or suppression systems.

Section 907.6.5 Monitoring is hereby amended to read as follows:

907.6.5 Monitoring. Fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved supervising station in accordance with NFPA 72, this section, and per Orange County Fire Authority Guideline "New and Existing Fire Alarm & Signaling Systems".

15.04.060. Chapter 15 Roof Assemblies and Rooftop Structures – amendments.

Table 1505.1 Minimum roof covering classifications types of construction is hereby amended to read as follows:

TABLE 1501.1^a
MINIMUM ROOF COVERING CLASSIFICATIONS
TYPES OF CONSTRUCTION

I A	I B	II A	II B	III B	III B	IV	V A	V B
A	A	A	A	A	A	A	A	A

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m².
 a. Unless otherwise required in accordance with chapter 7A.

Section 1510.3 Recovering versus replacement is hereby amended to read as follows:

1510.3 Recovering versus replacement. New roof coverings shall not be installed without first removing all existing layers of roof coverings down to the roof deck.

15.04.070 Section 3109 Swimming Pool Enclosures And Safety Devices – amendments.

Section 3109.3 Public swimming pools is hereby amended to read as follows:

3109.3 Public swimming pools. Public swimming pools shall be completely enclosed by a fence at least five (5) feet in height or other acceptable barrier. Fences and acceptable barriers shall conform to the requirements of Section 3109.4

Section 3109.4.1 Barrier height and clearances is hereby amended to read as follows:

3109.4.1 Barrier height and clearances. The top of the barrier shall be at least sixty (60) inches above grade measured on both sides of the barrier. The 60 inch barrier height shall be maintained for a distance of three (3) feet measured perpendicular from the face of the barrier on both sides of the barrier. No natural or artificial grade, rock outcropping or artificial structure or construction may be placed

within the three foot horizontal distance which reduces the effective barrier height to less than 60 inches. The maximum vertical clearance between grade and the bottom of the barrier shall be two (2) inches from natural soil or landscaping and four (4) inches from rigid paving such as concrete or asphalt measured on both sides of the barrier.

Section 3109.4.1.3 Closely spaced horizontal members is hereby amended to read as follows:

3109.4.1.3 Closely spaced horizontal members. When the barrier is composed of horizontal and vertical members, the distance between the tops of the horizontal members shall not be less than forty five (45) inches. Where there are decorative features in the fence, spacing within the features shall not exceed 1 ¾ inches in any dimension.

Section 3109.4.1.5 Chain link dimensions is hereby amended to change the dimension from 2 ¼ inch to 1 ¾ inch.

Section 3109.4.1.7 Gates is hereby amended to read as follows:

3109.4.1.7 Gates. Access doors and gates shall comply with the requirements of Sections 3109.4.1.1 through 3109.4.1.6 and shall be equipped to accommodate a locking device. Pedestrian access doors and gates shall be a maximum of forty eight (48) inches wide, open outward away from the pool and shall be self-closing and have a self-latching device. The release mechanism shall be located on the pool side of the gate and be located a minimum of three (3) inches below the top of the gate. The access door or gate and the barrier shall have no openings greater than one half (1/2) inch within eighteen (18) inches of the release mechanism.

Access doors or gates with a leaf wider than forty eight (48) inches need not be self closing or self latching. Single leaf doors or gates shall have an integral, permanent, keyed locking device or a pad lock installed. Double leaf doors or gates shall have an integral, permanent keyed locking device or a pad lock install in one leaf with the second leaf provided with a dead bolt at the bottom of the door or gate. The dead bolt shall be a minimum of one half inch (1/2) inch in diameter and engage into a permanently installed receiver of steel or concrete a minimum of two (2) full inches. The dead bolt shall have an integral, permanent, keyed locking device.

Section 3109.4.1.8 (3) is hereby amended to read as follows:

3. Any man door opening from a garage to the inside of the pool barrier enclosure shall be equipped with one of the following devices:

- i. The locking and latching device shall be located a minimum of fifty four (54) inches above ground level. The door shall be self closing and self latching.
- ii. The door shall be equipped with an audible warning as required in Item (1) above, with the exception that the alarm shall be located in both the garage and in the habitable area of the dwelling.
- iii. The door shall be self closing, self latching and be openable only with a keyed or combination type door latch.

Section 3109.4.1.9 is hereby deleted.

Section 3109.4.1.10 Barrier configuration is hereby added to read as follows:

3109.4.1.10 Barrier configuration. The pool barrier shall be configured such that no projections or recesses in excess of one half (1/2) inch exist which may be used to allow climbing of the barrier. The overall configuration of the barrier shall not be readily climbable.

Section 3109.4.4.2 Construction permit; safety features required is hereby deleted.

Section 3109.4.4.3 Enclosures; required characteristics is hereby amended to read as follows:

1. Access doors and gates shall comply with Section 3109.4.1.7 of this code.
3. The maximum vertical clearance from the ground to the bottom of the enclosure shall comply with Section 3109.4.1 of this code.
5. The surface of the barrier shall comply with Section 3109.4.1.10 of this code.

Section 3109.4.4.5 Exempt facilities is hereby amended to read as follows:

3109.4.4.5 Exempt facilities. The requirements of this article shall not apply to any of the following:

1. Portable hot tubs and spas with locking safety covers that comply with the American Society for Testing Materials Emergency Performance Specifications (ASTM 13-89).
2. Any pool within the jurisdiction of any political subdivision that adopts an ordinance for swimming pool safety that includes requirements that are at least as stringent as this division.

15.04.080. Chapter 35 Referenced Standards – amendments.

NFPA 13, 2013 Edition, Section 6.8.3 is hereby amended to read as follows:

6.8.3 Fire department connections (FDC) shall be of an approved type. The FDC shall contain a minimum of two 2 ½" inlets. The location shall be approved and be no more than 150 feet from a public hydrant. The FDC may be located within 150 feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of inlets shall be approved by the fire code official. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red. When the fire sprinkler density design requires 500 gpm (including inside hose stream demand) or greater, or a standpipe system is included, four 2 ½" inlets shall be provided.

NFPA 13, 2013 Edition, Section 8.3.3.1 is hereby amended to read as follows:

8.3.3.1. When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S occupancies), fire sprinklers of the quick-response type shall be used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the fire sprinkler plan is submitted. Sprinklers in light hazard occupancies shall be one of the following:

1. Quick-response type as defined in 3.6.4.7
2. Residential sprinklers in accordance with the requirements of 8.4.5
3. Standard-response sprinklers used for modifications or additions to existing light hazard systems equipped with standard-response sprinklers
4. Standard-response sprinklers used where individual standard-response sprinklers are replaced in existing light hazard systems

NFPA 13, 2013 Edition, is hereby amended to read as follows:

8.17.1.1.1 Residential Waterflow Alarms. A local water-flow alarms shall be provided on all sprinkler systems and shall be connected to the building fire alarm or water-flow monitoring system where provided. Group R occupancies not requiring a fire alarm system by the California Fire Code shall be provided with a minimum of one approved interior alarm device in each unit. Sound levels in all sleeping areas shall be a minimum of 15 DBA above the average ambient sound or a minimum of 75 DBA with all intervening doors closed, whichever is greater. Alarms shall be audible within all other living areas within each dwelling unit. When not connected to a fire alarm or water-flow monitoring system, audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

NFPA 13, 2013 Edition, is hereby amended to add a new subsection as follows:

11.1.1.2 When fire sprinkler systems are required in buildings of undetermined use other than warehouses, they shall be designed and installed to have a fire sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with no reduction(s) in density or design area. Warehouse fire sprinkler systems shall be designed to Figure 16.2.1.3.2 (d) curve "G". Use is considered undetermined if a

specific tenant/occupant is not identified at the time the sprinkler plan is submitted. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the occupant to upgrade the system to the required density for the new occupancy.

NFPA 13, 2013 Edition, is hereby amended to read as follows:

11.2.3.1.1.1 The available water supply for fire sprinkler system design shall be determined by one of the following methods, as approved by the Fire Code Official:

1. Subtract the project site elevation from the low water level for the appropriate pressure zone and multiplying the result by 0.433;
2. Use a maximum of 40 psi, if available;
3. Utilize the Orange County Fire Authority water-flow test form/directions to document a flow test conducted by the local water agency or an approved third party licensed in the State of California. Section 23.2.1.1 is hereby amended to read as follows:

Section 23.2.1.1 Where a waterflow test is used for the purposes of system design, the test shall be conducted no more than 6 months prior to working plan submittal unless otherwise approved by the authority having jurisdiction.

NFPA 13R, 2013 Edition, is hereby amended to read as follows:

6.16.1 A local water-flow alarms shall be provided on all sprinkler systems and shall be connected to the building fire alarm or water-flow monitoring system where provided. Group R occupancies containing less than the number of stories, dwelling units or occupant load specified in Section 907.2.8 of the 2013 California Fire Code as requiring a fire alarm system shall be provided with a minimum of one approved interior alarm device in each unit. Sound levels in all sleeping areas shall be a minimum of 15 dBA above the average ambient sound or a minimum of 75 dBA with all intervening doors closed, whichever is greater. Alarms shall be audible within all other living areas within each dwelling unit. When not connected to a fire alarm or water-flow monitoring system, audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

There shall also be a minimum of one exterior alarm indicating device, listed for outside service and audible from the access roadway that serves that building.

NFPA 13D 2013 Edition, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes is hereby amended to read as follows:

Section 4.1.3 is hereby added to read as follows:

4.1.3 Stock of Spare Sprinklers

Section 4.1.3.1 is hereby added to read as follows:

4.1.3.1. A supply of at least two sprinklers for each type shall be maintained on the premises so that any sprinklers that have operated or been damaged in any way can be promptly replaced.

Section 4.1.5.2 is hereby added to read as follows:

4.1.3.2 The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property.

Section 4.1.3.3 is hereby added to read as follows:

4.1.3.3 The sprinklers shall be kept in a cabinet located where the temperature to which they are subjected will at no time exceed 100 °F (38°C).

Section 4.1.3.4 is hereby added to read as follows:

4.1.3.4 A special sprinkler wrench shall be provided and kept in the cabinet to be used in the removal and installation of sprinklers. One sprinkler wrench shall be provided for each type of sprinkler installed.

NFPA 13D, 2013, Edition, is hereby amended to read as follows:

7.1.2 The system piping shall not have a separate control valve unless supervised by a central station, proprietary or remote station alarm service.

NFPA 13D, 2013 Edition, Section 7.6 is hereby amended to read as follows:

7.6 Alarms Exterior alarm indicating device shall be listed for outside service and audible from the street from which the house is addressed. Exterior audible devices shall be placed on the front or side of the structure and the location subject to final approval by the fire code official. Additional interior alarm devices shall be required to provide 55dBA or 15dBA above ambient, whichever is greater. Sound levels in all sleeping areas with all intervening doors closed shall be a minimum of 15 dBA above the average ambient sound level but not less than 75 dBA, whichever is greater. Audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

Exceptions:

1. When an approved water flow monitoring system is installed, interior audible devices may be powered through the fire alarm control panel.
2. When smoke detectors specified under CBC Section 907.2.11 are used to sound an alarm upon waterflow switch activation.

NFPA 13D, 2013 Edition, is hereby amended to add a new subsection to read as follows:

8.6.4.2 All attics shall be protected with an intermediate temperature quick response sprinkler which shall be located to protect attic penetrations created by the access scuttles or mechanical equipment

NFPA 14, 2013 Edition, Installation of Standpipe and Hose Systems, Section 7.3.1.1 is hereby amended to read as follows:

7.3.1.1 Class I and III Standpipe hose connections shall be unobstructed and shall be located not less than 18 inches, or more than 24 inches above the finished floor. Class II Standpipe hose connections shall be unobstructed and shall be located not less than 3 feet or more than 5 feet above the finished floor.

NFPA 24, 2010 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances is hereby amended to add a new subsection to read as follows:

6.2.1.1 The closest upstream indicating valve to the riser shall be painted OSHA red.

Section 6.2.11 (5) is hereby deleted without replacement and (6) and (7) renumbered:

-
- (5) Control Valves installed in a fire-rated room accessible from the exterior.
 - (6) Control valves in a fire-rated stair enclosure accessible from the exterior as permitted by the authority having jurisdiction.

NFPA 24, 2010 Edition, is hereby amended to add a new subsection to read as follows:

6.3.3 All post indicator valves controlling fire suppression water supplies shall be painted OSHA red.

NFPA 24, 2010 Edition, is hereby amended to read as follows:

10.1.6.3 All ferrous pipe shall be coated and wrapped. Joints shall be coated and wrapped after assembly. All fittings shall be protected with a loose 8-mil polyethylene tube. The ends of the tube shall extend past the joint by a minimum of 12 inches and be sealed with 2 inch wide tape approved for underground use. Galvanizing does not meet the requirements of this section.

Exception: 304 or 316 Stainless Steel pipe and fittings.

NFPA 24, 2010 Edition, is hereby amended to read as follows:

10.3.5.2 All bolted joint accessories shall be cleaned and thoroughly coated with asphalt or other corrosion-retarding material, prior to poly-tube, and after installation.

Exception: Bolted joint accessories made from 304 or 316 stainless steel.

NFPA 24, 2010 Edition, is hereby amended to add a new subsection to read as follows:

10.3.5.3 All bolts used in pipe-joint assembly shall be 316 stainless steel.

NFPA 24, 2010 Edition, is hereby amended to read as follows:

10.6.3.1 Where fire service mains enter the building adjacent to the foundation, the pipe may run under a building to a maximum of 24 inches, as measured from the interior face of the exterior wall to the center of the vertical pipe. The pipe under the building or building foundation shall be 304 or 316 stainless steel and shall not contain mechanical joints or it shall comply with 10.6.2.

NFPA 24, 2010 Edition, is hereby amended to read as follows”

10.6.4 Pipe Joints shall not be located under foundation footings. The pipe under the building or building foundation shall be 304 or 316 stainless steel and shall not contain mechanical joints.

15.04 090 Appendix A Employee Qualifications – deleted.

Appendix A Employee Qualifications is hereby deleted in its entirety.

15.04.100 Appendix B Board of Appeals – adopted.

Appendix B Board of Appeals is hereby adopted.

15.04.110 Appendix C Group U – Agricultural Buildings – adopted.

Appendix C Group U – Agricultural Buildings is hereby adopted.

15.04.120 Addendix D Fire Districts – deleted.

Appendix D Fire Districts is hereby deleted in its entirety.

15.04.130 Appendix E Reserved – deleted.

Appendix E Reserved is hereby deleted in its entirety.

15.04.140 Appendix F Rodentproofing – deleted.

Appendix F Rodentproofing is hereby deleted in its entirety.

15.04.150 Appendix G Floor-Resistant Construction – deleted

Appendix G Flood-Resistant Construction is hereby deleted in its entirety.

15.04.160 Appendix H Signs – deleted.

Appendix H Signs is hereby deleted in its entirety.

15.04.170 Appendix I Patio Covers – adopted.

Appendix I Patio Covers is hereby adopted.

15.04 180 Appendix J Grading – deleted

Appendix J Grading is hereby deleted in its entirety.

15.04.190 Appendix K Administrative Provisions – deleted.

Appendix K Administrative Provisions is hereby deleted in its entirety.

15.04.200 Appendix L Earthquake Recording Instrumentation – deleted.

Appendix L Earthquake Recording Instrumentation is hereby deleted in its entirety.

15.04.210 Appendix M Tsunami-Generated Flood Hazard – deleted

Appendix M Tsunami-Generated Flood Hazard is hereby deleted in its entirety.

Section 3. Ordinance No. 2010-951 is hereby repealed in its entirety.

Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk's Office within five (5) working days of the approval of this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall take effect on January 1, 2014. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

ORDINANCE NO. 2013-985

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.05 TO THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA RESIDENTIAL CODE, 2013 EDITION, WHICH INCORPORATES AND AMENDS THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION, WITH CERTAIN APPENDICES AND AMENDMENTS, AND REPEAL ORDINANCE NO. 2010-952

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the California Building Standards Code (California Code of Regulations, Title 24) adopting certain uniform codes, including the California Residential Code, 2013 Edition (which incorporates and amends the International Residential Code, 2012 Edition), with certain appendices and amendments; and

WHEREAS, California Health and Safety Code Sections 17958 *et seq.* and 18941.5 authorizes cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Yorba Linda desires to adopt the California Residential Code, as adopted by the State of California Building Standards Commission in Title 24 of the California Code of Regulations (the "Residential Code"), with certain appendices and amendments to assure the Residential Code is tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City Council held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Residential Code, as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 17, 2013 and October 24, 2013; 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 YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent that the following changes and modifications to the California Residential Code, 2013 Edition, are deemed more restrictive than the standards contained therein, thus requiring that findings be made pertaining to local conditions justifying such modifications, the City Council adopted Resolution No. 2013-

5208 that found and determined that the following changes and modifications are reasonably necessary due to local conditions.

Section 2. Chapter 15.05 of the Yorba Linda Municipal Code is hereby amended to read as follows:

**“CHAPTER 15.05
RESIDENTIAL CODE**

Sections:

- 15.05.010 Residential Code Adopted.**
- 15.05.020 Chapter 1 Division II Administration – amendments.**
- 15.05.030 Chapter 2 Definitions – amendments.**

- 15.05.040 Chapter 3 Building Planning -- amendments.**
- 15.05.050 Chapter 9 Roof Assemblies – amendments.**
- 15.05.060 Chapter 10 Chimneys and Fireplaces – amendments.**
- 15.05.070 Chapter 44 Referenced Standards – amendments.**
- 15.05.080 Appendix A Sizing and Capacities of Gas Piping – deleted.**
- 15.05.090 Appendix B Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category 1 Appliances, and Appliances Listed for Use with Type B Vents – deleted.**
- 15.05.100 Appendix C Exit Terminals of Mechanical Draft and Direct-Venting Systems – deleted.**
- 15.05.110 Appendix D Recommended Procedure for Safety Inspection of an Existing Appliance Installation – deleted.**
- 15.05.120 Appendix E Manufactured Housing Used as Dwellings – deleted.**
- 15.05.130 Appendix F Radon Control Methods – deleted.**
- 15.05.140 Appendix G Swimming Pools, Spas and Hot Tubs – amendments.**
- 15.05.150 Appendix H Patio Covers – adopted.**

- 15.05.160 Appendix I Private Sewage Disposal – deleted.**
- 15.05.170 Appendix J Existing Buildings and Structures –deleted.**
- 15.05.180 Appendix K Sound Transmission – adopted.**
- 15.05.190 Appendix L Permit Fees – deleted.**
- 15.05.200 Appendix M Home Day Care – R3 Occupancy – deleted.**
- 15.05.210 Appendix N Venting Methods – deleted.**
- 15.05.220 Appendix O Automatic Vehicular Gates – deleted.**
- 15.05.230 Appendix P Sizing of Water Piping System – deleted.**
- 15.05.240 Appendix Q ICC International Residential Code Electrical Provisions/National Electrical Code Cross-Reference – deleted.**

15.05.010. Residential Code Adopted.

There is hereby adopted by reference, as the Residential Code of the City, the California Residential Code, 2013 Edition, with certain appendices and amendments, which incorporates and amends the International Residential Code, 2012 Edition with certain appendices and amendments, published by the International Code Council, one certified copy of which is on file in the office of the City Clerk for public inspection and is adopted with the same force and effect as though set out herein in full. The California Residential Code, 2013 Edition, as adopted herein, is amended as set forth in Sections 15.05.020 through 15.05.240.

15.05.020. Chapter 1 Division II Administration - amendments.

Section R105.2 Work exempt from permit is hereby amended to revise the following subsections under the heading of “Building” to read as follows:

2. Masonry or concrete fences not over 3 feet (1829 mm) high measured from the lowest adjacent finish grade.
3. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall unless supporting a surcharge, supporting a sloped backfill with a slope greater than 2:1 or impounding flammable Class I, II, or III-A liquids.

7. Prefabricated swimming pools that are less than 18" deep, do not exceed 5,000 gallons and are installed entirely above ground.

10. Decks not exceeding 120 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

11. Wood, vinyl or chain link fences not over six (6) feet high measured from the lowest adjacent finish grade, unless a wood, vinyl or chain link fence is a full or partial pool enclosure. Such wood, vinyl or chain link fences shall conform to the pool enclosure requirements of Section 3119B of the California Building Code.

Section R105.3.1 Action on application is hereby amended by the addition of language to read as follows:

When plans or other data are required to be submitted by section R105.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The amount of the plan review fee shall be as established by resolution adopted by the City Council.

When submittal documents for plan review are incomplete or modified so as to require additional plan review, an additional plan review fee shall be charged as established by resolution adopted by the City Council.

Section R105.3.2 Time limitation of application is hereby amended to read as follows:

R105.3.2 Time limitation of applications. An application for which no permit is issued within 180 days following the date of application shall automatically expire, and plans and other data 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 not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application.

