# Title 15  BUILDINGS AND CONSTRUCTION

## Chapter 15.00 GENERAL REGULATIONS[[1]](#footnote-1)

15.00.010 Administrative authority.

Terms Explained.

A. Whenever the term "the authority having jurisdiction" or "administrative authority" is used, it shall mean the building official.

B. Whenever the term "assistants" or "authorized representative" is used, it shall mean members of the building division.

C. Where reference is made to governing authority, it shall mean the city council.

D. Where reference is made to private sewage disposal systems, public sewers, and/or waste department, the term "administrative authority" shall include the North San Mateo County Sanitation District, the Bayshore Sanitation District, the San Mateo County Health Department and any other public agencies dealing with sewage or sewage disposal.

E. Where reference is made to storm sewers and the water main distribution, the term "administrative authority" shall include the city engineer or his or her designated assistant.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.020 Construction valuation and fees prescribed and established by resolution of the city council.

Any person desiring a permit required by these codes shall, at the time of filing an application therefore, pay fees prescribed and established by resolution of the city council.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.030 Time limitation of application.

**105.3.2 Time Limitation of Application.** Except as set forth in subsection 105.3.2.1, every application for a permit for any proposed work for which no permit has been issued within one hundred eighty calendar days following the date of receipt of the application shall expire by limitation. The building official may extend the time for action by the applicant for a period not exceeding one hundred eighty calendar days upon request of the applicant demonstrating that circumstances beyond the control of the applicant and relating to the project have prevented action from being taken. The extension shall be required in writing and justifiable case must be demonstrated. No application under this subsection shall be extended more than twice. For the purpose of renewal on an application after expiration, the applicant shall resubmit plans compliant with the applicable code at time of resubmittal and pay new plan review fees. The building official may, in his/her sole discretion, grant an additional extension up to three hundred sixty days as necessitated by an official California major disaster declaration issued by FEMA.

**105.3.2.1 Time Limitation of Application—Code Enforcement Permits.** Notwithstanding any provision of section 105.3.2, if a permit application was filed in order to bring an unpermitted structure, and other unlawful, substandard, or hazardous condition into compliance with any applicable law, ordinance, rule or regulation, and no permit has been issued within ninety days of receipt of the application it shall expire by limitation. The building official may extend the time for action by the applicant for a period not exceeding ninety calendar days upon request of the applicant demonstrating that circumstances beyond the control of the applicant and relating to the project have prevented action from being taken. No application covered under this subsection shall be granted more than once.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.040 Permit expiration and extension.

**105.5 Expiration.** Except as set forth in subsection 105.5.1 and 105.5.2, every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one calendar year from the date of issuance of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one calendar year.

For the purposes of this subsection "suspended or abandoned" shall mean that the permittee has, for a period of one calendar year or longer after commencing the work authorized by such permit, failed to make substantial progress toward completion of the work, as determined by the building official. Failure to schedule and pass a required interim or final inspection for a period of one calendar year or longer since the issuance date of the permit or since the most recent interim inspection may be deemed to constitute a failure to make substantial progress toward completion of the work.

Required inspections include: footing/foundation inspection, concrete slab or under-floor inspection, framing inspection, lath or gypsum board inspection, fire resistant penetration inspection, energy efficiency inspection, any required special inspections, final inspections, and any other inspections other than conference inspections required by the building official. However, the building official may extend a permit if justifiable delay is demonstrated in writing or where a good faith effort toward code compliant work has been performed.

A. Permit Extensions. Any permittee holding an unexpired permit may request in writing an extension of time when the permittee is unable to commence work within the time required by this section. The building official may, in his/her sole discretion, grant, one or more extensions of time, for periods not more than one hundred eighty days each. A written request by the permittee shall demonstrate written evidence demonstrating that a good faith effort to complete the project has been made and that reasons beyond the control of the permittee and relating to the project have resulted in a delay. Under no condition shall a permit be extended more than three times, for a total maximum time of three one hundred eighty-calendar day extensions. Each one hundred eighty-calendar day extension must be approved individually by the building official.

B. Reactivation Required After Expiration. Prior to recommencing work on the site after permit expiration a request for reactivation shall be first obtained, provided no changes have been made or will be made to the original plans and specifications for such work, and the work has not been suspended or abandoned for more than one year from the last required, recorded inspection. In cases in which the work was suspended or abandoned beyond one year from the last required, recorded inspection, reactivation shall not be issued after expiration if the original review was performed using a previously adopted code.

The building official, in his/her sole discretion, has the authority to deny reactivation which utilizes the requirements of the expired permit unless the permittee has made good faith effort to complete the project and for reasons beyond their control and related to the project. The permittee must provide a written report on the current status of construction which shall include a request for an extension and a timeframe for completion in order for the building official to renew the permit.

The building official may, in his/her sole discretion, grant an additional extension up to three hundred sixty days as necessitated by an official California major disaster declaration issued by FEMA.

**105.5.1 Expiration—Code Enforcement Demolition Permits & Code Enforcement Quick Permits.** Notwithstanding any provision of section 105.5, if a building permit was issued in order to bring an unpermitted structure, and other unlawful, substandard or hazardous condition into compliance with any applicable law, ordinance, rule or regulation, a code enforcement demolition or code enforcement quick permit shall expire by limitation and become null and void ninety days after the issuance date of such permit. Any permittee holding an unexpired code enforcement quick or code enforcement demolition permit may request in writing an extension of time when the permittee is unable to commence work within the time required by this section. The building official may, in his/her sole discretion, grant, one or more extensions of time, for periods not more than ninety days each. A written request by the permittee shall demonstrate written evidence demonstrating that a good faith effort to complete the project has been made and that reasons beyond the control of the permittee and relating to the project have resulted in a delay.

**105.5.2 Expiration—Building Maintenance.** Notwithstanding any provision of section 105.5, if a building permit was issued for the purpose of building maintenance such permit shall expire by limitation and become null and void (or one hundred eighty days) after the issuance date of such permit. The building official may, in his/her sole discretion, grant, in writing, one or more extensions of time, for periods, not more than one hundred eighty days each. The extension shall be requested in writing and justifiable cause demonstrated.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.050 Procedure of appeals.

Any person aggrieved by the decision of the building official shall have the right to appeal said decision to the city council of the city. Said appeal shall be in writing and shall be submitted to the city clerk of the city within ten days of the decision of the administrative authority. The city council, at its next regular meeting after receipt of the notice of appeal, shall set a time for hearing on said appeal, which time shall be not less than fourteen nor more than forty-five days from the date of said regular meeting. A copy of the notice of hearing shall be mailed to the appellant not less than ten days before the date of hearing by the city clerk of the city. The time of hearing may be continued at the request of the party aggrieved at any time, which continuance shall not exceed a maximum of sixty days from the date originally set for hearing.

Said right of continuance shall be subject to approval by the city council and the decision of the city council shall be final.

Notice of the decision of the city council shall be delivered to the appellant personally or sent by certified mail—return receipt requested.

The effective date of said decision shall be the date of mailing of said notice of the decision, or the date same is personally delivered to said appellant. Failure to any person to file an appeal in accordance with the provisions of this code shall constitute a waiver of any right to an administrative hearing and adjudication of the notice and order or to any portion thereof.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.060 Building addresses.

New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall be internally or externally illuminated and contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than four inches (102 mm) in height with a stroke width of not less than 0.5 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.070 Cooperation of other officials and officers.

The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.080 Emergency access.

In the event that the building official determines that there is an immediate emergency due to the fact that dangerous or unsafe conditions exist which are an immediate menace to life, health or property, and if, after proper demand for entry therein has been made, as herein provided, no owner or occupant, or any other person having charge, custody or control of any building or premises shall fail or neglect to properly permit entry therein by the building official or authorized representative, for the purpose of inspection and examination pursuant to this code, said person shall be in violation of this section and shall be guilty of a misdemeanor.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.090 Reserved.

15.00.100 Qualifications for permit.

For the purpose of this code, no permit shall be issued to any person to do or cause to be done any work regulated by this code except to:

A. A person holding a valid and unrevoked appropriate contractor's license classification issued by the State of California and a Daly City business license; or

B. A bona fide registered owner of a single-family residential building who will personally perform the labor on said building and demonstrates to the satisfaction of the authorized representative that the said registered owner possesses the knowledge, training and skills necessary to complete all work in a manner which complies with all applicable codes.

C. A property management firm or corporation regularly employing one or more qualified tradespersons who performs alteration and repair to an existing component of a building, structure or on the premises owned or operated by the applicant for the permit and provides and maintain workers compensation insurance for its qualified trade's persons. This is not applicable to property management firm or corporation who hires licensed contractors to perform.

The issuance of a permit or approval of plans shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code or of any other ordinance or from revoking any permit approval when issued in error.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.110 Reserved.

15.00.120 Workmanship.

All design, construction and workmanship shall be in conformity with accepted engineering and construction practices and shall be of such character as to secure the results sought to be obtained by this code.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.130 Aircraft noise soundproofing project area.

Any home, constructed after January 1, 1993 or renovated at a cost equal to twenty-five percent or more of the value of the home and located within the 65 CNEL (FAA approved) contour map that is illustrated on the aircraft noise soundproofing project area map, must be insulated to meet standards applied in noise insulation programs supported by the Federal Aviation Administration.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.140 Stormwater best management practices

All work undertaken in conformance with this code shall adhere to best management practices, guidelines or requirements that have been adopted by the city for any activity, operation or facility which may cause or contribute to storm water pollution or contamination, illicit discharges, and/or discharge of non-storm water discharge to the storm water system. Every person undertaking such activity or operation under this code shall comply with such guidelines or requirements as may be identified by the administrative authority.

Architectural features of copper metal roofing, copper granule containing asphalt shingles, copper gutters, copper downspouts, copper flashing and copper architectural ornaments shall not be permitted for use on any residential, commercial or industrial building for which a building permit is required, where the discharge of wastewater to storm drains is generated from the installation, cleaning, treating, and washing of the surface of copper architectural features.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.150 Effects of code in past actions and obligations.

The adoption of title 15 of the Daly City Municipal Code does not affect any civil lawsuits instituted or filed, or prosecutions for ordinances violations committed on or prior to the effective date of the said Code and does affect the validity of any bonds or cash deposits posted, filed or deposited pursuant to the requirement of any ordinance.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.160 Spark arrestor requirements.

At the time of re-roofing, all existing operational chimneys as described in chapter 10 of the California Residential Code shall terminate in a substantially constructed spark arrester either internally or externally mounted. Any spark arrester to be mounted internally shall not be installed until installation plans for such arrestor have been submitted to and approved by the building division.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.170 Technology fee.

Technology fee as prescribed and established by resolution of the city council that is collected whenever a permit is issued is a non-refundable fee.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

15.00.180 Reserved.

15.00.190 Factory built housing fee.

Allows the City of Daly City to charge for installation of factory built housing other than mobile home parks. The permit fees shall be based on the valuation cost of foundation, and site-built component not part of the factory built housing, electrical connection, plumbing connection, development fees, sewer fee and associated state mandate fees.

(Ord. No. 1461, § 1(Exh. A), 11-28-2022)

## Chapter 15.08 BUILDING CODE[[2]](#footnote-2)

15.08.010 Building Code—Adoption—Where filed.

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Building Code, 2022 Edition," copies of which are in the Daly City ECD Library, including appendices G, I, and J, excluding chapters 27, 28, 29, 31A, 31B, 31C, 31D, 31E, and 31F, in this chapter collectively called the building code. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.020 Sections [A]105.1.1 and [A] 105.1.2 Annual Permit and Annual Permit Record, deleted.

Sections 105.1.1 and 105.1.2 of the California Building Code, 2022 Edition, are deleted.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.030 Section [A] 105.3.2 Time Limitation of Application, amendment.

Section 105.3.2 of the California Building Code, 2022 Edition, is deleted and substituted by Daly City Municipal Code section 15.00.030.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.040 Section [A] 105.5 Permit Expiration and Extension, amendment.

Section 105.5 of the California Building Code, 2022 Edition, is deleted and substituted by Daly City Municipal Code section 15.00.040.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.050 Section [A] 107.2 Construction Documents, amended.

Section 107.2 of the California Building Code, 2022 Edition, is amended by adding the following: Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger with a minimum readable font size of 10. Other document sizes are permitted where approved by the building official.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.060 Chapter 2 Definitions, added.

Chapter 2 of the California Building Code, 2022 Edition is amended by adding the following definitions:

**EFFICIENCY KITCHEN.** Means a removable kitchen that contains a sink with a maximum [vertical] waste line diameter of 1.5 inches; appliances that do not require electrical service greater than 120 volts, or natural or propane gas; a limited food preparation counter; and storage cabinets. The entire kitchen shall not exceed six lineal feet, except that if existing counter space is being converted to efficiency kitchen use then the counter space shall not exceed eight lineal feet. [Examples of prohibited cooking appliances are: ranges, stoves, cook tops, and built-in ovens. Examples of cooking appliances that may be used are: microwave ovens, hot plates, and similar appliances intended for use on top of a countertop. Refrigerator size is not limited.]

**DECK, ATTACHED.** An exterior floor system supported on at least one side by the exterior wall of the adjoining structure and supported on the opposing side by posts, piers or other support methods.

**SLEEPING ROOM.** A minimum of seventy square feet and shall be not less than seven feet in any direction. A study, sewing room, sitting room, office, den, or similar room shall be considered a room designed for sleeping purposes if it contains a closet, alcove, indentation, or wing wall which creates an area greater than twelve inches in depth.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.070 Section [A] 109.5.1 Construction Valuation and Fees Prescribed and Established by Resolution of the City Council, amended.

Section 109 of the California Building Code, 2022 Edition, is amended by adding Section [A] 109.5.1 to read as follows:

Section [A] 109.5.1. Daly City Municipal Code General Regulations 15.00.020 are related Fees Prescribed and Established by Resolution of the City Council.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.080 Section [A] 113 Board of Appeals, amended.

Section 113 of the California Building Code, 2021 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.050.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.090 Section [A] 114.4.1 Violation Penalties Fee, added.

Section [A] 114.4 of the California Building Code, 2021 Edition is amended by adding section 114.4.1 to read:

Section [A] 114.4.1 Violation penalties fee shall be assessed per Daly Municipal Code section 15.00.020.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.100 Section 406.3.4 Additional Residential Gypsum Board Requirements, added.

Section 406.3 of the California Building Code, 2022 Edition is amended by adding section 406.3.4 to read as follows:

406.3.4 Private Garage Separation Requirements for Alterations

When existing unconditioned space is converted to conditioned space for non-sprinklered R-3 occupancies of Type V construction the private garage shall comply with section 406.3.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.110 Section [A] 105.2 Work Exempt from Permit, amended.

Section [A] 105.2 of the California Building Code, 2022 Edition, Work Exempted from Permit Building-Item 1 is amended to read as follows: One or more single story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the sum total of the floor areas of these accessory structures do not exceed 120 square feet (11.15 m2 ).

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.120 Section 501.2 Address Identification, amended.

Section 502.1 of the California Building Code, 2022 Edition, is deleted and substituted by Daly City Municipal Code General Regulations section 15.00.060 Approved Numbers and Addresses.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.130 Reserved.

15.08.140 Section 1403.1 General, amended.

Section 1403.1 of the California Building Code, 2022 Edition, is amended by adding the following:

In R3 occupancies of Type V construction exterior walls less than 18 inches (475 mm) from property lines shall be covered with ⅝ inch (15.9 mm) nominal naturally durable wood drop siding or similar materials with a comparable life span.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.150 Section 604. Use of Metal Sheets or Plates for External Covering of Roofs or Wall, added.

Section 601 of the California Building Code, 2022 Edition, amended by adding the following section 604.1 and subsections to read as follows:

Section 604.1. The use of metal sheets or plates for the external covering of roofs or walls is prohibited, anything in the Code notwithstanding, with the following exceptions:

1. Prefabricated and prefinished module siding approved by and acceptable to the Authorized Representative for specific installations.

2. Gasoline service stations and car wash structures as provided in Section 311 of this Code.

3. Building structures in an industrial zone.

4. Metal factory-manufactured tool sheds.

5. Architectural metal roofs with demonstrated resistance to corrosion, long term durability and cut edge protection acceptable to the authorized representative for specific installations.

6. Architectural features of copper metal roofing, copper granule containing asphalt shingles is prohibited per Daly City Municipal Code 15.00.140 where the discharge of wastewater to storm drains is generated from the installation, cleaning, treating, and washing of the surface of copper roof.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.160 Reserved.

15.08.170 Reserved.

15.08.180 Section 903 Automatic Sprinkler System, amended.

Section 903 of the California Building Code, 2022 Edition, is deleted in its entirety and substituted by Daly City Municipal Code chapter 15.32 and the 2022 California Fire Code. Automatic fire sprinkler systems requirements shall be determined by the North County Fire Authority. Plan review, permits and inspections shall be under the North County Fire Authority.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.190 Section 1031.2 Where Required, amended.

Section 1031.2 of the California Building Code, 2022 Edition, is amended by adding exemption 9 to read as follows:

9. In R3 occupancies of Type VB construction 3-stories or less, emergency escape and rescue openings are not required to open to a yard or court that opens to the public way if all of the following apply:

9.1 The parcel dimension is 25 feet (7620 mm) or less in any direction.

9.2 All walls facing the yard or court shall be not less than 1-hour fire resistance-rated tested in accordance with ASTM E119, UL 263 or Section 703.3 of the California Building Code.

9.3 The yard or court has a minimum 25 foot (7620 mm) clear width of open space in all directions.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.200 Reserved.

15.08.210 Table 1505.1 Minimum Roof Covering Classifications for Types of Construction, amended.

Table 1505.1 of the California Building Code, 2022 Edition, is amended to read as follows:

Table 1505.1 Minimum Roof Covering Classification for Types of Constructiona, b

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| IA | IB | IIA | IIB | IIIA | IIIB | IV | VA | VB |
| B | B | B | B | B | B | B | B | B |

a. Unless otherwise required in accordance with Chapter 7A.

b. 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-resistant roof covering that is at least Class B.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.220 Section 1705.3 Concrete Construction Exception 1, amended.

Section 1705.3 Concrete construction of the California Building Code, 2022 Edition is amended to read as follows:

Exception 1: Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where structural design of footing is based on a specified compressive strength f'c, not more than 2,500 pounds per square inch (psi)(17.2 MPa), regardless of the compressive strength specified in the approved construction documents.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.230 Reserved.

15.08.240 Reserved.

15.08.250 Chapter 23—Sections 2306 and 2308 Used for Shearwall and Bracing Methods, amended.

Chapter 23—Section 2306 and 2308 the California Building Code, 2022 where the Type of Material used for Shearwall and Bracing Methods as described in Tables 2306.3(3) and 2308.6.3(1) are deemed to be not an approved materials and methods and are deleted:

Table 2306.3(3) Shearwall 1. Expanded metal or woven wire lath and Portland cement plaster, 2. Gypsum lath, plain or perforated, 3. Gypsum sheathing, 4. Gypsum board, gypsum veneer base or water-resistant gypsum backing board, Deleted

Table 2308.6.3(1) Bracing Methods, 1. LIB (Let-in-bracing), 2. DWB (Diagonal wood boards), 3. GB (Gypsum board- double sided), 4. PBS (Particle board sheathing), 5. PCP (Portland cement plaster), 6. HPS (Hardboard panel siding), Deleted.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

15.08.260 Section 3116. Trailers, Modular Units, Mobile Home added.

A new section, to be known as section 3116 and subsections 3116.1, 3116.2, and 3116.3 to read as follows is added to Chapter of the California Building Code, 2019 Edition, which shall read as follows:

Section 3116. Trailers, Modular Units, Mobile Home:

3116.1. Trailers, modular units, mobile homes (except those mobile homes as defined in Sec. 15.40.010 B of the Daly City Municipal Code), travel trailers, house trailers, camp cars, campers or any other types of units, whether on wheels or not on wheels, and used for living quarters, shall be prohibited except in mobile home parks.

3116.2. Trailers, modular units, nor any other type unit as described in 3103., whether on wheels or not on wheels, shall not be used for any type of office-building or other business uses except they may be used for temporary offices for construction or sales purposes, formal educational occupancy and special events only, and with the specific approval of the Building Official per section 108 Temporary Structure and uses.

3116.3 Trailers, modular units or any type of unit as described in 3103. which are intended to be used for more than the specified time limitation per section California Building Code section 108 is allowed with one extension for not more than 180 day with specific approval of the Building Official.

3116.4 Trailers, modular units or any type of unit as described in 3103. which is intended to be used as described in 3103.5.2 for more than 360 days will require specific approval of the Building Official and other Officials and Officers.

(Ord. No. 1461, § 3(Exh. B), 11-28-2022)

## Chapter 15.10 RESIDENTIAL CODE[[3]](#footnote-3)

15.10.010 California Residential Code—Adoption—Where Filed.

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Residential Code, 2022 Edition," copies of which are in the Daly City ECD Library including appendices AH, AJ, & AK, in this chapter collectively called the residential code. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.020 Section R105.2 Work Exempt from Permit, Building item 1, amended.

Section R105.2 of the California Residential Code, 2022 Edition, Work Exempted from Permit Building—Item 1 is amended to read as follows: One or more single story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the sum total of the floor areas of these accessory structures do not exceed 120 square feet (11.15 m2 ).

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.030 Section R105.3.2 Time Limitation of Application, amended.

Section R105.3.2 of the California Residential Code 2022 Edition is deleted and substituted by Municipal Code General Regulations section 15.00.030.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.040 Section R105.5 Permit Expiration and Extension, amended.

Section R105.5 of the California Residential Code 2022 Edition is deleted and substituted by Municipal Code General Regulations section 15.00.040.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.050 Section R106.1 General Submitted Documents, amended.

Section R106.1 of the California Residential Code, 2022 Edition, is amended by adding the following:

Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger with a minimum readable font size of 10. Other document sizes are permitted where approved by the building official.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.060 Reserved.

15.10.070 Section R108.7 Construction Valuation and Fees Prescribed and Established by Resolution of the City Council, amended.

Section R108. of the California Residential Code, 2022 Edition, is amended by adding section R108.7 to read as follows:

Section 108.7. Daly City Municipal Code General Regulations 15.00.020 are Fees Prescribed and Established by Resolution of the City Council.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.080 Section R112 Board of Appeals, amended.

Section R112 of the California Building Code, 2022 Edition, is deleted and substituted by General Regulations section 15.00.050.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.090 Section R113.4.1 Violation Penalties Fee, added.

Section R113.4 of the California Residential Code, 2022 Edition is amended by adding subsection R113.4.1 to read:

Section R113.4.1 Violation penalties fee shall be assessed per Daly Municipal Code section 15.00.020 Fees.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.100 Reserved.

15.10.110 Reserved.

15.10.120 Section R202 Definitions, added.

Section R202 of the California Residential Code, 2022 Edition is amended by adding the following definitions:

**EFFICIENCY KITCHEN.** Means a removable kitchen that contains a sink with a maximum [vertical] waste line diameter of 1.5 inches; appliances that do not require electrical service greater than 120 volts, or natural or propane gas; a limited food preparation counter; and storage cabinets. The entire kitchen shall not exceed six lineal feet, except that if existing counter space is being converted to efficiency kitchen use then the counter space shall not exceed eight lineal feet. [Examples of prohibited cooking appliances are: ranges, stoves, cook tops, and built-in ovens. Examples of cooking appliances that may be used are: microwave ovens, hot plates, and similar appliances intended for use on top of a countertop. Refrigerator size is not limited.]

**DECK, ATTACHED.** An exterior floor system supported on at least one side by the exterior wall of the adjoining structure and supported on the opposing side by posts, piers or other support methods.

**SLEEPING ROOM.** A minimum of seventy square feet and shall be not less than seven feet in any direction. A study, sewing room, sitting room, office, den, or similar room shall be considered a room designed for sleeping purposes if it contains a closet, alcove, indentation, or wing wall which creates an area greater than twelve inches in depth.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.130 Section R302.6.1 Fire Protection Retrofits, added.

Section R302.6 of the California Residential Code, 2022 Edition, is amended by adding subsection R302.6.1 as follows:

**R302.6.1 Dwelling Alterations Separation Requirements** When existing unconditioned space is converted to conditioned space the private garage shall comply with R302.6 for non-sprinklered buildings.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.140 Section R302.1 Exterior Walls, amended.

Section R302.1 of the California Residential Code, 2022 Edition, is amended by adding the following:

For the purposes of this section Attached decks that are not exempt from permitting by Section R105.2 shall be considered projections for compliance. Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1); or dwellings and accessory buildings equipped throughout with an automatic sprinkler system installed in accordance with Section R313 shall comply with Table R302.1(2). When Multiple detached dwellings are located on a single lot, each detached dwelling shall comply independently with their respective table. Note—Exceptions and Tables of this section remain.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.150 Reserved.

15.10.160 Section R309.5, R309.6 and R313. Automatic Fire-Sprinkler System, amended.

Section R309.5; R309.6 and R313 of the California Residential Code, 2019 Edition, is deleted in its entirely and all references to Automatic Fire Sprinkler Systems requirements in Section R309.5, R309.6 and R313 and the entire body of the California Residential Code are replaced by Daly City Municipal Code 15.32 and the 2022 California Fire Code. Automatic fire sprinkler systems requirements shall be determined by the North County Fire Authority. Plan review permits and inspection shall be under the North County Fire Authority.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.170 Section R310.1. Emergency Escape and Rescue Openings. Exception, amended.