An application for a permit may only be extended if a written request for an extension is received prior to the expiration of the permit application and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. Payment of the \$250 application fee

shall not automatically grant an extension. Permit application extensions shall not be granted after the expiration of the original permit application and payment of plan review fees. Full plan review fees as set forth in the fee resolution adopted by the City Council shall be paid should the permit application expire.

Section R105.5 Expiration is hereby amended in its entirety to read as follows:

R105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days any time after the work is commenced. The suspension or abandonment of work shall be defined as failing to obtain a formal approval of any required inspection as specified in Section R109.1 of this code within a 180 day time period. The Building Official is authorized to grant, in writing, no more than two (2) extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

A permit may only be extended, with no additional permit fees charged, if a written request for an extension is received prior to the expiration of the permit and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. No additional permit fees, other than the application fee of \$250, shall be charged. Payment of the \$250 application fee shall not automatically grant an extension. Permits which have become invalid shall pay a renewal fee of 50% of the original permit fee when the permit has been expired for up to one (1) year. When a permit has been expired for a period in excess of one (1) year, the renewal fee shall be 100% of the original permit fee.

Section R106.1 Submittal documents is hereby amended to read as follows:

R106.1 Submittal documents. Submittal documents consisting of construction documents, statement of special inspections, structural calculations, geotechnical report and other pertinent data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the Building Official of the jurisdiction in which the project is to be constructed.

Shop drawings for the fire protection system(s) shall be submitted to the Orange County Fire Authority for review to indicate conformance to the adopted codes and the construction documents and shall be approved prior to the framing inspection.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design

professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

Section R106.2 Site plan or plot plan is hereby amended to read as follows:

R106.2 Site plan or plot plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing the location and dimensions of all new construction, the location and dimensions of all existing construction, all property lines shown and labeled, all easements shown and labeled, dimensions between all new construction and all property lines, dimensions between all existing construction and all property lines, dimensions between all new and existing construction, locations of all slopes with the top of any slope or the bottom of any slope specifically plotted and indicated, the structural setback line from top of slope specifically plotted as required by Chapter 18, the overall vertical height of all slope shown, dimensions from the top of any slope to all new proposed construction, show a dimensioned location of any active or abandon oil wells, show a dimensioned location of any active or abandon septic tanks and seepage pits and any other site related information. The Building Official is authorized to waive or modify the requirement for a site plan when the application for permit is for an alteration or repair or when otherwise warranted.

Section R107.1 General is hereby amended by revising the number of days in the second sentence from "180 days" to "30 days".

Section R108.2 Schedule of permit fees is hereby amended to read as follows:

R108.2 Schedule of permit fees. For each permit required by this Article, there shall be charged and paid to the Building Department, a fee as established by resolution adopted by the City Council, and at the rate provided for each classification shown therein.

Section R108.5 Refunds is hereby amended to read as follows:

R108.5 Refunds. The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section R108.6 Work commencing before permit issuance is hereby amended to read as follows:

R108.6 Work commencing before permit issuance.

R108.6.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

R108.6.2 Fee. An investigation fee, in addition to the permit, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

R108.6.3 The investigation fee shall not apply to emergency work when it shall be demonstrated to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefore before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, an investigation fee as herein provided shall be charged.

Section R109.5 Reinspections is hereby added to read as follows:

R109.5 Reinspections: The Authority Having Jurisdiction shall have the authority to assess a reinspection fee for each inspection or reinspection when such portion of work for which inspection is requested is not complete or when required corrections have not been made. Reinspection fees may also be assessed when the approved plans are not readily available to the inspector, or failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the Building Official.

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

To obtain reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee established by resolution adopted by the City Council.

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

Section R109.6 Extra Inspections is hereby added to read as follows:

R109.6 Extra inspections: When extra inspections are necessary by reason of deficient or defective work, or otherwise through fault or error on the part of the holder of the permit or on the part of his employees, only one such extra inspection shall be made under the regular fees as herein prescribed; and the holder of the permit shall be entirely responsible for each and every subsequent extra visit or inspection. A reinspection fee shall be paid for every subsequent extra visit or inspection.

Section R110.2 Change in use is hereby amended to read as follows:

R110.2 Change in use. Changes in the character or use of an existing structure shall not be made except as specified in Section 3408 of the California Building Code.

15.05.030 Chapter 2 Definitions – amendments.

Section R202 Definitions is hereby amended by adding “Hazardous Fire Area” to read as follows:

HAZARDOUS FIRE AREA. Includes all areas identified within California Fire Code Section 4906.2 and other areas as determined by the Fire Code Official as presenting a fire hazard due to the presence of combustible vegetation, or the proximity of the property to an area that contains combustible vegetation.

15.05.040 Chapter 3 Building Planning – amendments.

Table R301.2(1) Climatic And Geographic Design Criteria is hereby amended to read as follows:

TABLE R301.2(1)
 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^a	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^k		Weathering ^a	Frost line Depth ^b	Termite ^c					
Zero	85	No	D ₂ or E	Negligible	None	Very Heavy	43	No	See Engr. Dept.	0	60

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. Temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°)" at www.ncdc.noaa.gov/fpsf.html.
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.
- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

Section R301.9 Development on or Near Land Containing or Emitting Toxic, Combustible or Flammable Liquids, Gases or Vapors, is hereby added to read as follows:

R301.9 Development On Or Near Land Containing Or Emitting Toxic, Combustible or Flammable Liquids, Gases or Vapors. The fire code official may require the submittal for approval of geological studies, evaluations, reports, remedial recommendations and/or similar documentation from a state-licensed and department-approved individual or firm, on any parcel of land to be developed which has, or is adjacent to, or within 1,000 feet (304.8 m) of a parcel of land that has an active, inactive, or abandoned oil or gas well operation, petroleum or chemical refining facility, petroleum or chemical storage, or may contain or give off toxic, combustible or flammable liquids, gases or vapors.

Section R301.10 Fuel Modification Requirements for New Construction is hereby added to read as follows:

R301.10 Fuel Modification Requirements for New Construction. All new buildings to be built or installed in areas with or adjacent to land having hazardous combustible vegetation shall comply with the requirements in the edition of OCFA Vegetation Management Guidelines currently in use at the time

Section R309.6 Fire sprinkler attached garages, and carports with habitable space above is hereby amended by modifying the exception to read as follows:

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing carports and/or garages that do not have an automatic fire sprinkler system installed unless a sprinkler system is required in accordance with California Fire Code Section 903.2.8.

Section R313.1 Townhouse automatic fire sprinkler systems is hereby amended to read as follows and the exception shall be deleted:

R313.1 Townhouse automatic fire sprinkler systems.

New Buildings: An automatic residential fire sprinkler system shall be installed in townhouses.

Existing Buildings: An automatic sprinkler system shall be provided in an existing building when one of the following conditions exists:

- a. When an addition occurs and the combined area of the existing building plus the area of the addition, including attached garage, exceeds 4,800 s.f.; or

Exception: An addition less than 200 s.f.

- b. Any addition when the existing building is already provided with an automatic sprinkler system.

Section R313.2 One- and two-family dwellings automatic fire systems is hereby amended to read as follows and the exception shall be deleted:

R313.2 One- and two-family dwellings automatic fire systems.

New Buildings: An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings.

Existing Buildings: An automatic sprinkler system shall be provided in an existing building when one of the following conditions exists:

- a. When an addition occurs and the combined area of the existing building plus the area of the addition, including attached garage, exceeds 4,800 s.f.; or

Exception: An addition less than 200 s.f.

- b. Any addition when the existing building is already provided with an automatic sprinkler system.

Section R313.3.6.2.2 Calculation procedure is hereby revised to read as follows:

Section R313.3.6.2.2 Calculation procedure. Determination of the required size for water distribution piping shall be in accordance with the following procedure and California Fire Code Section 903.3.5.3.

Section R319 Site Address is hereby revised to read as follows:

R319 Site Address. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

Section R327.1.6 Fuel Modification Requirements for New Construction is hereby added to read as follows:

R327.1.6 Fuel Modification Requirements for New Construction. All new buildings to be built or installed in hazardous fire areas shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official concurrent with the submittal for approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.
 - 2.1 The fuel modification plan shall include provisions for the maintenance of the fuel modification for perpetuity.
3. The fuel modification plans shall meet the criteria set forth in the Fuel Modification Section of the Orange County Fire Authority Vegetation

Management Guidelines.

4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall have prior approval from the fire code official.
5. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

15.05.050 Chapter 9 Roof Assemblies – amendments.

Section R902.1 Roof covering materials is hereby amended to read as follows:

R902.1 Roof covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A 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.

Section R902.1.3 Roof coverings in all other areas is hereby amended to read 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 one-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 Fire-retardant-treated shingles and shakes is hereby amended to revise the first paragraph to read as follows:

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.

Section R907.3 Recovering versus replacement is hereby amended to read only as follows:

R907.3 Recovering versus replacement. New roof coverings shall not be installed without first removing all existing layers of roof coverings down to the roof deck.

Section R907.4 Roof recovering is hereby deleted in its entirety.

15.05.060 Chapter 10 Chimneys and Fireplaces – amendments

Section R1001.13 Chimney spark arresters is hereby added to read as follows:

R1001.13 Chimney spark arresters. All chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrester. Chimneys serving outdoor appliances or fireplaces shall be equipped with a spark arrester. The spark arrester shall meet the requirements of Section 2113.9.2 of the California Building Code.

Section R1001.14 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices is hereby added to read as follows:

R1001.14 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices. Outdoor fireplaces, fire pits, fire rings, or similar exterior devices shall comply with this section.

Exception: Barbeques, grills, and other portable devices intended for cooking

R1001.14.1 Gas-fueled devices. Outdoor fireplaces, fire pits and similar devices fueled by natural gas or liquefied-petroleum gas are allowed when approved by the Building Department and the device is designed to only burn a gas flame and not wood or other solid fuel. At R-3 occupancies, combustible construction shall not be located within three feet of an atmospheric column that extends vertically from the perimeter of the device. Where a permanent Building Department approved hood and vent is installed, combustible construction may encroach upon this column between the bottom of the hood and the vent opening. Where chimneys or vents are installed, they shall have a spark arrester in accordance with Section 1001.13.

R1001.14.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas. Fireplaces burning wood or other solid fuel shall be constructed in accordance with the California Building Code and Section R1001.13. Fires in a fireplace shall be contained within a firebox with an attached chimney. The opening in the face of the firebox shall have an installed and maintained method of arresting sparks. The burning of wood or other solid fuel in a device is not allowed within 15 feet of combustible structures, unless within a permanent or portable fireplace.

R1001.14.2.1 Where prohibited. The burning of wood and other solid fuels shall not be conducted within a fuel modification zone. Wood and other solid fuel burning fires in devices other than permanent fireplaces are not allowed within Wildfire Risk Areas (WRA) and adopted Fire Hazard Severity Zones (FHSZ) and Special Fire Protection Areas (SFPA) or in locations where conditions could cause the spread of fire to the WRA or FHSZ, unless determined by the Fire Code Official that

the location or design of the device should reasonably prevent the start of a wildfire.

15.05.070 Chapter 44 Referenced Standards – amendments.

NFPA 13, 2013 Edition, Section 6.8.3 is hereby amended to read as follows:

6.8.3 Fire department connections (FDC) shall be of an approved type. The FDC shall contain a minimum of two 2 ½" inlets. The location shall be approved and be no more than 150 feet from a public hydrant. The FDC may be located within 150 feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of inlets shall be approved by the fire code official. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red. When the fire sprinkler density design requires 500 gpm (including inside hose stream demand) or greater, or a standpipe system is included, four 2 ½" inlets shall be provided.

NFPA 13, 2010 Edition, Section 8.3.3.1 is hereby amended to read as follows:

8.3.3.1. When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S occupancies), fire sprinklers of the quick-response type shall be used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the fire sprinkler plan is submitted. Sprinklers in light hazard occupancies shall be one of the following:

1. Quick-response type as defined in 3.6.4.7
2. Residential sprinklers in accordance with the requirements of 8.4.5
3. Standard-response sprinklers used for modifications or additions to existing light hazard systems equipped with standard-response sprinklers
4. Standard-response sprinklers used where individual standard-response sprinklers are replaced in existing light hazard systems

NFPA 13, 2013 Edition, Section 8.17.1.1.1 is hereby added to read as follows:

8.17.1.1.1 Residential Waterflow Alarms. A local water-flow alarms shall be provided on all sprinkler systems and shall be connected to the building fire alarm or water-flow monitoring system where provided. Group R occupancies not requiring a fire alarm system by the California Fire Code shall be provided with a minimum of one approved interior alarm device in each unit. Sound levels in all sleeping areas shall be a minimum of 15 DBA above the average ambient sound or a minimum of 75 DBA with all intervening doors closed, whichever is greater. Alarms shall be audible within all other living areas within each dwelling unit. When not connected to a fire alarm or water-flow monitoring system, audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

NFPA 13, 2013 Edition Section 11.1.1.2 is hereby added to read as follows:

11.1.1.2 When fire sprinkler systems are required in buildings of undetermined use other than warehouses, they shall be designed and installed to have a fire sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with no reduction(s) in density or design area. Warehouse fire sprinkler systems shall be designed to Figure 16.2.1.3.2 (d) curve "G". Use is considered undetermined if a specific tenant/occupant is not identified at the time the sprinkler plan is submitted. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the occupant to upgrade the system to the required density for the new occupancy.

NFPA 13, 2013 Edition, Section 11.2.3.1.1.1 is hereby added to read as follows:

11.2.3.1.1.1 The available water supply for fire sprinkler system design shall be determined by one of the following methods, as approved by the Fire Code Official:

1. Subtract the project site elevation from the low water level for the appropriate pressure zone and multiplying the result by 0.433;
2. Use a maximum of 40 psi, if available;
3. Utilize the Orange County Fire Authority water-flow test form/directions to document a flow test conducted by the local water agency or an approved third party licensed in the State of California. The result shall be adjusted in accordance with the graduated scaled found in the guideline.

Section 23.2.1.1 is hereby amended to read as follows:

Section 23.2.1.1 Where a waterflow test is used for the purposes of system design, the test shall be conducted no more than 6 months prior to working plan submittal unless otherwise approved by the authority having jurisdiction.

NFPA 13R, 2013 Edition, Section 6.16.1 is hereby amended to read as follows:

6.16.1 A local water-flow alarms shall be provided on all sprinkler systems and shall be connected to the building fire alarm or water-flow monitoring system where provided. Group R occupancies containing less than the number of stories, dwelling units or occupant load specified in Section 907.2.8 of the 2013 California Fire Code as requiring a fire alarm system shall be provided with a minimum of one approved interior alarm device in each unit. Sound levels in all sleeping areas shall be a minimum of 15 dBA above the average ambient sound or a minimum of 75 dBA with all intervening doors closed, whichever is greater. Alarms shall be audible within all other living areas within each dwelling unit. When not connected to a fire alarm or water-flow monitoring system, audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

There shall also be a minimum of one exterior alarm indicating device, listed for outside service and audible from the access roadway that serves that building.

NFPA 13D, 2013 Edition, Standard for the Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes is hereby amended to read as follows:

4.1.3 Stock of Spare Sprinklers

4.1.3.1. A supply of at least two sprinklers for each type shall be maintained on the premises so that any sprinklers that have operated or been damaged in any way can be promptly replaced.

4.1.3.2 The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property.

4.1.3.3 The sprinklers shall be kept in a cabinet located where the temperature to which they are subjected will at no time exceed 100 °F (38°C).

4.1.3.4 A special sprinkler wrench shall be provided and kept in the cabinet to be used in the removal and installation of sprinklers. One sprinkler wrench shall be provided for each type of sprinkler installed.

NFPA 13D, 2013 Edition, Section 7.1.2 is hereby amended to read as follows:

7.1.2 The system piping shall not have a separate control valve unless supervised by a central station, proprietary or remote station alarm service.

NFPA 13D, 2013 Edition, Section 7.6 is hereby amended in its entirety to read as follows:

7.6 Alarms Exterior alarm indicating device shall be listed for outside service and audible from the street from which the house is addressed. Exterior audible devices shall be placed on the front or side of the structure and the location subject to final approval by the fire code official. Additional interior alarm devices shall be required to provide 55dBA or 15 dBA above ambient, whichever is greater. Sound levels in all sleeping areas with all intervening doors closed shall be a minimum of 15 dBA above the average ambient sound level but not less than 75 dBA, whichever is greater. Audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

Exceptions:

1. When an approved water flow monitoring system is installed, interior audible devices may be powered through the fire alarm control panel.
2. When smoke detectors specified under CBC Section 907.2.11 are used to sound an alarm upon waterflow switch activation.

15.05.080 Appendix A Sizing and Capacities of Gas Piping – deleted.

Appendix A sizing and Capacities of Gas Piping is hereby deleted in its entirety.

15.05.090 Appendix B Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category 1 appliances, and Appliances Listed for Use with Type B Vents – deleted.

Appendix B Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category 1 appliances, and Appliances Listed for Use with Type B Vents is hereby deleted in its entirety.

15.05.100 Appendix C Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems – deleted.

Appendix C Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems is hereby deleted in its entirety.

15.05.110 Appendix D Recommended Procedures for Safety Inspection of an Existing Appliance Installation – deleted.

Appendix D Recommended Procedures for Safety Inspection of an Existing Appliance Installation is hereby deleted in its entirety.

15.05.120 Appendix E Manufactured Housing Used as Dwellings – deleted.

Appendix E Manufactured Housing Used as Dwellings is hereby deleted in its entirety.

15.05.130 Appendix F Radon Control Methods – deleted.

Appendix F Radon Control Methods is hereby deleted in its entirety.

Section 15.05.140 Appendix G Swimming Pools, Spas and Hot Tubs – amendments.

Appendix G Swimming Pools, Spas and Hot Tubs is amended in its entirety to read as follows:

AG101.1 General. The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the lot of a one- or two-family dwelling. All swimming pools, spas and hot tubs and their barriers shall be design, constructed, installed and maintained in accordance with the full provisions of Section 3109, Swimming Pool Enclosures and Safety Devices, of the California Building Code as amended.

15.05.150 Appendix H Patio Covers – adopted.

Appendix H Patio Covers is hereby adopted in its entirety.

15.05.160 Appendix I Private Sewage Disposal -- deleted.

Appendix I Private Sewage Disposal is hereby deleted in its entirety.

15.05.170 Appendix J Existing Buildings and Structures – deleted.

Appendix J Existing Buildings and Structures is hereby deleted in its entirety.

15.05.180 Appendix K Sound Transmission – adopted.

Appendix K Sound Transmission is hereby adopted in its entirety.

15.05.190 Appendix L Permit Fees – deleted.

Appendix L Permit Fees is hereby deleted in its entirety.

15.05.200 Appendix M Home Day Care – R3 Occupancy – deleted.

Appendix M Home Day Care – R3 Occupancy is hereby deleted in its entirety.

15.05.210 Appendix N Venting Methods – deleted.

Appendix N Venting Methods is hereby deleted in its entirety.

15.05.220 Appendix O Automatic Vehicular Gates – deleted.

Appendix O Automatic Vehicular Gates is hereby deleted in its entirety.

15.05.230 Appendix P Sizing of Water Piping System – deleted.

Appendix P Sizing of Water Piping System is hereby deleted in its entirety.

15.05.240 Appendix Q ICC International Residential Code Electrical Provisions/National Electrical Code Cross-Reference – deleted.

Appendix Q ICC International Residential Code Electrical Provisions/National Electrical Code Cross-Reference is hereby deleted in its entirety.

Section 3. Ordinance No. 2010-952 is hereby repealed in its entirety.

Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California

Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk's Office within five (5) working days of the approval of this ordinance.

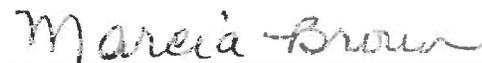
Section 5. Severability. If any section, subsection, sentence, clause, phase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall take effect on January 1, 2014. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 19th day of November, 2013.


TOM LINDSEY, MAYOR
CITY OF YORBA LINDA

ATTEST:


MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

APPROVED AS TO FORM:
RUTAN & TUCKER LLP


CITY ATTORNEY

ORDINANCE NO. 2013-986

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.16 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA ELECTRICAL CODE, 2013 EDITION, WHICH INCORPORATES AND AMENDS THE NATIONAL ELECTRICAL CODE, 2011 EDITION, WITH CERTAIN APPENDICES AND AMENDMENTS, AND REPEALING ORDINANCE NO. 2010-948

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the California Building Standards Code (California Code of Regulations, Title 24) adopting certain uniform codes, including the California Electrical Code, 2013 Edition (which incorporates and amends the National Electrical Code, 2011 Edition), with certain appendices and amendments; and

WHEREAS, California Health and Safety Code Sections 17958 *et seq.* and 18941.5 authorizes cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Yorba Linda desires to adopt the California Electrical Code, as adopted by the State of California Building Standards Commission in Title 24 of the California Code of Regulations (the "Electrical Code"), with certain appendices and amendments to assure the Electrical Code is tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City Council held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Electrical Code, as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 17, 2013 and October 24, 2013; 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 YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent that the following changes and modifications to the California Electrical Code, 2013 Edition, are deemed more restrictive than the standards contained therein, thus requiring that findings be made pertaining to local conditions justifying such modifications, the City Council adopted Resolution No. 2013-5208 that

found and determined that the following changes and modifications are reasonably necessary due to local conditions.