Section R310.1 of the California Residential Code, 2022 Edition, is amended by adding exception #6, to read as follows:

Section R310.1 exception 6. Wood-framed buildings three stories or less, emergency escape and rescue openings are not required to open to a yard or court that opens to the public way if all of the following apply:

6.1 The parcel dimension is 25 feet (7620 mm) or less in any direction.

6.2 The all walls facing the yard or court shall be not less than 1-hour fire resistance-rated tested in accordance with ASTM E119, UL 263 or Section 703.3 of the California Building Code.

6.3 The yard or court has a minimum 25 feet (7620 mm) clear width of open space in all directions.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.180 Reserved.

15.10.190 Section R319 Site Address, amended.

Section R319 of the California Residential Code, 2022 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.08.060.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.200 Section R328 Energy Storage Systems, amended.

Section R328 of the California Residential Code, 2022 Edition, is amended by addition section R328.3.2 to read as follows:

Disconnection Means—A Disconnecting means shall be provided for all ungrounded conductors derived to and from an ESS. Disconnecting means shall be located in a readily accessible location at the exterior of the building.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.210 Reserved.

15.10.220 Section 602.10 Wall Bracing, amended.

Section R602.10 of the California Residential Code, 2022 Edition, is amended by adding the following:

The use of the following bracing methods are prohibited: Method GB-(Gypsum wall board), LIB-(Let-in-bracing), DBW-(Diagonal wood board), SFB-(Structural fiberboard sheathing), PBS-(Particleboard sheathing), PCP-(Portland cement plaster), HPS-(hardboard panel siding). Material used for Shearwall shall comply with Daly City Municipal Code 15.08.250.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.230 Section 701.3 Exterior Coverings Preferred Materials, added.

Section 701 of the California Residential Code, 2022 Edition, is amended by adding R701.3 to read as follows:

Exterior Coverings Materials—In addition to the requirements of Section R703, exterior walls less than 18 inches (457 mm) from property lines shall be covered with ⅝ inch (15.9 mm) nominal naturally durable wood drop siding or similar with comparable life span.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.240 Section R902.1.4 All Roof Coverings, added.

Section R902.1 of the California Residential Code, 2022 Edition, is amended to add subsection R902.1.4 to read as follows:

All Roof Coverings—For the purposes of Section R902, all Roof Coverings shall have a minimum Class B or better and shall be tested in accordance with ASTM E108 or UL 790. 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 B.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

15.10.250 Section AJ102.2.1 Existing Buildings and Structures. Lateral Movement Strengthening of Existing Basement Wall, added.

Section AJ102.2.1 of the California Residential Code, 2019 Edition, Appendix J is amended by adding AJ102.1.1 to read as follows:

Section AJ102.1.1 Whenever new habitable spaces including legalization of unpermitted improvements to a previously unimproved basement is made, the existing basement walls shall be strengthened by means of wall bracing per section R602.10 or acceptable engineering methodology that is prepared by a registered design professional.

(Ord. No. 1461, § 4(Exh. C), 11-28-2022)

## Chapter 15.12 CALIFORNIA REFERENCE STANDARDS CODE

15.12.010 California Reference Standards Code—Adoption by reference—Where Filed.

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Reference Standards Code, 2022 Edition", published by the International Code Council, as hereinafter set forth, of which code one copy is on file in the Daly City ECD Library, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

(Ord. No. 1461, § 2(Exh. K), 11-28-2022)

## Chapter 15.14 INTERNATIONAL PROPERTY MAINTENANCE CODE[[4]](#footnote-4)

15.14.010 International Property Maintenance Code—Adoption—Where Filed.

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "International Property Maintenance Code, 2021 Edition", copies of which are in the Daly City ECD Library. Whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

(Ord. No. 1461, § 5(Exh. D), 11-28-2022)

15.14.020 Section [A] 101.1 Terms Explained, amended.

The International Property Maintenance Code 2021 Edition shall be changed to: "ENFORCEMENT OF THE ORDER OF THE BUILDING OFFICIAL OR THE CITY COUNCIL OF THE CITY OF DALY CITY".

(Ord. No. 1461, § 5(Exh. D), 11-28-2022)

15.14.030 Section [A] 102.3 Application of Other Codes, amended.

Section [A] 102.3 of the Enforcement of the Order of the Building Official or the City Council of the City of Daly City is amended by including the 2022 California Existing Building Code and California Residential Code Appendix J—Existing Buildings and Structures as part of other codes.

(Ord. No. 1461, § 5(Exh. D), 11-28-2022)

15.14.040 Section [A] 103 Terms Explained, amended.

Section [A]103 of the International Property Maintenance Code 2021 is amended adding the following Terms Explained. The term "Code Official" is the Building Official. The Term "Assistant to Code Official" is the Code Enforcement Officer. The term "Department of Property Maintenance Inspection" is changed to "Enforcement of the Order of the Building Official or the City Council of the City of Daly City." The term "Chief Appointing Authority" is the City Manager.

(Ord. No. 1461, § 5(Exh. D), 11-28-2022)

15.14.050 Section 106.3 Failure to Obey Order, amended.

Section 109.3 of the international Property Maintenance Code 2021 Edition is amended by substituting the title Prosecution of violation to read "Failure to Obey Order."

(Ord. No. 1461, § 5(Exh. D), 11-28-2022)

15.14.060 Section 106.4 Violations Penalties, amended.

Section 109.4 of the International Property Maintenance Code, 2021 Edition, referencing to "Violation Penalties," is deleted in their entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code Chapter 15.00.020.

(Ord. No. 1461, § 5(Exh. D), 11-28-2022)

15.14.070 Section 109.4.1 Cost Recovery for Authorized Emergency Abatement of Immediate Life, Health and Safety Hazards, added.

Section 109.4 of the International Property Maintenance Code, 2021 Edition, is amended by adding subsection 109.4.1 to read as follows:

Section 109.4.1. Cost Recovery. Expenses incurred for any action taken on such premises by the Enforcement of the Order of the Building Official or the City Council for authorized emergency abatement of Life, Health and Safety Hazards as authorized by the Chief Appointing Authority shall be recovered through reimbursement by the property owner. In the event that expenses incurred for any action taken on such premises cannot be recovered though reimbursement by the property owner, the real estate upon which the structure is located shall be charge by placing a lien upon such real estate subject to the approval by city council.

(Ord. No. 1461, § 5(Exh. D), 11-28-2022)

15.14.080 Section 109.6 Hearing, amended.

Section 109.6 of the International Property Maintenance Code, 2021 Edition is deleted and substituted by Daly City Municipal Code section 15.00.050.

(Ord. No. 1461, § 5(Exh. D), 11-28-2022)

15.14.090 Section 111 Means of Appeal, amended.

Section 107 of the International Property Maintenance Code, 2021 Edition is deleted and substituted by Daly City Municipal Code section 15.00.050.

(Ord. No. 1461, § 5(Exh. D), 11-28-2022)

## Chapter 15.16 MECHANICAL CODE[[5]](#footnote-5)

15.16.010 California Mechanical Code-Adoption—Where Filed.

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Mechanical Code, 2022 Edition", including the appendices thereto, published by the International Association of Plumbing and Mechanical Officials, and the whole thereof, save and excluding all appendices, as set forth in this chapter, of which code one copy is filed in the Daly City ECD Library, and is adopted and incorporated as fully as if set out a length in this chapter. From the day on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city.

(Ord. No. 1461, § 6(Exh. E), 11-28-2022)

15.16.020 Section 104.3.1 Construction Documents, amended.

Section 104.3.1 of the California Mechanical Code, 2022 Edition, is amended by adding the following: Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger with a minimum readable font size of 10. Other document sizes are permitted where approved by the building official.

(Ord. No. 1461, § 6(Exh. E), 11-28-2022)

15.16.030 Section 104.3.2 Plan Review Fees, amended.

Section 104.3.2 of the California Mechanical Code, 2022 Edition, is amended by adding Section 104.3.2.1 to read as follows: Daly City Municipal Code General Regulations 15.00.020 are related Fees prescribed and Established by Resolution of the City Council.

(Ord. No. 1461, § 6(Exh. E), 11-28-2022)

15.16.040 Section 104.3.3 Time Limitation of Application, amended.

Section 104.3.3 of the California Mechanical Code, 2022 Edition, is deleted and substituted by Daly City Municipal Code General Regulations 15.00.030.

(Ord. No. 1461, § 6(Exh. E), 11-28-2022)

15.16.050 Section 104.4.3 Expiration, amended.

Section 104.4.3 of the California Mechanical Code, 2022 Edition, is deleted and substituted by Daly City Municipal Code General Regulations 15.00.030.

(Ord. No. 1461, § 6(Exh. E), 11-28-2022)

15.16.060 Section 104.4.4 Extensions, amended.

Section 104.4.4 of the California Mechanical Code, 2022 Edition, is deleted and substituted by Daly City Municipal Code 15.00.030.

(Ord. No. 1461, § 6(Exh. E), 11-28-2022)

15.16.070 Section 104.5—Fee Schedule Table 104.5 Mechanical Permit Section, deleted.

Section 104.5 - Fee Schedule Table 104.5 Mechanical Permit Fees of the California Mechanical Code, 2022 Edition, is deleted and substituted by Daly City Municipal Code Section 15.00.020.

(Ord. No. 1461, § 6(Exh. E), 11-28-2022)

15.16.080 Section 104.5.2.1 Investigation Fee, added.

Section 104.5.2. of the California Mechanical Code, 2022, Edition, is amended by adding section 104.5.2.1 to read as follows:

Section 104.5.4 Investigation Fee shall be assessed in accordance with Daly City Municipal Code Section 15.00.020.

(Ord. No. 1461, § 6(Exh. E), 11-28-2022)

15.16.090 Section 104.5.3.1 Refunding of Fee, amended.

Section 104.5 of the California Mechanical Code, 2022 Edition is amended by adding section 104.5.3.1 to read as follows:

Section 104.5.3.1 Refunding of Fee shall be assessed in accordance with Daly City Municipal Code Section 15.00.020.

(Ord. No. 1461, § 6(Exh. E), 11-28-2022)

15.16.100 Section 106.3.1 Assessment of Penalties, added.

Section 106.3 of the California Mechanical Code, 2022 Edition, is amended by adding section 106.3.1 to read as follows:

Section 106.3.1 Assessment of penalties shall be assessed in accordance with Daly City Municipal Code Section 15.00.020.

(Ord. No. 1461, § 6(Exh. E), 11-28-2022)

15.16.110 Section 107 Board of Appeals, amended.

Section 107 of the California Mechanical Code, 2022, is deleted in its entirety and substituted by Daly City Municipal Code Section 15.00.050.

(Ord. No. 1461, § 6(Exh. E), 11-28-2022)

## Chapter 15.20 CALIFORNIA PLUMBING CODE[[6]](#footnote-6)

15.20.010 California Plumbing Code-Adoption—Where Filed.

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Plumbing Code, 2022 Edition", including the appendices thereto, published by the International Association of Plumbing and Mechanical Officials, and the whole thereof, save and excluding all appendices, as set forth in this chapter, of which code one copy is filed in the Daly City ECD Library, and is adopted and incorporated as fully as if set out a length in this chapter. From the day on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.020 Section 104.3.1 Construction Documents, amended.

Section 104.3.1 of the California Plumbing Code, 2022 Edition, is amended by adding the following: Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger with a minimum readable font size of 10. Other document sizes are permitted where approved by the building official.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.030 Section 104.3.2 Plan Review Fees, amended.

Section 104.3.2 of the California Plumbing Code, 2022 Edition, is amended by adding Section 104.3.2.1 to read as follows: Daly City Municipal Code General Regulations 15.00.020 are related Feeds prescribed and Established by Resolution of the City Council.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.040 Section 104.3.3 Time Limitation of Application, amended.

Section 104.3.3 of the California Plumbing Code, 2022 Edition, is deleted and substituted by Daly City Municipal Code General Regulations 15.00.030.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.050 Section 104.4.3 Expiration, amended.

Section 104.4.3 of the California Plumbing Code, 2022 Edition, is deleted and substituted by Daly City Municipal Code General Regulations 15.00.030.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.060 Section 104.4.4 Extensions, amended.

Section 104.4.4 of the California Plumbing Code, 2022 Edition, is deleted and substituted by Daly City Municipal Code regulation 15.00.030.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.070 Section 104.5—Fee Schedule Table 104.5 Mechanical Permit Section, deleted.

Section 104.5 - Fee Schedule Table 104.5 Plumbing Permit Fees of the California Mechanical Code, 2022 Edition, is deleted and substituted by Daly City Municipal Code Section 15.00.020.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.080 Section 104.5.2.1 Investigation Fee, added.

Section 104.5.2. of the California Plumbing Code, 2022, Edition, is amended by adding section 104.5.2.1 to read as follows:

Section 104.5.4 Investigation Fee shall be assessed in accordance with Daly City Municipal Code Section 15.00.020.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.090 Section 104.5.3.1 Refunding of Fee, added.

Section 104.5 of the California Plumbing Code, 2022 Edition is amended by adding section 104.5.3.1 to read as follows:

Section 104.5.3.1 Refunding of Fee shall be assessed in accordance with Daly City Municipal Code Section 15.00.020.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.100 Section 106.3.1 Assessment of Penalties, added.

Section 106.3 of the California Plumbing Code, 2022 Edition, is amended by adding section 106.3.1 to read as follows:

Section 106.3.1 Assessment of penalties shall be assessed in accordance with Daly City Municipal Code Section 15.00.020.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.110 Section 107 Board of Appeals, amended.

Section 107 of the California Plumbing Code, 2022, is deleted in its entirety and substituted by Daly City Municipal Code Section 15.00.050.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.120 Reserved.

15.20.130 Section 310.6.1. Prohibited Fittings and Practices, amended.

Section 310.6 of the California Plumbing Code, 2022 Edition, is amended by adding Section 310.6.1.

Section 310.6.1 Approved Material Connecting Dissimilar Material.

310.6.1. Except for necessary valves, where mixing of dissimilar metals occurs, the point of connection shall be confined to exposed or readily accessible locations and all connections between the two will be made by a brass nipple at least six inches (6") long or other methods approved by the Administrative Authority.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.140 Reserved.

15.20.150 Section 507.28 Additional Requirements—Protection of Water Heater from Damage, amended.

Section 507.0 of the California Plumbing Code, 2022 Edition, is amended by adding subsection 507.28, sub-sections 507.28.1, 507.28.1 and 507.28.3 to read as follows:

Section 507.28 Additional Requirements for protection of Water Heater from Damage.

Section 507.28.1 The owner of the property shall be required to conform to Sections 507.13 and 507.14 in either of the following instances:

Section 507.28.2 Whenever a building permit is issued in connection with said property and said building permit is issued based on a valuation of $1,000.00 or more for work adding or modifying habitable space.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.160 Section 602.5 Unlawful Connections, amended.

Section 602.0 of the California Plumbing Code, 2022 Edition, amended by adding subsection 602.5 to read as follows:

Section 602.5 Other Unlawful Connections- No installation of potable water supply piping or part thereof shall be designed in such a manner that the water system will have dead ends, incapable of being circulated, except for domestic fire sprinkler systems when sprinkler system is connected directly to the domestic service piping system. An approved backflow device shall be installed at the point of connection between the domestic piping and sprinkler piping.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.170 Reserved.

15.20.180 Reserved.

15.20.190 Section 604.15. Plastic Parts Included with Approved Appliance, added.

Section 604 of the California Plumbing Code, 2022 Edition, is amended by adding subsection 604.14 to read as follows:

Section 604.15. Plastic Plumbing Parts Included with Approved Appliance or Fixture.

604.15 Plastic Plumbing Parts included as part of an approved appliance or plumbing fixture when readily accessible for repair or replacement is deemed to be an approved material as determined by the Administrative Authority.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.200 Section 612.0 Residential Fire Sprinkler Systems, amended.

Section 612.0 of the California Plumbing Code, 2022 Edition, is deleted in its entirety and is replace with Daly City Municipal Code Section 15.32 and the 2022 California Fire Code. Fire Sprinkler System requirements, plan review, and inspection shall be determined by the North County Fire Authority.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.210 Section 703.1.1 Sizing of Building Drain and Building Sewer Pipe, amended.

Section 703 of the California Plumbing Code, 2022 Edition, is amended by adding Section 703.1.1 to read as follows:

Section 703.1.1 Size of Building Drain and Building Sewer Pipe - The main building drain sewer waste line shall be a minimum of four inches (4") in diameter.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.220 Reserved.

15.20.230 Section 713.8 Administrative Authority Relating to Building Sewer, amended.

Section 713 of the California Plumbing Code, 2022 Edition is amended by adding section 713.8 to read as follows:

Section 713.8 Administrative Authority Relating to Building Sewer - The North San Mateo County Sanitation District and the Bayshore Sanitary District is referred to as the Administrative Authority for their requirements as to fees, inspections, types of pipes and fittings, pipe sizes and other requirements, relating to building sewers.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

15.20.240 Section 1208.7.1 Gas Meter Location, amended.

Section 1208.7.1 of the California Plumbing Code, 2022 Edition, is amended to read as follows:

Section 1208.7.1 Location - Gas meters shall be located in ventilated spaces readily accessible for examination, reading, replacement, or necessary maintenance. All gas meters shall be located on the exterior of the building and shall be obscured from public view.

(Ord. No. 1461, § 7(Exh. F), 11-28-2022)

## Chapter 15.22 CALIFORNIA GREEN BUILDING STANDARDS CODE[[7]](#footnote-7)

15.22.010 California Green Building Standards Code-Adoption—Where Filed.

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Green Building Standards Code, 2022 Edition", including the appendices thereto, published by the International Code Council, and the whole thereof, save and excluding all appendices, as set forth in this chapter, of which code one copy is filed in the Daly City ECD Library, and is adopted and incorporated as fully as if set out a length in this chapter. From the day on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city.

(Ord. No. 1461, § 8(Exh. G), 11-28-2022)

15.22.020 Chapter 2 Definitions Section 202 Definitions, amended.

Section 202 of the California Green Building Standards Code, 2022 Edition, is amended to add the following definitions to read as follows:

**AFFORDABLE HOUSING.** Residential buildings that entirely consist of units below market rate and whose rents or sales prices are governed my local agencies to be affordable based on area median income.

**AUTOMATIC LOAD MANAGEMENT SYSTEMS (ALMS).** A control system which allows multiple EV chargers or EV-Ready electric vehicle outlets to share a circuit or panel and automatically reduce power at each charger, providing the opportunity to reduce electrical infrastructure costs and/or provide demand response capability. ALMS systems must be designed to deliver a minimum of 8-amperes and not less than 1.4-kiloWatts at the provided voltage, to each EV Capable, EV Ready or EVCS space served by the ALMS, and meet the requirements of California Electrical Code Article 625. The connected amperage on-site shall not be lower than the required connected amperage per Part 11, 2019 California Green Building Code for the relevant building types.

**ELECTRIC VEHICLE CHARGING STATION (EVCS):** A charging space that includes installation of electric vehicle supply equipment (EVSE) with a minimum capacity of 30 amperes connected to a circuit serving a Level 2.

**EV READY SPACE.** EVCS installation may be used to satisfy a Level 2 EV Ready Space requirement. Electric vehicle supply equipment (EVSE) shall be installed in accordance with the California Electrical Code, Article 625.

**EV CAPABLE.** A parking space linked to a listed electrical panel with sufficient capacity to provide at least 110/120 volts and 20 amperes to the parking space. Raceways linking the electrical panel and parking space only need to be installed in spaces that will be inaccessible in the future, either trenched underground or where penetrations to walls, floors, or other partitions would otherwise be required for future installation of branch circuits. Raceways must be at least 1" in diameter and may be sized for multiple circuits as allowed by the California Electrical Code. The panel circuit directory shall identify the overcurrent protective device space(s) reserved for EV charging as "EV CAPABLE." Construction documents shall indicate future completion of raceway from the panel to the parking space, via the installed inaccessible raceways.

**LEVEL 1 EV READY SPACE.** A parking space served by a complete electric circuit with a minimum of 110/120 volt, 20-ampere capacity including electrical panel capacity, overprotection device, a minimum 1" diameter raceway that may include multiple circuits as allowed by the California Electrical Code, and wiring.

**LEVEL 2 EV READY SPACE.** A parking space served by a complete electric circuit with 208/240 volt, 40-ampere capacity including electrical panel capacity, overprotection device, a minimum 1" diameter raceway that may include multiple circuits as allowed by the California Electrical Code, and wiring.

**ALL-ELECTRIC BUILDING.** A building that contains no combustion equipment or plumbing for combustion equipment serving space heating (including fireplaces), water heating (including pools and spas), cooking appliances (including barbeques), and clothes drying, within the building or building property lines, and instead uses electric heating appliances for service.

**COMBUSTION EQUIPMENT.** Any equipment or appliance used for space heating, water heating, cooking, clothes drying and/or lighting that uses fuel gas.

**ELECTRIC HEATING APPLIANCE.** A device that produces heat energy to create a warm environment by the application of electric power to resistance elements, refrigerant compressors, or dissimilar material junctions, as defined in the California Mechanical Code.

**FUEL GAS.** A gas that is natural, manufactured, liquefied petroleum, or a mixture of these.

(Ord. No. 1461, § 8(Exh. G), 11-28-2022)

15.22.030 Section 4.106 Site Development, added.

Section 4.106 of the California Green Building Standards, is Amended to add Section 4.106.5 and Subsection 4.106.5.1 to read as follows:

4.106.5 All-electric buildings. New construction buildings and qualifying alteration projects shall comply with Section 4.106.5.1.

4.106.5.1. New construction and qualifying alteration projects. All newly constructed buildings shall be all-electric buildings. Alterations that include replacement or addition of over 50 percent of the existing foundation for purposes other than a repair or reinforcement as defined in California Existing Building Code Section 202; or where over 50 percent of the existing framing above the sill plate is removed or replaced for purposes other than repair, shall be all-electric buildings. If either of these criteria are met within a one-year period, measured from the date of the most recent previously obtained permit final date, the project shall be subject to the all-electric buildings requirements.

Tenant improvements shall not be considered new construction. The final determination whether a project meets the definition of substantial reconstruction/alteration shall be made by the local enforcing agency.

Exceptions:

1. Projects with planning entitlements approved by the City prior to June 10th , 2021.

2. If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the Energy Code, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Code using commercially available technology and an approved calculation method, then the Building Official may grant a modification.

3. Hotels and motels with eighty or more guestrooms may utilize fuel gas in on-site commercial clothes drying equipment.

4. Accessory Dwelling Units (ADUs) or Junior Accessory Dwelling Units (JADUs) shall be exempt from the all-electric building provisions of this section.

5. If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the local enforcing agency may grant a modification.

(Ord. No. 1461, § 8(Exh. G), 11-28-2022)

15.22.040 Section 5.106 Site Development, amended.

5.106.13 All-electric buildings. New construction buildings and qualifying alteration projects shall comply with Section 5.106.13.1

5.106.13.1. New construction and qualifying alteration projects. All newly constructed buildings shall be all-electric buildings. Alterations that include replacement of over 50 percent of the existing foundation for purposes other than a repair or reinforcement as defined in California Existing Building Code Section 202; or where over 50 percent of the existing framing above the sill plate is removed or replaced for purposes other than repair, shall be all-electric buildings. If either of these criteria are met within a three-year period, measured from the date of the most recent previously obtained permit final date, the project shall be subject to the all-electric buildings requirements.

Tenant improvements shall not be considered new construction. The final determination whether a project meets the definition of substantial reconstruction/alteration shall be made by the local enforcing agency.

Exceptions:

1. Projects with planning entitlements approved by the City prior to June 10th , 2021.

2. Buildings containing kitchens.

3. Buildings that will be constructed to Office of Statewide Health Planning and Development (OSHPD) 1 Hospital Standards or OSHPD 3 Clinic Standards, may contain non-electric space-conditioning, water-heating systems, and process load systems.

4. Non-residential buildings containing F, H, and L occupancies, as defined in the California Building Code.

5. Buildings containing a Scientific Laboratory Area may contain non-electric space conditioning and water-heating systems.

6. If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the local enforcing agency may grant a modification.

(Ord. No. 1461, § 8(Exh. G), 11-28-2022)

15.22.050 Appendix A4.601 General—Tier 1 and Tier 2, deleted.

Appendix Section A4.601 of California Green Building Standards Code, 2022 Edition, is deleted.

(Ord. No. 1461, § 8(Exh. G), 11-28-2022)

15.22.060 Appendix A5.601 CALGreen Tier 1 and Tier 2, deleted.

Appendix Section A5.601 of California Green Building Standards Code, 2022 Edition, is deleted.

(Ord. No. 1461, § 8(Exh. G), 11-28-2022)

15.22.070 Section 4.106.4 Electric Vehicle (EV) Charging for New Construction, amended.

Section 4.106.4 of the California Green Building Standards Code, 2022 Edition, is Amended in its entirety and amended to read as follows: For purposes to this section, certain words and phrases used herein are defined as follows:

**4.106.4 Electric vehicle (EV) charging for new construction.** New construction shall comply with Sections 4.106.4.1, 4.106.4.2, or 4.106.4.3 to facilitate future installation and use of EV chargers.

Exceptions:

1. Where there is no commercial power supply.

2. Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities.

3. Multifamily residential building projects that have been granted entitlements within one year or less before the effective date of this ordinance shall provide at least ten (10) percent of the total number of parking spaces on a building site, provided for all types of parking facilities, with Level 2 EV Ready Circuits. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.

4. Local jurisdictions may consider allowing exceptions through their local process, on a case by case basis, if a building permit applicant provides documentation detailing that the increased cost of utility service or on-site transformer capacity would exceed an average of $4,500 among parking spaces with Level 2 EV Ready Spaces and Level 1 EV Ready Spaces. If costs are found to exceed this level, the applicant shall provide EV infrastructure up to a level that would not exceed this cost for utility service or on-site transformer capacity.

**4.106.4.1 New one- and two-family dwellings and town-houses with attached private garages.** For each dwelling unit, install a Level 2 EV Ready Space and Level 1 EV Ready Space.

Exception: For each dwelling unit with only one parking space, install a Level 2 EV Ready Space.

**4.106.4.1.1 Identification.** The raceway termination location shall be permanently and visibly marked as. "Level 2 EV-Ready".

**4.106.4.2 New multifamily Dwellings.** The following requirements apply to all new multifamily dwellings.

1. For multifamily buildings with less than or equal to 20 dwelling units, one parking space per dwelling unit with parking shall be provided with a Level 2 EV Ready Space.

2. When more than 20 multifamily dwelling units are constructed on a building site:

a. Install one Level 2 EV Ready Space in the first 20 dwelling unit parking spaces.

b. For each additional dwelling unit over 20, 25% of the dwelling units with parking space(s) shall be provided with at least one Level 2 EV Ready Space. Calculations for the required minimum number of Level 2 EV Ready spaces shall be rounded up to the nearest whole number.

c. In addition, each remaining dwelling unit with parking space(s) shall be provided with at least a Level 1 EV Ready Space.

Exception: For all multifamily Affordable housing, 10% of dwelling units with parking space(s) shall be provided with at least one Level 2 EV Ready Space. Calculations for the required minimum number of Level 2 EV Ready spaces shall be rounded up to the nearest whole number. The remaining dwelling units with parking space(s) shall each be provided with at least a Level 1 EV Ready Space.

Notes:

1. Installation of Level 2 EV Ready Spaces above the minimum number required level may offset the minimum number Level 1 EV Ready Spaces required on a 1:1 basis.

2. The requirements apply to multifamily buildings with parking spaces including: a) assigned or leased to individual dwelling units, and b) unassigned residential parking not open to public parking.

3. In order to adhere to accessibility requirements in accordance with California Building Code Chapters 11A and/or 11B, it is recommended that all accessible parking spaces for covered newly constructed multifamily dwellings are provided with Level 1 or Level 2 EV Ready Spaces.

**4.106.4.2.1 Electric vehicle charging space (EV Space) locations.** Construction documents shall indicate the location of proposed EV spaces. Where common use parking is provided at least one EV space shall be located in the common use parking area and shall be available for use by all residents.

**4.106.4.2.1.1 Electric vehicle charging stations (EVCS).** When EV chargers are installed, EV spaces required by Section 4.106.4.2.2, Item 3, shall comply with at least one of the following options:

1. The EV space shall be located adjacent to an accessible parking space meeting the requirements of the California Building Code, Chapter 11A, to allow use of the EV charger from the accessible parking space.

2. The EV space shall be located on an accessible route, as defined in the California Building Code, Chapter 2, to the building.

Exception: Electric vehicle charging stations designed and constructed in compliance with the California Building Code, Chapter 11B, are not required to comply with Section 4.106.4.2.1.1. and Section 4.106.4.2.2, Item 3.

Note: Electric vehicle charging stations serving public housing are required to comply with the California Building Code, Chapter 11B.

**4.106.4.2.2 Electric vehicle charging space (EV space) dimensions—The EV spaces shall be designed to comply with the following:**

1. The minimum length of each EV space shall be 18 feet (5486 mm).

2. The minimum width of each EV space shall be 9 feet (2743 mm).

3. One in every 25 EV spaces, but not less than one, shall also have an 8-foot (2438 mm) wide minimum aisle. A 5-foot (1524 mm) wide minimum aisle shall be permitted provided the minimum width of the EV space is 12 feet (3658 mm).

a. Surface slope for this EV space and the aisle shall not exceed 1 unit vertical in 48 units horizontal (2.083 percent slope) in any direction.

**4.106.4.2.3 Automated Load Management Systems.** As defined in Section 2, ALMS shall be allowed to meet the requirements of 4.106.4.2.

**4.106.4.3 Electric Vehicle Charging for Additions and Alterations of Parking Facilities Serving Existing Multifamily Buildings**—When new parking facilities are added, or electrical systems or lighting of existing parking facilities are added or altered and the work requires a building permit, ten (10) percent of the total number of parking spaces added or altered shall be electric vehicle charging spaces (EV spaces) capable of supporting future Level 2 EVSE.

Notes: 1. Construction documents are intended to demonstrate the project's capability and capacity for facilitating future EV charging. 2. There is no requirement for EV spaces to be constructed or available until EV chargers are installed for use.

(Ord. No. 1461, § 8(Exh. G), 11-28-2022)

15.22.080 Section 5.106.5.3 Electric Vehicle (EV) Charging for New Construction [N], amended.

Section 5.106.5.3 of the California Green Building Standards Code, 2022 Edition, is Amended in its entirety and amended to read as follows:

**5.106.5.3 Electric vehicle (EV) charging. [N]** New construction shall comply with Section 5.106.5.3.1 or Section 5.106.5.3.2 to facilitate future installation of electric vehicle supply equipment (EVSE). When EVSE(s) is/are installed, it shall be in accordance with the California Building Code, the California Electrical Code and as follows:

Exceptions:

1. Where there is no commercial power supply.

2. Spaces accessible only by automated mechanical car parking systems are excepted from providing EV charging infrastructure.

3. Nonresidential building projects with valid entitlements granted by the City that has not otherwise expired before the effective date of this ordinance shall provide at least six (6) percent of the total number of parking spaces on a building site, provided for all types of parking facilities, with Level 2 EV Charging Stations. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number

**5.106.5.3.1 Office buildings:** In nonresidential new construction buildings designated primarily for office use with parking:

1. When 10 or more parking spaces are constructed, 10% of the available parking spaces on site shall be equipped with Level 2 EVCS;

2. An additional 10% shall be provided with at least Level 1 EV Ready Spaces; and

3. An additional 30% shall be at least EV Capable.

Calculations for the required minimum number of spaces equipped with Level 2 EVCS, Level 1 EV Ready spaces and EV Capable spaces shall all be rounded up to the nearest whole number.

Construction plans and specifications shall demonstrate that all raceways shall be a minimum of 1" and sufficient for installation of EVCS at all required Level 1 EV Ready and EV Capable spaces; Electrical calculations shall substantiate the design of the electrical system to include the rating of equipment and any on-site distribution transformers, and have sufficient capacity to simultaneously charge EVs at all required EV spaces including Level 1 EV Ready and EV Capable spaces; and service panel or subpanel(s) shall have sufficient capacity to accommodate the required number of dedicated branch circuit(s) for the future installation of the EVSE.

Notes:

1. ALMS may be installed to increase the number of EV chargers or the amperage or voltage beyond the minimum requirements in this code. The option does not allow for installing less electrical panel capacity than would be required without ALMS.

**5.106.5.3.2 Other nonresidential buildings:** In nonresidential new construction buildings that are not designated primarily for office use, such as retail or institutional uses:

1. When 10 or more parking spaces are constructed, 6% of the available parking spaces on site shall be equipped with Level 2 EVCS;

2. An additional 5% shall be at least Level 1 EV Ready.

Calculations for the required minimum number of spaces equipped with Level 2 EVCS and Level 1 EV Ready spaces shall be rounded up to the nearest whole number

Exception: Installation of each Direct Current Fast Charger with the capacity to provide at least 80 kW output may substitute for 6 Level 2 EVCS and 5 EV Ready spaces after a minimum of 6 Level 2 EVCS and 5 Level 1 EV Ready spaces are installed.

**5.106.5.3.3 Clean Air Vehicle Parking Designation.** EVCS qualify as designated parking as described in Section 5.106.5.2 Designated parking for clean air vehicles.

Notes:

1. The California Department of Transportation adopts and publishes the California Manual on Uniform Traffic Control Devices (California MUTCD) to provide uniform standards and specifications for all official traffic control devices in California. Zero Emission Vehicle Signs and Pavement Markings can be found in the New Policies & Directives number 13-01. www.dot.ca.gov/hq/traffops/policy/13-01.pdf.

2. See Vehicle Code Section 22511 for EV charging spaces signage in off-street parking facilities and for use of EV charging spaces.

3. The Governor's Office of Planning and Research published a Zero-Emission Vehicle Community Readiness Guidebook which provides helpful information for local governments, residents and businesses. www.opr.ca.gov/docs/ZEV\_Guidebook.pdf.

4. Section 11B-812 of the California Building Code requires that a facility providing EVCS for public and common use also provide one or more accessible EVCS as specified in Table 11B-228.3.2.1.

5. It is encouraged that shared parking, EV Ready are designated as "EV preferred."

(Ord. No. 1461, § 8(Exh. G), 11-28-2022)

## Chapter 15.24 ELECTRICAL CODE[[8]](#footnote-8)

15.24.010 California Electrical Code-Adopted—Where Filed.

There is adopted by the city, for the purpose of prescribing regulations for the protection of the public health and safety, that certain electrical code known as the "California Electrical Code, 2022 Edition," as published by the National Fire Protection Association, save and except such portions as are hereinafter deleted, modified or amended as hereinafter set forth, of which code one copy has been and now is on file in the Daly City ECD Library, and is adopted and incorporated as fully as if set out at length in this chapter. From the day on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

(Ord. No. 1461, § 9(Exh. H), 11-28-2022)

15.24.020 Article 89.108.4.2.1. Fees Prescribed and Established by Resolution of the City Council, amended.

Article 89.108.4.2 of the California Electrical Code, 2022 edition is amended by adding Article 89.108.4.2.1 to read as follows:

Article 89.108.4.2.1. Fees as prescribed to defray cost of enforcing rules and regulations of the Electrical Code is referenced to Daly City Municipal Code section 15.00.020, Fees Prescribed and Established by Resolution of the City Council.

(Ord. No. 1461, § 9(Exh. H), 11-28-2022)

15.24.030 Article 89.108.4.3.2. Plan Review Established Fee, amended.

Article 89.108.4.3 of the California Electrical Code, 2022 Edition, is amended by adding section 89.108.4.3.2 to read as follows:

Article 89.108.4.3.2 Plan Review Fee for electrical work shall be determined by Daly City Municipal Code 15.00.020.

(Ord. No. 1461, § 9(Exh. H), 11-28-2022)

15.24.040 Article 89.108.4.3.3 Time Limitation for Application, amended.

Article 89.108.4.3 of the California Electrical Code, 2022 Edition is amended by adding section 89.108.4.3.3 to read as follows:

Article 89.108.4.3.3. Time limitation for an application shall conform to Daly City Municipal Code 15.00.030.

(Ord. No. 1461, § 9(Exh. H), 11-28-2022)

15.24.050 Article 89.108.4.3.4. Time Limitation of a Permit, amended.

Article 89.108.4.3 of the California Electrical Code, 2022 Edition is amended by adding section 89.108.4.3.3 to read as follows:

Article 89.108.4.3.4. Time limitation of a Permit shall conform to Daly City Municipal Code 15.00.040.

(Ord. No. 1461, § 9(Exh. H), 11-28-2022)

15.24.060 Article 89.108.8 Appeals Board, amended.

Article 89.108.8 of the California Electrical Code, 2022 Edition is deleted and substituted by Daly City Municipal Code 15.00.050.

(Ord. No. 1461, § 9(Exh. H), 11-28-2022)

15.24.070 Reserved.

15.24.080 Reserved.

15.24.090 Article 230-70(A) (1). Location of Disconnecting Means, amended.

Article 230-70(A)(1) of the California Electrical Code, 2022 Edition, Service Location is deleted and substituted with the following paragraph, to read as follows:

Article 230-70(A)(1). Location. The main service disconnecting means and meter or meters shall be installed at a readily accessible location on the exterior of the building. All utility service meters shall be obscured from public view unless approved by the Administrative Authority.

(Ord. No. 1461, § 9(Exh. H), 11-28-2022)

15.24.100 Reserved.

15.24.110 Reserved.

15.24.120 Reserved.

15.24.130 Article 706.7.(A) Energy Storage Systems (ESS) Disconnecting Means, amended.

Article 706.7 (A) of the California Electrical Code 2019 Edition is amended to read as follows:

Article 706. (A) Disconnecting means shall be provided for all ungrounded conductors derived to and from an ESS. Disconnecting means shall be located in a readily accessible location at the exterior of the building.

(Ord. No. 1461, § 9(Exh. H), 11-28-2022)

## Chapter 15.26 RESIDENTIAL ROOFTOP SOLAR SYSTEMS

15.26.010 Streamlined permitting process for small residential rooftop solar systems.

The purpose of the chapter is to adopt an expedited, streamlined solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 521, Statutes 2014) to achieve timely and cost-effective installations of small residential rooftop solar energy systems. The chapter encourages the use of solar systems by removing unreasonable barriers, minimizing costs to property owners and the City Daly City, and expanding the ability of property owners to install solar energy systems. The chapter allows the City of Daly City to achieve these goals while protecting the public health and safety.

(Ord. No. 1393, § 1, 8-10-2015)

15.26.020 Definitions.

A. Solar energy system means either of the following:

1. Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating.

2. Any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating.

B. Small residential rooftop solar energy system means all of the following:

1. A solar energy system that is no larger than ten kilowatts alternating current nameplate rating or thirty kilowatts thermal.

2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City of Daly City, and all state and City of Daly City health and safety standards including paragraph (3) of subdivision (c) of Section 714 of the Civil Code.

3. A solar energy system that is installed on a single-family or duplex family dwelling.

4. A solar panel or module array that does not exceed the maximum legal building height as defined by the City of Daly City.

C. Electronic submittal means the utilization of one or more of the following:

1. Email; or

2. The Internet.

D. Association means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

E. Common interest development means any of the following:

1. A community apartment project; or

2. A condominium project; or

3. A planned development; or

4. A stock cooperative.

F. Specific, adverse impact means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

G. Reasonable restrictions on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.

H. Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance means:

1. For Water Heater Systems or Solar Swimming Pool Heating Systems: An amount exceeding ten percent of the cost of the system, but in no case more than one thousand dollars, or decreasing the efficiency of the solar energy system by an amount exceeding ten percent, as originally specified and proposed.

2. For Photovoltaic Systems: An amount not to exceed one thousand dollars over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding ten percent as originally specified and proposed.

(Ord. No. 1393, § 1, 8-10-2015)

15.26.030 Applicability.

This chapter applies to the permitting of all small residential rooftop solar energy systems in the City of Daly City. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of this chapter are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance shall not require a permit.

(Ord. No. 1393, § 1, 8-10-2015)

15.26.040 Solar energy system requirements.

All solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the City of Daly City and the North County Fire Department.

Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing Code and California Mechanical Code.

Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the public utilities commission regarding safety and reliability.

(Ord. No. 1393, § 1, 8-10-2015)

15.26.050 Submittal requirements.

All documents required for the submission of an expedited solar energy system application shall be made available on the City of Daly City website.

Electronic submittal of the required permit application and associated documents for small, residential rooftop solar energy system permits shall be by email, or the Internet. As an alternative an applicant may submit a permit application and associated documents at the building division front counter during regular business hours.

An applicant's electronic signature will be accepted on all forms, applications, and other documents in lieu of a wet signature.

The City of Daly City shall adopt a standard plan and checklist of all requirements with which small residential rooftop solar energy systems must comply to be eligible for expedited review.

The small residential rooftop solar system permit process, standard plans, and the checklist shall substantially conform to recommendations for expedited permitting, including the checklist and standard plans contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.

All fees prescribed for the permitting of small residential rooftop solar energy system must comply with Government Code Section 65850.55, Government Code Section 66015, Government Code Section 66016, and State Health and Safety Code Section 17951.

(Ord. No. 1393, § 1, 8-10-2015)

15.26.060 Plan review, permit, and inspection requirements.

The building division shall provide an administrative, nondiscretionary plan check review process to expedite approval of small residential rooftop solar energy systems within thirty days of the adoption of this chapter.

The building division shall process, review, and approve the application for the installation or use of a solar system in the same manner as an application for review of an architectural modification to the property, and shall not be willfully avoided or delayed.

If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

If an application for the installation of a solar system is not denied in writing within forty-five days of receipt of a complete application the application shall be deemed approved, unless the delay is the result of a reasonable request for additional information.

The City of Daly City Planning Division may require an applicant to apply for a use permit if the planning division finds, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to City of Daly City Planning Commission.

Review of the permit application shall be limited to the building division's review of whether the application meets local, state, and federal health and safety requirements. If a use permit is required, the building official may deny an application for the use permit if the building official makes written findings based upon substantive evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Such findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact. Such decisions may be appealed to the City of Daly City Planning Commission. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

A "feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City of Daly City on another similarly situated application in a prior successful application for a permit. The City of Daly City shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code defining restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance.

The City of Daly City shall not condition approval of an application for a small residential rooftop solar energy system on the approval of an association, as defined in Section 4080 of the Civil Code.

Only one inspection shall be required and performed by the building division for small residential rooftop solar energy systems eligible for expedited review. During the required inspection, if is found that the installation does not conform to the approved plans and/or comply with the current California Code of Regulations title 24 requirements then an additional, follow-up inspection shall be required.

If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized and required but need not conform to the requirements of this chapter.

A separate fire inspection may be performed by the North County Fire Department, if required.

The inspection shall be done within three business days and may include consolidated inspections.

(Ord. No. 1393, § 1, 8-10-2015)

## Chapter 15.28 MOVING OR DEMOLITION OF BUILDINGS

15.28.010 Permit—Required.

No person shall move or cause to be moved any building in, into, through or from the city, on, over or through any public street, public way or park in the city, or demolish any building within the city, without first obtaining a house moving or demolition permit for each such building from the city engineer.

In addition to the foregoing, a building permit shall be required for each of the following:

A. For the site from which the building is to be removed or demolished;

B. For the site to which the building is to be moved or used if within the city.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.020 Permit—Application.

Any person desiring a permit under this chapter shall file with the city engineer an application therefor in writing which shall contain the following:

A. An accurate description of the building to be removed;

B. A statement of the place from which and the place to which the building is to be removed;

C. A statement of the streets over which it is desired to make such removal;

D. Every house moving permit shall specify the public streets, ways or parks in the city on, over or through which the building for which such permit is issued shall be moved and such building shall be moved on, over or through only those public streets, ways or parks named in such permit unless otherwise authorized by the city engineer.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.030 Permit—Application—When building is to be located in city.

If any building to be moved is to be located in the city, the application in addition to the contents of Section 15.28.020 shall also contain the following:

A. A clear and concise statement, setting forth all methods or procedures that will be used for returning the lot from which the structure is to be removed to a condition which will not be hazardous to the health and safety of the residents of Daly City and in conformity with this code. The plan shall also specify the time limit within which the work will be commenced and completed;

B. Such application shall have attached to it three photographs not less than eight by ten inches, in glossy finish, showing clearly and distinctly the front, rear and one side of such building without distortion or refinishing;

C. A map or plat of the lot on which it is proposed to place such building. Such map shall show all dimensions of such lot together with the dimensions of all improvements already located thereon;

D. Specifications or a sketch of such building, showing structural details and details of electric wiring and of plumbing therein;

E. A statement of the replacement cost of such building at the time of removal;

F. If any alterations or repairs are to be made on such building, the application shall have attached to it complete plans and specifications for such alterations or repairs, and shall obtain a building permit therefor.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.040 Bond—Required.

Every person desiring a house moving permit shall, prior to the issuance of such permit, file a bond with the city in the sum of three thousand dollars, with a surety company as a sole surety. Such bond shall be in favor of the city and shall be conditioned that the person securing such house moving permit shall strictly comply with all the conditions and requirements of this chapter and of any other city ordinances regulating house moving, and that such person shall save, indemnify and keep harmless the city against all liabilities, damages, judgments, costs and expenses which may in anywise accrue against the city in consequence of the granting or exercise of such house moving permit, and that such person shall in all things strictly comply with the conditions of such permit. Any such bond may be conditioned to operate as a continuing bond for the purpose required by this chapter.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.050 Bond—Attorney—Approval.

Every bond required by this chapter shall be approved by the city attorney before the same shall be deemed effective.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.060 Permit—Fee.

Every applicant to whom a house moving permit has been issued shall pay a permit fee of twenty-five dollars therefor.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.070 Denial of permit—Return of fees.

If any application under this chapter is denied, all building fees paid by the applicant shall be refunded to him.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.080 Permit—Deposit—Required.

Every applicant to whom a house moving permit has been issued shall deposit with the city the sum of one hundred dollars, plus such additional sums as may be required to cover the cost to the city of trimming, moving, removing or replanting of trees or shrubs, and of moving, removing or displacing any pole or other structure supporting any wires, cables or other equipment belonging to the city or the cutting, displacing or changing the location of any wire, cable or other equipment upon such poles or structures belonging to the city.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.090 Permit—Deposit—Refund or application to damages.

When the moving of any building for which a permit has been granted under this chapter is completed, and all damage for which a permit has been granted is completed, and all damage to public streets or other public property has been repaired to the satisfaction of the city, and all costs of repairing damage or performing other work as provided in this chapter has been paid for, the deposit as required by this chapter, or such portion thereof then remaining unused under the provisions of this chapter, shall be refunded upon demand therefor as required by law and upon surrender of the deposit receipt representing the money so deposited. Should the cost of repairing damages or performing other work, as provided in this chapter, exceed the total amount of money deposited, the person to whom such permit was granted shall be held liable for the amount of damage or other costs which are in excess of the amount deposited.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.100 Permit—Revocation.

The city engineer may at any time, for such cause as he may deem sufficient, revoke any permit granted under this chapter.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.110 Permit—City-located house—City engineer check.

Every application filed by an applicant for a house moving permit and the house to be located in the city shall be checked by the city engineer. Each such house shall meet the building and zoning requirements of the city.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.120 Moving buildings deemed under city control.

Every building, which is moved in, over or through any public street, way or park in the city, shall be under the control of the city.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.130 Moving to be done in careful manner.

Every building, which is moved in, over or through any public street, way or park in the city, shall be moved in a careful manner and the work shall be prosecuted with diligence and to the satisfaction and approval of the city.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.140 Buildings not to remain on streets without permission.

No person, owning or having charge of the moving of any building into, on, over, through or from any public street, way or park in the city, shall allow or cause such building to remain in any one location on any such street, way or park for a longer period than twenty-four hours except by written permission obtained from the city engineer.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.150 Injury to streets or property.

No person, owning or having charge of the moving of any building into, on, over, through or from any public street, way or park in the city, shall allow or cause the injury of any such street, way or park or of any street structure, private or public property by reason of such moving.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.160 Removal of obstructions—Notice to owner.

In the event that the moving of any building for which a permit shall have been granted under this chapter makes it necessary to move, remove or displace any pole or other structure supporting the wires, cables or other equipment of any public utility or of the city or to cut, displace or change the location of any wire, cable or other equipment upon such poles or structures, the person to whom such permit has been granted, or his authorized representative, shall notify the owner of such pole or structure or the wires, cables or other equipment thereon, at least forty-eight hours prior to the time that the moving of such building will necessitate the removal of such obstructions.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.170 Removal of obstructions—Work to be done by authorized personnel.

Any person to whom a permit has been granted under this chapter shall not, at the expiration of such time of notice referred to in Section 15.28.160, or at any time, cut, move or in any way disturb such public utility or city property referred to in such section. Such work shall be done only by the authorized workmen of the public utility interested, or if city property, by the authorized workmen of the city.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.180 Removal of obstructions—Permittee to pay costs.

Any person to whom a permit has been granted under this chapter shall pay to such public utility or to the city, as the case may be, any cost or expense occasioned by the removal, rearrangement or relocation of wires, cables, poles or equipment, and for any damage done to any such property.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.190 Removal of obstructions—City-owned plants.

In the event that the moving of any building for which a permit shall have been granted under this chapter makes it necessary to trim, move, remove or replant any tree, plant or shrub belonging to or under the control of the city, the person to whom such permit has been granted, or his authorized representative, shall notify the city at least forty-eight hours prior to the time that the moving of such building shall necessitate the removal of such obstructions.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.200 Removal of obstructions—City-owned plants—Authorized personnel to do work.

Any person, to whom a permit has been granted under this chapter, shall not, at the expiration of such time of notice referred to in Section 15.28.190, or at any time, trim, move, remove, replant or otherwise disturb such trees, plants or shrubs referred to in such section. Such work shall be done only by the authorized workmen of the city unless otherwise approved and so ordered by an authorized officer of the city.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.210 Removal of obstructions—Damage to city-owned plants—Permittee to pay damage.

Any person to whom a permit has been granted under this chapter shall pay to the city all costs of expense for the trimming, moving, removing or replacing of trees, plants or shrubs or of any damage thereto.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.220 Repairs of damage—Notification by engineer.

In the event that the moving of any building for which a permit shall have been granted under this chapter causes damage to the public streets or other public property, the person to whom such permit has been granted shall, upon written notification from the city engineer, proceed to make all necessary repairs to such streets or property.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.230 Repairs of damage—Failure to correct—City correction.