Section 2. Chapter 15.16 of the Yorba Linda Municipal Code is hereby amended in its entirety to read as follows:

**“CHAPTER 15.16
ELECTRICAL CODE**

Sections:

- 15.16.010** Electrical Code adopted.
- 15.16.020** Article 95 Administration - added.
- 15.16.030** Article 100 Definitions - amendments.
- 15.16.040** Article 110, Requirements for Electrical Installations – amendments.
- 15.16.050** Article 422 Appliances - amendments.

15.16.010. Documents Adopted.

There is hereby adopted by reference, as the Electrical Code of the City, the California Electrical Code, 2013 Edition with certain amendments, which incorporates the National Electrical Code, 2011 Edition, with certain amendments, published by the National Fire Protection Association, one certified copy of which is on file in the office of the City Clerk for public inspection and is adopted with the same force and effect as though set out herein in full. The California Electrical Code, 2013 Edition, as adopted herein, is amended as set forth in Sections 15.16.020 through 15.16.050.

15.16.020. Article 95 Administration – added.

Article 95 is hereby added to read as follows:

ARTICLE 95

Administration

95.1 - Enforcement. The Building Official, or his authorized representative, shall perform all administrative functions necessary to insure compliance with all of the provisions of this Article and of all permits issued pursuant thereto.

95.2 - Application for Permit.

(a) Application. All applications for an electrical permit shall be in writing on forms furnished by the Building Department and shall be filled out in full, and state the location, by street and number, of the building or place, where the work is to be performed, the name and address of the owner, the name and address of the person

who will do the work, and a statement that such person has, or facts showing that he is not required to have, a State Contractor's license. All applications shall contain or be accompanied by a plan and statement in writing showing the entire amount of work contemplated, the character of such work, and a diagram of wiring showing all outlets, meter locations, conduit and wire sizes, the length of runs and circuits, and as nearly as possible, the manner in which all wire and other electrical connections and equipment are to be installed, together with all other information required by the Electrical Inspector and written permission from the person or persons in control of the premises where the work is to be done authorizing the Electrical Inspector to enter such premises and inspect all materials and work for which such permit is requested, and to ascertain whether such materials and work comply with provisions of this Article and the permit issued therefore. All plans submitted with a six-hundred (600) ampere service, or an aggregate amount of 600 ampere or larger multiple electrical services, shall be prepared by an Electrical Engineer, registered by the State of California, and each sheet shall bear his/her registration number and signature.

(b) Expiration of Plan Review. An application for which no permit is issued within 180 days following the date of application shall automatically expire, and plans and other data 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 not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application.

(c) Extension of an Application. An application for a permit may only be extended if a written request for an extension is received prior to the expiration of the permit application and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. Payment of the \$250 application fee shall not automatically grant an extension. Permit application extensions shall not be granted after the expiration of the original permit application and payment of plan review fees. Full plan review fees as set forth in the fee resolution adopted by the City Council shall be paid should the permit application expire.

95.3 - State Contractor's License. No permit shall be issued by the Building Department for the performance of any act for which a State Contractor's License is required by Article 9, Division 3, of the Business and Professions Code of the State of California, except to a person holding a valid State Contractor's License issued pursuant thereto. No person shall perform any such act in the City of Yorba Linda without having such State Contractor's License on his permit.

95.4 - Fees. For each permit required by this Article, there shall be charged and paid to the Building Department, a fee as established by resolution adopted by the City Council, and at the rate provided for each classification shown therein.

95.5 - Fee Refunds

103.4.4 Fee Refunds. The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

103.4.4.1 The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

103.4.4.2 The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

103.4.4.3 The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

95.6 Reinspections. The Authority Having Jurisdiction shall have the authority to assess a reinspection fee for each inspection or reinspection when such portion of work for which inspection is requested is not complete or when required corrections have not been made. Reinspection fees may also be assessed when the approved plans are not readily available to the inspector, or failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the Building Official.

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

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

To obtain a reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee as established by resolution adopted by the City Council.

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

95.7 - Permit.

- a. No person shall install, revise, remodel, remove, repair, enlarge, alter, relocate, add to, replace, or move or connect any electrical current to, any electrical wiring, fixtures, appliances, apparatus, equipment, switches, cutouts, fuses, complete mains, meter loops, meter switches, cabinet boxes, ground or other connections, as a part of any building, structure, or real property in the City of Yorba Linda, or cause or permit any such acts to be done, without an application for a permit therefore having been filed with, or without a permit therefore having been issued by, and the fees therefore required by this Article paid to the Yorba Linda Building Department and not cancelled, or expired or without having such permit posted during the performance of all of such act, in a conspicuous place upon the property where such acts are performed.

Any person who shall commence any work for which a permit is required by this Code without first having obtained permit therefore shall, if subsequently permitted to obtain permit, pay double the permit fee required by this Article for such work, provided, however, that this provision shall not apply to emergency work when it shall be proved to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefore before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, a double fee as herein provided shall be charged.

- b. The Building Department, upon payment of the fees therefore, shall issue an electrical permit for all materials and work shown upon an application for such permit, that comply with the provisions of this Article.
- c. No electrical permit shall be issued without payment of the fees required therefor by this Article or for any material or work that does not comply with the provisions of this Article.
- d. No person shall do any electrical work for which a permit has been issued under this Article and has expired or been cancelled.
- e. No person shall install any material or do any work for which a permit is required by this Article after the final approval of the materials and work installed and done pursuant to such permit, without a new permit having been issued therefore.

95.8 Expiration is hereby amended to read as follows:

95.7 Expiration.

- (a) **Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the

work authorized on the site by such permit is suspended or abandoned for a period of 180 days any time after the work is commenced. The suspension or abandonment of work shall be defined as failing to obtain a formal approval of any required inspection as specified in Section 103.5 of this code within a 180 day time period. The Building Official is authorized to grant, in writing, no more than two (2) extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(b) Extension of a Permit. A permit may only be extended, with no additional permit fees charged, if a written request for an extension is received prior to the expiration of the permit and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. No additional permit fees, other than the application fee of \$250, shall be charged. Payment of the \$250 application fee shall not automatically grant an extension. Permits which have become invalid shall pay a renewal fee of 50% of the original permit fee when the permit has been expired for up to one (1) year. When a permit has been expired for a period in excess of one (1) year, the renewal fee shall be 100% of the original permit fee.

95.9 - Use. No person shall use in, or on, any property, building or structure in the City of Yorba Linda any electrical current in any apparatus, appliance, connection, equipment, fixture, outlet, or wiring that has been installed, revised, remodeled or repaired, as a part of any such property, building or structure, for which a permit is required by this Article without such use having been, authorized in writing by this Building Official.

95.10 - Compliance.

- a. No person shall perform any act authorized by a permit issued by the Building Department in any manner that fails to comply with any of the requirements of such permit or with any of the provisions of this Article.
- b. No person shall interfere with, or prevent, the discharge of the duties of the Building Official or Electrical Inspector or their right to enter upon any premises pursuant to permission of a person in control thereof.

95.11 - Inspection. The Electrical Inspector shall inspect all electrical wiring, fixtures, appliances, apparatus, equipment and connections, the use of which has been authorized by any permit. He shall also inspect all work of installation, revision, remodeling, replacements, removal and repair authorized by any electrical permit. Inspections shall be made, when possible, within forty eight (48) hours, Saturdays, Sundays and holidays excepted, after a written, automated phone system, computer website or verbal inspection request to an authorized Building Division staff member is received by the Building Department.

95.12 - Investigation Fees – Work Without Permits.

(a) Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

(b) Fee. An investigation fee, in addition to the permit, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

(c) The investigation fee shall not apply to emergency work when it shall be demonstrated to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefore before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, an investigation fee as herein provided shall be charged.

95.13 - Request for Inspection. It shall be the responsibility of the owner or contractor doing electrical work, or having the same done, to request inspection of all electrical installations requiring and covered by an electrical permit. All requests for inspection shall indicate the type of work and the kind of inspection to be made; such as rough wiring, motors, fixtures, service, final electrical, etc., and shall specify the job address, the owners name and address, and the name and address of the person doing the work, the name and address of the person requesting the inspection, and the permit number.

95.14 - Required Inspections. The Electrical Inspector shall make at least one inspection of the rough wiring and one inspection of the finish wiring, fixtures and service panels. Additional inspections may be required during the progress of construction to verify that the installation is in conformance with the requirements of this code.

95.15 - Extra inspections: When extra inspections are necessary by reason of deficient or defective work, or otherwise through fault or error on the part of the holder of the permit or on the part of his employees, only one such extra inspection shall be made under the regular fees as herein prescribed; and the holder of the permit shall be entirely responsible for each and every subsequent extra visit or inspection. A reinspection fee shall be paid for every subsequent extra visit or inspection. The reinspection fee shall be established by resolution adopted by the City Council.

95.16 - Changes. When there are any changes or alterations to the approved plans or permit, at the request of the electrical inspector, owner, contractor or the design professional, the scope of work described on the permit and/or in the approved plans

shall be revised to reflect the new scope of work. Revised plans shall be submitted to the Building Division, when required, and the scope of the permit shall be amended to reflect the revised scope of work. Upon review and approval of the revised plans and permit by the Building Division, and payment of any additional fees, a reinspection shall be requested.

95.17 - Moved Buildings. Where a building equipped with electrical systems has been moved from any location to another location in the City, the electrical systems in such building shall be made to conform to the provisions of the California Electrical Code for new construction and no person shall use said electrical systems, or permit them to be used, until it has been inspected and approved by the Electrical Inspector. Appropriate plans shall be submitted and permits shall be obtained for all work performed on the electrical systems of any moved building.

95.18 - Exceptions. Where no installation of, or change to, any electrical system is made, this Article shall not require any inspection, or a permit, to install, set, use, repair, renew, remove, or replace any electrical motors, fixtures, fans, air conditioners, heaters, appliances, apparatus, machinery, or equipment consisting of a completed unit for use by connecting the same to an existing electrical outlet, or to install, remove, repair or renew switches, fuses, key sockets or receptacle, in duly installed and approved switch, fuse or receptacle boxes.

No inspection or permit shall be required for a public service corporation to install, alter, or repair any electrical wiring, devices, appliances or equipment for the use of such corporation in the generation, transmission, distribution, or metering of electrical energy, or the operation of signals, or the transmission of intelligence.

95.19 - Entry. No permit required by this Article shall be issued unless written permission is given, concurrent with the application therefore, for the Electrical Inspector to enter upon the property and make reasonable inspections of the material and work for which such permit is requested. Such inspections shall be conducted at reasonable times after the issuance of such permit and until such work has been completed in compliance with the provisions of this Article, the permit and the approved plans. The right of entry shall be granted until such time as all work described in the approved plans and on the permit has been approved by the Electrical Inspector. No entry shall be made a premises for the purpose of inspection without reasonable advance notice to, or a request from, the owner or occupant of any premises or buildings that are closed or occupied, unless access is granted through due process.

95.20 - Defects. No person shall use, or allow the use of, cause or permit the passing of any electrical current through, in or along, any electrical wiring, equipment, or installation, or any part thereof, in or about, any building or premise, within the City after a written notice is affixed in a conspicuous place on the premise by the Electrical Inspector. Such notice shall state that the premise has been found by the Building Official to be in a defective, dangerous or have an unsafe condition and specify the date and hour that such notice was so affixed. The notice shall state

the time period suspension of electrical system use or the complete disconnection of electrical service to the premise. The defects specified by said notice shall be repaired, appropriate plans submitted, reviewed and approved and a permit issued prior to the resumption of the use of the electrical system of the premise. If the defects have not been repaired, and such permit to use said items has not been obtained within ten (10) days from the date said notice is so affixed, the Electrical Inspector shall cause the electric service thereto to be disconnected. No person shall thereafter reconnect, or use, any electrical system in or on the premise until permitted by the Building Official.

95.21 - Temporary Permits. The Electrical Inspector may give permission in writing for the temporary installation and the temporary use of current through, any wiring, apparatus or fixture, for a period of time not to exceed thirty (30) days, if and when such wiring, apparatus, or fixture, is in such condition that it may be used safely and there exists an urgent necessity for such use. The submission of appropriate plans and the obtaining of a permit may be required as determined by the Building Official.

95.22 - Change of Use. No person shall change the occupancy, or use, of any existing building in the City, which would place the building in a different occupancy group, as defined in the Building Code, unless such building is made to comply with the requirements of this Article for new construction for that occupancy group.

95.23 - Concealing Installations. No person shall conceal or cover, or cause or permit to be concealed or covered, any wiring, conduit, or other electrical equipment or system, before such system is inspected and accepted as required by this Article.

95.24 - Connection Permit. No person shall connect, or cause or permit to be connected, any electric current with or to any electric wiring, fixtures, appliances, apparatus, equipment, or property, for which a permit to install, revise, remodel, replace, remove or repair is required by this Article, without having first received from the Electrical Inspector a written permission to connect electric current thereto. Such permission to connect to the electrical service shall be issued by the Building Official at any time after he or the Electrical Inspector has inspected and approved the use of electrical current in, on, or through such electric wiring, fixtures, appliance, apparatus, equipment or property and verified that the electrical system is in substantial compliance with the approved plans and the permit.

95.25 - Materials. No person shall use or install electrical equipment, appliance, or materials authorized by the approved plans and/or permit issued pursuant to this Article unless approved by Underwriters' Laboratories or other recognized testing agency.

95.26 - Used Material. No person shall install previously used electrical materials in any installation authorized by the approved plans and/or permit issued pursuant to this Article without first obtaining approval from the Building Official.

15.16.030. Article 100 Definitions – amended.

Article 100 Definitions, is hereby amended to add the following definition to read as follows:

Continuous Special Inspection. Continuous inspection to be performed by a qualified Special Inspector who shall demonstrate his competence, to the satisfaction of the Building Official, for continuous inspection of the particular type of electrical installation or operation requiring special inspection as determined by the Building Official. The Special Inspector shall observe the work described in the approved plans and permit to verify conformance to the approved plans, permit and applicable codes and installation standards. The Special Inspector shall furnish a written inspection report to the Building Official within 48 hours of the completion of all electrical work requiring Special Inspection, including a final signed report indicating conformance with applicable provisions of the Code. The Special Inspector shall immediately notify the Building Official, in writing, of any variations from the approved plans or the permit which are not corrected by the person performing the work or any installation or procedure which may cause an immediate fire or life safety hazard. The Building Official shall inspect the work being performed and issue the appropriate correction notice or stop work order.

15.16.040. Article 110 Requirements for Electrical Installations - amendments.

110.5 Conductors, is hereby amended to read as follows:

110.5. Conductors. Conductors normally used to carry current shall be of copper unless otherwise provided in this Code. Where the conductor material is not specified, the material and the sizes given in this Code shall apply to copper conductors. Where other materials are used, the size shall be changed accordingly.

FNP: For aluminum and copper-clad aluminum conductors, see Section 310-15.

Aluminum conductors smaller than #6 AWG may be used provided that the method of connection is approved in advance by the Building Official and the installation is made under continuous special inspection as defined under Article 100.

15.16.050. Article 422 Appliances – amendments.

Section 422.10 Branch-Circuit Rating is hereby amended to add subsection (C) to read as follows:

(C) In every dwelling unit, fixed appliances such as food waste grinders, dishwashers, washing machines, dryers, laundry tray locations, built-in refrigerators, built-in freezers, furnaces, air conditioners and built-in heaters, or any other fixed appliances, with a motor of 1/4 h.p. or larger, shall be on a separate 20 ampere branch circuit unless the Building Official is provided evidence that an alternative circuit is adequate in accordance with the provisions of this Code.

Section 3. Ordinance No. 2010-948 is hereby repealed in its entirety.

Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk's Office within five (5) working days of the approval of this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall take effect on January 1, 2014. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 19th day of November, 2013.


TOM LINDSEY, MAYOR
CITY OF YORBA LINDA

STATE OF CALIFORNIA
COUNTY OF ORANGE
CITY OF YORBA LINDA

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

ATTEST:


MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

ORDINANCE NO. 2013-987

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.06 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA MECHANICAL CODE, 2013 EDITION, WHICH INCORPORATES AND AMENDS THE UNIFORM MECHANICAL CODE, 2012 EDITION, WITH CERTAIN APPENDICES AND AMENDMENTS, AND REPEALING ORDINANCE NO. 2010-947

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the California Building Standards Code (California Code of Regulations, Title 24) adopting certain uniform codes, including the California Mechanical Code, 2013 Edition (which incorporates and amends the Uniform Mechanical Code, 2012 Edition), with certain appendices and amendments; and

WHEREAS, California Health and Safety Code Sections 17958 *et seq.* and 18941.5 authorizes cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Yorba Linda desires to adopt the California Mechanical Code, as adopted by the State of California Building Standards Commission in Title 24 of the California Code of Regulations (the "Mechanical Code"), with certain appendices and amendments to assure the Mechanical Code is tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City Council held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Mechanical Code, as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 17, 2013 and October 24, 2013; 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 YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent that the following changes and modifications to the California Mechanical Code, 2013 Edition, are deemed more restrictive than the standards contained therein, thus requiring that findings be made pertaining to local conditions justifying such modifications, the City Council adopted Resolution No. 2013-

5208 that found and determined that the following changes and modifications are reasonably necessary due to local conditions.

Section 2. Chapter 15.06 of the Yorba Linda Municipal Code is hereby amended in its entirety to read as follows:

CHAPTER 15.06

MECHANICAL CODE

Sections:

- 15.06.010 Mechanical Code Adopted.**
- 15.06.020 Chapter 1, Division II, Administration - amendments.**
- 15.24.030 Appendix A, Residential Plan Examiner Review Form for HVAC System Design - deleted**

- 15.24.040 Appendix B, Procedures to be Followed to Place Gas Equipment in Operation - deleted**
- 15.24.050 Appendix C, Installation and Testing of Oil (Liquid) Fuel-Fired Equipment - deleted**
- 15.24.060 Appendix D, Unit Conversion Tables - deleted**
- 15.24.070 Appendix E, Sustainable Practices – deleted**
- 15.24.080 Appendix F, Sizing of Venting Systems Serving Appliance Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents - adopted**
- 15.24.090 Appendix G, Example Calculation of Outdoor Air Rate - deleted**

15.06.010. Mechanical Code Adopted.

There is hereby adopted by reference, as the Mechanical Code of the City, the California Mechanical Code, 2013 Edition, with certain appendices and amendments, which incorporates and amends the Uniform Mechanical Code, 2012 Edition, with certain appendices and amendments, published by the International Association of Plumbing and Mechanical Officials, one certified copy of which is on file in the office of the City Clerk for public inspection and is adopted with the same force and effect as though set out herein in full. The California Mechanical Code, 2013 Edition, as adopted herein, is amended as set forth in Sections 15.06.020 through 15.06.090.

15.06.020 Chapter 1, Division II, Administration - amendments.

Sections 108.0, 108.1 and 108.2 Board of Appeals are hereby deleted in their entirety.

Section 113.4 Expiration is hereby amended to read as follows:

113.4 Expiration.

113.4.1 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days any time after the work is commenced. The suspension or abandonment of work shall be defined as failing to obtain a formal approval of any required inspection as specified in Section 103.5 of this code within a 180 day time period. The Building Official is authorized to grant, in writing, no more than two (2) extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 113.4.2 is added to read as follows:

113.4.2 Extension of a Permit. A permit may only be extended, with no additional permit fees charged, if a written request for an extension is received prior to the expiration of the permit and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. No additional permit fees, other than the application fee of \$250, shall be charged. Payment of the \$250 application fee shall not automatically grant an extension. Permits which have become invalid shall pay a renewal fee of 50% of the original permit fee when the permit has been expired for up to one (1) year. When a permit has been expired for a period in excess of one (1) year, the renewal fee shall be 100% of the original permit fee.

Section 114.1 General is hereby amended to read as follows:

114.1. General. Fees shall be assessed in accordance with the provisions of this section and as established by resolution adopted by the City Council.

Section 114.2 Permit Fees is hereby amended to read as follows:

114.2. Permit Fees. The fees for each permit shall be as established by resolution adopted by the City Council

Section 114.3 Plan Review Fees is hereby amended to revise the third paragraph to read as follows:

When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged as established by resolution adopted by the City Council.

Section 114.4 Expiration of Plan Review is hereby amended to read as follows:

114.4 Expiration of Plan Review.

114.4.1 Expiration of Plan Review. An application for which no permit is issued within 180 days following the date of application shall automatically expire, and plans and other data 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 not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application.

114.4.2 Extension of an Application. An application for a permit may only be extended if a written request for an extension is received prior to the expiration of the permit application and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. Payment of the \$250 application fee shall not automatically grant an extension. Permit application extensions shall not be granted after the expiration of the original permit application and payment of plan review fees. Full plan review fees as set forth in the fee resolution adopted by the City Council shall be paid should the permit application expire.