Should any person, to whom a permit has been granted pursuant to this chapter, fail to make such necessary repairs within the period of time designated in such written notice referred to in Section 15.28.220, the city may make such necessary repairs and deduct the cost thereof from the deposit required by this chapter. The period of time designated in such written notice shall not be less than four hours from the time such notice shall have been served.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.240 Removal of foundations—Required.

The property from which the structure is moved shall have all concrete or other foundations, concrete slabs and walkways removed. All pipe, conduit, wire and drains specifically for the use of the structure shall be removed. The lot shall be graded to drain to the street or an acceptable drainage facility. The area shall be seeded with a hard grass or groundcover which will control erosion by wind or water.

(Ord. 1336 § 8 Exh. H (part), 2007)

15.28.250 Removal of foundations—Failure to perform work.

In the event that any person fails to perform the requirements of Section 15.28.240, the city engineer may institute any necessary legal proceedings to enforce the requirements of Section 15.28.240.

(Ord. 1336 § 8 Exh. H (part), 2007)

## Chapter 15.32 FIRE CODE[[9]](#footnote-9)

15.32.010 2022 California Fire Code, Title 24, Part 9 and 2021 International Fire Code—Adoption—Where Filed.

There is hereby adopted by the City of Daly City, for the purpose of prescribing regulations governing conditions hazardous to the life and property and for protection from fire or explosion, those non-building standards contained within the International Fire Code and Building Standards contained within the California Fire Code, 2022 Edition [California Code of Regulations, Title 24, Part 9], published by the International Code Council, amended by the State of California and as adopted and/or amended by the Office of the State Fire Marshal, and the whole thereof, including Appendix B ("Fire-Flow Requirements for Buildings"), Appendix C ("Fire Hydrant Locations and Distributions") Appendix D (Fire Apparatus Access Roads"), Appendix F ("Hazard Ranking"), and Appendix L ("Requirements for Fire Fighter Air Replenishment Systems") save and except such portions as are hereinafter deleted, modified or amended by this chapter, of which code and standards not less than one copy has been and is now filed in the office of the city clerk of the city and the same is adopted and incorporated as fully set out at length in this chapter, and from the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.020 Bureau of fire prevention—Established—Enforcement duties.

A. This code shall be enforced by the fire prevention services bureau in the fire department, which is established, and which shall be operated under the supervision of the chief of the fire department.

B. The fire marshal in charge of the fire prevention services bureau shall be appointed by the city manager on the basis of examination to determine his/her qualifications.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.030 New materials, processes, or occupancies which may require permits.

The city manager, or designated representative, the chief and the fire marshal of the fire prevention services bureau, shall act as a committee to determine and specify, after giving affected persons the opportunity to be heard, any new materials, processes, or occupancies which shall require permits, in addition to those now encumbered in the code. The fire marshal of the fire prevention services bureau shall post such list in a conspicuous place in his/her office and distribute copies thereof to interested persons.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.040 Section 105—Amended.

Section 105 of this code is amended by adding the following required permits:

105.5 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.5.1 through 105.5.58

105.5.55 Christmas Tree Lot. To operate a Christmas tree lot for the seasonal sale of Christmas trees.

105.5.56 Fire Alarm. To operate a manually or automatically actuated fire alarm in any building. Exception: smoke detectors in one and two-family dwellings.

105.5.57 Institutions and day care. To operate any and all occupancies that are set forth under Group I Occupancies, and Group E Occupancy of Title 24 of the California Code of Regulations, each accommodating more than six people.

105.5.58 Residential care facility. To operate a residential care/assisted living facility as set forth under Group R, Division 4 Occupancies.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.050 Section 107—Amended.

Section 107 is amended by adding the following paragraph at the end of the section:

The city council of the City of Daly City may if it so desires, establish by resolution permit fees in connection with any permit required or authorized to be issued by the fire chief or any other authorized representative of the fire department.

15.32.060 Section 111—Amended.

Section 111 of this code is deleted in its entirety and replaced by the following sections to read as follows:

Section 111 Appeals

A. If a person is aggrieved by the decision of the fire chief or fire marshal, he/she shall have the right to appeal said decision to the city council.

B. Said appeal shall be in writing and shall be submitted to the city council within ten days of the decision of the fire chief or fire marshal. The city council shall, thereafter, at the next regular meeting of the city council after receipt of notice of appeal, set a time for hearing on said appeal, which time shall be not less than fourteen nor more than forty-five days from the date of the regular meeting.

C. A copy of the notice of hearing shall be mailed to the appellant not less than ten days before the date of hearing by the city clerk.

D. The time of hearing may be continued at the request of the party aggrieved at any time, which continuance shall not exceed a maximum of sixty days from the date originally set for hearing.

E. Said right of continuance shall be subject to approval by the city council and the decision of the city council shall be final.

F. Notice of the decision of the city council shall be delivered to appellant personally, or sent by certified mail, return receipt requested.

G. The effective date of such decision shall be the date of mailing of such notice of the decision, or the date the same is personally delivered to the appellant.

H. Failure of any person to file an appeal in accordance with the provisions of this code shall constitute a waiver of his/her right to an administrative hearing an adjudication of the notice and order, or to any portion thereof.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.070 Section 505.1—Amended.

Section 505.1 is amended by adding the following at the end of the section:

Said numbers shall be internally or externally illuminated in all new construction, or when alterations or repairs of existing construction occur. The size and location of address numbers for multi-family dwellings and all other occupancies shall be as designated by the fire marshal. Buildings shall be placarded in accordance with NFPA 704. The locations and size of placards shall be as required by the fire marshal.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.080 Section 507.5.1—Amended.

Section 507.5.1 of this code is amended to read as follows:

Section 507.5.1 Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions: For group R-3 and U occupancies, the distance requirements shall be 250 feet.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.090 Section 509.1.2—Added.

Section 509.1.2 is added to this code to read as follows:

Section 509.1.2 Multi-Family tenant buildings. All gas and electric utility services in multi-family tenant buildings shall be visibly and legibly marked with the unit identification.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.100 Section 903.2—Amended.

Section 903.2 of this code is deleted in its entirety and is replaced with the following:

Section 903.2 Where required.

A fire extinguishing system shall be installed in all occupancies and locations as set forth in this section.

A. All Occupancies. All occupancies shall be protected throughout by an automatic fire sprinkler system installed in accordance with NFPA 13.

Exceptions: Detached garages less than 400 square feet in size. Detached carports and greenhouses. Sheds and auxiliary structures under 200 square feet in size and not used for human habitation.

B. Existing Occupancies. When an existing building undergoes any alteration, renovation, addition, or repair which exceeds 50% of the building's original gross area within any five (5) year period, the entire building shall be protected by an automatic fire sprinkler system. Gross area shall be the area included within surrounding exterior walls.

Exceptions: Work involving exterior surfaces only, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck.

C. For purposes of this section, an, addition, alteration or repair is defined as any change to a building that requires a permit other than only a mechanical, electrical or plumbing permit.

D. Other Areas. An automatic fire sprinkler system shall be installed in all garbage compartments, rubbish and linen chutes, linen rooms, incinerator compartments, dumb waiter shafts, and storage rooms when located in all occupancies except Group R, Division 3. An accessible indicating shut off valve shall be installed.

E. Condominium Conversions. An automatic fire sprinkler system shall be installed for all condominium conversions.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.110 Automatic Sprinkler Systems—Added.

Add Sections 903.2.22

Purpose: To establish requirements for sprinkler protection of car stackers not specifically addressed in NFPA 13.

Parking garage areas containing car stackers shall be protected by an automatic wet-pipe sprinkler system designed to Extra Hazard Group 2. In addition, non-extended coverage standard sidewall sprinklers listed for Ordinary Hazard shall be provided under each parking level, including the bottom level if the stacker is provided with a pit. Each sidewall sprinkler shall cover an area of 80 sq. ft. or less.

The area of application may be reduced from the required 2500 sq. ft. to as low as 1500 sq. ft. if:

1. 1-hour fire rated walls are provided to separate the car stacker areas from the standard parking stalls,

2. The car stacker areas are divided up into 1500 sq. ft. areas via 1-hour fire rated walls, and

3. One-hour fire rated walls are provided to separate the car stacker areas from any other areas in the garage.

One-hour fired rated walls are not required in the driveway areas. For the hydraulic calculation, flow from all sprinklers, upright or pendent sprinklers at ceiling and all sidewall sprinklers at all levels, located in the area of application shall be included in the calculation.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.120 Section 903.4 Sprinkler System Supervision and Alarms.

Section 903.4.2 is amended by adding following to the end of the paragraph:

In addition to the audible device(s) required by this section, an approved strobe light shall be located on the exterior of the building in an approved location.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.130 Section 904.13.6—Added.

Section 904.13.6 Floor Markings

The location(s) of all cooking appliances that are protected by an approved automatic fire extinguishing system shall be permanently identified either by a wall mounted "approved" appliance floor plan or marked on the floor in a manner approved by the Fire Marshal.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.140 Section 907.7.3—Amended.

Section 907.7.3 of this code is amended by adding the following paragraph:

Each fire alarm system shall have posted at the main control panel instructions for silencing and resetting the system, the day and night phone numbers of the person responsible for the property, and the company or individual providing maintenance services for the alarm system.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.150 Section 907.8.4—Amended.

Section 907.8.4 of this code is amended by adding the following paragraph:

Each operator of a fire alarm system is required to have a maintenance/inspection contract with a company or individual licensed by the California Department of Consumer Affairs to perform work on a fire alarm system. Individuals performing maintenance or inspection services must be appropriately licensed or directly employed by an appropriately licensed contractor. A current copy of the maintenance/inspection contract shall be submitted to the fire department each year before the issuance of an annual fire alarm permit. This contract shall provide for inspections and service in accordance with NFPA 72.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.160 Section 914.3.9—Added.

Section 914.3.9 is added to this code and shall read as follows:

Section 914.3.9 Multistoried. High-rise Safety Requirements.

All Group B and Group R occupancies, each having floors used for human occupancy located more than seventy-five feet (75') above the lowest level of fire department vehicular access, shall be equipped with an approved Firefighter Breathing Air Replenishment System.as outlined in Appendix L Such a system shall provide an adequate pressurized fresh air supply through a permanent piping system for the replenishment of portable life sustaining air equipment carried by fire department, rescue, and other personnel in the performance of their duties. Location and specifications of access stations to, and the installation of, such air replenishment systems shall be made in accordance with the requirements of the fire chief.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.170 Section 5608.1—Amended.

Section 5608.1 of this code is amended by adding the following paragraph:

The sale and discharge of fireworks is permitted only as provided in Title 8, Chapter 8.24 et seq., of the Daly City Municipal Code.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.180 Section 5608.1.2—Amended.

Section 5608 of this code is amended by adding Section 5608.1.2 as follows:

Section 5608.1.2. The foregoing provisions of Chapter 33 shall be subject to the provisions of Title 8, Chapter 8.24 of the Daly City Municipal Code whenever same are in conflict therewith.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.190 Violation—Penalty—Added.

Any person who shall violate any provision of this code adopted by this chapter, or fail to comply therewith, or who shall build in violation of any detailed statement of specifications or plans submitted and approved hereunder, and from which no appeal has been taken, or shall fail to comply with such and order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed therein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as set forth in section 1.12.010 of the Daly City Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.200 Authority to Cite—Added.

The fire chief and/or fire marshal may, pursuant to section 836.5 of the Penal Code, and subject to the provisions thereof, cite a person whenever he/she has reasonable cause to believe that the person to be cited has committed a misdemeanor in his/her presence which is a violation of the International/California Fire Code adopted by the city and any amendments thereto, which the fire chief and/or fire marshal have duty to enforce.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.210 Appendix D—Section D101.2—Added

Section D101.2 is added to read as follows:

D101.2—Definition—Fire Apparatus Access Road. A road that provides fire apparatus access from a fire station to at facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane, access road way and drive way.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.220 Appendix D Section D102.—Added.

An Exception to Appendix D102 is added to read as follows:

Exception: When a fire department access roads cannot be installed due to location on the property, topography, waterways, non-negotiable grades, or other similar conditions the AHJ shall be authorized to require fire protection features in addition to those already required.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.230 Appendix D —Section D102.2 Fire Apparatus Access Roads.—Added.

Amendment Appendix D Section D102.2

Section D102.2 is added to read as follows:

Section D102.2—Fire department access shall extend to within 50 feet (15 m) of at least one exterior door that can be opened from the outside and that provides access to the interior of the building.

Exception: one- or two-family dwellings or townhouses protected with 13D or 13R may be permitted to be increased to 150 ft (46 m).

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.240 Appendix D Section D102.3—Added.

Section D102.3 is added to read as follows:

Large Buildings—Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft. (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.250 Appendix D Section D102.4—Added.

Section D102.4 is added to read as follows:

Fire department access roads shall have an unobstructed vertical clearance of not less than 13 ft 6 in. (4.1 m).

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

15.32.260 Vegetation Management Program for the Southern Hills Area.—Added.

Part I—Purpose and Applicability

A. Purpose and Intent. The purpose and intent of these regulations is to identify areas which present a fire hazard due to the accumulation of gorse plants near residential areas so that public officials are able to identify measures that will retard the rate of spread and reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.

B. Designation of Vegetation Management Program Areas. Areas identified by the fire chief shall be deemed a fire hazard and it is the duty and responsibility of property owners within such area(s) to maintain such designated property in accordance with this section.

C. Authority to Designate and Designation of Vegetation Management Program Areas.

a. The Daly City fire chief is authorized to designate area(s) within the boundaries of the city, as area(s) meeting the criteria governed by section B.

b. The Daly City fire chief has designated the following area as an area meeting the criteria governed by section B:

i. Southern Hills: located in the northeast portion of Daly City north and east of Crocker Avenue including but not limited to South Hill Boulevard, Alta Vista Way, Oakridge Street and surrounding areas abutting San Bruno Mountain County Park which lies to the south. An exact area is delineated upon a map attached to the ordinance codified in this section as Appendix 1. An original map of the area is located within the administrative offices of the Daly City fire department.

D. General Requirements as to Dwellings or Structures In, Upon or Adjoining Specified Areas or Lands Within an Area(s) Meeting Criteria Governed by section B—Maintenance.

a. Any person who owns, leases, controls, operates, or maintains any land within an area meeting criteria governed by Section B and designated by the fire chief pursuant to this section shall at all times do all of the following:

i. All properties shall be entirely cleared of all flammable vegetation including but not limited to gorse, grass, weeds, and brush. This subdivision does not apply to single specimens of trees, ornamental shrubbery, or similar plants that are used as groundcover, if they do not form a means of rapidly transmitting fire from native growth to any dwelling or structure; grass and other vegetation less than twelve inches in height above the ground may be maintained to stabilize the soil and prevent erosion;

ii. Remove that portion of any trees that extend within ten feet of the outlet of any chimney or stovepipe;

iii. Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than one-half inch in size;

iv. Maintain any tree adjacent to or overhanging any building free of dead or dying wood; and

v. Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth.

b. A person is not required under this section to maintain a clearing on any land if that person does not the have legal right to maintain the clearing, nor is any person required to enter upon or damage property that is owned by any other person without the consent of the owner of the property.

E. Application of Maintenance Standards to Specified Land or Water Areas.

a. This section shall not apply to any land or water area acquired or managed for one or more of the following purposes or uses:

i. Habitat for endangered or threatened species, or any species that is a candidate for listing as an endangered or threatened species by the state or federal government;

ii. Lands kept in a predominately natural state as habitat for wildlife, plant or animal communities; and

iii. Open space lands that are environmentally sensitive parklands.

b. This exemption applies whether the land or water area is held in fee title or any lesser interest. This exemption applies to any public agency, any private entity that had dedicated the land or water areas to one or more of those purposes or uses, or any combination of public agencies, and private entities making that decision.

F. Enforcement.

a. The provisions for Section 1507 and any subsequent subsections or local amendments to Section 1507 (roof coverings) of the latest edition of the California (International) Building Code as adopted by the city, shall apply in all areas so designated in the city. The building official shall enforce the provisions of Section 1507 in all areas so designated by the fire chief and as locally amended.

b. The Daly City fire department shall have authority to enforce all requirements in this section as well as the enabling statutes. Violations of this section, or of the enabling state statutes may be prosecuted under Sections 51185 through 51187 of the Government Code, or alternatively under the general penalty provisions of Chapter 1.12 of this code, or under this section as specified below.

i. Notification of Violation. Whenever the fire department determines that any property within the city is being maintained contrary to one or more of the provisions of this section, (s)he shall give written notice to the owners and/or tenant of the property stating the sections being violated.

ii. Referral to City Attorney. In the event an owner shall fail, neglect, or refuse to comply with the notice to correct a violation, the fire department may refer the violation to the city attorney for legal action, including the institution of a civil or criminal proceeding to achieve compliance, as an alternative to the administrative appeal committee process set out in the sections below.

iii. Referral to Administrative Appeal Committee. In the event an owner shall fail, neglect or refuse to comply with the notification, the fire department may seek compliance through the administrative appeal committee process as set forth in Part II of this section, in addition to, or as an alternative to any other remedy allowed by law or by this section.

iv. Referral to City Council for Abatement. In the event an owner shall fail, neglect, or refuse to comply with this notification, the fire department may seek compliance through abatement or physical security of the property as set forth in Part III of this section in addition to, or as an alternative to any other remedy allowed by law or by this section.

Part II—Administrative Appeals, Hearings,   
Orders, Penalties, and Costs

A. Applicability of Administrative Appeal Process.

a. This subsection provides for administrative remedies, which are in addition to all other legal remedies, criminal or civil, which may be pursued by the city to address any violation of this section.

b. Use of this subsection shall be at the sole discretion of the city in general, and of the fire department in particular.

B. Purpose of Administrative Appeal Process.

a. The administrative appeal process serves to provide the full opportunity of a person subject to a notification of violation to object to the determination that a violation has occurred and/or that the violation has continued to exist. The failure of any person subject to a notification of violation, pursuant to this section, to appear at the hearing shall constitute a failure to exhaust administrative remedies.

b. In the absence of an appeal, the administrative appeal process is provided to review the facts of any issued notification of violation, where necessary, and upon review of such facts the administrative appeal board may:

i. Discharge the notification of violation;

ii. Re-issue the notification of violation; or

iii. Without further hearing, declare such property to be a violation, and order abatement, issue administrative orders, impose administrative penalties, and recover administrative costs pursuant to the provisions of this section.

c. In appropriate cases, the administrative appeals board may decide or order the direct abatement of the subject property, subject to the property owner's right to timely appeal that decision to the Daly City Council.

C. Administrative Appeal Committee.

a. The administrative appeal committee shall be the body designated to conduct an administrative hearing to ascertain whether the violation exists, the abatement of which is appropriate under the police powers of the city.

b. The membership of the administrative appeal committee shall consist of one or more city employees appointed by the city manager or his or her designated representative, with sufficient supervisory, professional or practical experience to review the matters brought before the administrative appeals committee.

D. Notices.

a. Notice of administrative appeal committee hearing, or other actions shall be served upon the owner in accordance with the provisions of this section, and shall be served upon the property owner not less than fourteen days before the time fixed for the hearing.

b. Notice shall be given by delivering a written notice personally to the owner(s) of the property upon which the violation is located, or by depositing such notice in the United States mail, postage prepaid, and addressed to the owner(s) thereof at his or her last known address as the same appears on the last equalized assessment roll of the county. In the event a notice is given to the person(s) in apparent possession or control of the property, such notice shall be given in either manner specified in this section and may be addressed to "occupant" or "to whom it may concern", if the name of such person(s) is unknown.

c. Notice of hearing before the administrative appeal committee or notice of an action by the administrative appeal committee shall substantially contain the information as set forth below:

i. The date and location of the violation;

ii. The section of this code, the adopted International codes, state law or regulations or other such statutes violated and a description of the violation;

iii. The actions required to correct the violation;

iv. The time period after which administrative penalties will begin to accrue if compliance with the notification has not been achieved;

v. Either a copy of this section or an explanation of the consequences of noncompliance with this section and a description of the hearing procedure and appeals process; or

vi. The fact that this matter will be sent to the city attorney's office to seek compliance if the matter poses an immediate threat or danger.

d. The failure of any owner or other person to receive such notice shall not affect in any manner the validity of any proceedings taken under this section of this section.

E. Hearing—Findings and Order.

a. At the place and time set forth in the notice set out above, the administrative appeal board shall conduct a hearing on the notification of violation issued pursuant to this section.

b. The board shall consider any written or oral evidence consistent with its rules and procedures regarding the violation and compliance by the violator or by the real property owner.

c. Within a reasonable time following the conclusion of the hearing, the board shall make findings and issue its determination regarding:

i. The existence of the violation;

ii. The failure of the violator/owner to take required corrective action within the required time period.

d. The board shall issue written findings. The findings shall be supported by evidence received at the hearing.

e. If the board finds by a preponderance of the evidence that a violation has occurred and that the violation was not corrected within the time period specified in the notification of violation, the board shall issue an administrative order. Such administrative order may direct abatement by the city.

f. If the board finds that no violation has occurred or that the violation was corrected within the time period specified in the notification of violation, the board shall issue a finding of those facts.

F. Administrative Order. If the administrative appeal board determines that a violation occurred which was not corrected within the time period specified in the notification of violation, the board shall issue an administrative order which imposes any or all of the following:

a. An order to correct, including a schedule for correction where appropriate;

b. An order to abate, by city forces or contract, with allowance for timely appeal to the city council, and cost recovery for the costs of abatement;

c. Administrative penalties provided below;

d. Administrative costs as provided below.

G. Administrative Penalties.

a. The administrative appeal board may impose administrative penalties for the violation of any provision of this code in an amount not to exceed a maximum of two thousand five-hundred dollars per day for each ongoing violation, except that the total administrative penalty shall not exceed ten thousand dollars exclusive of administrative costs, interest and restitution for compliance inspections, for any related series of violations.

b. In determining the amount of the administrative penalty, the board may take any and all of the following factors into consideration:

i. The duration of the violation;

ii. The good-faith efforts of the violator to come into compliance;

iii. The economic impact of the penalty on the violator;

iv. The impact of the violation on the community;

v. Such other factors as justice may require.

c. Administrative penalties imposed by the board shall accrue from the date specified in the notification of violation and shall cease to accrue on the date the violation is corrected as determined by the fire department or the board.

d. The board, in its discretion, may suspend the imposition of applicable penalties for any period of time during which the violator had made good-faith efforts to achieve compliance.

e. Administrative penalties assessed by the board shall be due by the date specified in the administrative order.

f. Administrative penalties assessed by the board are a debt owed to the city, and, in addition to all other means of enforcement, may be enforced by means of a lien against the real property on which the violation occurred.

g. If the violation is not corrected as specified in the board's administrative order, administrative penalties shall continue to accrue on a daily basis until the violation is corrected, subject to the maximum amount set forth.

h. If the violator gives written notice to the fire department that the violation has been corrected and if the fire department finds that compliance has been achieved, the city shall deem the date the written notice was postmarked or personally delivered to the fire department or the date of the city's site inspection, whichever first occurred, to be the date the violation was corrected. If no written notice is provided, the violation will be deemed corrected on the date of the city's site inspection.

H. Administrative Costs.

a. The administrative appeal board may assess administrative costs against the violator when it finds that a violation has occurred, and that compliance has not been achieved within the time specified in the notification of violation.

b. The administrative costs may include any and all costs incurred by the city in connection with the matter before the administrative appeal board, including but not limited to costs of investigation, staffing costs incurred in the preparation for the hearing and for the hearing itself, and costs for all re-inspections necessary to enforce the notification of violation.

I. Failure to Comply with Administrative Compliance Order. Failure to pay the assessed administrative penalties and administrative costs specified in the administrative order of the administrative appeals board may be enforced as:

a. A personal obligation of the violator; and/or

b. A lien upon the real property. The lien shall remain in effect until all of the administrative penalties, interest and administrative costs are paid in full.

J. Right to City Council Review. Any person aggrieved by an administrative order or determination following a hearing by the administrative appeal board on a compliance dispute, may obtain review of the administrative order with the Daly City council as set out below.

K. Recovery of Abatement Costs and/or Administrative Civil Penalties. The City may collect abatement costs and/or the assessed administrative penalties and administrative costs by use of all available means, including recordation of a lien.

L. Compliance Dispute.

a. If a violator believes that compliance has been achieved but not agreed to or accepted as complete by the fire department, he or she may request a compliance hearing before the administrative appeal board by filing a request for a hearing with the fire department.

b. The hearing shall be noticed and conducted in the same manner as a hearing on a notification of violation as provided in earlier subsections of the section. The board shall determine if compliance has been achieved and, if so, when it was achieved.

Part III—Appeals to City Council   
and Abatement

A. Appeals Procedure—Hearing by City Council.

a. The owner receiving an abatement order, administrative order, or an order of the administrative appeal board following a compliance hearing, may request a hearing before the city council ("council") by filing its request with the city clerk within ten calendar days of the date of service of the administrative order or an order of the administrative appeal board following a compliance hearing. The request shall contain:

i. A specific identification of the subject property;

ii. The names and addresses of all legal parties requesting the hearing;

iii. A statement of the parties legal interest in the subject property;

iv. A statement in ordinary and concise language of the specific order or action protested and the grounds for the hearing, together with all material facts in support thereof;

v. The date and signatures of all requesting parties;

vi. The verification of at least one party as to the truth of the matters stated in the request.

b. As soon as practical after receiving the request, the city clerk shall set a date for the council to hear the matter which date shall not be less than ten calendar days nor more than thirty calendar days from the date the appeal was filed. The city clerk shall give each party written notice of the time and place of the hearing, either by causing a copy of such notice to be delivered to the party personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his or her address shown on the request. Continuances of the hearing may be granted by the council on the council's own motion.

c. For each appeal to the city council, there shall be assessed a fee at the time of the filing of the appeal of one hundred dollars, which fee will be refunded should the person prevail in the appeal.

d. Property owners who have not availed themselves of the administrative appeal process of the previous section of this ordinance shall not have right to appeal to the council the issues concerning the notification of violation, any administrative orders, administrative penalties, administrative costs, compliance matters or other issues provided for in the previous section of this section.

B. Decision by City Council. Upon conclusion of the hearing, the council shall determine whether the property or any part thereof, as maintained, constitutes a violation. If the council so finds, the council shall adopt a resolution declaring such property to be in violation, setting forth its findings and ordering or confirming the abatement of the violation. The decision and order of the council shall be final.

C. Service of Order to Abate. A copy of the resolution of the council shall be served upon the owner(s) of the property in accordance with the provisions of this section. Upon abatement or compliance in full by the owner, the proceedings hereunder shall terminate.

D. Abatement by the City.

a. If such violation is not abated as ordered by the administrative appeals board or by the city council, the fire chief, or his/her designee shall cause the same to be abated by city employees or private contract. The city manager or his/her designee is expressly authorized to enter upon the property for such purposes. The cost, including incidental expenses, of abating the violation shall be billed to the owner and shall become due and payable thirty days thereafter. The term "incidental expenses" shall include, but not be limited to, personnel costs incurred in documenting the violation, the actual expenses and cost of the city in preparation of notices, specifications and contracts, and in inspecting the work, and the costs of printing and mailing required hereunder.

b. A person shall not obstruct, impede or interfere with the fire chief, or his/her designee, or his/her representative, or with any person who owns, or holds any interest or estate in, any property in the performance of any necessary act, preliminary to or incidental to, carrying out an abatement order issued pursuant to this section.

E. Filing of Judicial Action. Any action appealing the council's decision and order shall be commenced within thirty calendar days of the date of service of the decision.

F. Recording Cost of Abatement. The fire chief or his/her designee shall keep an account of the cost, including incidental expenses, of abating such violation on such private lot or parcel of land where the work of abatement is done by the city or under private contract, and shall render an itemized statement showing the cost of abatement. The cost accounting of abatement, including expenses, shall be provided to any person liable to be assessed for the cost of abatement.

G. Protests and Objection to Cost Report. Any person liable to be assessed for the cost of an abatement action may file written protest or objection to the fire chief's statement with the city clerk within fourteen days following mailing of such cost to the assessee. The city clerk shall endorse each protest or objection received and shall present such protest or objections to the city council at the time set forth for the hearing upon the imposition of a lien, in accordance with the lien and cost recovery procedures of Part IV of this section. No other protests or objections shall be considered.

Part IV—Liens and Cost Recovery

A. Lien Procedure.

a. Whenever:

i. The amount of any administrative penalty and/or administrative cost is imposed by the administrative appeal board pursuant to this section in connection with real property has not been satisfied in full within ninety days and/or has not been successfully challenged by a timely appeal to the city council; or

ii. Any cost of abatement and/or costs imposed by means of the administrative appeals board or the city council as a result of the abatement proceedings have not been satisfied in full within ninety days of issuance of a cost report by the city clerk for such abatement proceedings; then these obligations may constitute a lien against the real property on which the violation occurred.

b. The lien provided herein shall have no force and effect until recorded with the county recorder. Once recorded, the administrative order or abatement cost report shall have the force and effect and priority of a judgment lien governed by the provisions of Section 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 and 683.220, inclusive, of the Code of Civil Procedure.

c. Interest shall accrue on the principle amount of the judgment remaining unsatisfied pursuant to law.

d. Prior to recording any such lien, city staff shall prepare and file with the city clerk, a report stating the amounts due and owing.

e. The city clerk shall fix a time, date and place for hearing the cost report and any protests or objections thereto by the city council.

f. The fire chief or his/her designee shall cause the written notice to be served on the property owner not less than ten days prior to the time set for the hearing.

B. Public Hearing and Protests.

a. Any person whose real property is subject to a lien pursuant to this section may file a written protest with the city clerk and/or may protest orally with the city clerk and/or may protest orally at the city council meeting.

b. Each written protest or objection must contain a description of the property in which the protesting party is interested and the grounds for such protest or objection.

c. The City Council, after the hearing, shall adopt a resolution confirming, discharging, or modifying the amount of the lien.

C. Recording of Lien. Thirty days following the adoption of a resolution or other determination imposing a lien, the city clerk shall file the same as a judgment lien in the office of the county recorder of San Mateo County, California. The lien may carry such additional administrative charges as set forth herein.

D. Satisfaction of Lien. Once payment in full is received by the city for outstanding penalties and costs the city shall either record a notice of satisfaction or provide the property owner or financial institution with the notice of satisfaction so they may record this notice with the office of the county recorder. Such notice of satisfaction shall cancel the city's lien.

E. Abatement Proceedings Costs—Collections. All costs associated with abatement proceedings or as a result of the administrative appeal process either before the administrative appeals board or the city council which are not satisfied through the procedures of the above sections shall be collected on behalf of the city by the city attorney using the appropriate legal remedies.

Part V—Criminal Enforcement

A. Alternative Actions Available.

a. Nothing in this section shall be deemed to prevent the administrative appeals board or the city council from ordering the commencement of alternative civil or criminal proceedings to abate or otherwise address a violation in conjunction with the proceedings set forth in this section.

B. Violation and Penalties.

a. Violation of this section shall constitute a misdemeanor; however, any city official with citation authority may prosecute such violations as infractions wherein each infraction may be punishable by a fine not exceeding one hundred dollars for a first violation, two hundred and fifty dollars for a second violation within one year and five hundred dollars for each additional violation within one year.

b. Every day that any such violation continues shall constitute a separate offense.

c. Each violation shall be re-inspected until compliance with this section is completed. A cost of not less than one hundred dollars may be assessed for each inspection of the property beginning with the third inspection.

C. Criminal Enforcement Authority.

a. The City Council authorizes the fire department to issue citations (notice to appear) for any violation of:

i. This ordinance of the City of Daly City;

ii. The adopted and amended fire code(s), and/or any appendices or standards of such code(s).

b. This ordinance may be enforced by the sworn personnel of the Daly City Police Department.

c. The Daly City city manager may further designate any Daly City employee with the full or limited authority to issue criminal citations for any violations of this section.

d. The Daly City city attorney's office is authorized to criminally prosecute and/or civilly enforce any violations of this section.

D. Liability for Damage. The expenses for fighting fires which result from a violation of this section shall be a charge against the person whose violation caused and/or contributed to the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the city in the same manner as in the case of an obligation under contract, expressed or implied.

(Ord. No. 1461, § 10(Exh. L), 11-28-2022)

## Chapter 15.36 COASTAL ZONE CONSERVATION[[10]](#footnote-10)

## Chapter 15.40 MOBILE HOMES (MANUFACTURED HOUSING)

15.40.010 Definitions.

For the purpose of this chapter certain words and phrases are defined as follows:

A. A mobile home shall also be denominated a manufactured home, but a manufactured home shall only be defined so far and in respect to mobile homes.

B. A mobile home is a structure transportable in two or more modulars which is built on a permanent chassis and designed to be used as a single-family dwelling with a permanent foundation when connected to the required utilities, and includes plumbing, heating, air conditioning and electrical systems contained therein.

C. A modular is a unit of manufactured house not less than ten body feet in width and not less than forty body feet in length.

D. A manufactured house is synonymous with mobile homes as defined in Section 55402(6) of the National Mobile Home Construction Safety and Standards Act of 1974, except that for the purpose of this chapter a manufactured house shall be a mobile home which is attached to a permanent foundation and which is at least twenty body feet in width and consist of two or more modulars.

(Ord. 955 § 2 (part), 1981)

15.40.020 Minimum standards.

All manufactured housing shall:

A. Possess necessary permits, labels, insignia and certifications by the appropriate building, plumbing, electrical and mechanical codes and this chapter, including those required for site preparation, provisions of utilities, and construction of accessory structures;

B. Be developed on single-family lots and shall be placed on a permanent foundation as approved by the city;

C. Be constructed after September 15, 1971, and was issued and has the insignia of the California Department of Housing and Community Development, or was constructed after October 1, 1976, and was issued and has the insignia of approval of the U.S. Department of Housing and Urban Development; and has not been altered in violation of applicable codes and must be a minimum of twenty feet wide and not less than forty feet in body length;

D. Be occupied only as a single-family residential use type;

E. Be subject to all provisions of the zoning ordinance applicable to single-family residential structures;

F. Be attached to a permanent foundation system and be in compliance with applicable building regulations;

G. Be covered with an exterior material customarily used on conventional dwellings and approved by the chief building inspector. The exterior covering material shall extend to the ground, except that when a solid concrete or masonry perimeter foundation is used the exterior covering material need not extend below the top of the foundation or within six inches of the earth, whichever is lower;

H. Have a shingle pitched roof constructed of asphaltic, wooden, glass fiber or tile materials with eaves with a pitch not less than a two-inch vertical rise for each twelve inches of horizontal run and consisting of shingles and other material customarily used for conventional dwellings;

I. May be required to have porches and stairway landings or eaves or roofs with eaves when in the opinion of the director of community development, it is necessary to make it compatible with dwellings in the area;

J. Have an enclosed garage and shall conform to the parking regulations generally required under Chapter 17.34 of the Daly City Municipal Code;

K. Have a fenced backyard and a landscaped front yard installed prior to the issuance of a certificate of occupancy;

L. Obtain a grading permit: (1) any fill over a foot in depth shall require a compaction report by a registered civil engineer certifying that the fill is compacted to a minimum of ninety percent; (2) rough grading approval must be obtained and a compaction report submitted before the site construction permit can be issued;

M. Comply with all requirements of Section 18551, subparagraph A, of the State Health and Safety Code or any amendments thereto;

N. Have a plan approval of the foundation system;

O. Have electrical, gas and water drain (sewer connection) made permanent in the manner applicable to permanent buildings. Gas shutoff valves, meters and regulators shall not be located beneath the mobile home;

P. Meet all requirements applicable to single-family residential units set forth in the Daly City Municipal Code;

Q. Prior to installation of a mobile home on a permanent foundation system, a mobile home owner or a licensed contractor shall obtain a grading and building permit from the department of public works, building division. To obtain a permit, the owner or contractor shall comply with all requirements of Section 18551(a) of the Health and Safety Code of the State of California, the requirements of this chapter and the requirements of the building, plumbing, fire and mechanical codes of the city, and to all zoning, subdivision and parking requirements.

(Ord. 955 § 2 (part), 1981)

15.40.030 Appeal.

A. Any person aggrieved by the decision of the director of community development or the chief building inspector shall have the right to appeal said decision to the city council. Such appeal shall be filed within fifteen calendar days of the date that the decision of the director of community development or chief building inspector is official;

B. Upon the filing of the notice of appeal, the city council shall, at the regular meeting following receipt of the notice of appeal, set the matter for hearing not less than thirty nor more than sixty days thereafter.

(Ord. 955 § 2 (part), 1981)

15.40.040 Surrender of registration.

Subsequent to applying for the required building permits and prior to occupancy, the owner shall request a certification from the department of planning and land use that a certificate of occupancy be issued pursuant to Section 18551(b)(2) of the California Health and Safety Code. No occupancy shall occur until the certificate is issued.

(Ord. 955 § 2 (part), 1981)

## Chapter 15.44 RESIDENTIAL REQUIREMENTS REPORT

15.44.010 Intent.

Pursuant to Article 6.5 (commencing with Section 38780) Chapter 10, Part 2, Division 3, Title 4 of the Government Code, it is the intent of the city council to assure that the grantee of a residential building within the city is furnished a report of matters of city record pertaining to the authorized use, occupancy and zoning classification of real property, prior to sale or exchange. It is the further intent to protect the unwary buyer of residential property against undisclosed restrictions on the use of the property.

(Ord. 992 § 1 (part), 1983)

15.44.020 Definitions.

A. "Agreement of sale" means any agreement or written instrument which provides that title to any property shall thereafter be transferred from one owner to another.

B. "Owner" means any person, copartnership, association, corporation or fiduciary having legal or equitable title or interest in any real property.

C. "Residential building" means any improved real property designed or permitted to be used for dwelling purposes, situated in the city and includes the building or structures located on said improved real property, but does not include apartments or hotels containing three or more of guest rooms, or motels.

(Ord. 992 § 1 (part), 1983)

15.44.030 Report required.

Prior to entering into an "agreement of sale" or exchange of any residential building, the owner or his authorized representative shall obtain from the city a report of the residential building record showing the regularly authorized use, occupancy, and zoning classification of such property. Said report shall be valid for a period not to exceed six months from date of issue.

(Ord. 992 § 1 (part), 1983)

15.44.040 Application.

A. Upon application of the owner or his authorized agent and the payment of fee as prescribed by resolution of the city council, the department of public works, building division, shall review pertinent city records and deliver to the applicant a report of residential building records which shall contain the following information insofar as it is available:

1. The street address of subject property;

2. Present authorized occupancy or use;

3. Zoning district in which property is located;

4. Whether the city planner's records reveal an expiration date for any nonconforming use of the property;

5. Certificate of occupancy, if any;

6. Occupancy classification;

7. Building construction date;

8. Original occupancy or use;

9. Construction, conversion or alteration permits issued, if any;

10. Whether the property is located within a redevelopment area which has been approved by the city council;

11. Is this property within or does it abut upon the right-of-way of a freeway route which has been adopted by the State Highway Commission and approved by the city council;

12. Is this property within or does it abut upon the right-of-way of a route of the Bay Area Rapid Transit District as shown on the land acquisition maps thereof;

13. Does this property abut upon a street which is to be widened pursuant to action of the city council;

14. Has this property been declared condemned or abated;

a. Has there been condemnation or abatement hearings held, disposition of which is still pending;

15. The number of structures on the property.

B. On the face of the report shall appear the following notes:

The City of Daly City has an ordinance requiring that before there can be a resale of any residential unit, there must be a smoke detector installed in said residential unit, as provided by ordinance in the Daly City Municipal Code.

This report was compiled from records of City Departments. There has been no physical examination of the property itself. This report makes no representation that the property is in compliance with the law.

Additionally, Daly City properties are as close as three miles and as far as six and one-half miles from the San Francisco International Airport, which is the fifth largest airport by volume in the world.

(Ord. 1209 § 1, 1994; Ord. 992 § 1 (part), 1983)

15.44.050 Delivery of report.

The report of residential building record shall be delivered by the owner, or the authorized designated representative of the owner to the buyer or transferee of the residential building prior to the consummation of the sale or exchange. The buyer or transferee shall execute a receipt therefor as furnished by the city and said receipt shall be delivered to the Building Division as evidence of compliance with the provisions of this chapter.

(Ord. 992 § 1 (part), 1983)

15.44.060 Exceptions.

The provisions of this chapter shall not apply to the first sale of a residential building located in a subdivision whose final map has been approved and recorded in accordance with the Subdivision Map Act not more than two years prior to the first sale.

(Ord. 992 § 1 (part), 1983)

15.44.070 Failure to comply.

No sale or exchange of residential property shall be invalidated solely because of the failure of any person to comply with any provision of this chapter, unless such failure is an act or omission which would be a valid ground for rescission of such sale or exchange.

(Ord. 992 § 1 (part), 1983)

15.44.080 Nonliability of city.

This chapter shall not be construed to hold the city or any officer, employee or representative of city responsible for any information or lack of information in said report.

(Ord. 992 § 1 (part), 1983)

## Chapter 15.46 FIRE WARNING SYSTEMS

15.46.010 Definitions.

For use in this chapter, the following words and phrases are defined:

A. "Multifamily unit" is defined as any residential building containing three or more units.

B. "Occupant" may be the owner or any other person who has the right to reside in and upon the property.

C. "Owner" means the person who is listed on the county assessor's rolls as the owner of the property.

D. "Person" means any person, firm, association, organization, partnership, business trust, corporation or company.

E. "Residence" means any single-family dwelling, single-family dwelling with a secondary unit, a duplex, multiple-family dwelling, lodginghouse, motel, rest home, boardinghouse, or mobile home.

F. "Residential unit" means a dwelling unit occupied by one or more persons for living purposes.

G. "Smoke detector" is an approved detector which senses visible or invisible particles of combustion. The detector shall bear a label or other identification issued by an approved testing agency having a service for inspection of materials and workmanship at the factory during fabrication and assembly.

(Ord. 1002 § 2 (part), 1983: Ord. 989 § 1 (part), 1983)

15.46.020 No sale, transfer, assignment, lease, rent, use or city entitlement without smoke detector.

It is unlawful for any owner of real property to sell, transfer, assign, lease or rent said residence, or residential unit, or obtain a building permit for work and/or materials in the amount of one thousand dollars or more, or any entitlement from the city without providing a smoke detector in and about the premises of the real property.

(Ord. 1002 § 2 (part), 1983: Ord. 989 § 1 (part), 1983)

15.46.030 Multifamily units—Compliance date.

In all multifamily units, a smoke detector shall be installed by January 1, 1986, if not installed prior to that date.

(Ord. 1002 § 2 (part), 1983: Ord. 989 § 1 (part), 1983)

15.46.040 Fixtures.

Every smoke detector required under this chapter shall be deemed to be a fixture for the purpose of transfer of title to real property.

(Ord. 1002 § 2 (part), 1983: Ord. 989 § 1 (part), 1983)

15.46.050 Smoke detector—Installation and location.

All smoke detectors shall be located and installed according to the requirements of the latest edition of the Uniform Building Code in effect on the date of the installation thereof.

(Ord. 1002 § 2 (part), 1983: Ord. 989 § 1 (part), 1983)

15.46.060 Smoke detector replacement—Requirements.

The owner of any residential unit or residential property shall be entitled to replace any smoke detector required by this chapter with another smoke detector which conforms to the requirements of this chapter and the Uniform Building Code in effect at the time such replacement is installed.

(Ord. 1002 § 2 (part), 1983: Ord. 989 § 1 (part), 1983)

15.46.070 Maintenance.

A. Residence. The owner of any residence shall have the obligation to install smoke detectors as required by this chapter and to ensure that said smoke detector(s) are maintained in proper working order at all times during which said owner is in possession of the dwelling unit and at the time said owner offers to rent, lease or let for use such dwelling unit to any other person. Thereafter, any person or persons to whom said dwelling unit is rented, leased or let shall be required to maintain said smoke detector(s) in proper working order.

B. Responsibility. Nothing in this provision shall preclude a rental or lease agreement from providing that a tenant has the responsibility for repair or maintenance; however, such provision notwithstanding, the owner shall be responsible to ensure compliance with this provision.

(Ord. 1002 § 2 (part), 1983: Ord. 989 § 1 (part), 1983)

15.46.080 Notice.

Any property owner or his/her authorized agent offering to rent, lease or let residential property subject to the provisions of this chapter shall give notice of the requirements of Section 15.46.060 to the tenant prior to occupancy. The giving of such notice shall not relieve the property owner from compliance with the requirements of this section.

(Ord. 1002 § 2 (part), 1983: Ord. 989 § 1 (part), 1983)

15.46.090 Liability.

Nothing in the provisions of this chapter shall be construed to require any agency of the city to conduct any inspection of the smoke detectors herein required nor shall any actual inspections made imply a duty to inspect other detectors. Furthermore, this section shall not be construed to hold the city or any officer, employee or representative of the city responsible for any damage to persons or property by reason of making an inadequate or negligent inspection or by reason of any failure to make an inspection or reinspection.

(Ord. 1002 § 2 (part), 1983: Ord. 989 § 1 (part), 1983)

## Chapter 15.50 REGULATION OF SIGNAL RECEIVING OR TRANSMITTING ANTENNAS

15.50.010 Definitions.

A. "Antenna" or "signal receiving or transmitting antenna" means any combination of wood, metal, wire or any other substance which either alone or in combination with any supports is erected or constructed for the purpose of receiving or transmitting radio, television or any other sort of electronic or other type of signal.

B. "Satellite signal receiving antenna" means a signal receiving device, the purpose of which is to receive communications or other signals directly from satellites in earth orbit and from other extraterrestrial sources.

C. "Grounding rod" means a metal pole permanently positioned in the earth to serve as an electrical conductor through which electrical current may safely pass and dissipate.

D. "Receiver" means a television set or radio receiver or other state of the art method of receiving signals.

(Ord. 1031 § 1 (part), 1985)

15.50.020 Permit required.

No person, firm, partnership, corporation or other legal entity shall construct or erect a signal receiving or transmitting antenna without first obtaining the necessary building and/or use permit required.

(Ord. 1031 § 1 (part), 1985)

15.50.030 Exemption from permit.

The following types of antennas are exempt from the operation of this chapter, except as to Section 15.50.050 of this chapter, when the antenna meets the requirements of subsections (A), (B) and (C) or the requirements of subsection (D), as follows:

A. The antenna whose height when added to the height of a building does not exceed the maximum height allowed for buildings in the zoning district in which the antenna is to be constructed, plus nine feet, pursuant to Section 17.40.040(A) of this code;

B. The antenna and supporting structure shall not exceed seventy-five pounds; and

C. The antenna has less than thirteen square feet of surface area;

D. An antenna installed for or on behalf of and/or the use of a governmental agency.

(Ord. 1031 § 1 (part), 1985)

15.50.040 Application for permit.

The owner or occupant, with written permission from the owner of the lot, premises, parcel of land and/or building, shall first obtain a permit from the city building division. The permit shall contain the following information:

A. Name, address and telephone number of the applicant(s) and the owner of the lot, premises, parcel of land and/or building;

B. Plot plan of the lot, premises, parcel of land and/or building showing, among other things, the exact location of the proposed antenna, exact location and dimensions of all buildings and property lines;

C. Construction plans and specifications, including manufacturer's specifications and installation instructions, if any, the gross weight of the antenna and all support materials;

D. The exact location of any wiring to be required;

E. The exact location of any concrete or other material to be used as a base;

F. Any support measures that must be used for the antenna;

G. Any other information that may be required by the building division given the particular circumstances of any such erection, construction or installation;

H. In a roof mounted antenna, an engineering report prepared by a licensed civil or structural engineer showing plans and engineering calculations for wind load, bracing and foundations The applicant may substitute the manufacturer's specifications or installation instructions for the engineer report;

I. If no use permit is necessary, the names and addresses of the owners of property within three hundred feet of the property involved and an affidavit or declaration under penalty of perjury of mailing to the persons a letter setting forth the information hereinafter set forth, with a copy of the letter attached, which letter should state that the applicant is applying to install, erect or construct an antenna, that all materials in connection with the application are on file in the building division and that if there are any objections to forward the complaints to the Building Division, City of Daly City, 333 90th Street, Daly City, California, 94015, within ten days of date of letter;

J. In addition, the applicant for an antenna shall be required to obtain a use permit pursuant to the provisions of Chapter 17.44 et seq., of this code and pay a fee as established by the city council by resolution, in the event the applicant is not exempt under the provisions of Section 15.50.030 of this chapter, and must supply the following additional information: method of screening the antenna to make it as inconspicuous as possible and to blend into the surrounding area.

(Ord. 1031 § 1 (part), 1985)

15.50.050 Prohibitions on location of antenna.

A. No antenna shall be located in the front yard or side setbacks of any lot, parcel or premises, nor shall it be located on any driveway or walkway. The street address shall be determined to be the front yard of the property.

B. The antenna and all support items, including cables, etc., shall be located on the property being serviced and shall not be linked physically, electronically or by any other method to a receiver not located on the property involved.

C. The leading edge of an antenna shall be located not less than three feet from any property line of the property involved or any buildings or structures.

(Ord. 1031 § 1 (part), 1985)

15.50.060 Additional requirements for signal receiving or transmitting antenna.

All antenna shall, among other requirements, meet the following requirements:

A. All structural supports shall be of galvanized metal or other material approved by the chief building inspector.

B. It shall be designed to withstand a wind force of seventy-five miles per hour if ground mounted and eighty-five miles per hour if roof mounted.

C. Any driving motor shall be limited to 110 volts maximum power design and be encased in protective guards.

D. Must be bonded to a grounding rod.

(Ord. 1031 § 1 (part), 1985)

15.50.070 Special requirements for ground mounted signal receiving or transmitting antenna.

Wiring between the antenna and a receiver shall be placed at least four inches beneath the surface of the ground and encased in a raceway and the type of material to be used and/or method of placement of wiring between the antenna and receiver or transmitter shall be as approved by the chief building inspector.

(Ord. 1031 § 1 (part), 1985)

15.50.080 Special requirements for roof mounted antenna.

The antenna and any supporting structure shall be mounted directly to the roof of a primary or accessory structure, as defined in the Uniform Building Code and shall not be mounted upon appurtenances such as chimneys, towers, poles or spires.

(Ord. 1031 § 1 (part), 1985)

15.50.090 Variance.

An application for a variance from the strict application of this chapter may be made by filing a request with the city council setting forth in detail the provisions of the code for which variance is requested and the detailed reasons for the request.

(Ord. 1031 § 1 (part), 1985)

15.50.100 Issuance of permit.

A. Upon the building division determining that the applicant has fulfilled all the requirements of this chapter and the other applicable laws and ten days having elapsed from the mailing of the notices required by Section 15.50.040 of this chapter, the building official, if no use permit is required, shall issue the permit.