Sections 114.5 and 114.5.1 Investigation Fees – Work Without Permits are hereby amended to read as follows:

114.5 Investigation Fees – Work Without Permits.

114.5.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

114.5.2 Fee. An investigation fee, in addition to the permit, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not

exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

114.5.3 The investigation fee shall not apply to emergency work when it shall be demonstrated to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefore before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, an investigation fee as herein provided shall be charged.

Sections 114.6, 114.6.1, 114.6.2 and 114.6.3 Fee Refunds are hereby amended to read as follows:

114.6 Fee Refunds. . The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

114.6.1 The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

114.6.2 The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

114.6.3 The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 115.6 Reinspections is hereby amended to read as follows:

115.6 Reinspections. The Authority Having Jurisdiction shall have the authority to assess a reinspection fee for each inspection or reinspection when such portion of work for which inspection is requested is not complete or when required corrections have not been made. Reinspection fees may also be assessed when the approved plans are not readily available to the inspector, or failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the Building Official.

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

To obtain reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee established by resolution adopted by the City Council.

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

Section 115.7 Extra Inspections is added to read as follows:

115.7 Extra inspections: When extra inspections are necessary by reason of deficient or defective work, or otherwise through fault or error on the part of the holder of the permit or on the part of his employees, only one such extra inspection shall be made under the regular fees as herein prescribed; and the holder of the permit shall be entirely responsible for each and every subsequent extra visit or inspection. A reinspection fee shall be paid for every subsequent extra visit or inspection. The reinspection fee shall be established by resolution adopted by the City Council

Table 114.1 "Mechanical Permit Fees" is hereby deleted in its entirety and all references to Table 114.1 are amended to read "in accordance with resolution adopted by the City Council."

15.24.030. Appendix A, Residential Plan Examiner Review Form for HVAC System Design – deleted.

Appendix A, Residential Plan Examiner Review Form for HVAC System Design is hereby deleted in its entirety.

15.24.040. Appendix B, Procedures to be Followed to Place Gas Equipment in Operation – deleted.

Appendix B, Procedures to be Followed to Place Gas Equipment in Operation is hereby deleted in its entirety.

15.24.050. Appendix C, Installation and Testing of Oil (Liquid) Fuel-Fired Equipment – deleted.

Appendix C, Installation and Testing of Oil (Liquid) Fuel-Fired Equipment is hereby deleted in its entirety.

15.24.060. Appendix D, Unit Conversion Tables – deleted.

Appendix D, Unit Conversion Tables is hereby deleted in its entirety

15.24.070. Appendix E, Sustainable Practices – deleted.

Appendix E, Sustainable Practices is hereby deleted in its entirety.

15.24.080. Appendix F, Sizing of Venting Systems Serving Appliance Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents – adopted.

Appendix F, Sizing of Venting Systems Serving Appliance Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents is hereby adopted in its entirety.

15.24.090. Appendix G, Example Calculation of Outdoor Air Rate – deleted.

Appendix G, Example Calculation of Outdoor Air Rate is hereby deleted in its entirety.

Section 3. Ordinance No. 2010-947 is hereby repealed in its entirety.

Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk’s Office within five (5) working days of the approval of this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

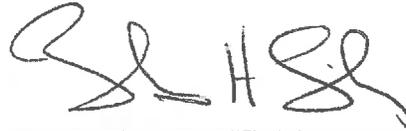
Section 6. Effective Date. This ordinance shall take effect on January 1, 2014. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

STATE OF CALIFORNIA
COUNTY OF ORANGE
CITY OF YORBA LINDA

MARIONA BROWN, CITY CLERK
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE OF THE CITY CLERK.

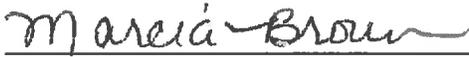
MARIONA BROWN
CITY CLERK

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 19th day of November, 2013.



TOM LINDSEY, MAYOR
CITY OF YORBA LINDA

ATTEST:


MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

APPROVED AS TO FORM:
RUTAN & TUCKER LLP


CITY ATTORNEY

STATE OF CALIFORNIA)
 ss.
COUNTY OF ORANGE)

I, **MARCIA BROWN**, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 19th day of November, 2013, and was carried by the following roll call vote:

AYES: COUNCILMEMBERS: Anderson, Hernandez, Lindsey, Schwing, Young
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

STATE OF CALIFORNIA
COUNTY OF ORANGE
CITY OF YORBA LINDA


MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

I, **MARCIA BROWN**, CITY CLERK, DO CERTIFY THAT THIS IS A FULL, TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE OF THE CITY CLERK.


MARCIA BROWN
CITY CLERK

ORDINANCE NO. 2013-988

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.24 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA PLUMBING CODE, 2013 EDITION, WHICH INCORPORATES AND AMENDS THE UNIFORM PLUMBING CODE, 2012 EDITION, WITH CERTAIN APPENDICES AND AMENDMENTS, AND REPEALING ORDINANCE NO. 2010-949

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the California Building Standards Code (California Code of Regulations, Title 24) adopting certain uniform codes, including the California Plumbing Code, 2013 Edition (which incorporates and amends the Uniform Plumbing Code, 2012 Edition), with certain appendices, amendments and Installation Standards; and

WHEREAS, California Health and Safety Code Sections 17958 *et seq.* and 18941.5 authorizes cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Yorba Linda desires to adopt the California Plumbing Code, as adopted by the State of California Building Standards Commission in Title 24 of the California Code of Regulations, with necessary amendments to assure the Codes are tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City Council held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the California Plumbing Code, 2013 Edition, as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 17, 2013 and October 24, 2013; 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 YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent that the following changes and modifications to the California Plumbing Code, 2013 Edition, are deemed more restrictive than the standards contained therein, thus requiring that findings be made pertaining to local conditions justifying such modifications, the City Council adopted Resolution No. 2013-

5208 that found and determined that the following changes and modifications are reasonably necessary due to local conditions.

Section 2. Chapter 15.24 of the Yorba Linda Municipal Code is hereby amended in its entirety to read as follows:

**“CHAPTER 15.24
PLUMBING CODE**

Sections:

- 15.24.010 Plumbing Code Adopted.**
- 15.24.020 Chapter 1, Division II Amended-Administration.**
- 15.24.030 Chapter 6 Water Supply and Distribution – amendments.**

- 15.24.040 Appendix A, Recommended Rules for Sizing the Water Supply System - deleted**
- 15.24.050 Appendix B, Explanatory Notes on Combination Waste and Vent Systems - adopted**
- 15.24.060 Appendix C, Alternate Plumbing Systems - deleted**
- 15.24.070 Appendix D, Sizing Storm Water Drainage Systems – adopted with amendments**
- 15.24.080 Appendix E, Manufactured/Mobile Home Parks and Recreational Vehicle Parks –deleted**
- 15.24.090 Appendix F, Firefighter Breathing Air Replenishment Systems - deleted**
- 15.24.100 Appendix G, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents - adopted**
- 15.24.110 Appendix H, Private Sewage Disposal Systems – adopted with amendments**
- 15.24.120 Appendix I, Installation Standards - adopted**

15.24.130 Appendix J, Combination of Indoor and Outdoor Combustion and Ventilation Opening Design - deleted

15.24.140 Appendix K, Potable Rainwater Catchment Systems - deleted

15.24.150 Appendix L, Sustainable Practices - deleted

15.24.010. Plumbing Code Adopted.

There is hereby adopted by reference, as the Plumbing Code of the City, the California Plumbing Code, 2013 Edition, with certain appendices and amendments, which incorporates and amends the Uniform Plumbing Code, 2012 Edition with certain appendices and amendments, published by the International Association of Plumbing and Mechanical Officials, one certified copy of which is on file in the office of the City Clerk for public inspection and is adopted with the same force and effect as though set out herein in full. The California Plumbing Code, 2013 Edition, as adopted herein is amended as set forth in Sections 15.24.020 through 15.16.150.

15.24.020. Chapter 1, Division II Administration – amendments.

Sections 102.3 and 102.3.1 Board of Appeals are hereby deleted in their entirety.

Section 103.1.2.3 is hereby added to read as follows:

103.1.2.3. The reinstallation of kitchen and lavatory faucets, water closets, dishwashers, garbage disposals and water softeners do not require a permit.

Section 103.3.3 Expiration is hereby amended to read as follows:

103.3.3 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days any time after the work is commenced. The suspension or abandonment of work shall be defined as failing to obtain a formal approval of any required inspection as specified in Section 103.5 of this code within a 180 day time period. The Building Official is authorized to grant, in writing, no more than two (2) extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 103.3.5 is added to read as follows:

103.3.5 Extension of a Permit. A permit may only be extended, with no additional permit fees charged, if a written request for an extension is received prior to the expiration of the permit and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify

conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. No additional permit fees, other than the application fee of \$250, shall be charged. Payment of the \$250 application fee shall not automatically grant an extension. Permits which have become invalid shall pay a renewal fee of 50% of the original permit fee when the permit has been expired for up to one (1) year. When a permit has been expired for a period in excess of one (1) year, the renewal fee shall be 100% of the original permit fee.

Section 103.4 Fees is hereby amended in its entirety to read as follows:

103.4 Fees. Fees shall be assessed in accordance with the provisions of this section and as established by resolution adopted by the City Council.

Section 103.4.1 Plan Review Fees is hereby amended to revised the fourth paragraph to read as follows:

When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged as established by resolution adopted by the City Council.

Section 103.4.2 Expiration of Plan Review is hereby amended to read as follows:

103.4.2 Expiration of Plan Review. An application for which no permit is issued within 180 days following the date of application shall automatically expire, and plans and other data 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 not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application.

Section 103.4.3 Investigation Fees – Work Without Permits is hereby amended to read as follows:

103.4.3 Investigation Fees – Work Without Permits.

103.4.3.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

103.4.3.2 Fee. An investigation fee, in addition to the permit, shall be collected whether or not a permit is then or subsequently issued. The investigation fee

shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

103.4.3.3 The investigation fee shall not apply to emergency work when it shall be demonstrated to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefore before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, an investigation fee as herein provided shall be charged.

Section 103.4.4 Fee Refunds is hereby amended to read as follows:

103.4.4 Fee Refunds. . The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

103.4.4.1 The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

103.4.4.2 The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

103.4.3.3 The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 103.4.5 is added to read as follows:

103.4.5 Extension of an Application. An application for a permit may only be extended if a written request for an extension is received prior to the expiration of the permit application and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. Payment of the \$250 application fee shall not automatically grant an extension. Permit application extensions shall not be granted after the expiration of the original permit application and payment of plan review fees. Full plan review fees as set forth in the fee resolution adopted by the City Council shall be paid should the permit application expire.

Section 103.5.9 Reinspections is hereby amended to read as follows:

103.5.9 Reinspections. The Authority Having Jurisdiction shall have the authority to assess a reinspection fee for each inspection or reinspection when such portion of work for which inspection is requested is not complete or when required corrections have not been made. Reinspection fees may also be assessed when the approved plans are not readily available to the inspector, or failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the Building Official.

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

To obtain reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee established by resolution adopted by the City Council.

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

Section 103.5.10 Extra Inspections is added to read as follows:

103.5.10 Extra inspections: When extra inspections are necessary by reason of deficient or defective work, or otherwise through fault or error on the part of the holder of the permit or on the part of his employees, only one such extra inspection shall be made under the regular fees as herein prescribed; and the holder of the permit shall be entirely responsible for each and every subsequent extra visit or inspection. A reinspection fee shall be paid for every subsequent extra visit or inspection. The reinspection fee shall be established by resolution adopted by the City Council

Table 103.4 Plumbing Permit Fees is deleted in its entirety and all references to Table 103.4 are amended to read "in accordance with resolution adopted by the City Council.

15.24.030. Chapter 6 Water Supply and Distribution – amendments.

Section 610.8 Size of Meter and Building Supply Pipe Using Table 6- 4 is hereby amended to revise the last sentence to read as follows:

No building supply shall be less than three-quarter (3/4) inch (20 mm) in diameter and not less than one (1) inch in diameter for each single family residential structure. Each single family residential structure shall have a minimum of two (2) three-quarter (3/4) inch hose bibs, one located readily accessible to the front yard and one readily accessible to the rear yard.

15.24.040. Appendix A, Recommended Rules for Sizing the Water Supply System – deleted.

Appendix A, Recommended Rules for Sizing the Water Supply System is hereby deleted in its entirety.

15.24.050. Appendix B, Explanatory Notes on Combination Waste and Vent Systems – adopted.

Appendix B, Explanatory Notes on Combination Waste and Vent Systems is hereby adopted in its entirety.

15.24.060. Appendix C, Alternate Plumbing Systems – deleted.

Appendix C, Alternate Plumbing Systems is hereby deleted in its entirety.

15.24.070. Appendix D, Sizing Storm Water Drainage Systems – adopted with amendments.

Appendix D, Sizing Storm Water Drainage Systems is hereby adopted.

Section D 1.1 General is hereby amended in its entirety to read as follows:

D 1.1 General. The rainfall rate, for roof drainage design, shall be based upon a rate of six (6) inches per hour for a duration of 60 minutes, 100 year return.

15.24.080. Appendix E, Manufactured/Mobile Home Parks and Recreational Vehicle Parks – deleted.

Appendix E, Manufactured Mobile Home Parks and Recreational Vehicle Parks is hereby deleted in its entirety.

15.24.090. Appendix F, Firefighter Breathing Air Replenishment Systems – deleted.

Appendix F, Firefighter Breathing Air Replenishment Systems is hereby deleted in its entirety.

15.24.100. Appendix G, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents – adopted.

Appendix G, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents is hereby adopted in its entirety.

15.24.110. Appendix H, Private Sewage Disposal Systems – adopted with amendments.

Appendix H, Private Sewage Disposal Systems is hereby adopted.

Section H1.0 Private Sewage Disposal-General, is hereby amended to add a new paragraph before Section (A) to read as follows:

Private disposal systems may only consist of a septic tank, seepage pit(s) and associated plumbing lines. Cesspools and disposal fields shall not be allowed. All requirements and standards included in this Appendix relating to cesspools and disposal fields shall not apply.

Section H 4.0 Percolation Test is hereby amended to add Subsection H 4.4 to read as follows:

H 4.4 Seepage Pit Alternate. In lieu of a percolation test, a minimum of two (2) seepage pits, each four (4) feet in diameter and forty (40) feet in depth connected to a septic tank so as to conform to Section K7.0 (B) of this appendix.

Section H6.0 Disposal Fields, is hereby deleted in its entirety.

Section H8.0 Cesspools, is hereby deleted in its entirety.

Section H11.0 Abandon Sewers and Sewage Disposal Facilities, is hereby amended to add Subsection H 11.6 to read as follows:

H 11.6 Unattended Excavations. No such unfilled septic tank, drywell or excavation shall be left unattended at any time unless the permittee shall have first provided a suitable and adequate barricade to assure public safety.

15.24.120. Appendix I, Installation Standards – adopted.

Appendix I, Installation Standards is hereby adopted in its entirety.

15.24.130. Appendix J, Combination of Indoor and Outdoor Combustion and Ventilation Opening Design – deleted

Appendix J, Combination of Indoor and Outdoor Combustion and Ventilation Opening Design is hereby deleted in its entirety.

15.24.140 Appendix K, Potable Rainwater Catchment Systems – deleted.

Appendix K, Potable Rainwater Catchment Systems is hereby deleted in its entirety.

15.24.150 Appendix L, Sustainable Practices – deleted.

Appendix L, Sustainable Practices is hereby deleted in its entirety.

Section 3. Ordinance No. 2010-949 is hereby repealed in its entirety.

Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk's Office within five (5) working days of the approval of this ordinance.

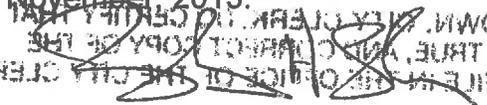
Section 5. Severability. If any section, subsection, sentence, clause, phase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall take effect on January 1, 2014. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 19th day of November, 2013.

STATE OF CALIFORNIA
COUNTY OF ORANGE
CITY OF YORBA LINDA

MARCIA BROWN, CITY CLERK
THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE OF THE CITY CLERK



TOM LINDSEY, MAYOR
CITY OF YORBA LINDA

MARCIA BROWN
CITY CLERK

ATTEST:



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

ORDINANCE NO. 2013-989

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.08 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA FIRE CODE, 2013 EDITION, WHICH INCORPORATES AND AMENDS THE INTERNATIONAL FIRE CODE, 2012 EDITION, WITH CERTAIN APPENDICES AND AMENDMENTS, AND REPEALING ORDINANCE NO. 2010-953

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the California Building Standards Code (California Code of Regulations, Title 24) adopting certain uniform codes, including the California Fire Code, 2013 Edition, (which incorporates and amends the International Fire Code, 2012 Edition), with certain appendices and amendments; and

WHEREAS, California Health and Safety Code Sections 17958 *et seq.* and 18941.5 authorize cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Yorba Linda desires to adopt the California Fire Code, 2013 Edition, which is a part of the California Building Standards Code, as adopted by the State of California Building Standards Commission in Title 24 of the California Code of Regulations (the "Fire Code"), with certain appendices and amendments to assure the Fire Code is tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City Council held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the California Fire Code, 2013 Edition, as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 17, 2013 and October 24, 2013; 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 YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent that the following changes and modifications to the California Fire Code, 2013 Edition, are deemed more restrictive than the standards contained therein, thus requiring that findings be made pertaining to local conditions justifying such modifications, the City Council adopted Resolution No. 2013-5208 that

found and determined that the following changes and modifications are reasonably necessary due to local conditions.

Section 2. Chapter 15.08 of the Yorba Linda Municipal Code is amended in its entirety to read as follows:

"CHAPTER 15.08

FIRE CODE

Sections:

- 15.08.010 Fire Code Adopted.**
- 15.08.020 Enforcement and Inspection.**
- 15.08.030 Chapter 1, Division II-Administration - amendments.**
- 15.08.040 Chapter 2 Definitions - amendments.**

- 15.08.050 Chapter 3 General Requirements -- amendments.**
- 15.08.060 Chapter 4 Emergency Planning and Preparedness – amendments.**
- 15.08.070 Chapter 5 Fire Service Features – amendments.**
- 15.08.080 Chapter 6 Building Services and Systems – amendments.**
- 15.08.090 Chapter 9 Fire Protection Systems – amendments.**
- 15.08.100 Chapter 11 Construction Requirements for Existing Buildings – amendments.**
- 15.08.110 Chapter 20 Aviation Facilities – amendments.**
- 15.08.120 Chapter 28 Lumber Yards and Woodworking Facilities – amendments.**
- 15.08.130 Chapter 49 Requirements for Wildland-Urban Interface Fire Areas – amendments.**
- 15.08.140 Chapter 50 Hazardous Materials – General Provisions – amendments.**
- 15.08.150 Chapter 55Cryogenic Fluids – amendments.**
- 15.08.160 Chapter 56 Explosives and Fireworks – amendments.**

- 15.08.170 Chapter 57 Flammable and Combustible Liquids – amendments.**
- 15.08.180 Chapter 60 Highly Toxic and Toxic Materials – amendments.**
- 15.08.190 Chapter 80 Referenced Standards – amendments.**
- 15.08.200 Appendix A Board of Appeals – deleted.**
- 15.08.210 Appendix B Fire-Flow Requirements for Buildings – adopted.**
- 15.08.220 Appendix BB Fire-Flow requirements for Buildings – adopted.**
- 15.08.230 Appendix C Fire Hydrant Locations and Distribution – adopted.**
- 15.08.240 Appendix CC Fire Hydrant Locations and Distribution – adopted.**
- 15.08.250 Appendix D Fire Apparatus Access Roads – deleted.**
- 15.08.260 Appendix E Hazard Categories – deleted.**
- 15.08.270 Appendix F Hazard Ranking – deleted.**
- 15.08.280 Appendix G Cryogenic Fluids – Weight and Volume Equivalents – deleted.**
- 15.08.290 Appendix H Hazardous Materials Management Plans and Hazardous Materials Inventory Statements – deleted.**
- 15.08.300 Appendix I Fire Protection Systems – Noncompliant Conditions – deleted.**
- 15.08.310 Appendix J Building Information Sign – deleted.**
- 15.08.320 Appendix K Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses – deleted.**

15.08.010 Fire Code Adopted.

There is hereby adopted by reference, as the Fire Code of the City, the 2013 California Fire Code, based on the International Fire Code, 2012 Edition, with errata, published by the International Code Council (ICC), and the whole thereof, including Appendices Chapter 1, Appendix B, and Appendix C, for the purpose of prescribing regulations covering conditions hazardous to the life and property from fire or explosion, save and exempt such portions as are hereinafter added, deleted or amended. One copy of all the above is on file in the office of the City Clerk for public inspection and is adopted with the same force and effect as though set out herein in full. The California Fire Code,

2013 Edition, as adopted herein, is amended as set forth in Sections 15.08.020 through 15.08.320.

15.08.020 Enforcement and Inspection.

The California Fire Code and the International Fire Code with amendments shall be enforced by the Orange County Fire Authority, which shall be operated under the Fire Chief of the Orange County Fire Authority. The Fire Chief of the Orange County Fire Authority may detail such members of the fire authority as shall be necessary from time to time.