B. In the event it is determined that the applicant does not fulfill the requirements of this chapter and other applicable laws, the building official shall notify the applicant by mail, according to the last address upon the application, and inform applicant of the reasons why the application is being denied and that the applicant has the right to appeal the determination of the building official to the city council by forwarding a request to be heard to the city council within twenty days of the date the notice of denial is sent to the applicant.

(Ord. 1031 § 1 (part), 1985)

15.50.110 Existing antenna.

A. This chapter does not apply to antennas in existence before the passage of the ordinance codified in this chapter, only if the party owning or possessing an existing antenna conforms, as follows:

1. Files a declaration as prescribed by the building division of the city, stating, among other things:

a. Name and address of owner of property,

b. Name and address of owner of antenna,

c. Complete details of any antenna, including but not limited to height, location and placement of supporting guy wires, if any;

2. The declaration to be effective and for the antenna to be grandfathered in, must be filed with city on or before October 1, 1985;

3. No fee shall be required, charged or collected by city for the declaration.

B. In the event that the antenna must be replaced or repaired, no permit will be needed if the antenna substantially conforms to the antenna replaced or repaired, particularly as to height, weight and location.

(Ord. 1031 § 1 (part), 1985)

15.50.130 Legal action.

In addition to any of the penalties provided in this chapter, the city attorney is authorized to institute such legal action or suit in equity as may be deemed necessary to enjoin or restrain any violation of this title.

(Ord. 1031 § 1 (part), 1985)

15.50.140 Remedies not exclusive.

Remedies under this chapter are in addition to and do not supersede or limit any and all other legal remedies and penalties, whether civil or criminal in nature.

(Ord. 1031 § 1 (part), 1985)

15.50.150 Other codes.

The regulations set forth in this chapter shall still be subject to the ordinances of the city where not inconsistent with this chapter, including the Building Code, Electrical Code and zoning laws of the city.

(Ord. 1031 § 1 (part), 1985)

## Chapter 15.54 MOBILEHOME PARK INSPECTIONS

15.54.010 Assumption of responsibilities.

Upon receiving authorization from the Department of Housing and Community Development of the state (hereinafter referred to as "HCD") and subject to the acceptance of reasonable conditions of approval, the city (hereinafter referred to as "city") shall assume responsibility for the enforcement of Division 13, Part 2.1 of the California Health and Safety Code and related administrative regulations (hereinafter collectively referred to as "Mobilehome Parks Act").

(Ord. 1171 § 2 (part), 1993)

15.54.020 Delegation of authority.

Responsibility for enforcing the Mobilehome Parks Act upon its assumption from HCD, is delegated to the city's department of economic and community development.

(Ord. 1171 § 2 (part), 1993)

15.54.030 Statement of qualifications.

In discharging Its responsibilities, the city's department of economic and community development shall provide qualified personnel in the enforcement of the Mobilehome Parks Act. In this regard, the chief building inspector and at least one additional designated building inspector are designated as the department of economic and community development's authorized representatives for the purpose of enforcing the Mobilehome Parks Act.

(Ord. 1171 § 2 (part), 1993)

15.54.040 Schedule of fees.

The schedule of fees applicable to the local enforcement and administration of the Mobilehome Parks Act is authorized for adoption, amendment and/or modification by resolution.

(Ord. 1171 § 2 (part), 1993)

15.54.050 Statement of objectives.

A. The statutory program and objectives set forth in the Mobilehome Parks Act are hereby adopted by the city. It is the purpose of the city to:

1. Assure protection of the health, safety and general welfare of all park residents; and

2. Allow modifications in regulations so adopted in a manner consistent with the Mobilehome Parks Act and companion administrative regulations.

B. The only mobilehome park presently existing within the corporate limits of the city is "The Franciscan Country Club" located at 700 Hoffman Street, Daly City, California 94014, and encompasses five hundred one trailer spaces and several accessory structures. The Franciscan Country Club's occupancy and condition cannot by substantiated until after the city has been granted approval by HCD to assume responsibility for enforcing the Mobilehome Parks Act.

C. The city's specific objectives in assuming statutory authority from HCD are to provide for timely and reliable enforcement of the Mobilehome Parks Act; to enforce state and local municipal code provisions regarding use, maintenance, occupancy and condition of property governed by the Act; and to protect public health, safety and welfare.

D. Not later than thirty days from the effective date of assumption of enforcement as defined in Section 15.54.060 the city shall commence and thereafter diligently enforce the Mobilehome Parks Act as follows:

1. Review relevant files maintained by HCD and compare same with records on file with the city;

2. Assimilate pertinent building standards of the state relevant to mobilehomes;

3. Ascertain the status of all operating permits and their relationship to governing statutes;

4. Obtain information on the status of trailer ownership and occupancy within the Franciscan Mobilehome Park;

5. Set up a time for initial inspection of all mobilehome units in the Franciscan Country Club;

6. Contact responsible parties and begin inspection of all mobilehome and recreational vehicle parks within the city;

7. Issue notice of violation and, where appropriate, obtain compliance under operative statutes and local ordinances;

8. Set up a time schedule for five-year reinspection and operating permit program;

9. Investigate and resolve complaints as the need arises;

10. Take all other actions as are deemed appropriate in furtherance of state and local regulations.

(Ord. 1171 § 2 (part), 1993)

15.54.060 Effective date of assumption.

The effective date of assumption of enforcement responsibilities from HCD to the city shall be the earliest date upon which all of the following has transpired:

A. Thirty days following the adoption of the ordinance codified in this chapter by the city council; and

B. Thirty days following the city's transmittal of the ordinance codified in this chapter to HCD as provided in Section 15.54.070 below.

C. When HCD approves the city's assumption of enforcement responsibilities and the city notifies HCD in writing of its acceptance of all conditions of approval, if any. In the event that written approval from HCD is not received by the city within forty-five days from the date which the ordinance codified in this chapter is transmitted to the state as provided in Section 15.54.070 below, the city's assumption of enforcement responsibilities shall be deemed to be unconditionally approved.

(Ord. 1171 § 2 (part), 1993)

15.54.070 Transmittal of ordinance.

The city's director of economic and community development is instructed to transmit two certified copies of the ordinance codified in this chapter to the director of HCD and to the administrative office of the division of codes and standards within the ten days of the date of adoption which, in any event, shall not be later than thirty days before the effective date of assumption of enforcement responsibilities as defined in Section 15.54.060 above.

(Ord. 1171 § 2 (part), 1993)

15.54.080 Inspection capability.

The city's capability to undertake mobilehome installation inspections to the satisfaction of HCD is demonstrated as follows:

A. The city's building division of the department of economic and community development has established and thereafter operated concerted code enforcement programs for eighteen years encompassing systematic enforcement of state building regulations, Uniform Housing Code, Abatement of Dangerous Buildings Code, and the Daly City Municipal Code.

B. The city's chief building inspector has over twenty years of construction experience, six of which entailed building inspection experience for county and municipal government in supervisorial capacity, and is certified by the International Conference of Building Officials as a building and mechanical inspector and plans examiner, and by the Council of American Building Officials as a certified building official.

C. The city's presently designated building inspector has over thirty-five years of construction experience, seven of which entailed building inspection experience as a peace officer for a county government.

(Ord. 1171 § 2 (part), 1993)

15.54.090 Use of forms.

Daly City adopts and agrees to use all forms furnished by HCD for the purpose of enforcing the Mobilehome Parks Act, and companion administrative regulations, including the application for permit to operate, the permit to operate, and the statement of installation acceptance.

(Ord. 1171 § 2 (part), 1993)

15.54.100 Permits to operate.

The city agrees to send a copy of all permits to operate to the Administrative Office of the Division of Codes and standards not later than the fifteenth of the month following the city's issuance of such permits.

(Ord. 1171 § 2 (part), 1993)

## Chapter 15.60 ENERGY CODE[[11]](#footnote-11)

15.60.010 California Energy Code—Adoption—Where Filed.

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Energy Code, 2022 Edition", including the appendices thereto, published by the International Code Council, and the whole thereof, as set forth in this chapter, of which code one copy is filed in the Daly City ECD Library, and is adopted and incorporated as fully as if set out a length in this chapter. From the day on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city.

(Ord. No. 1461, § 11(Exh. I), 11-28-2022)

## Chapter 15.62 GRADING, EROSION AND SEDIMENT CONTROL

15.62.010 Title.

This chapter shall be known as the "City of Daly Grading, Erosion and Sediment Control Ordinance" and may be so cited.

(Ord. 1213 § 1 (part), 1995)

15.62.020 Purpose.

The purpose of this chapter is to provide for safe grading operations, to safeguard public health and property, and to preserve and enhance the natural environment, including, but not limited to, water quality, by regulating site clearing, grading and erosion control on all public and private properties.

(Ord. 1213 § 1 (part), 1995)

15.62.030 Scope.

This chapter sets forth rules and regulations to control site clearing, vegetation disturbances, landfills, land excavations, soil storage, and other such activities which may cause sediments and other pollutants to enter the public drainage facilities. This chapter establishes the regulations, permit requirements, procedures for administration and enforcement of permits to properly control the aforementioned activities to preserve and enhance public health, safety and environment.

(Ord. 1213 § 1 (part), 1995)

15.62.040 Definitions.

When used in this chapter, the following words shall have the meanings ascribed to them in this section:

"Applicant" means any person, corporation, partnership, association of any type, public agency or any other legal entity who submits an application to the city for a permit pursuant to this chapter.

"As-graded" means the surface conditions after completion of grading.

"Bedrock" means in-place solid rock.

"Bench" means a relatively level step excavated into earth material or created in the earth.

"Borrow" means earth material acquired from an off-site location for use in grading on a site.

"City" means the City of Daly City, California.

"City engineer" means the city engineer of the city or his/her authorized agent. The chief building inspector of the city is an authorized agent of the city engineer.

"Erosion" means the wearing away of the ground surface as a result of the movement of wind, water and/or ice.

"Grade" means the vertical location of the ground surface.

"Existing grade" means the grade prior to grading.

"Rough grade" means the stage at which the grade approximately conforms to the approved plan.

"Finish grade" means the final grade of the site which conforms to the approved plan.

"Grading" means any land disturbance land excavation, land fill, or combination thereof.

"Key" means a design-compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.

"Land disturbance/land-disturbing activities" means any moving or removing by manual or mechanical means of the soil mantle or top six inches of soil whichever is shallower, including but not limited to excavations.

"Permittee" means the applicant in whose name a valid permit is duly issued pursuant to this chapter and his/her agents, employees and others acting under his/her direction.

"Sediment" means earth material transported by water or wind.

"Site" means a parcel or parcels of real property owned by one or more than one person being developed as a single project.

"Slope" means an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

"Wet season" means the winter period generally between October 15th through April 15th.

(Ord. 1213 § 1 (part), 1995)

15.62.050 Hazards.

Whenever the city engineer or his/her authorized representative determines that any existing excavation or embankment or fill on private property has become a potential hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agency in control of said property, upon receipt of notice in writing from the city engineer or his/her representative, shall within a period specified therein repair or eliminate the hazard and be in conformance with the requirements of this code.

(Ord. 1213 § 1 (part), 1995)

15.62.060 Other laws.

Neither this chapter nor any administrative decision made under it:

A. Exempts the permittee from procuring other required permits or complying with the requirements and conditions of such a permit; or

B. Limits the right of any person to maintain, at any time, any appropriate action, at law or in equity, for relief or damages against the permittee arising from the permitted activity.

(Ord. 1213 § 1 (part), 1995)

15.62.070 Permit.

No person may grade, fill, excavate, store or dispose of soil and earth materials or perform any other land-disturbing or land-filling activity which may cause erosion without first obtaining a city permit as set forth in this chapter.

(Ord. 1213 § 1 (part), 1995)

15.62.080 General exemptions.

All land-disturbing or land-filling activities or soil storage shall be undertaken in a manner designed to minimize surface runoff, erosion and sedimentation and to safeguard life, limb, property, and the public welfare. A person performing such activities need not apply for a permit pursuant to this chapter, if all the following criteria are met:

A. The site upon which land area is disturbed or filled is three thousand square feet or less.

B. Natural and finished slopes are less than ten percent.

C. Volume of soil or earth materials stored is fifty cubic yards or less.

D. Rainwater runoff is diverted, either during or after construction, from an area smaller than one thousand five hundred square feet.

E. No drainage way is blocked or has its stormwater-carrying capacities or characteristics modified.

(Ord. 1213 § 1 (part), 1995)

15.62.090 Categorical exemptions.

Sections 15.62.070 and 15.62.080(A) through (E) notwithstanding, the following activities are exempt from the permit requirements:

A. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit which shall not allow silt or sedimentation to escape the site onto other property or a drainage course. This shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than five feet after the completion of the structure;

B. Cemetery graves;

C. Refuse disposal sites controlled by other regulations;

D. Excavation for wells and tunnels which shall not allow silt or sedimentation to escape the site onto other properties or a drainage course;

E. Exploratory excavations under the direction and/or supervision of soil engineers or engineering geologists which shall not allow silt or sedimentation to escape the site onto other properties or a drainage course;

F. Routine agricultural crop management practices;

G. Emergencies posing an immediate danger to life or property, or substantial flood or fire hazards;

H. Any activity where total volume of material disturbed, stored, disposed of or used as fill does not exceed fifty cubic yards and which does not allow escape of any silt or sedimentation onto other properties and drainage courses.

(Ord. 1213 § 1 (part), 1995)

15.62.100 Application.

The application for a permit must provide all information required by the city engineer including the following items:

A. Completed application form;

B. Site map and grading plan;

C. Erosion and sediment control plan;

D. Soil engineering report, where required;

E. Engineering geology report, where required;

F. Work schedule;

G. Application fees;

H. Performance bond or other acceptable security;

I. Any supplementary material required by the city engineer or his/her authorized representative.

(Ord. 1213 § 1 (part), 1995)

15.62.110 Application form.

The applicant shall provide all information regarding the intended grading operation and as required on the application form. The application form shall be signed by the owner(s) of the site or the owner's authorized representative.

(Ord. 1213 § 1 (part), 1995)

15.62.120 Site map and grading plan.

The application must accompany vicinity map, site plan and the grading plans. When such plans are not prepared by a licensed engineer, the applicant must demonstrate that state law does not require that the plans be prepared by a licensed engineer. The city retains sole discretion to require plans, design calculations and specifications to be prepared by a licensed engineer certified by the state to practice as such even if not required by state law. The site map and grading plan shall contain all the following information:

A. Existing and proposed topography of the site taken at a contour interval sufficiently detailed (one- or two-foot interval) to define the topography over the entire site. Ninety percent of the contours shall be plotted within one contour interval of the true location;

B. The grading plan shall show topography of the adjacent property at least ten feet beyond the property lines of the site to adequately show on- and off-site drainage and grading limits;

C. Site's property lines shown in true location with respect to the plan's topographic information;

D. Location and graphic representation of all existing and proposed natural and man-made drainage facilities;

E. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with or as a part of the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drain;

F. Location and graphic representation of proposed excavations and fills, of on-site storage of soil and other earth material, and of on-site disposal;

G. Quantity of soil or earth material in cubic yards to be excavated, filled, stored or otherwise utilized on-site;

H. Location of existing vegetation types and the location and type of vegetation to be left undisturbed and shall include location of waterways and/or riparian habitats;

I. Outline of the methods to be used in clearing vegetation, and in storing and disposing of the cleared vegetative matter;

J. Proposed sequence and schedule of excavation, filling and other land-disturbing and filling activities, and soil or earth material storage and disposal;

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

L. An estimate of the cost of implementing the grading plan.

(Ord. 1213 § 1 (part), 1995)

15.62.130 Erosion and sediment control plan.

The erosion and sediment control plan shall be prepared in compliance with the provisions of the Manual of Standards for Erosion and Sediment Control Measures, published by the Association of Bay Area Governments (ABAG). All the following information shall be provided with respect to conditions existing on the site during land-disturbing or filling activities or soil storage:

A. Maximum surface runoff from the site shall be calculated using the method approved by the city engineer;

B. A delineation and brief description of the measures to be undertaken to retain sediment on the site, including, but not limited to, the designs and specifications for sediment detention basins and traps, and a schedule for their maintenance and upkeep;

C. A delineation and brief description of the surface runoff and erosion control measures to be implemented, including, but not limited to, types and method of applying mulches, and designs and specifications for diverters, dikes and drains, and a schedule for their maintenance and upkeep;

D. A delineation and brief description of the vegetative measures to be used, including, but not limited to, types of seeds and fertilizer and their application rates, the type, location and extent of pre-existing and undisturbed vegetation types, and a schedule for maintenance and upkeep;

E. Any other erosion control measures deemed appropriate by the city engineer or his/her authorized representative;

F. An estimate of the cost of implementing and maintaining all interim erosion and sediment control measures must be submitted in a form acceptable to the city engineer or his/her authorized representative.

(Ord. 1213 § 1 (part), 1995)

15.62.140 Soil/geotechnical engineering report.

A soil engineering report, when required by the city engineer, shall be based on adequate and necessary test borings, and shall contain all the following information:

A. Data regarding the nature, distribution, strength and erodibility of existing soils;

B. Data regarding the nature, distribution, strength and erodibility of soil to be placed on the site, if any;

C. Conclusions and recommendations for grading procedures;

D. Conclusions and recommended designs for interim soil stabilization devices and measures and for erosion and sediment control and permanent soil stabilization after construction is completed;

E. Design criteria for corrective measures for erosion and grading control measures when necessary;

F. Opinions and recommendations covering adequacy of sites to be developed by the proposed grading.

Recommendations included in the report and approved by the city engineer or his/her representative shall be incorporated in the grading plans or specifications.

(Ord. 1213 § 1 (part), 1995)

15.62.150 Engineering geology report.

An engineering geology report, when required by the city engineer or his/her authorized representative, shall be based on adequate and necessary test borings and shall contain the following information:

A. An adequate description of the geology of the site;

B. Conclusions and recommendations regarding the effect of geologic conditions on the proposed development;

C. Opinions and recommendation covering the adequacy of sites to be developed by the proposed grading;

Recommendations included in the report and approved by the city engineer or his/her authorized representative shall be incorporated in the grading plans or specifications.

(Ord. 1213 § 1 (part), 1995)

15.62.160 Work schedule.

The applicant must submit a master work schedule showing the following information:

A. Proposed grading schedule;

B. Proposed schedule for installation and maintenance of all interim erosion and sediment control measures including, but not limited to, the stage of completion of erosion and sediment control devices and vegetative measures during the wet season.

(Ord. 1213 § 1 (part), 1995)

15.62.170 Performance security.

The applicant shall provide security for the performance of the work described and delineated on the approved grading plan in an amount to be set pursuant to the schedule of fees to be established by resolution by the city council. The form of security shall be one or a combination of the following to be determined by the city engineer or his/her authorized representative:

A. Bond or bonds issued by one or more duly authorized corporate sureties admitted to provide surety services in the State of California. The form of the bond or bonds shall be subject to the approval of the city attorney;

B. Deposit, either with the city or a responsible escrow agent or trust company at the option of the city, of money, negotiable bonds of the kind approved for securing deposits of public moneys, or other instrument of credit from one or more financial institutions subject to regulation by the state or federal government wherein said financial institution pledges funds are on deposit and guaranteed for payment; or

C. Cash in U.S. currency.

(Ord. 1213 § 1 (part), 1995)

(Ord. No. 1366, § 3, 3-25-2013)

15.62.180 Fees.

Fees are to be paid pursuant to a schedule of fees adopted, and amended from time to time by resolution of the city council.

(Ord. 1213 § 1 (part), 1995)

15.62.190 Decision on a permit.

The city engineer shall review all documents submitted pursuant to this chapter and, if necessary, request additional data, clarification of submitted data or correction of defective submissions. The city engineer shall notify applicant of its decision on the permit within twenty working days of the initial submission or of the corrected submissions, whichever is later.

(Ord. 1213 § 1 (part), 1995)

15.62.200 Permit duration.

Permits issued under this chapter shall be valid for the period during which the proposed land-disturbing or filling activities and soil storage takes place or is scheduled to take place, including a reasonable time period to establish a permanent vegetation groundcover. Permittee shall commence permitted activities within thirty days of the scheduled commencement date for grading or the permittee shall resubmit all required application forms, maps, plans, schedules and security to the city engineer except where an item to be resubmitted is waived by the city engineer. The city engineer may require additional fees for resubmittals.

(Ord. 1213 § 1 (part), 1995)

15.62.210 Permit denial.

The applicant may request a hearing before the city council by filing a request with the city clerk within ten calendar days of notification of a permit denial. The city clerk shall set a date for the city council to determine the matter which shall not be less than ten calendar days nor more than fifty calendar days from the date the hearing request was filed.

(Ord. 1213 § 1 (part), 1995)

15.62.220 No improvements planned.

Where an applicant does not plan to construct permanent improvements on the site, or plans to leave portions of the site graded but unimproved, applicant must:

A. Meet all the requirements of this chapter except that an interim plan designed to control runoff and erosion on the site for the period of time during which the site, or portions thereof, remain unimproved must be submitted in lieu of a final plan; and

B. Submit executed post-grading contract(s) as defined in Section 15.62.260 after completion of grading.

(Ord. 1213 § 1 (part), 1995)

15.62.230 Issuance of permits.

City engineer shall issue a permit upon approval of a grading plan, interim plan, and where required, final plan, soil engineering report, and engineering geology report, deposit of appropriate security and payment of fees. Permit shall be issued subject to the following conditions:

A. The permittee shall maintain a copy of the permit, approved plans and reports required by this chapter on the work site and make these available for city inspection during all working hours.

B. The permittee shall, at all times, be in conformity with approved grading plan, interim and final plans.

(Ord. 1213 § 1 (part), 1995)

15.62.240 Implementation of permits— Permittee's duties.

In addition to performing as required under Section 15.62.230:

A. Unless this requirement is waived by the city engineer, permittee shall notify the city engineer at least two working days in advance of the following:

1. The beginning of the permitted activity;

2. The completion of rough grading;

3. The completion of finished grading;

4. The installation of all erosion and sediment control measures and the completion of planting requirements;

5. Readiness of the site for city inspection, including, but not limited to, completion of rough grading, completion of finished grading, installation of drainage devices and final erosion control measures as set forth under the permit.

B. Permittee shall submit to the city engineer, reports if:

1. There are delays in obtaining materials, machinery, services or manpower necessary to the implementation of the grading, interim or final plans as scheduled;

2. There are any delays in land-disturbing or filling activities or soil storage;

3. The work is not being done in conformance with the approved grading, interim or final plans;

4. There are any departures from the approved grading plan which may affect implementation of the interim or final plans as scheduled;

5. There are any delays in the implementation of the interim or final plans;

6. There are any other departures from implementation of the interim or final plans.

C. Permittee shall submit recommendations for corrective measures, if necessary and appropriate, with the reports made under this chapter.

(Ord. 1213 § 1 (part), 1995)

15.62.250 Implementation of permits.

A. The city engineer shall review all reports submitted by permittee. The city engineer may require permittee to modify the grading plan, interim or final plans, and maintenance methods and schedules. The city engineer shall notify the permittee in writing of the requirement and specify a reasonable period of time within which permittee must comply. All modifications are subject to city engineer's approval.

B. Upon completion of the rough grading work and at the final completion of the work, the city engineer may require the following reports and drawings and supplements thereto:

1. An as-graded grading plan including original ground surface elevations, as-graded ground surface elevations, lot drainage patterns and locations and elevations of all surface and subsurface drainage facilities. The permittee's engineer shall provide certification that the work was done in accordance with the final approved grading plan.

2. A soil grading report prepared by a registered soil engineer including locations and elevations of field density tests, summaries of field and laboratory tests and other substantiating data and comments on any changes made during grading and their effect on the recommendations made in the soil engineering investigation report. The soil engineer shall provide certification as to the adequacy of the site for the intended use.

3. A geologic grading report prepared by the engineering geologist including a final description of the geology of the site including any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. The engineering geologist shall provide certification as to the adequacy of the site for the intended use as affected by geologic factors.

(Ord. 1213 § 1 (part), 1995)

15.62.260 Post-grading procedures.

Upon completion of final grading and permanent improvements, where such permanent improvements are planned at the time grading is performed, permittee shall submit:

A. Executed contract(s) for maintenance and upkeep of final plan runoff and erosion control measures for a two-year period after completion of permit. A deed restriction requiring maintenance, instructions on maintenance procedures shall be provided to subsequent owners or warranty security may be required.

B. City engineer may waive or modify these provisions where appropriate.

(Ord. 1213 § 1 (part), 1995)

15.62.270 Suspension or revocation of permit.

The city engineer may elect to institute the following procedures set forth in this section as an alternate to any other enforcement procedures available to the city:

A. The city engineer or his/her authorized representative may suspend the permit and issue a stop work order, and permittee shall cease all work on the work site, except work necessary to remedy the cause of the suspension, upon notification of such suspension when:

1. The city engineer determines that the permit was issued in error or on the basis of incorrect information supplied, or in violation of any chapter or regulation or the provisions of this chapter;

2. Permittee fails to submit reports when required under Sections 15.62.240 and 15.62.250;

3. Inspection by the city engineer under this chapter reveals that the work or the work site:

a. Is not in compliance with the conditions set forth in this chapter,

b. Is not in conformity with the grading plan, interim or final plan as approved or as modified, or

c. Is not in compliance with an order to modify under Section 15.62.250;

4. Permittee fails to comply with an order to modify within the time limits imposed by the city engineer;

5. Permittee fails to obtain permission for wet season activity.

B. The city engineer may revoke the permit and issue a stop work order, and permittee shall cease work if permittee fails or refuses to cease work, as required above, after suspension of the permit and receipt of a stop work order and notification thereof.