15.08.030 Chapter 1, Division II, Administration – amendments.

Chapter 1, Division II Administration is hereby amended to read as follows:

Section 109.4 Violation penalties is hereby amended to read as follows:

109.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of either a misdemeanor, infraction or both as prescribed in Section 109.4.2 and 109.4.3. Penalties shall be as prescribed in local ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 109.4.2 Infraction is hereby added to read as follows:

109.4.2 Infraction. Except as provided in Section 109.3.2, persons operating or maintaining any occupancy, premises or vehicle subject to this code that shall permit any fire or life safety hazard to exist on premises under their control shall be guilty of an infraction.

Sections 109.4.3 Misdemeanor is hereby added to read as follows:

109.4.3 Misdemeanor. Persons who fail to take immediate action to abate a fire or life safety hazard when ordered or notified to do so by the chief or a duly authorized representative, or who violate the following sections of this code, shall be guilty of a misdemeanor:

- 104.11.2 Obstructing operations
- 104.11.3 Systems and Devices
- 107.5 Overcrowding
- 109.3.2 Compliance with Orders and Notices
- 111.4 Failure to comply
- 305.4 Deliberate or negligent burning
- 308.1.2 Throwing or placing sources of ignition

310.7 Burning Objects
3104.7 Open or exposed flames

15.08.040 Chapter 2 Definitions – amendments.

Sections 202 General Definitions is hereby amended to add the following definitions to read as follows:

APPROACH-DEPARTURE PATH. The flight path of the helicopter as it approaches or departs from the landing pad.

EMERGENCY HELICOPTER LANDING FACILITY (EHLF). A landing area on the roof of a high rise building that is not intended to function as a heliport or helistop but is capable of accommodating fire or medical helicopters engaged in emergency operations.

FLOW-LINE. is the lowest continuous elevation on a rolled curb defined by the path traced by a particle in a moving body of water at the bottom of the rolled curb.

HAZARDOUS FIRE AREA. Includes all areas identified within Section 4906.2 and other areas as determined by the Fire Code Official as presenting a fire hazard due to the presence of combustible vegetation, or the proximity of the property to an area that contains combustible vegetation.

HIGH-RISE BUILDING. In other than Group I-2 occupancies "high-rise buildings" as used in this Code :

1. **"Existing high-rise structure"** means a high-rise structure, the construction of which commenced or completed prior to July 1, 1974
2. **"High-rise structure"** means every building of any type of construction or occupancy having floor used for human occupancy located more than 55 feet above the lowest floor level having building access except buildings used as hospitals as defined by the Health and safety code Section 1250.
3. **New high-rise building.** A high-rise structure, the construction of which is commenced on or after July 1, 1974. For the purpose of this section, construction shall be deemed to have commenced when plans and specifications are more than 50 percent complete and have been presented to the local jurisdiction prior to July 1, 1974. Unless all provisions of this section have been met, the construction of such buildings shall commence on or before January 1, 1976.
4. **"New high-rise structure"** means a high-rise structure, the construction of which commenced on or after July 1, 1974.

Storage Site. Storage sites shall be level and on solid ground or other all-weather surface. Sites shall be thoroughly cleaned and approval from the fire code official obtained before transferring products to the site.

15.08.050 Chapter 3 General Requirements – amendments

Section 304.1.2 (7) Vegetation is hereby amended to add subsection “(E)” to read as follows:

(E) Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirement in urban-wildland interface areas shall be in accordance with Chapter 49 and OCFA vegetation management guidelines.

Section 305.5 Chimney spark arrestors is hereby added to read as follows:

305.5 Chimney spark arrestors. All chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrester. Chimneys serving outdoor appliances or fireplaces shall be equipped with a spark arrester. The spark arrester shall meet the requirements of Section 2113.9.2 of the California Building Code.

Section 305.6 Outdoor fires is hereby added to read as follows:

305.6 Outdoor fires. Outdoor fires shall be in accordance with Sections 305, 307, and 308 and with other applicable sections of this code.

305.6.1 Where prohibited. Outdoor fires shall not be built, ignited or maintained in fuel modification areas, Wildfire Risk Areas (WRA) and adopted Fire Hazard Severity Zones (FHSZ) or Special Fire Protection Areas (SFPA) or other locations where conditions could cause the spread of fire to the WRA, SFPA or FHSZ, except by permit from the fire code official.

Exception: A permit is not required for the following:

1. Fires in approved outdoor or portable fireplaces, fire pits, fire rings and similar devices at Group R occupancies that are installed and used in accordance with this code.
2. Outdoor fires at inhabited premises or official organized campsites or parks when located in a permanent or portable barbeque or grill, incinerator, or outdoor fireplace located at least 30 feet from combustible vegetation.
3. Installations or uses approved by the fire code official.

305.6.1.1 Fuel Modification Areas. Outdoor fires using wood or other solid fuel shall not be built, ignited or maintained in a fuel modification area.

305.6.1.2 Supervision. Where a permit is issued or when allowed under the exceptions to Section 305.6.1, such fires shall be supervised by a person 18 years of age or older.

305.6.2 Hazardous conditions. Outdoor fires are not allowed when predicted sustained winds exceed 8 MPH during periods when relative humidity is less than 25%, or a red flag condition has been declared or public announcement is made, when an official sign was caused to be posted by the fire code official, or when such fires present a hazard as determined by the fire code official.

305.6.3 Disposal of rubbish. Rubbish, trash or combustible waste material shall be burned only within an approved incinerator and in accordance with Section 307.2.1.

Section 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES is hereby amended to read as follows:

SECTION 307 OPEN BURNING, RECREATIONAL FIRES, FIRE PITS, FIRE RINGS, AND OUTDOOR FIREPLACES

307.6 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices used at Group R Occupancies. Outdoor fireplaces, fire pits, fire rings, or similar exterior devices used at Group R shall comply with this section.

Exception: Barbeques, grills, and other portable devices intended for cooking

307.6.1 Gas-fueled devices. Outdoor fireplaces, fire pits and similar devices fueled by natural gas or liquefied-petroleum gas are allowed when approved by the Building Department and the device is designed to only burn a gas flame and not wood or other solid fuel. At R-3 occupancies, combustible construction shall not be located within three feet of an atmospheric column that extends vertically from the perimeter of the device. At other R occupancies, the minimum distance shall be ten feet. Where a permanent Building Department approved hood and vent is installed, combustible construction may encroach upon this column between the bottom of the hood and the vent opening. Where chimneys or vents are installed, they shall have a spark arrester in accordance with Section 305.5.

307.6.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas. Fireplaces burning wood or other solid fuel shall be constructed in accordance with the California Building Code and Section 305.5. Fires in a fireplace shall be contained within a firebox with an attached chimney. The opening in the face of the firebox shall have an installed and maintained method of arresting sparks. The burning of wood or other solid fuel in a device is not allowed within 15 feet of combustible structures, unless within a permanent or portable fireplace. Conditions which could cause a fire to spread within 25 feet of a structure or to vegetation shall be eliminated prior to ignition. Fires in devices burning wood or solid fuel shall be managed per Section 307.5.

307.6.2.1 Where prohibited. The burning of wood and other solid fuels shall not be conducted within a fuel modification zone. Wood and other solid fuel burning fires in devices other than permanent fireplaces are not allowed within Wildfire Risk Areas (WRA) and adopted Fire Hazard Severity Zones

(FHSZ) and Special Fire Protection Areas (SFPA) or in locations where conditions could cause the spread of fire to the WRA or FHSZ, unless determined by the Fire Code Official that the location or design of the device should reasonably prevent the start of a wildfire.

Section 319 Development On Or Near Land Containing Or Emitting Toxic, Combustible or Flammable Liquids, Gases or Vapors, is hereby added to read as follows:

319 Development On Or Near Land Containing Or Emitting Toxic, Combustible or Flammable Liquids, Gases or Vapors. The fire code official may require the submittal for approval of geological studies, evaluations, reports, remedial recommendations and/or similar documentation from a state-licensed and department-approved individual or firm, on any parcel of land to be developed which has, or is adjacent to, or within 1,000 feet (304.8 m) of a parcel of land that has an active, inactive, or abandoned oil or gas well operation, petroleum or chemical refining facility, petroleum or chemical storage, or may contain or give off toxic, combustible or flammable liquids, gases or vapors.

Section 320 Fuel Modification Requirements for New Construction is hereby added to read as follows:

320 Fuel Modification Requirements for New Construction. All new buildings to be built or installed in areas with or adjacent to land having hazardous combustible vegetation shall comply with the requirements in the edition of OCFA Vegetation Management Guidelines currently in use at the time of plan submittal.

Section 321 Clearance of brush or vegetation growth from roadways is hereby added to read as follows:

321 Clearance of brush or vegetation growth from roadways. The fire code official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic, to be cleared of flammable vegetation and other combustible growth. Measurement shall be from the flow-line or the end of the improved edge of the roadway surfaces.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

Section 322 Unusual Circumstances is hereby added to read as follows:

322 Unusual circumstances. The fire code official may suspend enforcement of the vegetation management requirements and require reasonable alternative

measures designed to advance the purpose of this code if determined in any specific case that any of the following conditions exist:

- 1 Difficult terrain.
- 2 Danger of erosion.
- 3 Presence of plants included in any state and federal resources agencies, California Native Plant Society and county-approved list of wildlife, plants, rare, endangered and/or threatened species.
- 4 Stands or groves of trees or heritage trees.
- 5 Other unusual circumstances that make strict compliance with the clearance of vegetation provisions undesirable or impractical.

Section 323 Use of Equipment is hereby added to read as follows:

323 Use of equipment. Except as otherwise provided in this section, no person shall use, operate, or cause to be operated, in, upon or adjoining any hazardous fire area any internal combustion engine which uses hydrocarbon fuels, unless the engine is equipped with a spark arrestor as defined in Section 323.1 maintained in effective working order, or the engine is constructed, equipped and maintained for the prevention of fire.

Exception:

1. Engines used to provide motor power for trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a muffler as defined in the Vehicle Code of the State of California.
2. Turbocharged engines are not subject to this section if all exhausted gases pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in good mechanical condition.

Section 323.1 Spark Arrestors is hereby added to read as follows:

323.1 Spark arrestors. Spark arrestors shall comply with the following:

1. A spark arrestor is a device constructed of nonflammable material specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch (0.58 mm) in size from the exhaust flow of an internal combustion engine that uses hydrocarbon fuels or which is qualified and rated by the United States Forest Service.
2. Spark arrestors affixed to the exhaust system of engines or vehicles subject to Section 322 shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

Section 324 Restricted Entry is hereby added to read as follows:

324 Restricted Entry. The fire code official shall determine and publicly announce when hazardous fire areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of hazardous fire areas, except public roadways, inhabited areas or established trails and camp sites which have not been closed during such time when the hazardous fire area is closed to entry, is prohibited.

Exception:

1. Residents and owners of private property within hazardous fire areas and their invitees and guests going to or being upon their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

Section 325 Trespassing on posted property is hereby added to read as follows:

~~**325 Trespassing on posted property.** When the fire code official determines that a specific area within a hazardous fire area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.~~

1. Signs. Approved signs prohibiting entry by unauthorized persons and referring to applicable fire code chapters shall be placed on every closed area.
2. Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

Section 326 Sky Lanterns or similar devices is hereby added to read as follows:

326 Sky Lanterns or similar devices. Possession or use of a sky lantern or similar device employing a candle, flame or other potential ignition source shall be prohibited.

15.08.060 Chapter 4 Emergency Planning and Preparedness – amendments.

Chapter 4 Emergency Planning and Preparedness is hereby deleted in its entirety with the exception of the following sections:

1. **Section 401**
2. **Section 401.3.4**
3. **Section 401.9**

4. **Section 402**
5. **Section 403**
6. **Section 404.6 – 404.7.6**
7. **Section 407**
8. **Section 408.3.1 – 408.3.2**
9. **Section 408.12 – 408.12.3**

15.08.070 Chapter 5 Fire Service Features. – amendments.

Section 503.2.1 Dimensions is hereby amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Street widths are to be measured from top face of curb to top face of curb, on streets with curb and gutter, and from flow-line to flow-line on streets with rolled curbs.

Section 503.2.1.1 Hazardous Areas is added to read as follows:

503.2.1.1 Hazardous Fire Areas. In Hazardous Fire Areas the minimum fire apparatus road width shall be 28 feet (8530 mm). The width shall be maintained to an approved point outside of the Hazardous Fire Area.

Exception: When the road serves no more than three dwelling units and the road does not exceed 150 feet in length, the road width may be 24 feet (7300 mm). This length may be increased to 400 feet where serving no more than three dwelling units and all structures accessed from the roadway are protected by automatic fire sprinklers.

Section 505.1 Address Identification is hereby amended to read as follows:

505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm) for R-3 occupancies, for all other occupancies the numbers shall be a minimum of 6 inches high with a minimum stroke width of 1 inch. Where access is by a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.

Section 510.1 Emergency responder radio coverage in new buildings is hereby amended to read as follows:

510.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. The Emergency responder radio coverage system shall comply with one of the following:

1. An emergency radio system installed in accordance with the local authority having jurisdiction's ordinance.
2. An emergency radio coverage system installed in accordance with Orange County Fire Authority's Emergency Responder Digital Radio Guideline

Exceptions:

1. Where it is determined by the fire code official that the radio coverage system is not needed.
2. In facilities where emergency responder radio coverage is required and such systems, components or equipment could have a negative impact on normal operations of the facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

15.08.080 Chapter 6 Building Services and Systems – amendments.

Section 608.1 Scope is hereby amended to read as follows:

608.1 Scope. Stationary storage battery systems having an electrolyte capacity of more than 50 gallons (189 L) for flooded lead acid, nickel cadmium (Ni-Cd) and valve-regulated lead acid (VRLA), or 1,000 pounds (454 kg) for lithium-ion and lithium metal polymer, used for facility standby power, emergency power or, uninterrupted power supplies, shall comply with this section and Table 608.1. Indoor charging of electric carts/cars with more than 50 gallons (189 L) shall comply with Section 608.10,

Section 608.10 Indoor charging of electric carts/cars is hereby added to read as follows:

608.10 Indoor charging of electric carts/cars. Indoor charging of electric carts/cars where the combined volume of all battery electrolyte exceeds 50 gallons shall comply with following:

1. Spill control and neutralization shall be provided and comply with Section 608.5.
2. Room ventilation shall be provided and comply with Section 608.6.1.
3. Signage shall be provided and comply with Section 608.7.1.
4. Smoke detection shall be provided and comply with Section 907.2.

15.08.090 Chapter 9 Fire Protection Systems – amendments.

Section 903.2 Where required is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided in the following locations:

1. **New buildings:** In addition to the requirements of section 903.2.1 through 903.2.12, an automatic fire-extinguishing system shall also be installed in all occupancies when the total building area, as defined in Section 502.1, exceeds 5,000 ft² or more than two-stories in height, regardless of fire areas or allowed areas.

Exception: Group R-3 Occupancies. Group R-3 Occupancies shall comply with Section 903.2.8.

2. **Existing Buildings:** Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when one of the following conditions exists:
 - a. When an addition occurs and the combined area of the existing building plus the area of the addition exceeds 5,000 s.f.; or
 - b. Any addition when the existing building is already provided with an automatic sprinkler system.
 - c. An additional story is added above the second floor regardless of fire areas or allowed areas.

Section 903.2.8, is hereby amended to read as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area as follows:

1. **New Buildings:** An automatic sprinkler system shall be installed throughout all new buildings.
2. **Existing Buildings:** An automatic sprinkler system shall be provided in an existing building when one of the following conditions exists:
 - a. When an addition occurs and the combined area of the existing building plus the area of the addition, including attached garage, exceeds 4,800 s.f.; or

Exception: An addition less than 200 s.f.

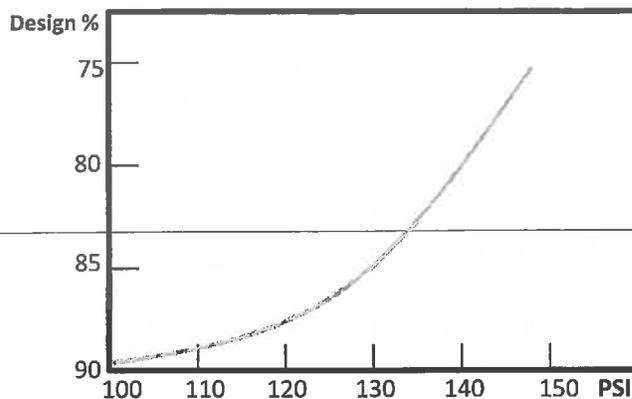
- b. Any addition when the existing building is already provided with an automatic sprinkler system.

Section 903.3.5.3 Hydraulically calculated systems is hereby added to read as follows:

903.3.5.3 Hydraulically calculated systems. The design of hydraulically calculated fire sprinkler systems shall not exceed 90% of the water supply capacity

Exception: When static pressure exceeds 100 psi, and required by the Fire Code Official, the fire sprinkler system shall not exceed water supply capacity specified by Table 903.3.5.3

**TABLE 903.3.5.3
Hydraulically Calculated Systems**



Section 903.4 Sprinkler system supervision and alarms is hereby amended to delete Exception numbers 3 and 5, and renumbering the Exceptions to read as follows:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area systems serving fewer than 20 sprinklers.
3. Jockey pump control valves that are sealed or locked in the open position.
4. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
5. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

Section 905.4 Location of Class I standpipe hose connections is hereby amended to add paragraph 7 to read as follows:

7. The centerline of the 2.5 inches (63.5 mm) outlet shall be no less than 18 inches (457.2 mm) above and no more than 24 inches above the finished floor.

Section 907.2.13 High-rise buildings is hereby amended to read as follows:

907.2.13 High-rise buildings and Group I-2 occupancies having occupied floors located more than 55 feet above the lowest level of fire department

vehicle access. High-rise buildings and Group I-2 occupancies having occupied floors located more than 55 feet above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.6.2.2.

Exceptions:

1. Airport traffic control towers in accordance with Section 907.2.22 and Section 412 of the California Building Code.
2. Open parking garages in accordance with Section 406.5 of the California Building Code.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the California Building Code.
4. Low-hazard special occupancies in accordance with Section 503.1.1 of the California Building Code.
5. In Group I-2 and R-2.1 occupancies, the alarm shall sound at a constantly attended location and general occupant notification shall be broadcast by the emergency voice/alarm communication system

Section 907.3.1 Duct smoke detectors is hereby amended to read as follows:

907.3.1 Duct smoke detectors. Smoke detectors installed in ducts shall be listed for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be connected to the building's fire alarm control unit when a fire alarm system is installed. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at a constantly attended location and shall perform the intended fire safety function in accordance with this code and the California Mechanical Code. Duct smoke detectors shall not be used as a substitute for required open area detection.

Exception:

1. In occupancies not required to be equipped with a fire alarm system, actuation of a smoke detector shall activate a visible and an audible signal in an approved location. Smoke detector trouble conditions shall activate a visible or audible signal in an approved location and shall be identified as air duct detector trouble.

Section 907.5.2.2 Emergency voice/alarm communication system is hereby amended to read as follows.

907.5.2.2 Emergency voice/alarm communication system. Emergency voice/alarm communication systems required by this code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler water-flow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information and directions for a general or staged evacuation in accordance with the building's plans required by Section 404. In high-rise buildings having occupied floors located more than 55 feet, and Group I-2 occupancies having floors located more than 55 feet above the lowest level fire department vehicle access, the system shall operate on a minimum of the alarming floor, the floor above and the floor below. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

1. Elevator groups.
2. Exit stairways.
3. Each floor.
4. Areas of refuge as defined in Section 1002.1.
5. Dwelling Units in apartment houses.
6. Hotel guest rooms or suites.

Exception: In Group I-1 and R-2.1 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

Section 907.6.3.2 High-rise buildings is hereby amended to read as follows.

907.6.3.2 High-rise buildings. High-rise buildings and Group I-2 occupancies having occupied floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water-flow devices.
3. Manual fire alarm boxes
4. Other approved types of automatic detection devices or suppression systems.

Section 907.6.5 Monitoring is revised as follows

907.6.5 Monitoring. Fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved supervising station in accordance with NFPA 72, this section, and per Orange County Fire Authority Guideline "New and Existing Fire Alarm & Signaling Systems."

15.08.100 Chapter 11 Construction Requirements for Existing Buildings – amendments.

Chapter 11 Construction Requirements for Existing Buildings. Adopt only those Sections and Subsections listed below:

1103.7

1103.7.3

1103.7.3.1

1103.7.8 – 1103.7.8.2

1103.7.9 – 1103.7.9.10

1103.8 – 1103.8.5.3

1106

15.110.0 Chapter 20 Aviation Facilities – amendments

Section 2008 Emergency Helicopter Landing Facilities (EHLF) is hereby added to read as follows:

SECTION 2008 Emergency Helicopter Landing Facility (EHLF)

2008.1 General. Every building of any type of construction or occupancy having floors used for human occupancy located more than 75 ft above the lowest level of the fire department vehicle access shall have a rooftop emergency helicopter landing facility (EHLF) in a location approved by the fire code official for use by fire, police, and emergency medical helicopters only.