C. The city engineer may thereafter reinstate a suspended permit upon permittee's correction of the cause of the suspension.

(Ord. 1213 § 1 (part), 1995)

15.62.280 Fines and penalties.

Any person, firm, corporation or agency acting as principal agent, employee or otherwise, who fails to comply with the provisions of this chapter shall be guilty of a misdemeanor unless filed by the city attorney as an infraction.

(Ord. 1213 § 1 (part), 1995)

15.62.290 Action against the security.

The city engineer may act against the appropriate security if any of the conditions listed in subsections A through D of this section exists. The city engineer shall use funds from the appropriate security to finance remedial work undertaken by the city or a private contractor under contract to the city, and to reimburse the city for all costs incurred in the process of the remedial work.

A. The permittee ceases land-disturbing activities and/or filling and abandons the work site prior to completion of the grading plan;

B. The permittee fails to conform to the interim plan or final plan as approved or as modified and has had his/her permit revoked;

C. The techniques utilized under the interim or final plan fail within one year of installation, or before a final plan is implemented for the site or portions of the site, whichever is later;

D. The city engineer determines that action by the city is necessary to protect public health, safety and welfare and to control erosion from the site.

(Ord. 1213 § 1 (part), 1995)

15.62.300 Cumulative enforcement procedures.

The procedures for enforcement of a permit, as set forth in this chapter, are cumulative and not exclusive.

(Ord. 1213 § 1 (part), 1995)

15.62.310 Grading designation.

All grading in excess of five thousand cubic yards shall be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated as "engineered grading."

A. Engineered Grading Requirements. The engineered grading plan shall be prepared with due consideration for all recommendations from the soil engineering and engineering geology reports prepared for the site or its vicinity. Engineered grading work shall be undertaken under the direction of a qualified civil engineer who shall be responsible for the establishment of line, grade, drainage and proper implementation of the approved grading plan. The civil engineer shall act as the liaison between the other professionals, the contractor and the city engineer. The civil engineer also shall be responsible for the preparation of revised plans and the submission of as-graded grading plans upon completion of the work. The civil engineer shall submit in a form prescribed by the city engineer a statement of compliance to said as-built plan.

Soil engineering and engineering geology reports shall be submitted as required by the city engineer. During grading all necessary reports, compaction data and soil engineering and engineering geology recommendations shall also be requested and reviewed by the civil engineer who shall certify the adequacy of the reports and other test data related to the grading.

The soil engineer's area of responsibility shall include, but need not be limited to, the professional inspection and approval concerning the preparation of ground to receive fills, testing for required compaction, stability of all finish slopes and design of buttress fills, where required, incorporating data supplied by the engineering geologist.

The engineering geologist's area of responsibility shall include, but need not be limited to, professional inspection and approval of the adequacy of natural ground for receiving fills and the stability of cut slopes with respect to geological matters and the need for subdrains or other groundwater drainage devices. The engineering geologist shall report his/her findings to the soil engineer and the civil engineer for engineering analysis.

B. The city engineer shall inspect the engineering work as required under this chapter and at any more frequent intervals necessary to determine that adequate control is being exercised by the professional consultants.

The testing agency's responsibility shall include, but need not be limited to, approval concerning the inspection of cleared areas and benches to receive fill, and the compaction of fills.

When the city engineer or his/her authorized representative has cause to believe that geologic factors may be involved, the grading operation will be required to conform to "engineering grading" requirements.

C. If, in the course of fulfilling their responsibility under this chapter, the civil engineer, the soil engineer, the engineering geologist or the testing agency finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the person in charge of the grading work and to the city engineer.

D. If the civil engineer, the soil engineer, the engineering geologist, or the testing agency of record is changed during the course of the work, the work shall be stopped until the replacement has agreed to accept the responsibility within the area of their technical competence for approval upon completion of the work.

(Ord. 1213 § 1 (part), 1995)

15.62.320 Wet season work.

A. For commencement of land-disturbing or filling activity during the wet season, applicant shall demonstrate to the satisfaction of the city engineer that land disturbance is relatively minor and that erosion and sedimentation can be controlled.

B. For continuation of land-disturbing or filling activities, other than installation, maintenance or repair of measures in the interim or final plans, during the wet season, permittee must apply for and receive, every five working days, special permission to proceed.

C. The city engineer shall grant permission under this section on the basis of weather forecasts, experience and other pertinent factors which indicate the activity may commence or continue without excessive erosion occurring.

D. Applicant/permittee's failure to obtain permission for wet season activity shall result in the imposition of suspension/revocation, and action against the security or criminal penalties as described herein.

(Ord. 1213 § 1 (part), 1995)

15.62.330 Cuts.

A. General. Unless otherwise recommended in the approved soil engineering and/or engineering geology report, cuts shall conform to the provisions of this section.

B. Slope. The slope of cut surfaces shall be no steeper than is safe for the intended use. Cut slopes shall be no steeper than two horizontal to one vertical unless otherwise specified by a qualified civil engineer/engineering geologist and approved by the city engineer.

C. Drainage and Terracing. Drainage and terracing shall be provided as required by Section 15.62.360.

(Ord. 1213 § 1 (part), 1995)

15.62.340 Fills.

A. General. Unless otherwise recommended in the approved soil engineering report, fills shall conform to the provisions of this section.

In the absence of an approved soil engineering report, these provisions may be waived for minor fills not intended to support structures.

B. Fill Location. Fill slopes shall not be constructed on natural slopes steeper than two to one unless specifically recommended by a qualified civil engineer or engineering geologist and approved by the city engineer.

C. Preparation of Ground. The ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, topsoil and other unsuitable materials, scarifying to provide a bond with the new fill, and, where slopes are steeper than five to one, and the height is greater than five feet, by benching into sound bedrock or other competent material as determined by the civil engineer and/or engineering geologist. The bench under the toe of a fill on a slope steeper than five to one shall be at least ten feet wide. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be provided. Where fill is to be placed over a cut, the bench under the toe of fill shall be at least ten feet wide but the cut must be made before placing fill and approved by the civil engineer and/or engineering geologist as suitable foundation for fill. Unsuitable soil is soil which, in the opinion of the city engineer, the civil engineer or the geologist, is not competent to support other soil or fill, to support structures or to satisfactorily perform the other functions for which the soil is intended.

D. Fill Material. Detrimental amounts of inorganic material shall not be permitted in fills. Except as permitted by the city engineer and/or a qualified civil engineer retained by the owner, no rock or similar irreducible material with a maximum dimension greater than twelve inches shall be buried or placed in fills.

Exception: The city engineer may permit placement of larger rock when the soil engineer properly devises a method of placement, continuously inspects its placement and approves the fill stability. The following conditions shall also apply:

1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan;

2. Rock sizes greater than twelve inches in maximum dimension shall be ten feet or more below grade, measured vertically;

3. Rocks shall be placed so as to assure filling of all voids with fines.

E. Compaction. All fills shall be compacted to a minimum of ninety percent of maximum density as determined by UBC Standard No. 70-1. Field density shall be determined in accordance with UBC Standard 70-2 or equivalent as approved by the city engineer.

F. Slope. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes shall be no steeper than two horizontal to one vertical.

G. Drainage and Terracing. Drainage and terracing shall be provided and the area above fill slopes and the surfaces of terraces shall be graded and paved as required by Section 15.62.360.

(Ord. 1213 § 1 (part), 1995)

15.62.350 Setbacks.

A. General. The setbacks and other restrictions specified by this section are minimum and may be increased by the city engineer or by the recommendations of a civil engineer, soil engineer or engineering geologist, if necessary for safety and stability, or to prevent damage of adjacent properties from deposition or erosion, or to provide access for slope maintenance and drainage. Retaining walls may be used to reduce the required setbacks when approved by the city engineer.

B. Setbacks from Property Lines. The tops of cuts and toes of fill slopes shall be set back from the outer boundaries of the permit area, including slope-right areas and easements.

C. Design Standards for Setbacks. Setbacks between graded slopes (cut or fill) and structures shall be provided.

(Ord. 1213 § 1 (part), 1995)

15.62.360 Drainage and terracing.

A. General. Unless otherwise indicated on the approved grading plan, drainage facilities and terracing shall conform to the provision of this section.

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

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

C. Subsurface Drainage. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.

D. Disposal. All drainage facilities shall be designed to carry waters to the nearest practicable drainageway approved by the city engineer and/or other appropriate jurisdiction as a safe place to deposit such waters. Erosions of ground in the area of discharge shall be prevented by installation of nonerosive downdrains or other devices.

Building pads shall have a drainage gradient of two percent toward approved drainage facilities, unless waived by the city engineer.

Exception: The gradient from the building pad may be one percent if all the following conditions exist throughout the permit area:

1. No proposed fills are greater than ten feet in maximum depth;

2. No proposed finish cut or fill slope faces have a vertical height in excess of ten feet;

3. No existing slope faces, which have a slope face steeper than ten horizontally to one vertically, have a vertical height in excess of ten feet.

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

(Ord. 1213 § 1 (part), 1995)

## Chapter 15.64 RECYCLING AND DIVERSION OF CONSTRUCTION AND DEMOLITION DEBRIS

15.64.010 Definitions.

For purposes of this chapter, the following definitions apply:

"Applicant" means each person who applies for a building or demolition permit pursuant to Title 15 of the Municipal Code.

"C&D debris" means and includes:

1. Discarded materials generally considered to be not water soluble and nonhazardous in nature, including, but not limited to steel, copper, aluminum, glass, brick, concrete, asphalt material, pipe, gypsum, wallboard, and lumber from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure and/or landscaping, including rocks, soils, tree remains, trees, and other vegetative matter that normally results from land clearing, landscaping and development operations for a construction project;

2. Remnants of new materials, including, but not limited to: cardboard, paper, plastic, wood, and metal scraps from any construction and/or landscape project.

"Contractor" means any person or entity holding, or required to hold, a contractor's license of any type under the laws of the state of California, or who performs (whether as contractor, subcontractor, owner-builder, or otherwise) any construction, demolition, remodeling, renovation, or landscaping service relating to buildings or accessory structures in the city.

"Covered project" means and includes any project which exceeds the thresholds set forth in Section 15.64.040 of this chapter.

"Salvage" means the controlled removal of materials from a covered project, for the purpose of reuse or storage for later reuse.

"Structure" means anything constructed or erected.

(Ord. 1325 § 2 (part), 2006)

15.64.020 Diversion Requirement, amended.

Diversion Requirement—The minimum diversion percentage requirement shall be set by the latest locally adopted California Green Building Standards Code for waste tonnage from construction, demolition, and alteration projects. Waste shall be diverted from disposal. This may be accomplished by delivering mixed debris to a recycling facility approved by the city, separating recyclables at the job site and delivering them to reuse and recycling facilities approved by the city, and/or reusing concrete or other waste materials at the jobsite.

(Ord. 1325 § 2 (part), 2006)

(Ord. No. 1461, § 14(Exh. M), 11-28-2022)

15.64.030 Diversion requirement exemption.

If an applicant for a covered project experiences circumstances that the applicant believes make it infeasible to comply with the diversion requirement, the applicant may apply for a diversion requirement exemption at the time that he or she submits the waste management plan (WMP) required under Section 15.64.070 (Waste management plan) of this chapter.

(Ord. 1325 § 2 (part), 2006)

15.64.040 Covered projects.

A. Covered Construction and Alteration Projects. All residential and commercial alteration projects within the city projected to be greater than fifteen thousand dollars; and, all new construction projects greater than twenty-five thousand dollars shall be subject to the provisions of this chapter.

B. Covered Demolition Projects. All complete demolition projects within the city shall comply with the provisions of this chapter.

C. Covered Roofing Projects. All roofing tear-off projects greater than one hundred square feet within the city shall comply with the provisions of this chapter.

(Ord. 1325 § 2 (part), 2006)

15.64.050 Salvage requirements.

For all covered projects, it shall be the responsibility of the applicant to recover the maximum feasible amount of designated recyclable and reusable materials prior to demolition. Recovered and salvaged designated recyclable and reusable material from every project shall qualify to be counted in meeting diversion requirements of Section 15.64.020 (Diversion requirement) of this chapter. Recovered or salvaged designated recyclables and reusable materials may be given away or sold on the premises, or may be removed to reuse facilities for storage or sale.

(Ord. 1325 § 2 (part), 2006)

15.64.060 Exempt projects.

The following construction and demolition projects within the city are not required to comply with the provisions of this chapter:

A. Work for which a building or demolition permit is not required;

B. New construction projects of less than twenty-five thousand dollars and alteration projects of less than fifteen thousand dollars in value;

C. Roofing projects that include tear-off of existing roof and are less than one hundred square feet;

D. Work for which only a plumbing, electrical, or mechanical permit is required;

E. Seismic tie-down projects;

F. Projects where no structural building modifications are required;

G. Emergency demolition required to protect the public health and safety.

While not required, it shall be encouraged, that at least sixty percent of all project-related C&D debris from exempt projects be diverted.

(Ord. 1325 § 2 (part), 2006)

15.64.070 Waste management plan.

Every applicant for a covered project with a total cost projected to be thirty thousand dollars or greater shall submit a properly completed "Waste management plan" (WMP) to the WMP compliance official, in a form as prescribed by that Official, as a portion of the building or demolition permit process. At a minimum, the completed WMP shall contain the following:

A. The estimated weight of project debris to be generated;

B. The types of debris that will be generated;

C. The applicant's strategy for diverting at least sixty percent of the debris from disposal;

D. The vendor(s) that the applicant proposes to use to haul the materials;

E. Approved facility(ies) the materials will be hauled to;

F. Any planned on-site or off-site reuse of debris from the project.

Because actual material weights are not available in this stage, estimates are used. In estimating the weight of materials as identified in the WMP, the applicant shall use the standardized conversion rates approved by the City of Daly City for this purpose. Approval of the WMP as complete and accurate shall be a condition precedent to the issuance of any building or demolition permit.

(Ord. 1325 § 2 (part), 2006)

15.64.080 Deposit required.

As a condition precedent to the issuance of any permit for construction or demolition for a covered project, the applicant shall post a deposit in the amount established by the city in the schedule of fees. The city shall establish minimum and maximum deposit amount. The deposit shall be returned, without interest, in total or prorated, upon proof of satisfaction by the WMP compliance official that no less than the required percentage of C&D debris tonnage generated by the covered project has been diverted from disposal and has been recycled or reused. Delivery of C&D debris to recycling and/or reuse facilities approved by the city shall be considered proof of such diversion.

(Ord. 1325 § 2 (part), 2006)

15.64.090 Failure to comply.

The deposit required by Section 15.64.080 of this chapter shall be forfeited entirely if there is a failure to comply with the requirements of this chapter. Compliance with this chapter shall be listed as a condition of approval on any construction, alteration and demolition permit issued for a covered project.

(Ord. 1325 § 2 (part), 2006)

15.64.100 Administrative fee.

The city shall establish in the schedule of fees an administrative fee to recover the cost of administering this chapter.

(Ord. 1325 § 2 (part), 2006)

15.64.110 Reporting.

Within one hundred twenty days following the completion of the covered project, as evidenced by a final inspection, the applicant shall, as a condition for the refund of the recycling, submit documentation to the WMP compliance official that proves compliance with the requirements of Sections 15.64.070 (Waste management plan) and 15.64.020 (Diversion requirement) of this chapter. The documentation shall consist of actual debris tonnage data, supported by original or certified photocopies of receipts, weight tags, invoices, reports or other records of measurement from recycling companies, deconstruction contractors, and/or landfill and disposal companies. Such documents will be used to verify whether debris generated from the covered project has been or are to be recycled, reused, salvaged or disposed. The applicant shall make reasonable efforts to ensure that all designated recyclable and reuse debris that are salvaged or disposed are measured and recorded using the most accurate method of measurement available.

To the extent practical, all C&D debris shall be weighed in compliance with all regulatory requirements for accuracy and maintenance. For C&D debris for which weighing is not practical due to small size or other considerations, a volumetric measurement shall be used. For conversion of volumetric measurements to weight, the applicant shall use the standardized conversion rates approved by the city for this purpose.

(Ord. 1325 § 2 (part), 2006)

15.64.130 Penalties and enforcement.

A. 1. The city council finds that the California Integrated Waste Management Act of 1989, Assembly Bill 939 requires that each local jurisdiction in the state divert fifty percent of waste from landfill disposal; and that the city could face fines up to ten thousand dollars per day for not meeting state diversion mandates.

2. In order to effect the social and environmental policies of this chapter, and to avoid the potential for the community to bear the costs for individuals' noncompliance, the city council adopts the below enforcement alternatives.

B. Each violation of the provisions of this chapter shall constitute a public nuisance and be subject to abatement as such, pursuant to the provisions of Chapter 8.16 of this code. The costs of abatement of any such nuisance shall be a lien upon the property involved.

C. 1. Each violation of the provisions of this chapter shall constitute a misdemeanor, and shall be punishable by imprisonment in the county jail for up to six months, or by a fine of up to one thousand dollars, or both. Each day that a violation continues shall be deemed a new and separate offense.

2. Failure to secure a building permit that requires compliance with this chapter, or failure to reflect that construction requiring a permit would result in diversion and/or recycling in compliance with this chapter shall also constitute a violation of this chapter; and each violation shall constitute a misdemeanor, and shall be punishable by imprisonment in the county jail for up to six months, or by a fine of up to one thousand dollars, or both.

D. Administrative Penalties.

1. For the first failure to comply with the provisions of this chapter, the Department of Economic and Community Development shall issue to the affected person a written notice that includes the following information:

a. A statement specifying the violation committed;

b. A specified time period within which the affected person must correct the failure of file a written notice disputing the notice to comply;

c. A statement of the penalty for continued noncompliance.

2. For each subsequent failure to comply with any provisions of this chapter following written notice pursuant to this section, the city's administrative appeals board may levy an administrative penalty not to exceed five thousand dollars. Any statement informing a violator of a citation shall include a notice setting forth the hearing rights provided in Chapter 8.16 of this code.

3. Any person assessed an administrative penalty pursuant to this section may dispute the penalty by requesting a hearing before the administrative appeals board provided that no hearing request shall be deemed timely filed and no hearing shall be held unless, within the time period to request a hearing, the person deposits with the city's Department of Finance money in the amount of any unpaid penalty due under this section. If as a result of the hearing it is determined that the penalty was wrongly assessed, the city shall refund any money deposited to the person.

4. It shall not be a defense to the assessment of any penalty or to any other civil enforcement action provided for under this section for a person to assert that any violation of this chapter was caused by the actions of a person other than the person assessed except if the violation was caused by the criminal or negligent action of a person who was not an agent, servant, employee or family member of the person.

5. Any administrative penalty collected hereunder shall be deposited in an account of the City of Daly City to be used as reimbursement for the costs and expenses of administration and enforcement of this chapter or compliance with state or local recycling mandates or regulations.

E. The penalties, fines, nuisance abatement and administrative remedies established by this section are not exclusive, and nothing in this section shall preclude any person, or the City of Daly City, from seeking any other remedies, penalties, or procedures provided by law.

(Ord. 1325 § 2 (part), 2006)

15.64.140 Use of Diversion Deposits, Added.

A. Money received by the City as diversion deposits shall be used only for payment of diversion deposit refunds except as provided in subsection B.

B. Diversion deposits that are no longer eligible for a refund under Reporting Section 15.64.110 may be used for any of the following purposes:

1. Cost of administration of the program established by this Part;

2. Cost of programs that divert from landfill disposal the waste from construction, demolition and alteration projects;

3. Cost of programs that develop or improve the infrastructure needed to divert from landfill disposal the waste from construction, demolition and alteration projects.

(Ord. No. 1461, § 14(Exh. M), 11-28-2022)

## Chapter 15.65 CALIFORNIA EXISTING BUILDING CODE[[12]](#footnote-12)

15.65.010 California Existing Building Code—Adoption—Where Filed.

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Existing Building Code, 2022 Edition", published by the International Code Council, and the adopted sections per Matrix Adoption Table found from the beginning of each chapter with notations under HCD 1 and HCD 2 and part thereof, save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth, of which code one copy is on file in the Daly City ECD Library, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

(Ord. No. 1461, § 12(Exh. J), 11-28-2022)

15.65.020 Section 1.8.4.2.1. Fees Prescribed and Established by Resolution of the City Council, amended.

Section 1.8.4.2 of the California Existing Building Code, 2022 Edition, is amended by adding Section 1.8.4.2.1 to read as follows:

Section 1.8.4.2.1. Daly City Municipal Code General Regulations 15.00.020 are Fees Prescribed and Established by Resolution of the City Council.

(Ord. No. 1461, § 12(Exh. J), 11-28-2022)

15.65.030 Section 1.8.4.3.1 Plan Review and Time Limitation, amended.

Section 1.8.4.3 of the California Existing Building Code 2022 Edition is amended by adding Section 1.8.4.3.1 to read as follows:

Section 1.8.4.3.1. Plan Review and Time Limitation shall comply with Municipal Code General Regulations 15.00.040.

(Ord. No. 1461, § 12(Exh. J), 11-28-2022)

15.65.040 Section 1.8.4.3.2. Permit Expiration and Extension, amended.

Section 1.8.4.3. of the California Existing Building Code 2022 Edition is amended by adding Section 1.8.4.3.2 to read as follows:

Section 1.8.4.3.2 Permit Expiration and Extension shall comply with Municipal Code General Regulations 15.00.040.

(Ord. No. 1461, § 12(Exh. J), 11-28-2022)

15.65.050 Section 1.8.8. Board of Appeals, amended.

Section 1.8.8 of the California Existing Building Code, 2022 Edition, is deleted and substituted by General Regulations 15.00.050.

(Ord. No. 1461, § 12(Exh. J), 11-28-2022)

15.65.060 Section 1.8.10. Terms Explained, added.

The terms found within the body of the "California Existing Building Code" are explained as follows:

The term "Code Official" is the Building Official.

The term "Department of Department of Building Safety" is changed to "Enforcement of the Order of the Building Official or the City Council of the City of Daly City."

The term "Chief Appointing Authority" is the City Manager.

(Ord. No. 1461, § 12(Exh. J), 11-28-2022)

15.65.070 Section 106.2.1.1. General Submittal Documents, amended.

Section 106.2.1 of the California Existing Building Code, 2022 Edition, is amended by adding section 106.2.1.1 to read as follows:

106.2.1.1. Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger with a readable font of 10. Other document sizes are permitted where approved by the building official.

(Ord. No. 1461, § 12(Exh. J), 11-28-2022)

15.65.080 Section 302.6 Safety Inspection of Elevated Decks, Walkways and balconies, Stairway System, Guards, Handrails, and parts thereof in weather exposed areas, amended.

Section 302 of the California Existing Building Code, 2022 Edition, is amended by adding section 302.5 to read as follows:

Section 302.5 in conjunction with Senate Bill 721 requires an inspection of exterior elevated elements and associated waterproofing elements for all wood and metal decks, balconies, landings, exit corridors, stairway systems, guard rails, hand rails, fire escapes, or any parts thereof in weather-exposed areas for buildings with 3 or more multifamily dwelling units, hotels, condominiums including any building that is proposed for conversion to condominiums be inspected for general safe condition, in adequate working order, and free from hazardous dry rot, fungus, deterioration, decay, or improper alteration by a licensed architect, licensed civil or structural engineer, a building contractor holding specified licenses, or private individual certified as a building inspector or building official.

Property owners shall provide proof of compliance with this Section by submitting the compliance affidavit, with verification (if applicable) completed and signed by the licensed professional who inspected the subject building. The inspection shall be completed as prescribed by SB 721. Completed affidavits must be submitted to the Department of Economic and Community Development, Building Division, and recertified every 6 years.

(Ord. No. 1461, § 12(Exh. J), 11-28-2022)

## CHAPTER 15.66 INDOOR WATER USE EFFICIENCY AND CONSERVATION ORDINANCE

15.66.010 Coordination with the plumbing code.

The code of rules and regulations printed in one volume and published by the International Association of Plumbing and Mechanical Officials, under the title "California Plumbing Code, 2007 Edition," and the appendices printed therein, and all supplements subsequently issued thereto, hereinafter collectively called the "plumbing code," prescribing regulations for the installation of all plumbing fixtures, printed in book form and filed in the office of the city clerk as of December 10, 2007, and by reference incorporated herein as if set forth, as the plumbing code of the City of Daly City establishing the rules, regulations, and standards within the City of Daly City as to all matters therein contained; subject however, to the amendments, additions, and deletions set forth in this chapter. The mandatory requirements of the adopted appendix to the California Plumbing Code, 2007 Edition, shall be enforceable to the same extent as if contained in the body of the plumbing code. One copy of the plumbing code shall at all times be kept on file in the office of the city clerk.

To the extent the provisions of this chapter conflict with any provisions in the existing plumbing code, the California Building Standards Code, or any other applicable code or regulation known to be in conflict then the provisions of this chapter shall supersede and control with regard to the indoor fixture requirements described herein.

(Ord. No. 1348, § 1, 2-8-2010)

15.66.020 Applicability.

A. The provisions of this chapter shall apply to the following projects:

1. All new construction, regardless of building classification, requiring a building permit, plan check or design review, or requiring new or expanded water service.