2008.1.1 Rooftop Landing Pad. The landing pad shall be 50 ft. x 50 ft. or a 50 ft. diameter circle that is pitched or sloped to provide drainage away from access points and passenger holding areas at a slope of 0.5 percent to 2 percent. The landing pad surface shall be constructed of approved non-combustible, nonporous materials. It shall be capable of supporting a helicopter with a maximum gross weight of 15,000 lbs. For structural design requirements, see California Building Code.

2008.1.2 Approach-Departure Path. The emergency helicopter landing facility shall have two approach-departure paths separated from each other by at least 90 degrees. No objects shall penetrate above the approach-departure paths. The approach-departure path begins at the edge of the landing pad, with the same width or diameter as the landing pad and rises outward and upward at a ratio of eight feet horizontal distance for every one foot of vertical height.

2008.1.3 Safety Area. The safety area is a horizontal plane level with the landing pad surface and shall extend 25 ft in all directions from the edge of the landing pad. No objects shall penetrate above the plane of the safety area.

2008.1.4 Safety Net. If the rooftop landing pad is elevated more than 30 in. (2'-6") above the adjoining surfaces, a 6 ft in wide horizontal safety net capable of supporting 25 lbs/psf shall be provided around the perimeter of the landing pad. The inner edge of the safety net attached to the landing pad shall be slightly dropped (greater than 5 in. but less than 18 in.) below the pad elevation. The safety net shall slope upward but the outer safety net edge shall not be above the

elevation of the landing pad.

2008.1.5 Take-off and Landing Area. The takeoff and landing area shall be free of obstructions and 100 ft x 100 ft. or 100 ft. diameter.

2008.1.6 Wind Indicating Device. An approved wind indicating device shall be provided but shall not extend into the safety area or the approach-departure paths.

2008.1.7 Special Markings. The emergency helicopter landing facility shall be marked as indicated in Figure 2008.1.7

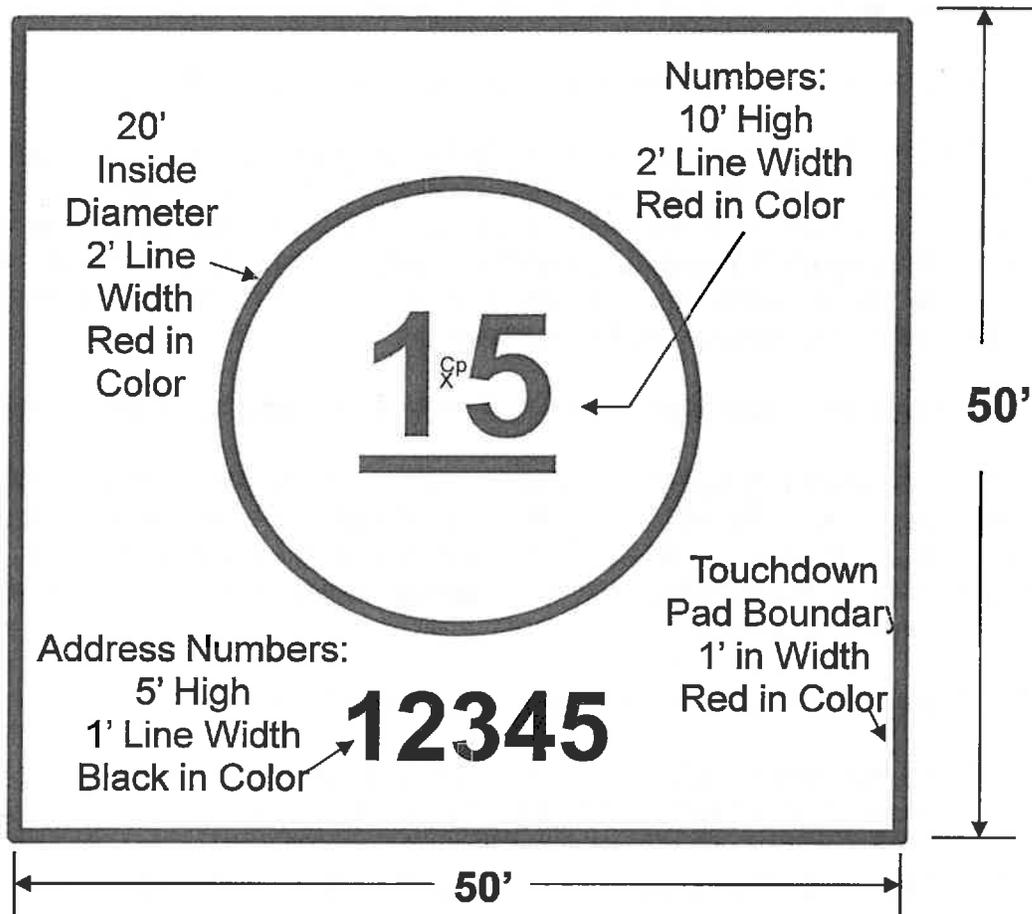
2008.1.8 EHLF Exits. Two stairway exits shall be provided from the landing platform area to the roof surface. For landing areas less than 2,501 square feet in area, the second exit may be a fire escape or ladder leading to the roof surface below. The stairway from the landing facility platform to the floor below shall comply with CFC 1009.7.2 for riser height and tread depth. Handrails shall be provided, but shall not extend above the platform surface.

2008.1.9 Standpipe systems. The standpipe system shall be extended to the roof level on which the EHLF is located. All portions of the EHLF area shall be within 150 feet of a 2.5-inch outlet on a Class I or III standpipe.

2008.1.10 Fire extinguishers. A minimum of one portable fire extinguisher having a minimum 80-B:C rating shall be provided and located near the stairway or ramp to the landing pad. The fire extinguisher cabinets shall not penetrate the approach-departure paths, or the safety area. Installation, inspection, and maintenance of extinguishers shall be in accordance with Section 906.

2008.1.11 EHLF. Fueling, maintenance, repairs, or storage of helicopters is prohibited.

Figure 2008.1.2 Helicopter Landing Pad Markings



1. The preferred background is white or tan.
2. The circled center number indicates the allowable weight that the facility is capable of supporting in thousands of pounds.
3. The numbers shall be orientated towards the preferred flight (typically facing the prevailing wind)

15.08.120 Chapter 28 Lumber Yards and Woodworking Facilities – amendments.

Section 2801.2 Permit is hereby amended to read as follows:

2801.2 Permit. Permits shall be required as set forth in Section 105.6. For Miscellaneous Combustible Storage Permit, see Section 105.6.29.

Section 2808.2 Storage site is hereby amended to add a definition read as follows:

Storage Site.

Section 2808.3 Size of piles is hereby amended to read as follows:

2808.3 Size of piles. Piles shall not exceed 15 feet (4572 mm) in height, 50 feet (15 240 mm) in width and 100 feet (30 480 mm) in length.

Section 2808.7 Pile fire protection is hereby amended to read as follows:

2808.7 Pile fire protection. Automatic sprinkler protection shall be provided in conveyor tunnels and combustible enclosures that pass under a pile. Combustible conveyor systems and enclosed conveyor systems shall be equipped with an approved automatic sprinkler system. Oscillating sprinklers with a sufficient projectile reach are required to maintain a 40% to 60% moisture content and wet down burning/smoldering areas.

Section 2808.9 Material-handling equipment, is hereby amended to read as follows:

2808.9 Material-handling equipment. All material handling equipment operated by an internal combustion engine shall be provided and maintained with an approved spark arrester. Approved material-handling equipment shall be available for moving wood chips, hogged material, wood fines and raw product during fire-fighting operations.

Section 2808.11 Temperature control, is hereby added to read as follows:

2808.11 Temperature control. The temperature shall be monitored and maintained as specified in Sections 2808.11.1 and 2808.11.2.

Section 2808.11.1 Pile temperature control, is hereby added to read as follows:

2808.11.1 Pile temperature control. Piles shall be rotated when the internal temperature readings are in excess of 165 degrees Fahrenheit.

Section 2808.11.2 New material temperature control, is hereby added to read as follows:

2808.11.2 New material temperature control. New loads delivered to the facility shall be inspected and tested at the facility entry prior to taking delivery. Material with temperature exceeding 165 degrees Fahrenheit shall not be accepted on the site. New loads shall be monitored to verify that the temperature remains stable.

15.08.130 Chapter 49 Requirements for Wildland-Urban Interface Fire Areas – amendments.

Section 4906.3 Requirements is hereby amended by adding Section “(5)” to read as follows:

(5) OCFA Vegetation Management Guidelines.

Section 4908 Fuel Modification Requirements for New Construction is hereby added to read as follows:

4908 Fuel Modification Requirements for New Construction. All new buildings to be built or installed in hazardous fire areas shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official concurrent with the submittal for approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.
 - 2.1 The fuel modification plan shall include provisions for the maintenance of the fuel modification for perpetuity.
3. The fuel modification plans shall meet the criteria set forth in the Fuel Modification Section of the Orange County Fire Authority Vegetation Management Guidelines.
4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall have prior approval from the fire code official.
5. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

15.08.140 Chapter 50 Hazardous Materials – General Provisions – amendments.

Section 5001.5.2 Hazardous Materials Inventory Statement (HMIS) is hereby amended to read as follows:

5001.5.2 Hazardous Materials Inventory Statement (HMIS). Where required by the *fire code official*, an application for a permit shall include Orange County Fire Authority's Chemical Classification Packet which shall be completed and approved prior to approval of plans, and/or the storage, use or handling of chemicals on the premises. The Chemical Classification Packet shall include the following information:

1. Product Name
2. Component
3. Chemical Abstract Service (CAS) number
4. Location where stored or used.
5. Container size
6. Hazard classification
7. Amount in storage
8. Amount in use-*closed* systems
9. Amount in use-*open* systems.

Table 5003.1.1(1) Maximum Allowable Quantity per Control Area of Hazardous Materials Posing a Physical Hazard is hereby amended by deleting Footnote K.

Section 5003.1.1.1 Extremely Hazardous Substances is hereby added to read as follows:

5003.1.1.1 Extremely Hazardous Substances. No person shall use or store any amount of extremely hazardous substances (EHS) in excess of the disclosable amounts (see Health and Safety Code Section 25500 et al) in a residential zoned or any residentially developed property.

Section 5003.5 Hazard identification signs is hereby amended to read as follows:

5003.5 Hazard identification signs. Unless otherwise exempted by the fire code official, visible hazard identification signs as specified in the Orange County Fire Authority Signage Guidelines for the specific material contained shall be placed on stationary containers and above-ground tanks and at entrances to locations where hazardous materials are stored, dispensed, used or handled in quantities requiring a permit and at specific entrances and locations designated by the fire code official.

15.08.150 Chapter 55 Cryogenic Fluids – amendments.

Section 5503.4.1 Identification signs is hereby amended to read as follows:

5503.4.1 Identification signs. Visible hazard identification signs in accordance with the Orange County Fire Authority Signage Guidelines shall be provided at entrances to buildings or areas in which cryogenic fluids are stored, handled or used.

15.08.160 Chapter 56 Explosives and Fireworks – amendments.

Section 5601.2 Retail Fireworks is hereby added to read as follows:

5601.2 Retail Fireworks. The storage, use, sale, possession, and handling of fireworks 1.4G (commonly referred to as Safe & Sane) and fireworks 1.3G is prohibited.

Exception – Fireworks 1.4G and fireworks 1.3G may be part of an electrically fired public display when permitted and conducted by a licensed pyrotechnic operator

Section 5601.3 Seizure of Fireworks is hereby added to read as follows:

5601.3 Seizure of Fireworks. The fire code official shall have the authority to seize, take, remove all fireworks stored, sold, offered for sale, used or handled in violation of the provisions of Title 19 CCR, Chapter 6. Any seizure or removal

pursuant to this section shall be in compliance with all applicable statutory, constitutional, and decisional law.

Section 5602 Explosives and blasting is hereby added to read as follows:

5602 Explosives and blasting. Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within wildland-urban interface areas, or hazardous fire areas except by permit from the fire code official.

Section 5608.1 General is hereby amended to read as follows:

5608.1 General. Outdoor fireworks displays, use of pyrotechnics before a proximity audience and pyrotechnic special effects in theatrical, and group entertainment productions, shall comply with California Code of Regulations, Title 19 , Division 1, Chapter 6 – Fireworks, the Orange County Fire Authority Guidelines for Public Fireworks Displays, and with the conditions of the permit as approved by the fire code official.

Section 5608.2 Firing is hereby added to read as follows:

5608.2 Firing. All fireworks displays shall be electrically fired.

15.08.170 Chapter 57 Flammable and Combustible Liquids – amendments.

Section 5704.2.3.2 Label or placard is hereby amended to read as follows:

5704.2.3.2 Label or placard. Tanks more than 100 gallons (379 L) in capacity, which are permanently installed or mounted and used for the storage of Class I, II or III liquids, shall bear a label and placard identifying the material therein. Placards shall be in accordance with the Orange County Fire Authority Signage Guidelines.

15.08.180 Chapter 60 Highly Toxic and Toxic Materials – amendments.

Section 6004.2.2.7 Treatment system is hereby amended to read as follows:

Exception:

1. Toxic gases – storage/use. Treatment systems are not required for toxic gases supplied by cylinders or portable tanks not exceeding 1,700 pounds (772 Kg) water capacity when the following are provided:

1.1 A listed or approved gas detection system with a sensing interval not exceeding 5 minutes.

1.2 For storage, valve outlets are equipped with gas-tight outlet plugs or caps.

1.3 For use, a listed and approved automatic-closing fail-safe valve located immediately adjacent to cylinder valves. The fail-safe valve shall close when gas

is detected at the permissible exposure limit (PEL) by a gas detection system monitoring the exhaust system at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure or gas room. The gas detection system shall comply with Section 6004.2.2.10.

15.08.190 Chapter 80 Referenced Standards – amendments.

NFPA 13, 2013 Edition, Standards for Installation of Sprinkler Systems is hereby amended to read as follows:

Section 6.8.3 is hereby amended to read as follows:

6.8.3 Fire department connections (FDC) shall be of an approved type. The FDC shall contain a minimum of two 2 ½" inlets. The location shall be approved and be no more than 150 feet from a public hydrant. The FDC may be located within 150 feet of a private fire hydrant when approved by the fire code official.

The size of piping and the number of inlets shall be approved by the fire code official. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red.

When the fire sprinkler density design requires 500 gpm (including inside hose stream demand) or greater, or a standpipe system is included, four 2 ½" inlets shall be provided.

Section 8.3.3.1 is hereby amended to read as follows:

8.3.3.1. When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S occupancies), fire sprinklers of the quick-response type shall be used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the fire sprinkler plan is submitted. Sprinklers in light hazard occupancies shall be one of the following:

1. Quick-response type as defined in 3.6.4.7
2. Residential sprinklers in accordance with the requirements of 8.4.5
3. Standard-response sprinklers used for modifications or additions to existing light hazard systems equipped with standard-response sprinklers
4. Standard-response sprinklers used where individual standard-response sprinklers are replaced in existing light hazard systems

Section 8.17.1.1.1 is hereby added to read as follows:

8.17.1.1.1 Residential Waterflow Alarms. A local water-flow alarms shall be provided on all sprinkler systems and shall be connected to the building fire alarm or water-flow monitoring system where provided. Group R occupancies not requiring a fire alarm system by the California Fire Code shall be provided with a minimum of one approved interior alarm device in each unit. Sound levels in all sleeping areas shall be a minimum of 15 DBA above the average ambient sound or a minimum of 75 DBA with all intervening doors closed. Alarms shall be audible within all other living areas within each dwelling unit. When not connected to a fire alarm or water-

flow monitoring system, audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

Section 11.1.1.2 is hereby added to read as follows:

11.1.1.2 When fire sprinkler systems are required in buildings of undetermined use other than warehouses, they shall be designed and installed to have a fire sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with no reduction/s in density or design area. Warehouse fire sprinkler systems shall be designed to Figure 16.2.1.3.2 (d) curve "G". Use is considered undetermined if a specific tenant/occupant is not identified at the time the sprinkler plan is submitted. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the occupant to upgrade the system to the required density for the new occupancy.

Section 11.2.3.1.1.1 is hereby added to read as follows:

11.2.3.1.1.1 The available water supply for fire sprinkler system design shall be determined by one of the following methods, as approved by the Fire Code Official:

1. Subtract the project site elevation from the low water level for the appropriate pressure zone and multiplying the result by 0.433;
2. Use a maximum of 40 psi, if available;
3. Utilize the Orange County Fire Authority water-flow test form/directions to document a flow test conducted by the local water agency or an approved third party licensed in the State of California.

Section 23.2.1.1 is hereby revised to read as follows:

Section 23.2.1.1 Where a waterflow test is used for the purposes of system design, the test shall be conducted no more than 6 months prior to working plan submittal unless otherwise approved by the authority having jurisdiction.

NFPA 13R, 2010 Edition, Installation of Sprinkler System in Residential Occupancies up to and Including Four Stories in Height is hereby amended to read as follows:

Section 6.16.1 is hereby revised to read as follows:

6.16.1 A local water-flow alarm shall be provided on all sprinkler systems and shall be connected to the building fire alarm or water-flow monitoring system where provided. Group R occupancies containing less than the number of stories, dwelling units or occupant load specified in Section 907.2.8 of the 2013 California Fire Code as requiring a fire alarm system shall be provided with a minimum of one approved interior alarm device in each unit. Sound levels in all sleeping areas shall be a minimum of 15 dBA above the average ambient sound or a minimum of 75 dBA with all intervening doors closed whichever is greater.

Alarms shall be audible within all other living areas within each dwelling unit. When not connected to a fire alarm or water-flow monitoring system, audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

There shall also be a minimum of one exterior alarm indicating device, listed for outside service and audible from the access roadway that serves that building.

NFPA 13D 2013 Edition Standards for the Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes is hereby amended to read as follows:

Section 4.1.3 is hereby added to read as follows:

4.1.3 Stock of Spare Sprinklers

4.1.3.1. A supply of at least two sprinklers for each type shall be maintained on the premises so that any sprinklers that have operated or been damaged in any way can be promptly replaced.

4.1.3.2 The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property.

4.1.3.3 The sprinklers shall be kept in a cabinet located where the temperature to which they are subjected will at no time exceed 100 °F (38°C).

4.1.3.4 A special sprinkler wrench shall be provided and kept in the cabinet to be used in the removal and installation of sprinklers. One sprinkler wrench shall be provided for each type of sprinkler installed.

Section 7.1.2 is hereby amended to read as follows:

7.1.2 The system piping shall not have a separate control valve unless supervised by a central station, proprietary or remote station alarm service.

Section 7.6 is hereby amended to read as follows:

7.6 Alarms Exterior alarm indicating device shall be listed for outside service and audible from the street from which the house is addressed. Exterior audible devices shall be placed on the front or side of the structure and the location subject to final approval by the fire code official. Additional interior alarm devices shall be required to provide 55 dBA or 15 dBA above ambient, whichever is greater. Sound levels in all sleeping areas with all intervening doors closed shall be a minimum of 15 dBA above the average ambient sound level but not less than 75 dBA whichever is greater. Audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

Exception:

1. When an approved water flow monitoring system is installed, interior audible devices may be powered through the fire alarm control panel.
2. When smoke detectors specified under CBC Section 907.2.11 are used to sound an alarm upon waterflow switch activation.

Section 8.6.4.2 is hereby added to read as follows:

8.6.4.2 All attics shall be protected with an intermediate temperature quick response sprinkler which shall be located to protect attic penetrations created by the access scuttles or mechanical equipment

NFPA 14, 2013 Edition, Installation of Standpipe and Hose Systems is hereby amended to read as follows:

Section 7.3.1.1 is hereby amended to read as follows:

7.3.1.1 Class I and III Standpipe hose connections shall be unobstructed and shall be located not less than 18 inches, or more than 24 inches above the finished floor. Class II Standpipe hose connections shall be unobstructed and shall be located not less than 3 feet or more than 5 feet above the finished floor.

NFPA 24, 2013 Edition, Standards for the Installation of Private Fire Service Mains and Their Appurtenances is hereby amended to read as follows:

Section 6.2.1.1 is hereby added to read as follows:

6.2.1.1 The closest upstream indicating valve to the riser shall be painted OSHA red.

Section 6.2.11 (5) is hereby deleted without replacement and (6) and (7) renumbered:

- (5) Control Valves installed in a fire-rated room accessible from the exterior.
- (6) Control valves in a fire-rated stair enclosure accessible from the exterior as permitted by the authority having jurisdiction.

Section 6.3.3 is hereby added to read as follows:

Section 6.3.3 All post indicator valves controlling fire suppression water supplies shall be painted OSHA red.