2. All kitchen and bathroom remodels initiated before January 1, 2014 requiring a building permit, plan check, design review, new or expanded water service, except that the provisions of this chapter will only apply to the fixtures normally included in the kitchen or bathroom, as the case may be, to be remodeled; and

3. Any remodel initiated on or after January 1, 2014 shall retrofit all plumbing fixtures with water efficient plumbing fixtures.

B. The provisions of the Chapter shall also require;

1. The retrofit of all single-family residential plumbing fixtures with water efficient plumbing fixtures on or before January 1, 2017; and

2. On or after January 1, 2017, a seller or transferor of a single-family residential real property shall disclose in writing to a prospective purchaser or transferee of the requirements to retrofit plumbing fixtures with water efficient plumbing fixtures and whether the real property includes any noncompliant plumbing fixtures.

3. The retrofit of all multi-family real property and commercial real property with water efficient plumbing fixtures on or before January 1, 2019.

C. The provisions of this chapter shall not apply to:

1. Existing buildings not seeking a building permit, plan check or design review;

2. Registered local, state or federal historical sites;

3. Remodels where, in the discretion of the chief building official the unique configuration of the building, its drainage system or portions of the public sewer, or both, are incompatible with efficiency standards listed in the Indoor Water Use Efficiency Table and require a greater quantity of water to flush the system in a manner that is consistent with public health.

(Ord. No. 1348, § 1, 2-8-2010)

15.66.030 Definitions.

A. "Certified professional" means a licensed contractor, licensed architect or licensed professional engineer.

B. "Energy Star qualified" means that a given fixture meets the United States Environmental Protection Agency standard for an energy efficient product.

C. "gal/cycle" means gallons per cycle.

D. "gal/100 lbs ice" means gallons per hundred pounds of ice.

E. "gpf" means gallons per flush.

F. "gpm" means gallons per minute.

G. "Local agency" means a city or county, including a charter city or charter county, or water district that is responsible for adopting and implementing this chapter. The local agency is also responsible for the enforcement of this chapter, including but not limited to, in the case of a city or county, approval of a permit and plan check or design review of a project; and in the case of a district, approval of a new or expanded water service application.

H. "LSI" means Langelier Saturation Index providing an indication of the degree of saturation of water with respect to calcium carbonate related to cooling tower efficiency.

I. "Local water purveyor" means any entity, including a public agency, city, county or private water company that provides retail water service.

J. "Permit" means the document issued by local agencies in connection with new construction, remodels or renovations and which authorizes the lawful initiation of construction, improvements or repairs to a building or structure.

K. "Project applicant" means the individual or entity submitting a indoor water use efficiency checklist as required under Section 15.66.050, and requesting a permit, plan check, design review, or new or expanded water service application from the local agency. A project applicant may be the property owner or his or her designee.

L. "RMF" means residential multi-family.

M. "sq. ft." means square feet.

N. "Water §Factor" means the number of gallons per cycle per cubic foot that the clothes washer uses.

O. "Single-family" means any real property that is improved with, or consisting of, a building containing not more than one unit that is intended for human habitation.

P. "Multi-family" means any real property that is improved with, or consisting of, a building containing more than one unit that is intended for human habitation, or any mixed residential-commercial buildings or portions thereof that are intended for human habitation.

Q. "Commercial property" means any real property that is improved with, or consisting of, a building that is intended for commercial use, including hotels and motels, that is not single-family residential real property or multi-family residential real property.

(Ord. No. 1348, § 1, 2-8-2010)

15.66.040 Minimum indoor fixture requirements.

All new construction and applicable remodels will have, at a minimum, fixtures that comply with the efficiency standards listed below (the "Indoor Water Use Efficiency Table"):

|  |  |  |
| --- | --- | --- |
| Fixture | Residential | Non-Residential |
| Toilets | ≤1.28 gpf, and  ≥350 grams | ≤1.28 gpf, and  ≥350 grams |
| Urinals | ≤0.5 gpf | ≤0.5 gpf |
| Showers | ≤2.0 gpm | ≤2.0 gpm |
| Bathroom faucets | ≤ 1.5 gpm | ≤ 0.5 gpm |
| Kitchen faucets | ≤ 2.2 gpm | ≤ 2.2 gpm |
| Clothes washers | ≤6.0 Water Factor | ≤6.0 Water Factor |
| Dishwashers | ≤6.5 gal/cycle, or  Energy Star Qualified | Energy Star Qualified |
| Cooling towers | ≥5 - 10 cycles, or  ≥2.5 LSI | ≥5 - 10 cycles, or  ≥2.5 LSI |
| Food steamers | — | Boiler less, or  Self-contained |
| Ice machines | — | ≤25 gal/100 lbs. ice, or  Air-cooled |
| Pre-rinse spray valves | — | ≤1.15 gpm |
| Automatic vehicle wash  facilities | — | ≥50% of water that is recycled on site |
| Commercial refrigeration | — | Closed loop,  or air cooled |
| Meters | Submeters for RMF, and separate meter for outdoor if landscape >5,000 sq. ft. | Submeters, and separate meter for outdoor if landscape >5,000 sq. ft. |

(Ord. No. 1348, § 1, 2-8-2010)

15.66.050 Compliance with chapter.

A. The local agency shall:

1. Provide the project applicant with this chapter and the indoor water use efficiency checklist requirements when it provides applicant with the procedures for permits, plan checks, design reviews or new or expanded water service applications;

2. Review the indoor water use efficiency checklist submitted by the project applicant;

3. Approve or deny the project applicant's indoor water use efficiency checklist submittal;

4. Only upon approval of the indoor water use efficiency checklist, issue a permit or approve the plan check, design review or new or expanded water service application for the project applicant;

5. In its discretion, inspect the installation of the water efficient fixtures and appliances to verify that they have been installed and are performing at the required use levels; and

6. Submit a copy of the complete Indoor Water Use Efficiency Checklist to the local water purveyor or land use authority, as the case may be.

B. The project applicant shall:

1. Meet the minimum water use efficiency standards for indoor fixtures and appliances provided for in the indoor water use efficiency table and checklist.

2. Prior to construction, submit all portions of the indoor water use efficiency checklist to the local agency for verification.

(Ord. No. 1348, § 1, 2-8-2010)

15.66.060 Components of the indoor water use efficiency checklist.

The indoor water use efficiency checklist shall require, at a minimum:

A. Project information;

B. Quantity and unit water use factors of all indoor fixtures and appliances relative to the standards listed in the indoor water use efficiency table and checklist;

C. Contain the following statement to be completed by the project applicant: "I certify that the subject project meets the specified requirements of the Indoor Water Use Efficiency and Conservation Ordinance"; and

D. Bear the signature of the Project applicant, or that of a certified professional.

(Ord. No. 1348, § 1, 2-8-2010)

15.66.070 Penalties and enforcement.

A. Violation and Notice of Correction. It is unlawful for any person, firm, partnership, association, or corporation subject to the requirements of this chapter to fail to comply with the water use efficiency requirements or to alter or replace the fixtures and appliances required by this Ordinance with other noncompliant fixtures or appliances after the completion of construction or remodel. Whenever the chief building official determines that a violation of this chapter has occurred, the chief building official may serve a notice of correction on the owner(s) of the property on which the violation is situated. The owner(s) of record shall have ninety days to take corrective action.

B. Administrative Enforcement. In addition to any other remedy provided by the Daly City's Municipal Code, any provision of this Chapter may be enforced by an administrative order issued pursuant to the administrative processes set forth in Section 8.16.100 et. seq. of the Daly City Municipal Code. The administrative appeal board shall serve as the administrative enforcement hearing board for the purposes of considering any appeals. All notices shall be served in accordance with Article II of Section 8.16 of the Daly City Municipal Code.

(Ord. No. 1348, § 1, 2-8-2010)

15.66.080 Public education.

The City of Daly City shall provide information to all applicants regarding the installation of water efficient fixtures and appliances.

(Ord. No. 1348, § 1, 2-8-2010)

## Chapter 15.70 MANAGEMENT OF PCBs DURING BUILDING DEMOLITION PROJECTS

15.70.010 Management of PCBs during building demolition projects—Adopted—Where filed.

The management of PCBs during building demolition projects is hereby adopted by the city council.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.020 Purpose.

A. The provisions of this article shall be construed to accomplish the following purposes:

1. Require building demolition permit applicants (applicants) to conduct a PCBs in priority building materials screening assessment and submit information documenting the results of the screening. Such documentation to include (1) the results of a determination whether the building proposed for demolition is high priority for PCBs-containing building materials based on the structure age, use, and construction, and (2) the concentration of PCBs in each priority building material present and, (3) for each priority building material present with a PCBs concentration equal to or greater than fifty ppm, the approximate amount (linear feet or square feet) of that material in the building.

2. Inform applicants with PCBs present in one or more of the priority building materials (based on the above screening assessment) that they must comply with all related applicable federal and state laws. This may include reporting to the U.S. Environmental Protection Agency (EPA), the San Francisco Bay Regional Water Quality Control Board (Regional Water Board), and/or the California Department of Toxic Substances Control (DTSC). Additional sampling for and abatement of PCBs may be required.

3. Meet the requirements of the Federal Clean Water Act, the California Porter-Cologne Water Quality Control Act, and the Municipal Regional Stormwater Permit Order No. R2-2015-0049.

B. The requirements of this chapter do not replace or supplant the requirements of California or Federal law, including but not limited to the Toxic Substances Control Act, 40 Code of Federal Regulations (CFR) Part 761, and California Code of Regulations (CCR) Title 22.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.030 Definitions.

In addition to the general definitions applicable to this Code, whenever used in this article, the following terms shall have the meanings set forth below:

"Applicable structure" means buildings constructed or remodeled from January 1, 1950 to December 31, 1980. Remodeling, partial building, wood framed structure, and single-family residence demolition projects are exempt.

"Applicant" means a person applying for a building demolition permit as required by Daly City Municipal Code chapter 15.28, Moving or Demolition of Buildings, section 15.28.010.

"Appropriate authority" means the authority having jurisdiction which is the City of Daly City.

"Building" means a structure with a roof and walls standing more or less permanently in one place. Buildings are intended for human habitation or occupancy.

"Demolition" means the wrecking, razing, or tearing down of any structure. This definition is intended to be consistent with the demolition activities undertaken by contractors with a C-21 building moving/demolition contractor's license.

"DTSC" means the State of California Department of Toxic Substances Control.

"EPA" means the United States Environmental Protection Agency.

"PCBs" means polychlorinated biphenyls.

"PCBs in priority building materials screening assessment" means the two-step process used to:

1. Determine whether the building proposed for demolition is high priority for PCBs containing building materials based on the structure age, use, and construction; and if so

2. Determine the concentrations (if any) of PCBs in priority building materials revealed through existing information or representative sampling and chemical analysis of the priority building materials in the building. Directions for this process are provided in the PCBs in the priority building materials screening assessment applicant package.

"Priority building materials" means the following:

1. Caulking: e.g., around windows and doors, at structure/walkway interfaces, and in expansion joints;

2. Thermal/fiberglass insulation: e.g., around HVAC systems, around heaters, around boilers, around heated transfer piping, and inside walls or crawls spaces;

3. Adhesive/mastic: e.g., below carpet and floor tiles, under roofing materials, and under flashing; and

4. Rubber window gaskets: e.g., used in lieu of caulking to seal around windows in steel-framed buildings.

"Priority building materials screening assessment applicant package" (*applicant package*) means a document package that includes an overview of the screening process, applicant instructions, a process flow chart, a screening assessment form, and the *Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition* (BASMAA 2018, prepared for the Bay Area Stormwater Management Agencies Association, August 2018).

"Regional water board" means the California Regional Water Quality Control Board, San Francisco Bay Region.

"Remodel" means to make significant finish and/or structural changes that increase utility and appeal through complete replacement and/or expansion. A removed area reflects fundamental changes that include multiple alterations. These alterations may include some or all of the following: replacement of a major component (cabinet(s), bathtub, or bathroom tile), relocation of plumbing/gas fixtures/appliances, significant structural alterations (relocating walls, and/or the addition of square footage).

(Ord. No. 1428, § 1, 4-22-2019)

15.70.040 Applicability.

This article applies to applicants for buildings constructed or remodeled from January 1, 1950 to December 31, 1980.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.050 Exemptions.

Applications for remodeling, partial building, wood framed structure, and single-family residence demolition projects are exempt.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.060 PCBs in priority building materials screening assessment.

Every applicant for a building demolition permit shall conduct a PCBs in priority building materials screening assessment, a two-step process used to:

1. Determine whether the building proposed for demolition is high priority for PCBs containing building materials based on the structure age, use, and construction (i.e., whether the building is an applicable structure); and if so

2. Demonstrate the presence or absence and concentration of PCBs in priority building materials through existing information or representative sampling and chemical analysis of the priority building materials in the building.

Applicants shall follow the directions provided in the PCBs in priority building materials.

Screening assessment applicant package (applicant package), which includes an overview of the process, applicant instructions, a process flow chart, a screening assessment form, and the *Protocol for Assessing Priority PCBs-Containing Materials before Building Demolition.* Per the applicant package, for certain types of buildings built within a specified date range, the applicant must conduct further assessment to determine whether or not PCBs are present at concentrations ≥ fifty ppm. This determination is made via existing data on specific product formulations (if available), or more likely, via conducting representative sampling of the priority building materials and analyzing the samples for PCBs at a certified analytical laboratory. Any representative sampling and analysis must be conducted in accordance with the *Protocol for Assessing Priority PCBs-Containing Materials before Building Demolition.* The applicant package provides additional details.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.070 Agency notification, abatement, and disposal for identified PCBs.

When the PCBs in priority building materials screening assessment identifies one or more priority building materials with PCBs, the applicant must comply with all related applicable federal and state laws, including potential notification of the appropriate regulatory agencies, including EPA, the regional water board, and/or the DTSC. Agency contacts are provided in the applicant package. Additional sampling for and abatement of PCBs may be required. Depending on the approach for sampling and removing building materials containing PCBs, the applicant may need to notify or seek advance approval from USEPA before building demolition.

Even in circumstances where advance notification to or approval from USEPA is not required before the demolition activity, the disposal of PCBs waste is regulated under Toxic Substances Control Act (TSCA). Additionally, the disposal of PCBs waste is subject to California Code of Regulations (CCR) title 22 section 66262. Additional information is provided in the applicant package.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.080 Compliance with California and federal PCBs laws and regulations.

Applicants must comply with all federal and California laws and regulations, including, but not limited to, health, safety, and environmental laws and regulations, that relate to management and cleanup of any and all PCBs, including, but not limited to, PCBs in priority building materials, other PCBs-contaminated materials, PCBs-contaminated liquids, and PCBs waste.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.090 Information submission and applicant certification.

A. The applicant shall conduct a PCBs in priority building materials screening assessment and submit the associated information and results as part of the building demolition permit application, including the following (see applicant package for more details):

1. Owner and project information, including location, year building was built, description of building construction type, and anticipated demolition date.

2. Determination of whether the building proposed for demolition is high priority for PCBs-containing building materials based on the structure age, use, and construction.

3. If high priority for PCBs-containing building materials based on the structure age, use, and construction, the concentration of PCBs in each priority building material present. If PCBs concentrations are determined via representative sampling and analysis, include a contractor's report documenting the assessment which includes the completed QA/QC checklist from the *Protocol for Assessing Priority PCBs-Containing Materials before Building Demolition* and the analytical laboratory reports.

4. For each priority building material present with a PCBs concentration equal to or greater than fifty ppm, the approximate amount (linear feet or square feet) of that material in the building (see applicant package for more details).

5. Applicant's certification of the accuracy of the information submitted.

B. The [director of public works, community development, or environmental services, or other appropriate authority] may specify a format or guidance for the submission of the information.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.100 Recordkeeping.

Those applicants conducting a building demolition project must maintain documentation of the results of the PCBs in priority building materials screening assessment for a minimum of five years after submittal.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.110 Obligation to notify City of Daly City of changes.

The applicant shall submit written notifications documenting any changes in the information submitted in compliance with this article. The applicant shall submit the revised information to City of Daly City when changes in project conditions affect the information submitted with the permit application.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.120 Liability.

The applicant is responsible for safely and legally complying with the requirements of this article. Neither the issuance of a permit under the requirements of section 15.28.010, nor the compliance with the requirements of this article or with any condition imposed by the issuing authority, shall relieve any person from responsibility for damage to persons or property resulting there from, or as otherwise imposed by law, nor impose any liability upon the City of Daly City for damages to persons or property.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.130 Enforcement.

Failure to submit the information required in this article or submittal of false information will result in enforcement under Daly City Municipal chapter 1.12 General Penalty.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.140 Fees.

In addition to the fees required under section 15.00.020, fees prescribed and established by resolution of the city council for demolition of buildings and applicants subject to this article shall deposit funds "sufficient to reimburse City of Daly City costs for staff time required to implement this article (i.e., to compensate specifically for municipal staff time related to implementing a new program to manage PCBs-containing building materials during demolition in compliance with MRP Provision C.12.f., and not for any other purpose)."

(Ord. No. 1428, § 1, 4-22-2019)

15.70.150 City or county projects.

City of Daly City departments shall comply with all the requirements of this article except they shall not be required to obtain permits and approvals under this article for work performed within a City of Daly City owned properties and areas, such as rights-of-way.

(Ord. No. 1428, § 1, 4-22-2019)

15.70.160 Effective date.

This chapter shall become effective on July 1, 2019.

(Ord. No. 1428, § 1, 4-22-2019)

## Chapter 15.80 ELECTRICAL VEHICLE CHARGING STATIONS

15.80.010 Purpose.

The purpose of this chapter is to promote and encourage the use of electric vehicles by adopting an expedited, streamlined permitting process for electric vehicle charging stations while protecting the public health and safety which satisfy the requirements of Assembly Bill 1236.

(Ord. No. 1455, § 1, 3-28-2022)

15.80.020 Definitions.

[The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

"Applicable time period" means five business days after submission of the application to the city, if the application is for at least one, but not more than twenty-five electric vehicle charging stations at a single site. Ten business days after submission of the application to the city, if the application is for more than twenty-five electric vehicle charging stations at a single site.

"Electric vehicle charging station or charging station" means any level of electric vehicle supply equipment station that is designed and built-in compliance with article 625 of the California Electrical Code, as it reads on the effective date of this chapter, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

"Electronic submittal" means the utilization of one or more of the following: Electronic mail or email, internet, and facsimile.

"Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(Ord. No. 1455, § 1, 3-28-2022)

15.80.030 Applicability.

A. This chapter applies to the permitting of all electric vehicle charging stations in the city.

B. Electric vehicle charging stations legally established or permitted prior to the effective date of this chapter are not subject to the requirements of this chapter unless physical modifications or alteration are undertaken that change the size, type, or components of the charging station in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.

(Ord. No. 1455, § 1, 3-28-2022)

15.80.040 Electric vehicle charging station requirements.

A. All electric vehicle charging stations shall meet all applicable health and safety standards and requirements imposed by the state and the city.

B. Electric vehicle charging stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as the Underwriters Laboratories and where applicable, rules of the public utilities commission regarding safety and reliability.

(Ord. No. 1455, § 1, 3-28-2022)

15.80.050 Application and documents.

A. All documents required for submission of an electric vehicle charging stations application shall be made available on the city's website.

B. Electronic submittal of the required permit application and supporting drawings and documentation shall be made available to all electric vehicle charging station permit applications. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.

C. The city's building and safety division shall adopt a checklist of all requirements with which the electric vehicle charging station shall comply to be eligible for expedited review. The electric vehicle permit process, standard(s) and checklist(s) may substantially conform to recommendations for permitting, including the checklist and standards contained in the "plug-in electric vehicle infrastructure permitting checklist" of the "zero-emission vehicle infrastructure permitting checklist" of the "zero-emission vehicle in California: community readiness guidebook" published by the office of planning and research.

(Ord. No. 1455, § 1, 3-28-2022)

15.80.060 Permit review requirements.

A. The building official shall implement an administrative review process to expedite approval of electric vehicle charging stations. Where the application meets the requirements of the approved checklist and standards and there are no specific, adverse impacts upon public health or safety, the building and safety division shall complete the building permit approval process, which is nondiscretionary. Review of the application for electric vehicle charging stations shall be limited to the building official's review of whether the application meets local, state, and federal health and safety requirements.

B. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

(Ord. No. 1455, § 1, 3-28-2022)

15.80.070 Fees.

The city council may establish by resolution the fees that shall be charged for permits issued under this chapter.

15.80.080 Review timeline.

An application to install an electric vehicle charging station submitted to the building official shall be deemed complete if, after the applicable time period as defined in the definitions section of this chapter has elapsed, both of the following are true:

1. The building official has not deemed the application complete, consistent with the city's EVCS checklist,

2. Written correction notice detailing all deficiencies in the application and identifying any additional information explicitly necessary for the building official to complete a review limited to whether the electric vehicle charging station meets all health and safety requirements of local, state, and federal law.

(Ord. No. 1455, § 1, 3-28-2022)

1. Ord. No. 1461, § 1(Exh. A), adopted November 28, 2022, repealed former Ch. 15.00, §§ 15.00.010—15.00.190, and enacted a new Ch. 15.00 as set out herein. Former Ch. 15.00 pertained to similar subject matter and derived from Ord. No. 1432, § 1, Exh. A, November 25, 2019; Ord. No. 1450, § 1, September 13, 2021. [↑](#footnote-ref-1)
2. Ord. No. 1461, § 3(Exh. B), adopted November 28, 2022, repealed former Ch. 15.08, §§ 15.08.010—15.00.260, and enacted a new Ch. 15.08 as set out herein. Former Ch. 15.08 pertained to similar subject matter and derived from Ord. No. 1432, § 2, Exh. B, November 25, 2019. [↑](#footnote-ref-2)
3. Ord. No. 1461, § 4(Exh. C), adopted November 28, 2022, repealed former Ch. 15.10, §§ 15.10.010—15.10.260, and enacted a new Ch. 15.10 as set out herein. Former Ch. 15.10 pertained to similar subject matter and derived from Ord. No. 1432, § 3, Exh. C, November 25, 2019. [↑](#footnote-ref-3)
4. Ord. No. 1461, § 5(Exh. D), adopted November 28, 2022, repealed former Ch. 15.14, §§ 15.14.010—15.14.090, and enacted a new Ch. 15.14 as set out herein. Former Ch. 15.14 pertained to similar subject matter and derived from Ord. No. 1432, § 4, Exh. D, November 25, 2019. [↑](#footnote-ref-4)
5. Ord. No. 1461, § 6(Exh. E), adopted November 28, 2022, repealed former Ch. 15.16, §§ 15.16.010—15.16.140, and enacted a new Ch. 15.16 as set out herein. Former Ch. 15.16 pertained to similar subject matter and derived from Ord. No. 1432, § 5, Exh. E, November 25, 2019. [↑](#footnote-ref-5)
6. Ord. No. 1461, § 7(Exh. F), adopted November 28, 2022, repealed former Ch. 15.20, §§ 15.20.010—15.20.240, and enacted a new Ch. 15.20 as set out herein. Former Ch. 15.20 pertained to similar subject matter and derived from Ord. No. 1432, § 6, Exh. F, November 25, 2019. [↑](#footnote-ref-6)
7. Ord. No. 1461, § 8(Exh. G), adopted November 28, 2022, repealed former Ch. 15.22, §§ 15.22.010—15.22.060, and enacted a new Ch. 15.22 as set out herein. Former Ch. 15.22 pertained to similar subject matter and derived from Ord. No. 1432, § 7, Exh. G, November 25, 2019; Ord. No. 1449, § 1, May 10, 2021. [↑](#footnote-ref-7)
8. Ord. No. 1461, § 9(Exh. H), adopted November 28, 2022, repealed former Ch. 15.24, §§ 15.24.010—15.24.130, and enacted a new Ch. 15.24 as set out herein. Former Ch. 15.24 pertained to similar subject matter and derived from Ord. No. 1432, § 8, Exh. H, November 25, 2019. [↑](#footnote-ref-8)
9. Ord. No. 1461, § 10(Exh. L), adopted November 28, 2022, repealed former Ch. 15.32, §§ 15.32.010—15.32.270, and enacted a new Ch. 15.32 as set out herein. Former Ch. 15.32 pertained to similar subject matter and derived from Ord. No. 1433, § 3, November 25, 2019. [↑](#footnote-ref-9)
10. Editor's note(s)—Ord. No. 1353, § 11, adopted Dec. 13, 2010, repealed former Ch. 15.36, § 15.36.010 in its entirety which pertained to coastal zone construction and derived from Ord. No. 759, § 1, adopted in 1973. [↑](#footnote-ref-10)
11. Ord. No. 1461, § 11, adopted November 28, 2022, amended Ch. 15.60 in its entirety to read as herein set out. Former Ch. 15.60, §§ 15.60.010—15.60.040, pertained to similar subject matter, and derived from Ord. No. 1448, § 1, May 10, 2021. [↑](#footnote-ref-11)
12. Ord. No. 1461, § 12(Exh. J), adopted November 28, 2022, repealed former Ch. 15.65, §§ 15.65.010—15.65.090, and enacted a new Ch. 15.65 as set out herein. Former Ch. 15.65 pertained to similar subject matter and derived from Ord. No. 1432, § 10, Exh. J, November 25, 2019. [↑](#footnote-ref-12)