Section 10.1.6.3 is hereby added to read as follows:

10.1.6.3 All ferrous pipe shall be coated and wrapped. Joints shall be coated and wrapped after assembly. All fittings shall be protected with a loose 8-mil polyethylene tube. The ends of the tube shall extend past the joint by a minimum

of 12 inches and be sealed with 2 inch wide tape approved for underground use. Galvanizing does not meet the requirements of this section.

Exception: 304 or 316 Stainless Steel pipe and fittings

Section 10.3.6.2 is hereby revised to read as follows:

10.3.6.2 All bolted joint accessories shall be cleaned and thoroughly coated with asphalt or other corrosion-retarding material, prior to poly-tube, and after installation.

Exception: Bolted joint accessories made from 304 or 316 stainless steel.

Section 10.3.6.3 is hereby added to read as follows:

10.3.6.3 All bolts used in pipe-joint assembly shall be 316 stainless steel.

Section 10.6.3.1 is hereby amended to read as follows:

10.6.3.1 Where fire service mains enter the building adjacent to the foundation, the pipe may run under a building to a maximum of 24 inches, as measured from the interior face of the exterior wall to the center of the vertical pipe. The pipe under the building or building foundation shall be 304 or 316 stainless steel and shall not contain mechanical joints or it shall comply with 10.6.2.

Section 10.6.4 is hereby amended to read as follows:

10.6.4 Pipe Joints shall not be located under foundation footings. The pipe under the building or building foundation shall be 304 or 316 stainless steel and shall not contain mechanical joints.

15.08.200 Appendix A Board of Appeals – deleted.

Appendix A Board of Appeals is hereby deleted in its entirety.

15.08.210 Appendix B Fire-Flow Requirements for Buildings – adopted.

Appendix B Fire-Flow Requirements for Buildings is hereby adopted.

15.04.220 Appendix BB Fire-Flow Requirements for Buildings – adopted.

Appendix BB Fire-Flow Requirements for Buildings is hereby adopted.

15.08.230 Appendix C Fire Hydrant Locations and Distribution – adopted.

Appendix C Fire Hydrant Locations and Distribution is hereby adopted.

15.08.240 Appendix CC Fire Hydrant Locations and Distribution -- adopted.

Appendix CC Fire Hydrant Locations and Distribution is hereby adopted.

15.08.250 Appendix D Fire Apparatus Access Roads – deleted.

Appendix D Fire Apparatus Access Roads is hereby deleted in its entirety.

15.08.260 Appendix E Hazard Categories – deleted.

Appendix E Hazard Categories is hereby deleted in its entirety.

15.08.270 Appendix F Hazard Ranking – deleted.

Appendix F Hazard Ranking is hereby deleted in its entirety.

15.08.280 Appendix G Cryogenic Fluids – Weight and Volume Equivalents – deleted.

Appendix G Cryogenic Fluids – Weight and Volume Equivalents is hereby deleted in its entirety.

15.08.290 Appendix H Hazardous Materials Management Plans and Hazardous Materials Inventory Statements – deleted.

Appendix H Hazardous Materials Management Plans and Hazardous Materials Inventory Statements is hereby deleted in its entirety.

15.08.300 Appendix I Fire Protection Systems – Noncompliant Conditions – deleted.

Appendix I Fire Protection Systems – Noncompliant Conditions is hereby deleted in its entirety.

15.08.310 Appendix J Building Information Sign – deleted.

Appendix J Building Information Sign is hereby deleted in its entirety.

15.08.320 Appendix K Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses – deleted.

Appendix K Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses is hereby deleted in its entirety.

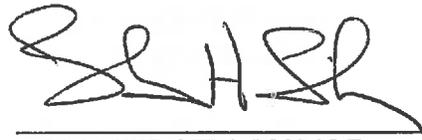
Section 3. Ordinance No. 2010-953 is hereby repealed in its entirety.

Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk's Office within five (5) working days of the approval of this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

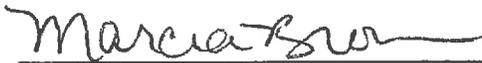
Section 6. Effective Date. This ordinance shall take effect on January 1, 2014. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 19th day of November, 2013.



TOM LINDSEY, MAYOR
CITY OF YORBA LINDA

ATTEST:



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

ORDINANCE NO. 2013-990

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.10 TO THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2013 EDITION, WITH CERTAIN APPENDICES AND AMENDMENTS AND REPEALING ORDINANCE NO. 2010-950

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the California Building Standards Code (California Code of Regulations, Title 24) adopting certain uniform codes, including the California Green Building Standards Code, 2013 Edition with certain appendices and amendments; and

WHEREAS, California Health and Safety Code Sections 17958 *et seq.* and 18941.5 authorizes cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Yorba Linda desires to adopt the California Building Standards Code, as adopted by the State of California Green Building Standards Commission in Title 24 of the California Code of Regulations (the "Green Codes"), with certain appendices and amendments to assure the Green Code is tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City Council held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Green Code, as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 17, 2013 and October 24, 2013; 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 YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent that the following changes and modifications to the California Green Building Standards Code, 2013 Edition, are deemed more restrictive than the standards contained therein, thus requiring that findings be made pertaining to local conditions justifying such modifications, the City Council adopted Resolution No. 2013-5208 that found and determined that the following changes and modifications are reasonably necessary due to local conditions.

Section 2. Chapter 15.10 of the Yorba Linda Municipal Code is hereby amended to read as follows:

“CHAPTER 15.10

GREEN BUILDING STANDARDS CODE

Sections:

15.10.010 Green Building Standards Code Adopted.

15.10.020 Chapter 3 Green Building - amendments.

15.10.030 Appendix A4 Residential Voluntary Measures – deleted.

15.10.040 Appendix A5 Nonresidential Voluntary Measures – deleted.

15.10.010. Green Building Standards Code Adopted.

There is hereby adopted by reference, as the Green Building Standards Code, the California Green Building Standards Code, 2013 Edition, with certain appendices and amendments, published by the California Building Standards Commission, one certified copy of which is on file in the office of the City Clerk for public inspection and is adopted with the same force and effect as though set out herein in full. The Green Building Standards Code, 2013 Edition, as adopted herein, is amended as set forth in Section 15.10.020 through 15.10.040.

15.10.020. Chapter 3 Green Building - amendments.

Section 305, CALGreen Tier 1 and CALGreen Tier 2, is hereby deleted in its entirety.

Section 306, Voluntary Measures, is hereby deleted in its entirety.

15.10.030 Appendix A4 Residential Voluntary Measures – deleted.

Appendix A4 Residential Voluntary Measures is hereby deleted in its entirety.

15.10.040 Appendix A5 Nonresidential Voluntary Measures – deleted.

Appendix A5 Nonresidential Voluntary Measures is hereby deleted in its entirety.

Section 3. Ordinance No. 2010-950 is hereby repealed in its entirety.

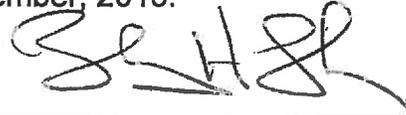
Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards. Thus, the adoption of this ordinance is exempt from the requirements of the

California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk's Office within five (5) working days of the approval of this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall take on January 1, 2014. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 19th day of November, 2013.



TOM LINDSEY, MAYOR
CITY OF YORBA LINDA

APPROVED AS TO FORM
BY THE CITY CLERK
ON 11/19/13

ATTEST:

THE CITY CLERK OF THE CITY OF YORBA LINDA
DOES HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE
RESOLUTION AS APPROVED BY THE CITY COUNCIL ON 11/19/13.



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

APPROVED AS TO FORM
BY THE CITY CLERK
ON 11/19/13

APPROVED AS TO FORM:
RUTAN & TUCKER LLP



CITY ATTORNEY

ORDINANCE NO. 2013-991

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.28 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE UNIFORM SOLAR ENERGY CODE, 2012 EDITION, WITH AMENDMENTS, DELETING APENDICES AND REPEALING ORDINANCE NO. 2011-956

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the Uniform Solar Energy Code, 2012 Edition, published by the International Association of Plumbing and Mechanical Officials, with certain amendments and deleting appendices; and

WHEREAS, California Health and Safety Code Section 17958 *et seq.* and 18941.5 authorizes cities to adopt codes with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Yorba Linda desires to adopt the Uniform Solar Energy Code, 2012 Edition, with amendments and deleting appendices to assure the Codes are tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City Council held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Uniform Solar Energy Code, 2012 Edition, as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 17, 2013 and October 24, 2013; 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 YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent legally necessary, that the following changes and modifications to the Uniform Solar Energy Code, 2012 Edition, that are more restrictive than the standards contained therein are justified by local conditions and reasonably necessary as outlined and determined in City Council Resolution No. 2013-5208.

Section 2. Chapter 15.28 of the Yorba Linda Municipal Code is amended in its entirety to read as follows:

CHAPTER 15.28
SOLAR ENERGY CODE

Sections:

- 15.28.010** Uniform Solar Energy Code Adopted.
- 15.28.020** Chapter 1, Administration – Amended.
- 15.28.030** Chapter 7, Collectors – Amended.
- 15.28.040** Chapter 10, Electrical – Amended.
- 15.28.050** Appendix A, Engineered Solar Energy Systems – Deleted.
- 15.28.060** Appendix B, Solar Photovoltaic System Installation Guidelines – Deleted.
- 15.28.070** Appendix C, Supplemental Checklist for Solar Photovoltaic Systems - Deleted.

15.28.010. Document Adopted.

There is hereby adopted by reference, as the Solar Energy Code of the City, the Uniform Solar Energy Code, 2012 Edition, with certain amendments, published by the International Association of Plumbing and Mechanical Officials, one certified copy of which is on file in the office of the City Clerk for public inspection, and is adopted with the same force and effect as though set out herein in full. The Uniform Solar Energy Code, 2012 Edition, as adopted herein, is amended as set forth in Section 15.28.020 through 15.28.070

15.28.020. Chapter 1, Administration – Amended

Section 104.3.2 Plan Review Fees, the third paragraph is amended to read as follows:

Where plans are incomplete or changed so as to require additional review, an additional plan review fee shall be charged as established by resolution adopted by the City Council.

Section 104.3.4 Time Limitation of Application, is amended to read as follows:

104.3.4 Time limitation of applications. An application for which no permit is issued within 180 days following the date of application shall automatically expire, and plans and other data 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 not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application.

Section 104.4.3 Expiration, is amended to read as follows:

104.4.3 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days any time after the work is commenced. The suspension or abandonment of work shall be defined as failing to obtain a formal approval of any required inspection as specified in Section 105.2 of this code within a 180 day time period. The Building Official is authorized to grant, in writing, no more than two (2) extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 104.4.4 Extensions, is amended to read as follows:

104.4.4 Extensions.

104.4.4.1 Extension of an Application. An application for a permit may only be extended if a written request for an extension is received prior to the expiration of the permit application and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. Payment of the \$250 application fee shall not automatically grant an extension. Permit application extensions shall not be granted after the expiration of the original permit application and payment of plan review fees. Full plan review fees as set forth in the fee resolution adopted by the City Council shall be paid should the permit application expire.

104.4.4.2 Extension of a Permit. A permit may only be extended, with no additional permit fees charged, if a written request for an extension is received prior to the expiration of the permit and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. No additional permit fees, other than the application fee of \$250, shall be charged. Payment of the \$250 application fee shall not automatically grant an extension. Permits which have become invalid shall pay a renewal fee of 50% of the original permit fee when the permit has been expired for up to one (1) year. When a permit has been expired for a period in excess of one (1) year, the renewal fee shall be 100% of the original permit fee.

Section 104.5 Fees, is amended to read as follows:

103.5 Fees. Fees shall be assessed in accordance with the provisions of this section and as established by resolution adopted by the City Council at the rate provided for each classification shown therein.

Section 104.5.2 Fees, is amended to read as follows:

104.5.2 Investigation Fees; Work Without Permits

104.5.2.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

104.5.2.2 Fee. An investigation fee, in addition to the permit, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

104.5.2.3 The investigation fee shall not apply to emergency work when it shall be demonstrated to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefore before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, an investigation fee as herein provided shall be charged.

Section 104.5.3, Fee Refunds, is amended to read as follows:

104.5.3 Fee Refunds. The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

104.5.3.1 The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

104.5.3.2 The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

104.5.3.3 The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 105.2.6 Reinspectons, is hereby amended to read as follows:

105.2.6 Reinspections: The Authority Having Jurisdiction shall have the authority to assess a reinspection fee for each inspection or reinspection when such portion of

work for which inspection is requested is not complete or when required corrections have not been made. Reinspection fees may also be assessed when the approved plans are not readily available to the inspector, or failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the Building Official.

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

To obtain reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee established by resolution adopted by the City Council.

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

Section 105.2.7 is added to read as follows:

105.2.7 Extra inspections: When extra inspections are necessary by reason of deficient or defective work, or otherwise through fault or error on the part of the holder of the permit or on the part of his employees, only one such extra inspection shall be made under the regular fees as herein prescribed; and the holder of the permit shall be entirely responsible for each and every subsequent extra visit or inspection. A reinspection fee shall be paid for every subsequent extra visit or inspection. The reinspection fee shall be established by resolution adopted by the City Council

Table 104.5, Solar Energy System Permit Fees, is deleted in its entirety.

Section 107.0 Board of Appeals, is deleted in its entirety.

15.28.030. Chapter 7, Collectors - Amended.

Section 703.1 is amended to read as follows:

703.1 Panels shall be anchored to roof structures or other surfaces in a manner to resist wind and seismic loadings in compliance with the Building Code. Anchors secured to and through the roofing material shall be made in a manner to maintain the water integrity of the roof covering. Roof drainage shall not be impaired by the installation of collectors. Solar photo voltaic panels that are not an integral part of the roofing system shall be installed with a three (3) inch minimum clearance from the roof surface in order to preserve the integrity of the roof surface."

15.28.040. Chapter 10, Electrical – Amended.

Chapter 10 in its entirety. All references to the National Electrical Code or NFPA 70 in Chapter 10 are hereby amended to mean the 2013 Edition of the California Electrical Code as adopted by the City.

15.28.050. Appendix A, Engineered Solar Energy Systems – Deleted.

Appendix A Engineered Solar Energy Systems is hereby deleted.

15.28.060. Appendix B, Solar Photovoltaic System Installation Guidelines – Deleted.

Appendix B Solar Photovoltaic System Installation Guidelines is hereby deleted.

15.28.070. Appendix C, Supplemental Checklist for Solar photovoltaic Systems – Deleted.

Appendix C Supplemental Checklist for Solar Photovoltaic Systems is hereby deleted.

Section 3. Ordinance No. 2011-956 is hereby repealed in its entirety.

Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk’s Office within five (5) working days of the approval of this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

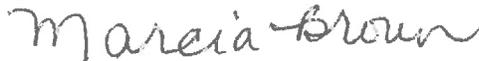
Section 6. Effective Date. This ordinance shall take effect thirty days after its adoption or on January 1, 2014, whichever is later. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 19th day of November, 2013.



TOM LINDSEY, MAYOR
CITY OF YORBA LINDA

ATTEST:



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

APPROVED AS TO FORM:
RUTAN & TUCKER, LLP



CITY ATTORNEY

STATE OF CALIFORNIA)

COUNTY OF ORANGE)

ss.

I, **MARCIA BROWN**, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 19th day of November, 2013, and was carried by the following roll call vote:

AYES: COUNCILMEMBERS: Anderson, Hernandez, Lindsey, Schwing, Young
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

STATE OF CALIFORNIA
COUNTY OF ORANGE
CITY OF YORBA LINDA

I, **MARCIA BROWN**, CITY CLERK, DO CERTIFY THAT THIS IS A FULL, TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE OF THE CITY CLERK.



MARCIA BROWN
CITY CLERK

ORDINANCE NO. 2013-992

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.32 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE UNIFORM SWIMMING POOL, SPA & HOT TUB CODE, 2012 EDITION WITH AMENDMENTS, DELETING CERTAIN APPENDICES, AND REPEALING ORDINANCE NO. 2011-955

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the Uniform Swimming Pool, Spa & Hot Tub Code, 2012 Edition, published by the International Association of Plumbing and Mechanical Officials, with certain amendments; and

WHEREAS, California Health and Safety Code Section 17958 *et seq.* and 18941.5 authorizes cities to adopt codes with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Yorba Linda desires to adopt the Uniform Swimming Pool, Spa & Hot Tub, 2012 Edition, with certain appendices and amendments to assure the Codes are tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City Council held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Uniform Swimming Pool, Spa & Hot Tub Code, 2012 Edition, as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 17, 2013 and October 24, 2013 ; 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 YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent legally necessary, that the following changes and modifications to the Uniform Swimming Pool, Spa & Hot Tub Code, 2012 Edition, that are more restrictive than the standards contained therein are justified by local conditions and reasonably necessary as outlined and determined in City Council Resolution No. 2013-5208.

Section 2. Chapter 15.32 of the Yorba Linda Municipal Code is amended to read as follows:

CHAPTER 15.32
SWIMMING POOLS, SPAS AND HOT TUBS

Sections:

- 15.32.010 Uniform Swimming Pool, Spa and Hot Tub Code Adopted.**
- 15.32.020 Chapter 1, Administration - Amendments**
- 15.32.030 Section 509.0, Wastewater Disposal - Amended**
- 15.32.040 Section 603.0, Electrical Systems – Amended**
- 15.32.050 Chapter 9, Safety – Deleted**
- 15.32.060 Appendix A Water Chemistry - Deleted**
- 15.32.070 Appendix B Sizing of Venting Systems and Combination
Indoor/Outdoor Combustion and Ventilation Openings – Deleted**
- 15.32.080 Appendix C Energy Efficiency - Deleted**

15.32.010. Uniform Swimming Pool, Spa & Hot Tub Code Adopted.

There is hereby adopted by reference, as the Swimming Pool, Spa & Hot Tub Code of the City, the Uniform Swimming Pool, Pa & Hot Tub Code, 2012 Edition, with certain appendices and amendments, published by the International Association of Plumbing and Mechanical Officials, one certified copy of which is on file in the office of the City Clerk for public inspection, and is adopted with the same force and effect as though set out herein in full. The Uniform Swimming Pool, Spa & Hot Tub Code, 2012 Edition, as adopted herein, is amended as set forth in Sections 15.32.020 through 15.32.080.

15.32.020. Chapter 1, Administration - Amendments

Section 102.4, first paragraph, is amended to read as follows:

102.4 Additions, Alterations, or Repairs. Additions, alterations, renovations, or repairs to a swimming pool, spa, or hot tub system shall conform to that required for a new system. When the scope of the addition, alteration, renovation, or repair to a swimming pool, spa, or hot tub system is in excess of re-plastering, repairing plaster and repair or replacement of the tile in the swimming pool, spa, or hot tub, the entire pool and the required pool safety enclosure shall be made to conform to the requirements for a new swimming pool, spa, or hot tub as adopted by the jurisdiction. Additions, alterations, renovations, or repairs shall not cause an existing system to become unsafe, insanitary, or overloaded.

Section 104.3.2, third paragraph, is amended to read as follows:

When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged as established by resolution adopted by the City Council.

Section 104.3.3.1 is amended to read as follows:

104.3.3.1 Plot Plans. The plans shall be provided with the following information. Such plans shall be drawn to a scale of not less than one-eighth (1/8) inch per foot.

- (1) Property lines, easements, right-of-way of record, abandoned or active oil wells and overhead utilities adjacent to pool area or over the property.
- (2) All existing and proposed structures, patio covers, pool houses, cabanas, pool slides, grotto structures, fireplaces, fencing, retaining walls, and other relevant characteristics adjacent to pool, spa, or hot tub area.
- (3) The proposed pool, spa or hot tub shape, dimensioned and located to show property line setbacks, side yards setbacks, and dimensioned clearances from all existing and proposed structures.
- (4) The proposed mechanical equipment location, with dimensions to all property lines and structures. The equipment shall be located at least fifteen (15) feet from any habitable opening of a structure on an adjacent property. The size, location and materials for gas, electrical and water services to the pool equipment shall be shown on the plan.
- (5) All deck equipment items, if included.
- (6) The proposed deck work with dimensions and configuration, showing its drainage;
- (7) The overall drainage of the pool site.
- (8) The location, overall height and degree of slope for all ascending and descending slopes with dimensions from the pool or spa to the slope. The pool, spa or hot tub design shall conform to Section 1808.7 of the California Building Code for foundations on or adjacent to slopes
- (9) Such plans shall be drawn to a scale of not less than one-eighth (1/8) inch per foot.
- (10) The Site Plan provided shall include only information relevant to the construction of the swimming pool, spa or hot tub and its appurtenant structures and as identified on the permit application. The Site Plan shall not include information and scopes of work for other structures, landscaping, flat work, irrigation systems, retaining walls, barbecues, fireplaces, patio covers, gazebo, pool buildings or similar items not directly associated with the construction of the swimming pool, spa or hot tub.

Section 104.3.3.2 (4) is added to read as follows:

(4) All pool, spa and hot tubs, including the surrounding deck, shall be designed for moderately expansive soil, unless a soil report is provided which verifies a lesser design requirement for the specific site.

Section 104.3.3.3 (9) is added to read as follows:

(9) Water, electrical and gas piping and conduit layouts for special appurtenances i.e. fountains, waterfalls, sinks, showers, bar areas, heaters, fireplaces, gas accent devices, electrical outlets, lighting, fans and outdoor cooking appliances etc.

Section 104.4.3 is amended to read as follows:

104.4.3 Expiration

104.4.3.1 Time limitation of applications. An application for which no permit is issued within 180 days following the date of application shall automatically expire, and plans and other data 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 not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application.

104.4.3.2 Time Limitation of Permits. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days any time after the work is commenced. The suspension or abandonment of work shall be defined as failing to obtain a formal approval of any required inspection as specified in Section R109.1 of this code within a 180 day time period. The Building Official is authorized to grant, in writing, no more than two (2) extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 104.4.4 is amended to read as follows:

104.4.4 Extensions.

104.4.4.1 Extension of an Application. An application for a permit may only be extended if a written request for an extension is received prior to the expiration of the permit application and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an

extension or not shall be based upon the merits of the written request for the extension. Payment of the \$250 application fee shall not automatically grant an extension. Permit application extensions shall not be granted after the expiration of the original permit application and payment of plan review fees. Full plan review fees as set forth in the fee resolution adopted by the City Council shall be paid should the permit application expire.

104.4.4.2 Extension of a Permit. A permit may only be extended, with no additional permit fees charged, if a written request for an extension is received prior to the expiration of the permit and a nonrefundable application fee of \$250 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. No additional permit fees, other than the application fee of \$250, shall be charged. Payment of the \$250 application fee shall not automatically grant an extension. Permits which have become invalid shall pay a renewal fee of 50% of the original permit fee when the permit has been expired for up to one (1) year. When a permit has been expired for a period in excess of one (1) year, the renewal fee shall be 100% of the original permit fee.

Section 104.5 is amended to read as follows:

104.5 Permit Fees. Fees shall be assessed in accordance with the provisions of this section and as established by resolution adopted by the City Council at the rate provided for each classification shown therein.

Section 104.5.1, is amended to read as follows:

104.5.1 Investigation Fees: Work Without a Permit.

104.5.1.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

104.5.1.2 Fee. An investigation fee, in addition to the permit, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

104.5.1.3 The investigation fee shall not apply to emergency work when it shall be demonstrated to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefore before commencement of the work. In all such cases, a permit must be obtained

as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, an investigation fee as herein provided shall be charged.

Section 104.5.3 amended to read as follows:

104.5.3 Fee Refunds. The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

104.5.3.1 The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

104.5.3.2 The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

104.5.3.3 The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 105.2.6 Reinspectons, is hereby amended to read as follows:

105.2.6 Reinspections: The Authority Having Jurisdiction shall have the authority to assess a reinspection fee for each inspection or reinspection when such portion of work for which inspection is requested is not complete or when required corrections have not been made. Reinspection fees may also be assessed when the approved plans are not readily available to the inspector, or failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the Building Official.

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

To obtain reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee established by resolution adopted by the City Council.

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

Section 105.2.7 is added to read as follows:

105.2.7 Extra inspections: When extra inspections are necessary by reason of deficient or defective work, or otherwise through fault or error on the part of the holder of the permit or on the part of his employees, only one such extra inspection shall be made under the regular fees as herein prescribed; and the holder of the

permit shall be entirely responsible for each and every subsequent extra visit or inspection. A reinspection fee shall be paid for every subsequent extra visit or inspection.

Table 104.5 “Swimming Pool, Spa and Hot Tub Permit Fees” is deleted in its entirety from the code and all references to Table 104.5 are amended to read “in accordance with resolution adopted by the City Council.”

Section 107.0, Board of Appeals, is deleted in its entirety.

Section 107.0 is hereby added to read as follows:

107.0 New Pool and Spa Construction Requirements. All new pools must comply with this code. Plans submitted to the City for swimming pools, spas or hot tubs to be constructed shall show compliance with the requirements of this code, and final inspection and approval of all pools or spas hereafter constructed shall be withheld until there has been compliance with all requirements of this code.

- A. Pools shall comply with section 1808.7 of the California Building Code, 2013 Edition, for foundations on or adjacent to slopes.
- B. A deck five (5) feet minimum in width shall surround each pool and slope to drain away from the pool. Deck is measured from water line.
- C. All damage to curbs, gutters, sidewalks, and driveway approaches in the construction of pools shall be repaired prior to the pre-plaster inspection.
- D. An enclosure shall be installed around the pool area and shall comply with Section 3109 of the California Building Code, 2013 Edition, before any pre-plaster inspection of pools and before filling with water for any type of pool, spa or hot tub.

Sections 107.1 is hereby added to read as follows:

107.1 Modification of Requirements. Following written request by the owner, the Building Official may modify or eliminate the requirements of section 107.0 B where, in the judgment of the Building Official, such request is justified and will not result in unsafe conditions. The Building Official may require that evidence or proof in the form of affidavits be submitted to substantiate or justify such requests and may apply reasonable conditions to insure ultimate compliance with section 107.0 in the event of a change of conditions.

15.32.030 Section 509.0, Wastewater Disposal -- amended

Section 509.4 is amended to read as follows:

509.4 Availability of a Public Sewer Waste water from a swimming pool, spa, or hot tub shall be discharged directly into the sanitary sewer. If a sanitary sewer is not

located in the area, dechlorinated waste water that satisfies the following criteria may be discharged on the surface on a case by case basis:

- A. The residual chlorine does not exceed 0.1 mg/l (parts per million).
- B. The pH is between 6.5 and 8.5.
- C. The water is free of any unusual coloration.
- D. There is no discharge of filter media.
- E. There is no discharge of acid cleaning wastes.

Compliance with these criteria can be verified using a pool testing kit. Excess chlorine can be removed by removing the chlorine tablets for a couple of days prior to discharge or by purchasing dechlorinating chemicals from pool supply companies.

No construction material, chemicals or soil shall enter any storm drains or creeks.”

Section 509.5, Used for Irrigation, is deleted in its entirety.

Section 509.6, Drywells, is deleted in its entirety.

Section 509.7, Separation Tanks, is deleted in its entirety.

15.32.040 Section 603.0, Electrical Systems, amended

Section 603.1, General, is amended to read as follows:

603.1 General. The design, installation, alteration, modification, construction, maintenance, and testing of the electrical systems and equipment associated with a swimming pool, spa, or hot tub shall comply with the 2013 Edition of the California Electrical Code.

15.32.050 Chapter 9, Safety -- deleted.

Chapter 9, Safety, is deleted in its entirety

15.32.060 Appendix A, Water Chemistry – deleted.

Appendix Chapter A, Water Chemistry, is deleted in its entirety.

15.32.070 Appendix B, Sizing of Venting Systems and Combination Indoor/Outdoor Combustion and Ventilation Openings – deleted.

Appendix Chapter B, Sizing of Venting Systems and Combination Indoor/Outdoor Combustion and Ventilation Openings is deleted in its entirety.

15.32.080 Appendix C, Energy Efficiency – deleted.

Appendix Chapter C, Energy Efficiency, is deleted in its entirety.

Section 3. Ordinance No. 2011-955 is hereby repealed in its entirety.

Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk's Office within five (5) working days of the approval of this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall take effect on January 1, 2014. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 19th day of November, 2013.



TOM LINDSAY, MAYOR
CITY OF YORBA LINDA

ATTEST:



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

APPROVED AS TO FORM:
RUTAN & TUCKER LLP



CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.

I, **MARCIA BROWN**, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 19th day of November, 2013, and was carried by the following roll call vote:

AYES: COUNCILMEMBERS: Anderson, Hernandez, Lindsey, Schwing, Young
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

STATE OF CALIFORNIA
COUNTY OF ORANGE
CITY OF YORBA LINDA

I, **MARCIA BROWN**, CITY CLERK, DO CERTIFY THAT THIS IS A FULL, TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE OF THE CITY CLERK.



MARCIA BROWN
CITY CLERK

ORDINANCE NO. 2013-993

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.20 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE UNIFORM HOUSING CODE, 1997 EDITION, WITH CERTAIN AMENDMENTS, AND REPEALING ORDINANCE NO. 2011-958

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the Uniform Housing Code, 1997 Edition, published by the International Conference of Building Officials, with certain amendments; and

WHEREAS, California Health and Safety Code Section 17958 *et seq.* and 18941.5 authorizes cities to adopt codes with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Yorba Linda desires to adopt the Uniform Housing Code, 1997 Edition, with certain amendments to assure the Codes are tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City Council held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Uniform Housing Code, 1997 Edition, as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 17, 2013 and October 24, 2013; 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 YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent legally necessary, that the following changes and modifications to the Uniform Housing Code, 1997 Edition, that are more restrictive than the standards contained therein are justified by local conditions and reasonably necessary as outlined and determined in City Council Resolution No. 2013-5208.

Section 2. Chapter 15.20 of the Yorba Linda Municipal Code is amended in its entirety to read as follows:

**"CHAPTER 15.20
HOUSING STANDARDS**

Sections:

- 15.20.010** Uniform Housing Code Adopted.
- 15.20.020** Chapter 1, Title and Scope Amended.
- 15.20.030** Chapter 2, Enforcement, Amended.
- 15.20.040** Chapter 3, Permits and Inspections – Amended.
- 15.20.050** Chapter 4, Definitions – Amended.
- 15.20.060** Chapter 5, Space and Occupancy Standards – Amended.
- 15.20.070** Chapter 7, Mechanical Requirements – Amended.
- 15.20.080** Chapter 8, Exits – Amended.
- 15.20.090** Chapter 10, Substandard Buildings – Amended.
- 15.20.100** Chapter 15, Performance of Work of Repair or Demolition – Amended.

15.20.010. Uniform Housing Code Adopted.

There is hereby adopted by reference, as the code governing housing standards, the Uniform Housing Code, 1997 edition, with certain amendments, published by the International Conference of Building Officials, one certified copy of which is on file in the office of the City Clerk for public inspection, and is adopted with the same force and effect as though set out herein in full. The Uniform Housing code, 1997 Edition, as adopted herein, is amended as set forth in Sections 15.22.020 through 15.22.100

15.20.020. Chapter 1, Title and Scope – amended

Section 104.1, Additions, Alterations or Repairs, is amended to read as follows:

104.1 Additions, Alterations or Repairs. For Additions, alterations or repairs, see Sections 3403, 3404 and 3405 of the California Building Code or Appendix J of the California Residential Code.

15.20.030. Chapter 2, Enforcement – amended

Section 204, Violations, is amended to read as follows:

204.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct alter, extend, repair, move remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

204.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration,

extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

204.3 Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

204.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directives of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to the penalties as prescribed by law.

15.20.040. Chapter 3, Permits and Inspection - amended

Section 301, General, is amended to read as follows:

No building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official in the manner and according to the applicable conditions prescribed in Section 105 of the California Building Code or Section R105 of the California Residential Code.

Section 302, Fees, is amended to read as follows:

When a building permit is required by Section 301 of this code, there shall be charged and paid, a fee as established by resolution by the City Council, and at the rate provided for each classification shown therein.

Section 303, Inspections, is amended to read as follows:

All buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the building official in accordance with and in the manner provided by this code and Sections 110 and 1704 of the California Building Code and Section R109 of the California Residential Code.

15.20.050. Chapter 4, Definitions – amended

Section 401, Definitions, is amended by adding the following:

BUILDING CODE is the California Building Code or the California Residential Code as adopted by the City.

BOARD MEMBER(S) is the individual or members delegated by the City Manager.

ELECTRICAL CODE is the California Electrical Code as adopted by the City.

HEARING EXAMINER is an individual delegated by the City Manager.

HOUSING ADVISORY AND APPEALS BOARD is the City Manager or his/her delegated individual and/or members.

MECHANICAL CODE is the California Mechanical Code as adopted by the City.

PLUMBING CODE is the California Plumbing code as adopted by the City.

15.20.060. Chapter 5, Space and Occupancy Standards - amended

Section 501, Location on Property, is amended to read as follows:

All buildings shall be located with respect to property lines and to other buildings on the same property as required by Chapter 7 the California Building Code or Section R302 of the California Residential Code as adopted by the City.

Section 502, Yards and Courts, is amended to read as follows:

All yards or courts shall conform to the requirements of Section 1206 of the California Building Code or Section R302 of the California Residential Code as adopted by the City.

Section 503, Room Dimensions, is amended to read as follows:

All rooms and spaces shall conform to the requirements Section 1208 of the California Building Code or Sections R304 and R305 of the California Residential Code for required room dimensions as adopted by the City.

Section 504.4, Light and Ventilation, is amended to read as follows:

All rooms and spaces shall be provided with light and ventilation as required in Sections 1203 and 1205 of the California Building Code and Section R303 of the California Residential Code as adopted by the City.

Section 505.5, Sanitation, is amended to read as follows:

All commercial and residential uses shall be provided with facilities as required in Chapter 4 of the California Plumbing Code, Section 1210 of the California Building Code or Sections R306 and R307 in the California Residential Code as adopted by the City.

15.20.070, Mechanical Requirements – amended.

Section 701.1, Heating and Ventilation, is amended to read as follows:

701.1 Heating. When the winter design temperature in Table R301.2(1 is below 60 degrees F, every dwelling unit shall be provided with heating facilities capable of maintaining a minimum room temperature of 68 degrees F at a point three (3) feet above the floor and two (2) feet from exterior walls in all habitable rooms at the design temperature. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

15.20.080. Chapter 8, Exits – amended.

Section 801, General, is amended to read as follows:

Section 801 – General. Dwelling units and commercial buildings shall be provided with means of egress. The means of egress shall comply with the requirements of either Chapter 10 of the California Building Code or Section R311 of the California Residential Code as adopted by the City.

Basements and every sleeping room below the fourth story shall have at least one operable emergency and rescue opening. Emergency and rescue openings shall conform to the requirements of Section R310 of the California Residential Code as adopted by the City.

Reference to “Section 102 of the Building Code” shall now read as follows:

...Section 116 of the California Building Code and Section 1.8.9 of the California Residential Code.

15.20.090. Chapter 10, Substandard Buildings – amended.

Section 1001.1, General, is amended to read as follows:

Any building or portion thereof that is determined to be an unsafe building in accordance with Section 116 of the California Building Code and Section 1.8.9 of the California Residential Code, or any building or portion thereof, including any dwelling unit, sleeping room or commercial building, or the premises on which the same is located, in which there exists any of the conditions referenced in this chapter to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof, shall be deemed and hereby are declared to be a substandard building.

15.20.100. Chapter 15, Performance of Work of Repair or Demolition – amended.

Section 1501.2, Costs, is amended to read as follows:

1501.2 Costs. The cost of such work plus ten percent (10%) of paid cost for administrative overhead thereof shall be paid from the repair and demolition fund, and shall be made a special assessment against the property involved, or shall be made a personal obligation of the property owner, whichever the City Council shall determine is appropriate."

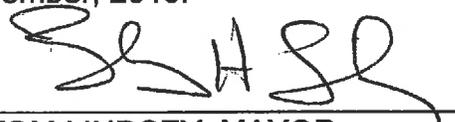
Section 3. Ordinance No. 2011-958 is hereby repealed in its entirety.

Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk's Office within five (5) working days of the approval of this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

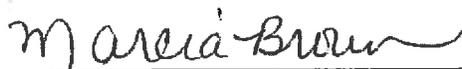
Section 6. Effective Date. This ordinance shall take effect on January 1, 2014. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 19th day of November, 2013.



TOM LINDSEY, MAYOR
CITY OF YORBA LINDA

ATTEST:



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

ORDINANCE NO. 2013-994

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.22 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION, WITH CERTAIN AMENDMENTS, AND REPEALING ORDINANCE NO. 2011-957

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the Uniform Code For The Abatement Of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials, with certain amendments; and

WHEREAS, California Health and Safety Code Section 17958 *et seq.* and 18941.5 authorizes cities to adopt codes with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Yorba Linda desires to adopt the Uniform Code For The Abatement Of Dangerous Buildings, 1997 Edition, with certain amendments to assure the Codes are tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City Council held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Uniform Code For The Abatement Of Dangerous Buildings, 1997 Edition, as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 17, 2013 and October 24, 2013; 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 YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent legally necessary, that the following changes and modifications to the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, that are more restrictive than the standards contained therein are justified by local conditions and reasonably necessary as outlined and determined in City Council Resolution No. 2013-5208.

Section 2. Chapter 15.22 of the Yorba Linda Municipal Code is amended to read as follows:

CHAPTER 15.22

CODE FOR ABATEMENT OF DANGEROUS BUILDINGS

Sections:

- 15.32.010 Uniform Code for the Abatement of Dangerous Buildings Adopted.**
- 15.32.020 Chapter 1, Title and Scope - Amended**
- 15.32.030 Chapter 2 - Amended**
- 15.32.040 Chapter 3, Definitions – Amended**
- 15.32.050 Section 401.2 (4), Notice and Order - Amended**

15.32.010. Uniform Code for the Abatement of Dangerous Buildings Adopted.

There is hereby adopted by reference, as the Code for Abatement of Dangerous Buildings of the City, the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, with certain amendments, published by the International Conference of Building Officials, one certified copy of which is on file in the office of the City Clerk for public inspection, and is adopted with the same force and effect as though set out herein in full. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, as adopted herein, is amended as set forth in Sections 15.22.020 through 15.22.050.

15.22.020. Chapter 1, Title and Scope - Amended

Section 103 – Alterations, Additions and Repairs, is amended to read as follows:

All buildings or structures which are required to be repaired under the provisions of this code shall be subject to the provisions of Section 3405 of the California Building Code.

15.22.030. Chapter 2 - Amended

Section 201.4 Enforcement is added to read as follows:

201.4 Enforcement. When the Building Official, the Health Officer, or their authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official, the Health Officer, or their authorized representatives

for the purpose of inspection and examination pursuant to this Code. Any person violating this subdivision shall be guilty of a misdemeanor.

Section 203, Violations is amended to read as follows:

203.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct alter, extend, repair, move remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

203.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

203.3 Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

203.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directives of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to the penalties as prescribed by law.

Section 204, Inspection of Work is amended to read as follows:

All buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the building official in accordance with and in the manner provided by this code and Sections 110 and 1704 of the California Building Code.

15.22.040. Chapter 3, Definitions - Amended

Section 301, General is amended to read as follows:

BUILDING CODE is the California Building Code or the California Residential Code as adopted by the City.

ELECTRICAL CODE is the California Electrical Code as adopted by the City.

MECHANICAL CODE is the California Mechanical Code as adopted by the City.

PLUMBING CODE is the California Plumbing Code as adopted by the City.

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

HOUSING CODE is the Uniform Housing Code, 1997 Edition, as adopted by the City.

15.22.050. Section 401.2, Notice and Order - Amended

Section 401.2 (4) is amended to read as follows:

4. ~~Statements advising that if any required repair or demolition work (without vacation also being required) is not commenced within the time specified, the building official (i) will order the building vacated and posted to prevent further occupancy until the work is completed, and (ii) may proceed to cause the work to be done and charge the costs thereof plus ten (10) percent administrative overhead against the property or its owner."~~

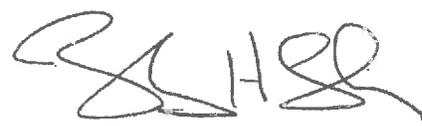
Section 3. Ordinance No. 2011-957 is hereby repealed in its entirety.

Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk's Office within five (5) working days of the approval of this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

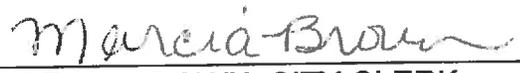
Section 6. Effective Date. This ordinance shall take effect on January 1, 2014. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 19th day of November, 2013.



TOM LINDSEY, MAYOR
CITY OF YORBA LINDA

ATTEST:

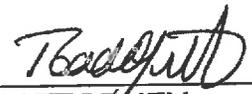


MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

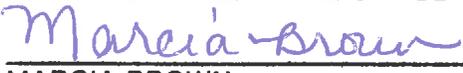
STATE OF CALIFORNIA
COUNTY OF ORANGE
CITY OF YORBA LINDA

APPROVED AS TO FORM:
RUTAN & TUCKER, LLP

I, MARCIA BROWN, CITY CLERK, DO CERTIFY THAT THIS IS A FULL, TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE OF THE CITY CLERK.



CITY ATTORNEY

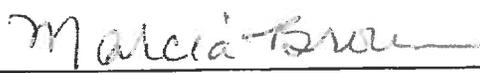


MARCIA BROWN
CITY CLERK

STATE OF CALIFORNIA)
) **ss.**
COUNTY OF ORANGE)

I, MARCIA BROWN, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 19th day of November, 2013, and was carried by the following roll call vote:

AYES: COUNCILMEMBERS: Anderson, Hernandez, Lindsey, Schwing, Young
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA