# Title 16  BUILDINGS AND CONSTRUCTION

## Chapter 16.02 CALIFORNIA BUILDING CODE[[1]](#footnote-1)

16.02.010 California Building Code—Adoption.

The building code for the city, sometimes referred to as "the CBC," is the 2022 California Building Code, incorporating Volumes 1 and 2, (based on the International Building Code, 2021 Edition), including Appendix chapters D, F, G, H, and J, as approved by the California Building Standards Commission, and as published in Title 24, Part 2, Volumes 1 and 2 of the California Code of Regulations.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.020 Chapter 1 Subsection 105.2(4) amended—Exempted work.

Subsection 105.2(4) of the CBC is amended to read:

4. Retaining walls which do not retain more than thirty (30) inches of earth when the earth retained is level and where there is no surcharge load and retaining walls which do not retain more than two (2) feet of earth when the earth retained is sloping not greater than 2h:1v and there is no surcharge load. The above does not apply to retaining walls impounding Class I, II, or IIIA Liquids. See CBC Section 2304.12.5 for treatment of wood used for retaining walls.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.030 Chapter 1 Section 107.6 added—Garage, carport and driveway grades.

Section 107.6 is added to the CBC, to read as follows:

Section 107.6 Garage, Carport and Driveway Grade Requirements.

(a) Garage and carport floors shall be concrete.

(b) Any person to whom a building permit has been issued shall, where established, obtain official line and grade information as required in Section 13.20.150 of the City Code prior to the construction of foundations or footings for carports and garages.

(c) When official line and grade has not been established, it shall be the responsibility of that person to provide such information as required by City Engineer to establish lines and grades.

(d) Any person to whom a building permit has been issued shall construct the finish floor of carports and garages to an elevation which shall conform to the official driveway data as set forth on plan LL-1031 on file with the City Engineer.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.040 Chapter 1 Subsection 107.3 amended—Examination of documents.

Subsection 107.3.1.1 is added to the CBC, to read as follows:

Review by Fire Chief. Whenever application is made for a building permit, as required by the CBC, the Building Official shall withhold issuance of the building permit until notification from the Fire Chief that all plans required by the California Fire Code (chapter 16.26 of this title) have been reviewed and approved, and that the requirements specified in Section 16.26 have been met.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.050 Chapter 1 Section 114.1.1 added—Littering of streets.

Section 114.1.1 is added to the CBC, to read as follows:

Section 114.1.1 - Littering of Streets

It shall be unlawful for any person to excavate, dig or move dirt, rock, or other substances so as to allow fragments thereof from being thrown or dropped against or upon lots or buildings, or upon any public right-of-way. Any person dropping such material or tracking dirt, mud, or rocks from private property upon any public right-of-way shall immediately cause the same to be removed. Transportation of dirt and rock requires a permit obtained pursuant to chapter 13.24 of the El Cerrito Municipal Code.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.060 Chapter 1 Section 117 added—General regulation of construction.

Section 117 is added to the CBC, to read as follows:

Section 117 - General Regulation of Construction

(a) Work may be prohibited during inclement weather upon the order of the City Building Official.

(b) The hours of work shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday. Work shall be prohibited on Sundays and Holidays.

Work hours in the public right-of-way shall be regulated by Public Works Department.

(c) Work must be controlled to prevent causing a public nuisance such as dust, noise, vibrations, uncontrolled storm water runoff, and traffic congestion.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.070 Chapter 5 Section 501.2 amended—Address identification.

Section 502.1 of the CBC is amended to read as follows:

Section 502.1 - Address Identification.

a) The city shall keep on file a description of the method to be used in the assignment of street address identification numbers. This method shall be approved by Council resolution and shall be available for inspection by any member of the public.

b) Every main structure or building constructed, altered, repaired, or moved into the city shall be assigned a street identification number by the Building Official.

c) Numbers identifying the street address shall be placed on the street side of the building or structure in such manner as to be plainly visible from the street or public way. Identification numbers shall be a minimum of four (4) inches in height with minimum ½" stroke width for residential, and six (6) inches in height with minimum 1" stroke width for commercial buildings, and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.

d) The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official.

e) Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response.

f) 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 approved sign or means shall be used to identify the structure.

g) The owner shall be responsible for the maintenance of identification numbers.

h) Any change of the assigned street identification number must be approved by the Building Official.

i) Every owner or occupant of any building or structure not numbered in accordance with the provisions of this section shall, within ten (10) days after notice given by the City change the number of such building or structure to the number specified in the notice.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.080 Subsections 903.2 amended—Automatic fire-extinguishing systems.

Subsection 903.2 of the CBC is amended to add:

a) In every building where the total floor area exceeds 5,000 square feet.

b) In every building having three (3) or more stories.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.090 Subsection 904.3.5 amended—Alternative automatic fire-extinguishing systems.

Section 904.3.5 of the CBC is amended by adding the words, "or when required by the Fire Chief."

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.100 Subsection 905.3 amended—Standpipe requirements.

Subsection 905.3 is amended by adding the following:

Standpipes shall be required in all buildings three (3) stories in height in addition to other requirements in this section, or when required by the Fire Chief.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.110 Subsection 1705A.3 amended—Required special inspections and tests.

CBC Subsection 1705A.3, Concrete Construction is amended to read as follows:

1705.3 Concrete Construction. Special inspections and tests for concrete construction shall be performed in accordance with this section and TABLE 1705A.3.

Exceptions: Special inspections and tests shall not be required for:

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

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.120 Subsection 1905.1.7 amended—Modifications to ACI 318.

Section 1905.1.7 ACI 318, section 14.1.4 Delete ACI 318, section 14.1.4, and replace with the following:

14.1.4 - Plain concrete in structures assigned to seismic design category C, D, E or F.

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

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

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

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

Exception: In detached one and two-family dwellings three stores or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.130 Chapter 23 amended—Wood.

The following tables 2308.6.1 and 2308.6.3(1) and sections 2308.6.4 and 2308.6.5 are amended to read as follows:

Table 2308.6.1 - Wall Bracing Requirements

Remove "PCP" and "GB" from the table column under the heading of "Bracing method" and remove footnotes "c" and "d" and any other references to "Portland Cement Plaster" and/or "Gypsum board."

Table 2308.6.3(1) - Bracing Methods

Under column "Methods, Material," remove rows "GB Gypsum board (double sided)" and "PCP Portland cement plaster" from table.

Section 2308.6.4 - Braced wall panel construction

Remove reference to "PCP" from text.

Section 2308.6.5 - Alternative bracing is deleted and replaced with the following:

2308.6.5 Alternate Bracing

An alternate braced wall (ABW) or a portal frame with hold-downs (PFH) described in this section is permitted to substitute for a 48-inch (1219 mm) braced wall panel of Method DWB, WSP, SFB, PBS, or HPS.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.140 Subsection 2304.12.1.5 amended—Wood siding.

Subsection 2304.12.1.5 of the CBC is amended to add the following sentence at the end thereof:

Siding Materials: Wood shingles or shakes shall be Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See section 8.30.030 of the El Cerrito Municipal Code for roofing standards in very high fire hazard severity zones.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.150 Section 2505 deleted—Shear wall construction.

Section 2505 of the CBC on the use of gypsum or lath and plaster for shear wall construction is deleted in its entirety.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.160 Chapter 1, Section 110.7 added—Storm water pollution control measures.

Chapter 1 Section 110.7 is added to the CBC to read as follows:

Storm water pollution control measures shall be implemented during all construction phases of development to prevent pollution from entering waterways. Specific practices of the California Stormwater Quality Association (CASQA) Construction Best Management Practices Handbook shall be incorporated herein.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.170 Appendix G Subsection G102.3 added—Flood resistant construction.

Section G102.3 is added to the CBC, to read as follows:

Section G102.3 - Construction in Special Flood Hazard Area

Construction within special Flood Hazard Areas must comply with chapter 13.40 of the El Cerrito Municipal Code.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.180 Chapter 12, Section 1202.7 added—Ventilation of weather exposed assemblies.

Chapter 12, Section 1202.7 is added to the CBC to read as follows:

Balconies, landings, decks, stairs, and similar exterior projecting elements and appurtenances exposed to the weather and sealed underneath shall have cross ventilation for each separate enclosed space by ventilation openings protected against the entrance of rain or snow. Blocking and bridging shall be arranged so as not to interfere with the movement of air. The net free ventilation area shall not be less than 1/150th of the area of the space ventilated. Ventilation openings shall comply with Section 1203.2.1. An access panel of sufficient size shall be provided on the underside of the enclosed space to allow periodic inspection.

Exceptions:

1. An access panel is not required where the exterior coverings applied to the underside of the joists are easily removable using ordinary tools.

2. Removable soffit vents 4 inches minimum in width may be used to satisfy both ventilation and access panel requirements.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.190 Chapter 14, Section 1403.14 added—Projections exposed to weather.

Chapter 14, Section 1403.14 is added to the CBC to read as follows:

Balconies, landings, decks, stairs and similar floor projections exposed to the weather shall be constructed of naturally durable wood, preservative-treated wood, corrosion resistant (e.g. galvanized) steel, or similar approved materials.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.200 Chapter 23, Section 2304.12.2.3 amended—Supporting members for permanent appurtenances.

Chapter 23, Section 2303.12.2.3 of the CBC is amended to read as follows:

Naturally durable or preservative-treated wood shall be utilized for those portions of wood members that form the structural supports of buildings, balconies, porches, or similar appurtenances where such members are exposed to the weather.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.210 Chapter 23, Section 2304.12.2.4 amended—Laminated timbers.

Chapter 23, Section 2304.12.2.4 of the CBC is amended to read as follows:

The portions of glued-laminated timbers that form the structural supports of a building or other structure, projecting element, or appurtenance and are exposed to weather shall be pressure treated with preservative or be manufactured from naturally durable or preservative-treated wood.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.220 Chapter 23, Section 2304.12.2.5 amended—Supporting members for permeable floors and roofs.

Chapter 23, Section 2304.12.2.5 of the CBC is amended to read as follows:

Wood structural members that support moisture-permeable floors and roofs that are exposed to the weather, such as concrete or masonry slabs, shall be of naturally durable or preservative wood and shall be separated from such floors or roofs by an impervious moisture barrier. The impervious moisture barrier system protecting the structure supporting floors shall provide positive drainage of water that infiltrates the moisture-permeable floor topping.

(Ord. No. 2022-03, Div. II, 11-1-2022)

16.02.230 Chapter 7A, Section 705A.1 amended—General.

Chapter 7A, Section 705A.1 of the CBC is amended as follows:

Roofs shall comply with the requirements of Chapter 7A and Chapter 15. Roofs shall have a roofing assembly installed in accordance with its listing and the manufacturer's installation instructions and shall be Class A rating when tested in accordance with ASTM E108 or UL790.

(Ord. No. 2022-03, Div. II, 11-1-2022)

## Chapter 16.03 CALIFORNIA RESIDENTIAL CODE[[2]](#footnote-2)

16.03.010 California Residential Code—Adoption.

The residential code for the city, sometimes referred to as "the CRC," is the 2022 California Residential Code, (based on the International Building Code, 2021 Edition), including Appendix chapters H and Q, as approved by the California Building Standards Commission, and as published in Title 24, Part 2.5 of the California Code of Regulations.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.020 Chapter 1 Subsection 105.2(Building)(3) amended—Exempted work.

Subsection 105.2(Building)(3) of the CRC is amended to read:

3. Retaining walls which do not retain more than thirty (30) inches of earth when the earth retained is level and where there is no surcharge load, and retaining walls which do not retain more than two (2) feet of earth when the earth retained is sloping not greater than 2h:1v and there is no surcharge load. The above does not apply to retaining walls impounding Class I, II, or IIIA Liquids. See CBC Section 2304.12.5 for treatment of wood used for retaining walls.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.030 Chapter 1 Section 106.2.1 added—Garage, carport and driveway grades.

Section 106.2.1 is added to the CBC, to read as follows:

Section 106.2.1 Garage, Carport and Driveway Grade Requirements.

(a) Garage and carport floors shall be concrete.

(b) Any person to whom a building permit has been issued shall, where established, obtain official line and grade information as required in Section 13.20.150 of the City Code prior to the construction of foundations or footings for carports and garages.

(c) When official line and grade has not been established, it shall be the responsibility of that person to provide such information as required by City Engineer to establish lines and grades.

(d) Any person to whom a building permit has been issued shall construct the finish floor of carports and garages to an elevation which shall conform to the official driveway data as set forth on plan LL-1031 on file with the City Engineer.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.040 Chapter 1 Subsection R106.3.1 amended—Examination of documents.

Subsection R106.3.1 is amended by adding a second paragraph to the CRC, to read as follows:

Review by Fire Chief. Whenever application is made for a building permit, as required by the CRC, the Building Official shall withhold issuance of the building permit until notification from the Fire Chief that all plans required by the California Fire Code (chapter 16.26 of this title) have been reviewed and approved, and that the requirements specified in Section 16.26 have been met.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.050 Chapter 1 Section R113.5 added—Littering of streets.

Section R113.5 is added to the CRC, to read as follows:

Section R113.5 - Littering of Streets

It shall be unlawful for any person to excavate, dig or move dirt, rock, or other substances so as to allow fragments thereof from being thrown or dropped against or upon lots or buildings, or upon any public right-of-way. Any person dropping such material or tracking dirt, mud or rocks from private property upon any public right-of-way shall immediately cause the same to be removed. Transportation of dirt and rock requires a permit obtained pursuant to chapter 13.24 of the El Cerrito Municipal Code.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.060 Chapter 1 Section R115 added—General regulation of construction.

Section R115 is added to the CRC, to read as follows:

Section R115 - General Regulation of Construction

(a) Work may be prohibited during inclement weather upon the order of the City Building Official.

(b) The hours of work shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday. Work shall be prohibited on Sundays and Holidays.

(c) Work hours in the public right-of-way shall be regulated by Public Works Department.

(d) Work must be controlled to prevent causing a public nuisance such as dust, noise, vibrations, uncontrolled storm water runoff, and traffic congestion.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.065 Chapter 1, Section R116 added—Small residential rooftop solar energy system review process.

Section R116 is added to the CRC to read as follows:

Section 116 - Small Residential Rooftop Solar Energy System Review Process

A. The following words and phrases as used in this section are defined as follows:

"Electronic submittal" means the utilization of one or more of the following:

1. e-mail,

2. the internet,

3. facsimile.

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

1. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 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 and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

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

4. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

"Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

B. Section 65850.5 of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county shall adopt an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems.

C. Section 65850.5 of the California Government Code provides that in developing an expedited permitting process, the city, county, or city and county shall adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. The building official is hereby authorized and directed to develop a modified version of the eligibility checklist from the 2020 California Solar Permitting Guidebook to conform to the City of El Cerrito's unique climactic, geological, seismological, or topographical conditions and adopt such checklist.

D. The checklist shall be published on the city's internet website. The applicant may submit the permit application and associated documentation to the City's building division by personal, mailed, or electronic (when developed and available) submittal together with any required permit processing and inspection fees.

E. Prior to submitting an application, the applicant shall:

1. Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and

2. At the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system, the main panel make and type, including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads and accept new electrical connections.

F. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely manner and may include a consolidated inspection by the building official and fire chief. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized; however, the subsequent inspection need not conform to the requirements of this subsection.

G. An application that satisfies the information requirements in the checklist, as determined by the building official, shall be deemed complete. Upon receipt of an incomplete application, the building official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

H. Upon confirmation by the building official of the application and supporting documentation being complete and meeting the requirements of the checklist, the building official shall administratively approve the application and issue all required permits or authorizations. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.068 Section R310.1 amended—Emergency escape and rescue opening required.

Section R301.1 of the CRC is amended as follows:

Exception 2 is deleted in its entirety.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.070 Section R319.1 amended—Premises identification numbering.

Section R319.1 of the CRC is amended to read as follows:

Section R319.1 - Premises Identification Numbering.

Address Identification.

a) The city shall keep on file a description of the method to be used in the assignment of street address identification numbers. This method shall be approved by Council resolution and shall be available for inspection by any member of the public.

b) Every main structure or building constructed, altered, repaired or moved into the city shall be assigned a street identification number by the Building Official.

c) Numbers identifying the street address shall be placed on the street side of the building or structure in such manner as to be plainly visible from the street or public way. Identification numbers shall be a minimum of four (4) inches in height with minimum ½" stroke width for residential, and six (6) inches in height with minimum 1" stroke width for commercial buildings, and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.

d) The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official.

e) Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response.

f) 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 approved sign or means shall be used to identify the structure.

g) The owner shall be responsible for the maintenance of identification numbers.

h) Any change of the assigned street identification number must be approved by the Building Official.

i) Every owner or occupant of any building or structure not numbered in accordance with the provisions of this section shall, within ten (10) days after notice given by the City change the number of such building or structure to the number specified in the notice.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.080 Section R322.1 of the CRC amended—Flood-resistant construction.

Section R322.1 of the CRC is amended by adding the following sentence:

Construction within special Flood Hazard Areas must comply with Chapter 13.40 of the El Cerrito Municipal Code.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.090 Section R402.1 of the CRC deleted—Wood foundations.

Section R402.1 of the CRC concerning the use of wood foundations is deleted in its entirety.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.100 Section R602.10 and Table R602.10.3(3) of the CRC amended—Wall bracing.

Section R602.10.4 containing Table R602.10.3(3) of the CRC is amended as follows: Footnote "e" at the end of CRC Table R602.10.3(3), is amended to read:

e. In Seismic Design Categories D 0 , D 1 , and D 2 , Methods GB, PFG, and CS-SFB are not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.110 Subsection R703.6 amended—Wood shakes and shingles.

Subsection R703.6 of the CRC is amended to add the following sentence:

Wood shingles or shakes shall conform to CSSB and be fire resistance Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See section 8.30.030 of the El Cerrito Municipal Code for roofing standards in very high fire hazard severity zones.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.120 Subsection R 902.1 amended—Roofing covering materials.

Subsection R902.1 of the CRC is amended to read as follows:

Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A roofing shall be installed in areas designated by this section including where the edge of the roof is less than 3 feet (914 mm) from a lot line. Class A roofing required by this section to be listed shall be tested in accordance with ASTME 108 or UL 790.

**Exceptions:**

1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.

2. Class A roof assemblies include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

3. Class A roof assemblies include minimum 16 ounces per square foot copper sheets installed over combustible decks.

4. Class A roof assemblies include slate installed over underlayment over combustible decks.

(Ord. No. 2022-03, Div. III, 11-1-2022)

16.03.130 Subsection Section R 902.1.2 amended—Roof coverings in all other areas.

Subsection R902.1.2 of the CRC is amended to read as follows:

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

(Ord. No. 2022-03, Div. III, 11-1-2022)

## Chapter 16.04 CALIFORNIA PLUMBING CODE[[3]](#footnote-3)

16.04.010 California Plumbing Code—Adoption.

The plumbing code for the city, sometimes referred to as "the CPC," is the California Plumbing Code, 2022 Edition, (based on the Uniform Plumbing Code, 2021 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 5, of the California Code of Regulations.

(Ord. No. 2022-03, Div. IV, 11-1-2022)

## Chapter 16.06 CALIFORNIA MECHANICAL CODE[[4]](#footnote-4)

16.06.010 California Mechanical Code—Adoption.

The mechanical code for the city, sometimes referred to as "the CMC," is the California Mechanical Code, 2022 Edition, (based on the Uniform Mechanical Code, 2021 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 4, of the California Code of Regulations.

(Ord. No. 2022-03, Div. V, 11-1-2022)

## Chapter 16.08 CALIFORNIA ELECTRICAL CODE[[5]](#footnote-5)

16.08.010 California Electrical Code—Adoption.

The electrical code for the city sometimes referred to as "the CEC," is the California Electrical Code, 2022 Edition, (based on the National Electrical Code, 2020 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 3, of the California Code of Regulations, except as amended and supplemented in the manner set forth in this chapter.

(Ord. No. 2022-03, Div. VI, 11-1-2022)

16.08.040 Article 230.70(A)(1) amended—Readily accessible location.

Article 230.70 (A) (1) of the National Electric Code is amended to read as follows:

The service disconnecting means shall be installed at a readily accessible location outside of a building or structure near the point of entrance of the service conductors for single family dwellings. For other occupancies where direct access from the exterior does not occur, a remote control (shunt trip) activating the disconnect shall be located on the exterior of the building in a location and manner acceptable to the Fire and Building Officials.

(Ord. No. 2022-03, Div. VI, 11-1-2022)

## Chapter 16.09 CALIFORNIA EXISTING BUILDING CODE[[6]](#footnote-6)

**Section:**

16.09.010 California Existing Building Code—Adoption.

The existing building code for the city, sometimes referred to as "the CEBC," is the 2022 California Existing Building Code, (based on the International Existing Building Code, 2021 Edition), including Appendix chapters A3 and A4, as approved by the California Building Standards Commission, and as published in Title 24, Part 10 of the California Code of Regulations.

(Ord. No. 2022-03, Div. VII, 11-1-2022)

16.02.030 Chapter 4, Section 405 added—Repairs including all subsections associated.

The following repair requirements are hereby added as a new Subsection 405.2.3.1.1 to Chapter 4, Section 405 "Repairs" of the CBC to read as follows:

**405.2.3.1.1 Seismic evaluation and design.** Seismic evaluation and design of an existing building and its components shall be based on the following criteria.

**405.2.3.1.2 Evaluation and design procedures.** The seismic evaluation and design shall be based on the procedures specified in the building code, ASCE 31 Seismic Evaluation of Existing Buildings (for evaluation only) or ASCE 41 Seismic Rehabilitation of Existing Buildings. The procedures contained in Appendix A of the International Existing Building Code shall be permitted to be used as specified in Section 405.2.3.1.4.

**405.2.3.1.3 CBC level seismic forces.** When seismic forces are required to meet the building code level, they shall be one of the following:

1. 100 percent of the values in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor specified for structural systems classified as "Ordinary" unless it can be demonstrated that the structural system satisfies the proportioning and detailing requirements for systems classified as "Intermediate" or "Special."

2. Forces corresponding to BSE-1 and BSE-2 Earthquake Hazard Levels defined in ASCE 41. Where ASCE 41 is used, the corresponding performance levels shall be those shown in Table 405.2.3.1.3.

**TABLE 405.2.3.1.3**  
**ASCE 41 and ASCE 31 PERFORMANCE LEVELS**

|  |  |  |
| --- | --- | --- |
| OCCUPANCY CATEGORY  (BASED ON IBC TABLE 1604.5) | PERFORMANCE LEVEL  FOR USE WITH ASCE 31  AND WITH ASCE 41  BSE-1 EARTHQUAKE  HAZARD LEVEL | PERFORMANCE LEVEL  FOR USE WITH ASCE 41 BSE-2 EARTHQUAKE  HAZARD LEVEL |
| I | Life Safety (LS) | Collapse Prevention (CP) |
| II | Life Safety (LS) | Collapse Prevention (CP) |
| III | Note (a) | Note (a) |
| IV | Immediate Occupancy (IO) | Life Safety (LS) |

a. Performance levels for Occupancy Category III shall be taken as halfway between the performance levels specified for occupancy Category II and Occupancy Category IV.

**405.2.3.1.4 Reduced CBC level seismic forces.** When seismic forces are permitted to meet reduced building code levels, they shall be one of the following:

1. 75 percent of the forces prescribed in the building code. The R factor used for analysis in accordance with Chapter 16 of the California Building Code shall be the R factor as specified in Section 405.2.3.1.3.

2. In accordance with the applicable chapters in Appendix A of the *International Existing Building Code* as specified in Items 2.1 through 2.5 below. Structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A shall be deemed to comply with the requirements for reduced building code force levels.

2.1. The seismic evaluation and design of unreinforced masonry bearing wall buildings in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A1.

2.2. Seismic evaluation and design of the wall anchorage system in reinforced concrete and reinforced masonry wall buildings with flexible diaphragms in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A2.

2.3. Seismic evaluation and design of cripple walls and sill plate anchorage in residential buildings of light-frame wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A3.

2.4. Seismic evaluation and design of soft, weak, or open-front wall conditions in multiunit residential buildings of wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A4.

3. In accordance with ASCE 31 based on the applicable performance level as shown in Table 405.2.3.1.3.

4. Those associated with the BSE-1 Earthquake Hazard Level defined in ASCE 41 and the performance level as shown in Table 405.2.3.1.3. Where ASCE 41 is used, the design spectral response acceleration parameters Sxs and Sx1 shall not be taken less than 75 percent of the respective design spectral response acceleration parameters SDS and SD1 defined by the *International Building Code* and its reference standards.

**405.2.3.1.5 Wind Design.** Wind design of existing buildings shall be based on the procedures specified in the building code.

**405.2.3.1.6 Repairs to damaged buildings.** Repairs to damaged buildings shall comply with this section.

**405.2.3.1.7 Unsafe conditions.** Regardless of the extent of structural damage, unsafe conditions shall be eliminated.

(Ord. No. 2022-03, Div. VII, 11-1-2022)

## Chapter 16.10 UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE[[7]](#footnote-7)

**Sections:**

16.10.010 Uniform Swimming Pool, Spa and Hot Tub Code—Adoption.

The swimming pool, spa and hot tub code for the city is the Uniform Swimming Pool, Spa and Hot Tub Code (USPC), 2009 Edition, as published by the International Association of Plumbing and Mechanical Officials, except as amended and supplemented in the manner set forth in this chapter.

(Ord. No. 2010-09, Div. VI, 11-15-2010)

16.10.020 Subsections 103.1.1 added—Permit required.

Subsections 103.1.1 is added to the USPC, to read as follows:

(a) No building permit shall be issued without a written statement from a civil engineer registered in the state certifying that the construction of the pool will not have a detrimental effect on any structure.

(b) No building permit shall be issued for a pool without a written statement from a soils engineer certifying that the site is suitable for the proposed construction from a seismic safety standpoint.

(Ord. No. 2010-09, Div. VI, 11-15-2010)

16.10.030 Section 103.4 amended—Schedule of fees.

Section 103.4 of the USPC is amended to read as follows:

The schedule of fees is hereby deleted. Permit fees shall be as established in the City's Master Fee Schedule.

(Ord. No. 2010-09, Div. VI, 11-15-2010)

16.10.040 Section 314.1.1 added—Surface mounted drains.

Section 314.1.1 is added to the USPC, to read as follows:

All swimming pools shall be provided with a minimum of two (2) surface mounted drains. Drains shall be a minimum of two (2) inches in diameter and shall convey the water underground to a drain location in a manner approved by the Building Official.

(Ord. No. 2010-09, Div. VI, 11-15-2010)

16.10.050 Section 301.0.1 added—Pool structure location.

Section 301.0.1 is added to the USPC, to read as follows:

No part of any pool, including coping or other appendages, shall occupy any parts of an easement without the written consent of the owner thereof.

(Ord. No. 2010-09, Div. VI, 11-15-2010)

16.10.060 Section 301.0.2 added—Distance from fence.

Section 301.0.2 is added to the USPC, to read as follows:

The minimum distance between a pool and a protective fence enclosure is five (5) feet.

(Ord. No. 2010-09, Div. VI, 11-15-2010)

## Chapter 16.12 UNIFORM SOLAR ENERGY CODE[[8]](#footnote-8)

**Sections:**

16.12.010 Uniform Solar Energy Code—Adoption.

The solar energy code for the city is the Uniform Solar Energy Code (USEC), 2009 Edition, adopted by the International Association of Plumbing and Mechanical Officials except as amended and supplemented in the manner set forth in this chapter.

(Ord. No. 2010-09, Div. VII, 11-15-2010)

16.12.020 Table 1.11 amended—Schedule of fees.

Table 1.11 of the USEC is amended to read as follows:

The schedule of fees is hereby deleted. Permit fees shall be as established in the City's Master Fee Schedule.

(Ord. No. 2010-09, Div. VII, 11-15-2010)

## Chapter 16.14 ELECTRIC VEHICLE CHARGING STATIONS

16.14.010 Purpose.

The purpose of this chapter is to adopt an expedited, streamlined electric vehicle charging station permitting process that complies with California Government Code section 65850.7 to achieve timely and cost-effective installations of electric vehicle charging stations. The provisions of this chapter encourage the use of electric vehicle charging stations by removing unreasonable barriers, minimizing costs to property owners and the city, and expanding the ability of property owners to install electric vehicle charging stations. The provisions of this chapter further allow the city to achieve these goals while protecting the public's health, welfare and safety.

(Ord. No. 2017-05, § 2, 9-19-2017)

16.14.020 Definitions.

The following words and phrases as used in this section are defined as follows:

A. "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 a city, county, or city and county on another similarly situated application in a prior successful application for a permit.

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

1. Email;

2. The internet;

3. Facsimile.

C. "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 section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

D. "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. 2017-05, § 2, 9-19-2017)

16.14.030 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 ordinance 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 an electric vehicle charging station in such a way as to require a new permit.

(Ord. No. 2017-05, § 2, 9-19-2017)

16.14.040 Electric vehicle charging station requirements.

A. All electric vehicle charging station systems shall meet applicable health and safety standards and requirements imposed by the state and the California Fire Code, as adopted and amended by the city.

B. Electric vehicle charging station systems shall be certified by an accredited listing agency as defined by the California Electrical Code.

C. Electric vehicle charging station systems 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 Underwriters Laboratories and, rules of public utilities commission regarding safety and reliability.

(Ord. No. 2017-05, § 2, 9-19-2017)

16.14.050 Application and documents.

A. All documents required for the submission of an electric vehicle charging station's application shall be made available on the city's website.

B. Prior to submitting an application, the applicant shall, at the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques and providing electrical load calculations that the existing main panel make and type is adequately sized, based on the existing electrical system's current use, to carry all new electric vehicle charging station imposed loads and accept new electrical connections.

C. An applicant may submit the permit application and associated documentation to the city's building division by personal, mailed, or electronic (when developed and available) submittal together with any required permit processing and inspection fees. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.

D. The city's building official shall adopt a checklist of all requirements with which the electric vehicle charging stations 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 Vehicles in California: Community Readiness Guidebook" published by the office of planning and research.

(Ord. No. 2017-05, § 2, 9-19-2017)

16.14.060 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 the building official determines a permit application is incomplete, he or she will send to the applicant a written correction notice detailing all deficiencies in the permit application and any additional information or documentation required to be eligible for expedited permit issuance within five business days of receipt of the application.

C. Once the building official determines a permit application is complete, he or she shall act on the permit within five business days of that determination.

D. All electrical vehicle charging stations are exempt from design review.

(Ord. No. 2017-05, § 2, 9-19-2017)

16.14.070 Fees.

The city council may establish by resolution fees that shall be charged for permits issued under this chapter.

(Ord. No. 2017-05, § 2, 9-19-2017)

## Chapter 16.16 UNIFORM BUILDING SECURITY CODE

**Sections:**

16.16.010 Uniform Building Security Code—Adoption.

The building security code for the city, sometimes referred to as "the UBSC," is the Uniform Building Security Code, 1997 Edition, as adopted and printed by the International Conference of Building Officials, with the additions and amendments included in this chapter.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.020 Section 4101 amended—Purpose.

Section 4101 of the UBSC is amended to read as follows:

The purpose of this chapter is to provide resistance to unlawful entry to buildings by establishing minimum standards of design and maintenance of certain security equipment within the city. The provisions of this chapter are not intended to be exclusive.

Other security devices, materials or methods not specifically approved by this chapter may be employed if they further the objectives of this chapter.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.030 Section 4102 amended—Scope.

Section 4102 of the UBSC is amended to read as follows:

This chapter shall apply to new commercial and residential construction, and to reconstruction of outside doors and windows, which otherwise requires a permit.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.040 Section 4103 amended—Definitions.

Section 4103 of the UBSC is revised to read as follows:

For the purposes of this chapter, the following definitions shall apply:

A. "Burglary-resistant glazing" means those materials defined in U.L. Bulletin 972, or the Code of Federal Regulations (16 CFR, Part 1201).

B. "Commercial building" means the structures and facilities used in the distribution of goods, the provision of services, or the administration of business.

C. "Cylinder guard" means the metal ring surrounding the exposed portion of a lock cylinder or any other device which is so fastened as to protect the cylinder from wrenching, prying, cutting or pulling by attack tools.

D. "Deadbolt" means a bolt that has no automatic spring action and is operated by a key cylinder, thumbturn, or lever and is positively held fast when in the projected position.

E. "Deadlatch" means a latch in which the latch bolt is positively held in the projected position.

F. "Exterior doors, windows or opening" means a door, window, or opening that is directly accessible to or capable of being reached from a street, yard, court, passageway, corridor, balcony, patio, private garage, or any other portion of a building available for use by the public or other tenants of a building.

G. "Insert" means a hardened steel insert or a steel roller inside unhardened bolts to prevent bolt cutting or sawing with common tools.

H. "Residential units" include, but are not limited to, motels, hotels, single-family dwellings, apartments, townhouses, condominiums, and guestrooms.

I. "Security hinge" means a hinge so fastened to a door or window and its jamb that the hinge cannot be removed from the door, window or jamb when the door or window is closed by using a screwdriver or any type of wrench or prying tool. Such a hinge may also have non-removable pins or be so constructed that when the door is closed and pins removed, the door cannot be removed.

J. "Transom" means an opening above a doorway that can be opened, such as a hinged window or louvered window.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.050 Section 4104 amended—Commercial buildings—Doors.

Section 4104 of the UBSC is revised to read as follows:

Each exterior door of a commercial building shall be secured as follows:

A. Single doors shall be equipped with a single or double cylinder Deadbolt with a minimum throw of one inch, or a hook or expanding bolt with a throw of three-fourths inch. A Deadbolt must contain an insert or be of hardened steel.

B. On pairs of swinging doors, the inactive leaf shall be equipped with flush bolts protected by hardened materials with a minimum throw of five-eighths inch at top and bottom.

C. Cylinders shall be so designed or protected with cylinder guards that they cannot be gripped by pliers or other gripping or prying devices.

D. Rolling overhead doors, solid overhead swinging, sliding or accordion type doors shall be equipped with a cylinder lock or padlock when not operated by electric power operation. If a padlock is used, it shall have a minimum of one-fourth-inch diameter hardened steel shackle and hardened steel hasp attached by bolts or equivalent.

E. Metal, accordion type grate or grill type doors shall be equipped with metal guide track at top and bottom, and a cylinder lock and/or padlock with hardened steel shackle and minimum five-pin tumbler operation with non-removable key when in an unlocked position. The bottom track shall be so designed that the door cannot be lifted from the track when the door is in a locked position.

F. Exterior outward swinging doors shall have security hinges.

G. Glazed panels in doors or adjacent to door frames shall be of burglary-resistant glazing or designed or protected to resist entry.

H. Sliding doors shall have the movable section of the door sliding on the inside of the fixed portion of the door.

I. Sliding doors shall be designed to prevent removal by lifting when closed or open less than four inches.

J. Locks shall be provided on sliding doors. Mounting screws for the lock case shall be inaccessible from the outside. Lock bolts shall be of hardened steel or have hardened steel inserts. The lock bolts shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door within the space or clearances provided for installation or operation. The strike area shall be of material adequate to maintain effectiveness of bolt strength.

K. Door jambs shall be constructed or protected to prevent violation of the strike.

L. Exterior doors that are not directly illuminated by other source shall be illuminated at night with a minimum of one foot candle power of light on the door surface. The source of illumination shall include reasonable protection from breakage and tampering.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.060 Section 4105 amended—Commercial buildings—Windows.

Section 4105 of the UBSC is revised to read as follows:

Each exterior window of a commercial building shall be secured as follows:

A. Sliding windows shall have a means for limiting the opening to four inches or less when so desired.

B. Sliding windows shall be designed to prevent removal by lifting when closed or open less than four inches.

C. Locks shall be provided on all windows that open. Mounting screws for the lock case shall be inaccessible from the outside. Lock bolts shall be of hardened steel or have hardened steel inserts. The lock bolt shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the window within the space or clearance provided for installation and operation.

D. Outward swinging windows shall have security hinges.

E. Double-hung windows shall have a means to limit the opening of the windows to four inches or less, when so desired.

F. All windows or glazed panels adjacent to door frames shall be of burglary-resistant glazing or designed or protected to resist entry.

G. Louvered windows in a commercial building shall not be installed in exterior locations that are easily accessible. Hinges accessible from the exterior shall have security hinges.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.070 Section 4106 amended—Commercial buildings—Other openings.

Section 4106 of the UBSC is revised to read as follows:

Each type of opening not specified in Sections 16.16.050 or 16.16.060 of this chapter shall be secured as follows:

A. Glazed panels in exterior transoms with any minimum dimension exceeding twelve inches shall be of burglary-resistant glazing. Outward swinging exterior transoms shall have stops that hinder opening the transom far enough for entry by a person. The stopping mechanism shall be constructed or installed in a manner to prevent or restrict removal.

B. Hatchways shall be covered on the inside with at least sixteen-gauge sheet metal or equivalent, and shall be secured from the inside with a slide bar or a slide bolt. Outward swinging hatchways shall have security hinges.

C. Air vent openings exceeding eight by twelve inches shall be secured by iron bars of at least one-half inch diameter, or by one-by-one and one-fourth-inch flat material spaced five inches apart, or by a steel grill of at least one-eighth-inch material and be securely fastened to prevent removal from the outside by a screwdriver, wrench or prying device.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.080 Section 4107 amended—Commercial buildings—Ladders.

Section 4107 of the UBSC is revised to read as follows:

Ladders (excluding fire escapes) located on the exterior of a commercial building which could provide access to the roof shall be secured from unauthorized use by covering the rungs with a barrier approved by the building official and locked in place with a padlock. The padlock shall have a minimum of five-pin tumblers and be of case-hardened steel. Hinges shall be of a non-removable type. The barrier shall provide a minimum of eight feet of continuous covering extending twelve feet above ground level or to the top of the ladder, whichever is lower.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.090 Section 4108 amended—Commercial buildings—Special security measures.

Section 4108 of the UBSC is amended to read as follows:

Intrusion Devices. If the building official determines that the necessary measures and locking devices described in this chapter do not adequately secure a commercial building because of unreasonable or unusual hazards or risks created by the type of structure, business, or inventory, he may require the installation and maintenance of a burglar alarm system.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.100 Section 4109 amended—Commercial buildings—Lighting.

Section 4109 of the UBSC is amended to read as follows:

The following provisions as to lighting commercial buildings shall apply:

A. An open or covered parking area shall be illuminated with a maintained minimum of one foot candle of light at the parking surface while open for business during the hours of darkness, or with an alternative consistent with recommended levels of illumination made by the Engineering Society of North America.

B. Lights shall include reasonable protection from breakage or tampering.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.110 Section 4110 added—Residential units—Exterior doors.

Section 4110 is added to the UBSC, to read as follows:

Each exterior door shall be secured as follows:

A. Exterior doors and doors leading from garage areas into dwellings shall not be of hollow core construction and shall be no less than one and three-eighths-inch thick.

B. All panel/light exterior doors shall have a stile of at least one and three-eights-inches in thickness. Any panes in the door shall be of burglary-resistant glazing.

C. Exterior doors and doors leading from garage areas into dwellings shall have a lock with Dead latch or a deadbolt lock with a one-inch throw.

D. Preference should be given to but not required for a locking device on main entrance doors constructed so that both Deadbolt and Dead latch can be retracted by a single action of the inside door knob.

E. Pairs of doors shall have flush bolts with a minimum throw of five-eights-inch at the head and foot (floor and ceiling).

F. The door stop on a wooden jamb for an inswinging door shall be of one-piece construction with the jamb, or joined by a rabbit; or glued to the jamb and secured by at least one and one-fourth-inch No. 6 wood screws, with the screw heads recessed, covered and hidden in the completed installation.

G. Outward swinging doors shall have security hinges.

H. Cylinders shall be so designed or protected that they cannot be gripped by pliers or other gripping or prying devices.

I. It is recommended that double cylinder Dead bolts, or locks that can be operated from the inside only with a key, not be installed because of the increased hazard to occupants in the event of fire or other emergencies.

J. Sliding doors shall be designed to prevent removal by lifting when closed or open less than four inches.

K. Locks shall be provided on sliding doors. Mounting screws for the lock case shall be inaccessible from the outside. Lock bolts shall be of hardened steel or have hardened steel inserts. The lock bolt shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door within the space or clearance provided for installation and operation. The strike area shall be of material adequate to maintain effectiveness of bolt strength.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.120 Section 4111 added—Residential units—Entry vision.

Section 4111 is added to the UBSC, to read as follows:

All main entry doors shall be arranged or equipped with devices so that the occupant has a view of the area immediately outside the door without opening the door.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.130 Section 4112 added—Residential units—Windows.

Section 4112 is added to the UBSC, to read as follows:

Exterior windows, and any window within fifteen feet of the ground, a balcony or a fire escape, shall have the following security measures:

A. Sliding windows shall have a means for limiting the opening to four inches or less when so desired.

B. Sliding windows shall be designed to prevent removal by lifting when closed or open less than four inches.

C. Locks shall be provided on sliding windows. Mounting screws for the lock case shall be inaccessible from the outside. Lock bolts shall be of hardened steel or have hardened steel inserts. The lock bolt shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door within the space or clearance provided for installation and operation. The strike area shall be of material adequate to maintain effectiveness of bolt strength.

D. Outward swinging windows shall have security hinges.

E. Double-hung windows shall have a means to limit the opening of the windows to four inches or less, when so desired.

F. All windows or glazed panels adjacent to door frames shall be of burglary-resistant glazing or designed or protected to resist entry.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.140 Section 4113 added—Residential units—Doors—Overhead or sliding.

Section 4113 is added to the UBSC, to read as follows:

Each overhead or sliding garage door shall meet the following standards:

A. Overhead or sliding doors shall be secured with a cylinder lock, padlock with a hardened steel shackle, metal slide bar, bolt, or equivalent when not otherwise locked by electric power operation.

B. The lock shall be designed and installed so as to prevent the locking mechanism from being defeated by prying or shifting the door from side to side.

C. A cylinder guard shall be installed on each mortise or rim-cylinder lock which projects beyond the face of the door or is otherwise accessible to gripping tools.

(Ord. 99-4 Div. VIII (part), 1999.)

16.16.150 Residential units—Lighting.

Section 4114 is added to the UBSC, to read as follows:

The following standards shall apply to residential units:

A. Each open parking lot (including lots having carports) providing more than ten parking spaces shall be provided with a maintained minimum of one footcandle of light on the parking surface during the hours of darkness, or with an alternative consistent with the recommendations of the Illuminating Engineering Society.

B. Lights shall include reasonable protection from breakage or tampering.

(Ord. 99-4 Div. VIII (part), 1999.)

## Chapter 16.18 UNIFORM SIGN CODE

**Sections:**

16.18.010 Uniform Sign Code—Adoption.

The sign code for the city, sometimes referred to as "the USC," is the Uniform Sign Code, 1997 Edition, as published by the International Conference of Building Officials, except as amended and supplemented in the manner set forth in this chapter.

(Ord. 99-4 Div. IX (part), 1999.)

16.18.020 Section 303(4) added—Political sign exemption.

Section 303(4) is added to the USC, to read:

(4) Political signs.

(Ord. 99-4 Div. IX (part), 1999.)

16.18.030 Section 304 amended—Fees.

Section 304 of the USC is amended to read as follows:

Fees required by the city for permits shall be established in the city's Master Fee Schedule.

(Ord. 99-4 Div. IX (part), 1999.)

16.18.040 Sign permit means building permit.

The words "building permit" shall be substituted for the words "permit" or "sign permit" wherever the latter words appear in the USC.

(Ord. 99-4 Div. IX (part), 1999.)

16.18.050 Sign regulations.

The city's sign regulations are contained in Chapter 16.36 of this code. No building permit shall be issued for any sign unless and until such sign has been approved pursuant to the procedures set forth in Chapter 16.36.

(Ord. 99-4 Div. IX (part), 1999.)

## Chapter 16.20 HOUSING AND PROPERTY MAINTENANCE CODE[[9]](#footnote-9)

**Sections:**

16.20.010 Housing and Property Maintenance Code—Adoption.

The housing code for the city is the California Housing Law Regulations combined with the 2021 International Property Maintenance Code (IPMC) except as amended and supplemented in the manner set forth in this chapter.

(Ord. No. 2022-03, Div. VIII, 11-1-2022)

16.20.011 IPMC 101.1 amended—Title.

Section 101.1 of the IPMC is amended as follows:

That portion of the sentence reading "Name of Jurisdiction" is deleted and replaced with "City of El Cerrito."

(Ord. No. 2022-03, Div. VIII, 11-1-2022)

16.20.012 IPMC 103.1 amended—Creation of agency.

Section 103.1 of the IPMC is amended as follows:

That portion of the sentence reading "Insert Name of Jurisdiction" is deleted and replaced with "Community Development Department."

(Ord. No. 2022-03, Div. VIII, 11-1-2022)

16.20.020 IPMC 102.3 amended—Application of other codes.

Section 102.3 of the IPMC is amended as follows:

The International Codes are not adopted by the City, and where referenced in this code, shall be replaced with the California Codes.

(Ord. No. 2022-03, Div. VIII, 11-1-2022)

16.20.030 IPMC 107 amended—Means of appeal.

Section 107 of the IPMC is amended as follows:

Section 107 is deleted in its entirety and replaced with ECMC sections 1.14.080, 1.14.090, 1.14.100, and 1.14.110

(Ord. No. 2022-03, Div. VIII, 11-1-2022)

16.20.035 IPMC 302.4 amended—Weeds.

Section 302.4 of the IPMC is amended as follows:

That portion of the sentence reading "jurisdiction to insert height in inches" is deleted and replaced with "twelve inches."

(Ord. No. 2022-03, Div. VIII, 11-1-2022)

16.20.040 IPMC 304.14 amended—Insect screens.

Section 304.14 of the IPMC is amended as follows:

That portion of the sentence reading "During the period from [date] to [date]," is deleted and replaced with "During the entire year,"

(Ord. No. 2022-03, Div. VIII, 11-1-2022)

16.20.050 IPMC 308.3.1 amended—Disposal of garbage.

Section 308.3.1 of the IPMC is amended as follows:

That portion of the sentence reading "an approved incinerator unit in the structure available to the occupants in each dwelling unit" shall be deleted in its entirety.

(Ord. No. 2022-03, Div. VIII, 11-1-2022)

16.20.055 IPMC 602.3 amended—Heat supply.

Section 602.3 of the IPMC is amended as follows:

That portion of the sentence reading "during the period from [date] to [date]" is deleted and replaced with "during the entire year."

(Ord. No. 2022-03, Div. VIII, 11-1-2022)

16.20.060 IPMC 602.4 amended—Occupied work spaces.

Section 602.4 of the IPMC is amended as follows:

That portion of the sentence reading "during the period from [date] to [date]" is deleted and replaced with "during the entire year."

(Ord. No. 2022-03, Div. VIII, 11-1-2022)

## Chapter 16.22 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

**Sections:**

16.22.010 Uniform Code for the Abatement of Dangerous Buildings—Adoption.

The abatement of dangerous buildings code for the city is the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, adopted by the International Conference of Building Officials.

(Ord. 99-4 Div. XI (part), 1999.)

## Chapter 16.24 CALIFORNIA GREEN BUILDING CODE[[10]](#footnote-10)

The green building code for the city is the California Green Building Standards Code, 2022 Edition, as approved by the California Building Standards Commission, and as published in Title 24, Part 11, of the California Code of Regulations.

(Ord. No. 2022-03, Div. IX, 11-1-2022)

## Chapter 16.26 CALIFORNIA FIRE CODE[[11]](#footnote-11)

16.26.010 California Fire Code—Adoption.

It is hereby adopted by the city council of the city of El Cerrito for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, that certain codes and standards known as the 2022 California Building Standards Code, Title 24, California Code of Regulations (CCR), Part 9 (California Fire Code), and by reference the 2021 International Fire Code published by the International Code Council, Inc. (ICC), (including Appendix Chapters A, B, C, D, E, F, G, I, and J) save and except such portions as are deleted, modified or amended by this chapter, of which not less than one copy each have been and are now filed in the office of the fire chief and the building official of the city of El Cerrito and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city of El Cerrito.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.020 Chapter 1 Section 1.1.1.2 added—Title.

Section 1.1.1.2 Title is added as follows:

Section 1.1.1.2 These regulations shall be known as the Fire Code of the City of El Cerrito, hereinafter referred to as "this code." The California Fire Code and the International Fire Code adopted by reference in Section 1, amendments thereto, additions, and deletions as set forth in this Section shall become effective as set forth in Section 1.1.8 Division and Appendix numbers used are those of the California Fire Code.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.030 Chapter 1 Section 1.1.8 amended—Amendments to the fire code.

Section 1.1.8 is amended by adding the following:

The limits referred to in Section 1.1.8.1 of the California Fire Code and International Fire Code adopted by reference in Section 1, amendments thereto, additions, and deletions and appendices as set forth in this section shall become effective as set forth in Section 1.1.9 Article, Section, Division, and Appendix numbers used are those of the California Fire Code.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.040 Chapter 1 Section 1.11.1 amended—Office of the state fire marshal.

Section 1.11.1 is amended by adding 1.11.1 A, B and C

A. The California Fire Code as adopted and amended herein shall be enforced by the city fire prevention division which is hereby established, and which shall be operated under the supervision of the fire marshal.

B. The fire marshal in charge of the fire prevention division shall be appointed by the fire chief of the city of El Cerrito on the basis of examination to determine his or her qualifications for the position.

C. The chief of the fire department shall recommend to the city council the employment of technical staff members, who, when such authorization is made, shall be selected on the basis of examination to determine their qualifications for the position.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.050 Chapter 1 Section 102.1 amended—Applicability.

Section 102.1 is amended by adding Section 102.1.1

Section 102.1.1 Buildings in existence at the time of the adoption of this code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of the adoption of this code, provided such continued use is not dangerous to life.

Section 102.2 is amended by adding section 102.2.1

Section 102.2.1 Plans for compliance. Upon written notice to the responsible property owner, plans for compliance shall be submitted and approved, and within 18 months or earlier depending on the life-safety significance of the hazard work shall be completed or the building shall be vacated until made to conform.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.060 Chapter 1 Section 102.9 amended—Matters not provided for.

Section 102.9 is amended by adding subsection 102.9.1A

102.9.1A Unless otherwise limited by law, the applicable provisions of this code shall apply to vehicles, ships, boats, and mobile vehicles and other facilities when fixed in a specific location within the boundaries of this jurisdiction.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.070 Chapter 1 Section 104.1 amended—General authority and responsibility.

Section 104.1 is amended by adding the following:

The Fire Chief or the Fire Code Official is authorized to render interpretations of this code and to make and enforce rules and supplemental regulations in order to carry out the application of its provisions. The Chief may be guided by the 2016 Supplement to the Uniform Fire Code. Such interpretations, rules and regulations, and supplements shall be in conformance with the intent and purpose of this code and shall be available to the public during normal business hours.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.080 Chapter 1 Section 104.1.1A and 104.1.1B added—General authority peace officer status.

Section 104.1.1A and 104.1.1B are added in their entirety to read as follows:

Section 104.1.1A The Fire Chief and his designated representatives shall have the powers of peace officers while engaged in the performance of their duties with respect to the prevention, investigation, and suppression of fires and the protection and preservation of life and property against the hazards of fire and conflagration.

Section 104.1.1B The Chief, or his duly authorized agents, may issue citations for violations of this ordinance in accordance with Chapter 5C (commencing with Section 853.5), Title 4, Part 2, of the Penal Code.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.090 Chapter 1 Section 104.9 amended—Alternative materials and methods.

Section 104.9 is amended by adding 104.9.3

Section 104.9.3 - The city council, the fire chief and the fire marshal shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in the California Fire Code. The fire marshal shall post such list in a conspicuous place at the offices of the fire prevention division and distribute copies thereof to interested persons.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.100 Chapter 1 Section 105.1.1 amended—Required permits.

Section 105.1.1 is amended by adding Section 105.1.1A:

Section 105.1.1A Fee for Plan Review, Inspection and Permits. Fees required by the City shall be established in the City's master fee schedule, to defray: the costs for plan review of plans required by this code; requested or required inspection services; administrative costs; issuance of permits and all other direct costs incurred by the city.

Section 105.4.1.1 is amended by adding Section 105.4.1.2 (1 to 6):

Section 105.4.1.2 Review of Plans. Whenever required by this Code, plans shall be submitted to the Fire Chief for review and approval prior to construction. Whenever application is made for a building permit, as required by the Building Code, the Building Official shall withhold issuance of the building permit until notification from the Fire Department that plans required by this code have been reviewed and approved and that the requirements set forth in section 105 have been met. In addition to plan submittals required by other sections of this Code, plans shall be submitted whenever any of the following land developments and/or improvements are proposed:

1. Subdivision of land.

2. Construction, alteration, or renovation of a building.

3. Demolition of a building.

4. Provision of a water supply for fire protection.

5. Provision of access for fire apparatus.

6. An occupancy for the storage, use, or handling of any hazardous substance, hazardous material process, or hazardous device.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.110 Chapter 1 Section 105.6 amended—Required operational permits.

Section 105.6 is amended by adding 105.6.52 thru 105.6.55.

52. Christmas tree sales. To use a property for the purpose of selling cut Christmas trees. See applicable provisions of Chapter 3 General Precautions against fire.

53. Pumpkin patches/lots. To use a property for the purpose of selling pumpkins and seasonal items. See applicable provisions of Chapter 3 General Precautions against fire.

54. Liquefied petroleum gases. To store, use, or handle liquefied petroleum gas inside buildings. See Chapter 38.

55. Rockets. To launch model rockets. See California Code of Regulations Title 19, Division 1, Article 17.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.120 Chapter 1 Section 109 amended—Board of appeals.

Section 109 is amended by adding 109.1.1

Section 109.1.1 Whenever the fire chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code has been misconstrued or wrongly interpreted, the applicant may appeal within thirty days the chief's decision to the city council.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.130 Chapter 2 Section 202 amended—General definitions.

Section 202 - General Definitions is amended as follows: by changing the definition of Jurisdiction and adding the definition for Fire Marshal by adding Sections 202. A and 202. B.

A. Wherever the word "jurisdiction" is used in the California Fire Code, it shall be held to mean the City of El Cerrito.

B. Where the party responsible for the enforcement of the California Fire Code is given the title of "Fire Marshal," add the following definition: Fire Marshal is the chief of the bureau of fire prevention.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.140 Chapter 2 Section 202 amended—Definitions—F.

Section 202 - F - is amended by adding:

Facility - any structure or location used for storing, processing, or handling material or equipment.

Fair - a temporary enterprise principally devoted to the exhibit or sale of products of commerce, agriculture or industry, or to entertainment and amusement and may include the operation of amusement rides or devices, or concession booths.

Firebreak - a continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn when dry has been abated or otherwise removed in order to prevent the surface extension of fire from one area to another.

Fire trail - a graded firebreak of sufficient width, surface, and design to provide access for fire personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Fuel break - a specified width, strip, or block of land on which the vegetation has been permanently modified to a low volume fuel type so that fires burning on it can be more readily controlled.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.150 Chapter 2 Section 202 amended—Definitions—R.

Section 202 - R is amended by adding:

Response Time - the calculated time difference between receiving a report of an alarm and the application of extinguishing agent.

Running Time - the calculated time difference between leaving the first due fire station and arriving on the emergency scene.

Rural Area - that area generally designated for agricultural or open space uses with parcels over 10 acres in size.

Rural Residential Area - that area generally designated for single family residential use with parcels between 3 and 10 acres in size.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.160 Chapter 3 Section 321 added—General precautions against fire.

Chapter 3 Section 321 is added in its entirety:

Section 321 Exterior hazard control.

Section 321.1 Weeds and Rubbish to be Destroyed or Removed.

It shall be unlawful for any person owning, occupying, renting, managing, or controlling any real property in this jurisdiction to cause, or permit to remain on the property, or on portions of streets adjoining such property, any weeds, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous. It shall be the duty of every such person to remove or destroy such weeds, rubbish, litter or other flammable material. Destruction by burning within the jurisdictions unlawful unless the written permission of the Fire Chief of the City is first obtained, and all other applicable permits are obtained from appropriate governing jurisdictions.

Section 321.2 Definitions, as used in this article

1. "Weed," as used in this part, means all weeds growing upon streets or private property in this jurisdiction and includes any of the following:

2. Weeds that bear seeds of a downy nature or are subject to flight.

3. Sagebrush, chaparral and any other brush or weeds which obtain such large growth as to become, when dry, a fire menace to adjacent improved property or to streets.

4. Weeds that are otherwise noxious or dangerous.

5. Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.

6. Dry grass, stubble, brush, litter or other flammable materials that endanger the public safety by creating a fire hazard.

7. "Rubbish" means waste matter, litter, trash, refuse, debris and dirt on streets, or private property in the jurisdiction that is, or when dry may become a fire hazard.

8. "Streets" include alleys, parkways, driveways, sidewalks and areas between sidewalks and curbs.

9. "Person" includes individuals, firms, partnerships and corporations.

10. "Cost of Abatement" shall include all expenses incurred by jurisdiction, including administrative costs, in its work of abatement undertaken pursuant Section 318 of this ordinance.

11. "Superintendent" shall mean the City Manager or designee.

Section 321.3 Declaration of Policy.

The City Council, as the supervising, legislative and executive authority of this jurisdiction, hereby declares that the removal of dry grass, stubble, brush, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous is a matter of extreme municipal importance. The City Council hereby adopts the following Fire Hazard Abatement Program for the purpose of abating fire hazards caused by the presence of dry grass, stubble, brush, rubbish, litter or other flammable material on private properties within the City. This program shall be conducted in accordance with the provisions of Government Code Sections 39560-39588 as those sections presently exist or as may be amended. The City Manager or designee shall be deemed the street superintendent for the purpose of carrying out the provisions of this policy.

Section 321.4 Abatement Procedures

a. The City Council of El Cerrito shall declare by resolution annually, or as often as may be necessary, those properties which are deemed public nuisances because of the presence of dry grass, stubble, brush, rubbish, litter, or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous.

b. The resolution may also declare that certain identified properties are seasonal and recurrent nuisances as defined by Government Code Section 39562.1

c. The resolution shall designate a date, time and place for a hearing at which the owners of the properties identified in the resolution may object to the designation of their properties as public nuisances, and object to the abatement actions proposed by the City as authorized by Government Code Sections 39560-39588.

d. Written notice shall be provided to the owners of the properties identified in the resolution informing them of the date, time, and place of the hearing. This notice shall be in substantially the same form as contained in Government Code Section 39566. Notice to the owners of those properties declared seasonal and recurrent nuisances shall incorporate the provisions contained in Government Code Section 39562.1. The notice shall be served as provided for in Government Code Sections 39564-39567.1.

e. At the hearing, the City Council shall hear and consider all objections. By resolution, the City Council shall allow or overrule these objections. The City Council shall also order the City Manager or designee to abate the public nuisances' conditions at the properties designated in the initial resolution by having the dry grass, stubble, brush, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous removed.

f. The City Manager may abate these public nuisance conditions either through the use of City employees or by private contract. The City Manager is authorized to execute such public contracts as may be necessary to abate these public nuisance conditions.

g. The City Manager shall keep a report of the cost of abatement for each property subject to the City Council resolution. At such time as the City Manager deems appropriate, a hearing shall be scheduled before the City Council for confirming the report. Notice shall be mailed to each property owner at least five days before the date of the hearing. The notice shall inform the property owner of the costs of abatement of the public nuisance conditions on the property; date, time and place of the hearing at which the property owner may object to the report; and a statement that if the report is confirmed by the City Council, that the costs of tax bill levied against the parcel for collection at the time and in the manner of ordinary municipal taxes. The report shall also be posted at least three days prior to the hearing date at or near the hearing place as required by Government Code Section 39575.

h. At the time fixed for the hearing, the City Council shall consider the report and hear any objections from the property owners liable to be assessed the costs of abatement. The City Council may modify the report if it is deemed necessary. The City Council may also establish installment payments for the abatement costs as provided for in Government Code Section 39581. At the conclusion of the hearing, the City Council shall confirm the report by resolution.

i. The cost of abatement upon each property and the costs incurred by the City in enforcing the abatement shall constitute a special assessment against the property as provided for in Government Code Section 39577. A lien shall attach to the property upon recordation of the order confirming the assessment by the County Recorder. On or before August 10th of each year, the City Manager shall file a certified copy of the report with the County Auditor. As authorized by Government Code Section 39581, the amount of the assessment shall be collected at the time and in the manner of ordinary municipal taxes, subject to the same penalties and procedure of foreclosure and sale provided for ordinary municipal taxes.

Section 321.5 Alternate Mitigation.

In lieu of ordering abatement of fire hazards as provided in Section 321.4, the Fire Chief may order the preparation of firebreaks/fuel breaks around parcels of property when combustible weeds, crops, or brush is present. In determining the proper width of firebreaks/fuel breaks, the Fire Chief shall consider the height of the growth, weather conditions, topography and accessibility to the property of fire protection equipment. The procedure set forth in Section 321.4 for the abatement of weeds and rubbish shall also apply to the preparation of firebreaks/fuel breaks.

Section 321.6 Alternate Procedures

The procedures provided for by this Article are an alternative to any other procedure adopted by the City Council for the abatement of public nuisances, such as Chapter 8.34 of the El Cerrito Municipal Code, or which may be authorized by the law of the State of California.

Section 320.7 Peat Fire, Penalties Therefore

a. It is the duty of each person, firm, corporation or association not to permit on their property a peat fire in, or a fire involving combustible vegetable materials under the surface of the natural ground. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetative material at his/her own cost and expense.

b. If there exists upon the lands of any person herein defined, subsurface fire involving the burning or combustion of peat or vegetative matter, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, the City of El Cerrito may, in addition to its regular duties to extinguish or minimize such fire or combustion, enter upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire Department in fighting the fire and for the cost of providing rescue or emergency medical services shall be a charge against said person. The charge shall constitute a debt of that person and is collectable by the fire department incurring those costs in the same manner as in the case of an obligation under contract, express or implied. (Health & Safety Code 13009.)

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.170 Chapter 4 Section 401.5 amended—Making false report.

Section 401.5 is amended by adding an additional sentence:

Section 401.5 A charge may be made for excessive false alarms.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.180 Chapter 5 Sections 503, 504, 505 and 507 amended—Fire service features.

Chapter 5 Sections 503, 504, 505 and 507 are amended as follows.

Section 503.4 is amended by adding Section 503.4.2:

Section 503.4.2 When approved, gates and barriers may be installed across or over Fire Department access roads. These installations shall meet the standards approved by the Fire Chief and design shall be approved prior to installation.

Section 504.1 is amended by adding:

504.1.1 Exterior exit pathway surfaces leading from an exit to a public way shall be maintained and suitable for pedestrian use in all weather conditions.

Section 505 is amended by adding 505.1.1

505.1.1 Approved address numbers attached to the building, or the primary address of the building shall be internally or externally illuminated.

Section 507.1 is amended by adding a preface sentence to read as follows: The type of water supply provided shall meet the standards approved by the Fire Chief.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.190 Chapter 6 Section 603.6 amended—Building services and systems.

Section 603.6 is amended by adding subsection 603.6.6:

Section 603.6.6 Spark Arrester. Chimneys used with fireplaces or heating appliances in which solid or liquid fuel is used shall be maintained with a spark arrester as required for incinerators by the mechanical code.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.200 Chapter 9 Section 903.2 amended—Automatic fire extinguishing systems.

Section 903.2 is amended by adding 903.2.20:

903.2.20. An automatic fire extinguishing system shall be required in all occupancies of 5000 square feet or greater. This shall include addition of square footage causing building to be greater than 5,000 square feet.

(Ord. No. 2022-03, Div. X, 11-1-2022)

16.26.210 Chapter 9 Section 903.2 amended—Automatic fire sprinkler systems.

Section 903.2 is amended by adding subsections 903.2.21.1 through 903.2.21.10

Section 903.2.21.1 Fire Department Delivery Capability. An automatic fire sprinkler system shall be installed in all new buildings or occupancies or in existing buildings or structures that change occupancy classification or use when the required fire flow exceeds 2,000 GPM, or the total floor area exceeds 5,000 square feet.

For the purpose of this section, buildings separated by area separation walls, as set forth in Section 706 of the California Building Code, shall not be considered to create separate buildings unless such walls are constructed as specified in the California Fire Code.

Section 903.2.21.2 Undetermined Occupancy. When fire sprinkler systems are required in buildings of undetermined occupancy, they shall be designed and installed to have a sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with a minimum design area of 3,000 square feet. Occupancy is considered undetermined if not classified at the time the building permit is issued. Where a subsequent occupancy requires a fire sprinkler system of greater density than Ordinary Hazard Group 2, the system shall be upgraded to such use.

Section 903.2.21.3 Response Times. An automatic fire sprinkler system shall be installed in all new buildings or occupancies when any of the following requirements is exceeded.

Section 903.2.21.4 Run Times. A maximum running time of 3 minutes or a maximum response time of 5 minutes from the first-due station. Times shall be measured by the most direct route on surface streets.

Section 903.2.21.5 Distance from Fire Apparatus Access. The Fire Chief may require installation of automatic fire sprinkler system when the exterior wall of the 1st story is located more than 150 feet from approved fire apparatus access.

Section 903.2.21.6 Other Codes. An automatic sprinkler system shall be installed in all other occupancies as may be required by the Uniform Building Code or the California Building Code.

Section 903.2.21.7 NFPA 13D fire sprinkler systems installed shall be interconnected to the structure's smoke detection or fire alarm system. The smoke of fire alarm systems need not be monitored by a central monitoring station.

Section 903.2.21.8 Group R-3 Substantial Addition or Expansion. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a substantial addition or expansion occurs, and the new total fire area of the structure exceeds 3,600 square feet.

Section 903.2.21.9 Number of design sprinklers NFPA Standard 13D/13R. For Group R-3 buildings up to 5000 square feet, the number of design sprinklers shall be in accordance with NFPA 13D and the listing requirements for individual sprinklers. Group R-3 buildings in excess of 5000 square feet or over three stories tall, shall meet the requirements of NFPA 13R. A 10% safety margin, in pressure, shall be provided in the design at the point of connection to the public main.

Section 903.2.21.10 Additional locations of sprinklers of Group R-3. Additional locations of fire sprinklers shall be as follows:

• Attached garages/carports, shall be provided with sprinkler protection.

• All bathrooms regardless of size shall be provided with sprinkler protection.

• Crawl spaces or areas beneath stairs, accessible or if intended to be used for living or storage purposes and break areas below stairs as a separate entry where over 6 feet in height at any point, shall be provided with sprinkler protection.

• Attics spaces that contain mechanical equipment such as furnaces and water heaters shall be provided with sprinklers limited to the protection of the equipment itself. Sprinkler coverage at a minimum shall protect the access opening.

Section 903.2.21.11 Additional NFPA 13D requirements. Additional NFPA 13D requirements shall be as follows:

• Sprinkler control valves shall be located upstream of the domestic tie in and are indicating valves.

• Hydraulic placards at the riser shall be provided.

• Spare sprinkler box with at least one of each type used shall be provided.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.220 Chapter 9 Section 905.3.1 amended—Standpipe systems.

Section 905.3.1 Subsection (2) is amended by replacing subsection (2) in its entirety:

Section 905.3.1 Subsection (2). "Three stories" (3) or more in height replaces four stories (4) or more in height.

Section 905.3.1 is amended by adding subsection (6):

6. When standpipes are required and the building is equipped with automatic fire sprinklers, a class one standpipe(s) is required, and the standpipe shall be interconnected with the fire sprinkler system.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.230 Chapter 9 Section 907.2 amended—Fire alarm and detection systems.

Section 907.2 is amended by adding subsection 907.2 A:

Section 907.2 A. At the discretion of the Fire Chief, single-station smoke alarms or multiple-station smoke alarms may be required to be connected to an approved 24-hour monitored fire alarm system.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.240 Chapter 9 Section 907.7.2 amended—Record of completion.

Section 907.7.2 is amended by adding subsection 907.7.2.1

Section 907.7.2.1 Acceptance, maintenance, and testing records. A copy of acceptance, maintenance and testing records shall be maintained on site and shall be available to the city upon request.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.250 Chapter 10 Section 1010.1.10 amended—Panic and fire exit hardware.

Section 1010.1.10 Exception is amended by adding the following sentence:

The use of this exception may be revoked by the Fire Chief or the Building Official for due cause.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.260 Chapter 10 Section 1028.5 amended—Access to public way.

Section 1028.5 is amended by adding Subsection 1028.5.1:

Section 1028.5.1. Exterior Exit Pathways. Exterior exit pathway surfaces leading from an exit to a public way shall be maintained and suitable for pedestrian use in all weather conditions.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.270 Chapter 50 Section 5001.2 added—Hazardous materials.

Section 5001.1 is amended by adding subsection 5001.1.2:

Section 5001.1.2 Coordinated Enforcement. Where the Contra Costa County Health Services Department is enforcing State Health and Safety and/or County health regulations, the Fire Department will coordinate efforts to eliminate duplication of time and resources to comply with hazardous material regulations. When approved by the Fire Chief equivalent documentation and compliance may be accepted in lieu of requirements of Appendix E. Where Contra Costa County Health & Safety regulations and California Fire Code regulations conflict, the more restrictive provisions shall prevail.

Exception: Where state or county regulations specifically limit or pre-empt local regulations to be more restrictive.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.280 Chapter 50 Section 5004.1 amended—Scope.

Section 5004.1 is amended by adding 5004.1. A, and 5004.1. B

A. The limits referred to in Section 5004.1 of the California Fire Code, into which the storage of hazardous materials is restricted are hereby established as follows: All areas within the jurisdiction shall be for retail in group M occupancies.

B. Exception - A permit shall be obtained from the Fire Marshal approving on site Hazardous Materials for retail sales, storage, or commercial/industrial use.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.290 Chapter 53 Section 5304.2A added—Compressed gasses.

Section 5304.2 is amended by adding 5304.2A

A. The limits referred to in Section 5304.2 (ch 54, 58, 60 through 67) of the California Fire Code, in which the storage of compressed natural gas is restricted, are hereby amended as follows: All areas within the jurisdiction without an approved permit by the Fire Marshal.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.300 Chapter 56 Section 5601.1.1A added—Explosives and fireworks.

Section 5601.1.1 is amended by adding 5601.1A and Exception:

A. The limits referred to in Section 5601.1 of the California Fire Code and Title 19 Division 1 Chapter 6 and 10 subchapter 3, in which the storage of storage of explosives and blasting agents is restricted, are hereby amended as follows: All areas within the jurisdiction.

Exception: The Fire Marshal may authorize limited amount of explosives or blasting agents with permit.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.310 Chapter 57 Section 5704.2.11.6 added—Flammable and combustible liquids—Below ground tanks.

Section 5704.2.11.5 is added in its entirety to read:

Section 5704.2.11.5. Abandonment and status of tanks. Tanks taken out of service as a result of properties being abandoned or its use being changed shall be removed in accordance with Section 5704.2.14.2

Section 5704.2.13.1.3 is amended in its entirety to read:

Section 5704.2.13.1.3 Out of Service for More Than 180 Days. Underground tanks that have been out of service for a period greater than 180 days shall be removed from the ground in accordance with Section 5704.2.14 and the site shall be restored in an approved manner. Permit requirements with the Contra Costa County Health Services Department, Environmental Division shall be complied concurrently with the permit requirements of the City.

Section 5704.2.13.2.3 is deleted in its entirety.

Section 5704.2.13.2.3 is amended to replace "one year" with "more than 180 days"

Section 5704.2.13.2.3. Out of service for more than 180 days aboveground tanks which have been out of service for a period greater than 180 days shall be removed in accordance with Section 5704.2.14 and the site shall be restored in an approved manner. Permit requirements with the Contra Costa County Health Services Department, Environmental Division shall be complied with concurrently with the permit requirements of the City.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.320 Chapter 57 Section 5704 amended—Flammable and combustible liquids—Above ground tanks.

Section 5704.2.9.6.1 is amended by adding 5704.2.9.6.1A and 5704.2.9.6.1B establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited or restricted:

A. The limits referred to in Section 5704.2.9.6.1 of the California Fire Code, in which the storage of flammable or combustible liquids in outside above ground tanks is restricted, are hereby amended as follows: All areas within the jurisdiction without an approved permit by the Fire Marshal.

B. The limits referred to in Section 5704.2.9.6.1 in which new bulk plants for flammable or combustible liquids are prohibited, are hereby amended as follows: Any area which is zoned other than industrial without an approved permit from the Fire Marshal.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.330 Chapter 58 Section 5803A added—Flammable gases and flammable cryogenic fluids.

Section 5803 is amended by adding 5803A and Exception:

A. Stationary containers is restricted, are hereby established as follows: All areas within the jurisdiction without an approved permit by the Fire Marshal.

Exception: The Fire Marshal may authorize limited amount of explosives or blasting agents with permit.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.340 Chapter 61 Section 6103.2.1.7 amended—Liquefied petroleum gases—Inside buildings.

Section 6103.2.1.7 is amended in its entirety to read:

Section 6103.2.1.7 Individual portable containers used, stored, or handled inside of buildings used for assembly or business for people cooking, display, or similar use shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the Fire Chief or authorized representative.

(Ord. No. 2022-03, § X, 11-1-2022)

16.26.350 Chapter 61 Section 6104.2A added—Liquefied petroleum gases—Outside buildings.

Section 6104.2 is amended by adding 6104.2 A

A. The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby amended as follows: All areas of the jurisdiction without an approved permit from the Fire Marshal.

(Ord. No. 2022-03, § X, 11-1-2022)

## Chapter 16.28 MOVING OF STRUCTURES

**Sections:**

16.28.010 Housemover's permit—Required.

A. It is unlawful for any person to move, or cause to be moved, upon a city street, any structure with a floor area greater than one hundred fifty square feet into, out of, through or within the city without first having obtained a housemover's permit from the city engineer.

B. A housemover's permit shall not be issued until such time as a relocation permit is obtained from the building official, unless the structure is being moved from a location outside the city to a location outside the city.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.020 Permit application—Contents.

Application for a housemover's permit shall be made upon a form furnished by the city. The application shall set forth the applicant's name, address and phone number, and shall state or give evidence that:

A. The applicant is a holder of a valid state housemoving license;

B. The applicant is a holder of a valid city business license;

C. The applicant has on file with the city a bond as required by Section 16.28.040;

D. The applicant has on file with the city a certificate of insurance as required by Section 16.28.050;

E. The route over which the building is to be moved is specified;

F. Written approval has been obtained from the city engineer, fire chief, police chief and utility companies of the route over which the building is to be moved.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.030 Permit—Fee.

A. The applicant for a housemover's permit shall pay the fee established by the city's master fee schedule.

B. In addition, the permittee shall deposit with the city such sum as may be required to cover the expense to the city for use of city personnel, or removal and replacement of and repairs to any property or equipment belonging to the city, occasioned by the moving of such structure.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.040 Bond required.

A. Before a housemover's permit may be issued under this chapter, the housemover shall have filed with the city clerk a bond approved by the city attorney in favor of the city, in an amount to be determined by the city attorney. The bond shall be executed by a responsible surety company and conditioned that:

1. The principal will strictly comply with all requirements of this chapter;

2. The principal sum will pay for any and all damages to any fence, tree, pavement, street or sidewalk, or any other city property, resulting from the moving of any structure;

3. The principal sum shall be forfeited to the city if the permittee fails to comply with all conditions and regulations of the granting of such permit.

4. The principal sum will indemnify and keep harmless the city against any and all damages, judgments, costs and expense which may accrue as a result of the granting or exercise of any permit under this chapter.

B. The bond shall operate as a continuing bond for the purpose of this chapter for two years from and after the date thereof.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.050 Insurance required.

No housemover's permit to move a building shall be issued until the permittee has filed with the city engineer a policy of public liability and property damage, or approved certificate thereof, with policy limits determined by the city attorney, issued by an insurance company authorized to do business in the state. Such policy shall insure the permittee and shall insure to the benefit of any and all persons suffering loss or damage either to person or property by reason of wrongful or negligent acts in moving the structure. Such policy also contains a clause or special endorsement indemnifying and saving harmless the city against any loss, damage, costs and expenses which may in any wise accrue against the city in consequence of the granting of the permit for moving any structure.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.060 Obstructing streets.

No structure in process of moving shall be permitted to remain in any one location on any street or way, except by written permission first obtained from the city engineer, fire chief and police chief. No such structure shall be permitted to obstruct traffic for a longer time than is necessary to move the structure.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.070 Safety requirement.

A. 1. During the period from a half hour after sunset to a half hour before sunrise, lights shall be hung at least five feet above ground level along each end and side of any structure while in a street.

2. At all times while any structure is in a street, the housemover shall maintain warning barriers at both ends of the block, and during the period from a half hour after sunset to a half hour before sunrise, lights shall be maintained not more than five feet apart on such barriers, but not less than three lights on each barrier.

B. The housemover shall keep the fire department advised at all times of the location of any structure on any street.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.080 Protection of public utility facilities.

If the moving of any structure under this chapter may interfere with any public utility structures, the applicant shall notify the public utility involved of the tentative time of such moving, the route of such moving, and the estimated loaded height and width of the structure and moving equipment. The applicant shall bear the cost of any measures required to protect such facilities from damage due to the moving of any structure under this chapter, and shall indemnify such public utility against any and all damages or claims of whatever kind or nature, direct or consequential, caused directly or indirectly by the relocation of any structure under this chapter, or by any measures required to protect such structures. No permit under this chapter shall be issued by the city engineer unless the applicant furnishes satisfactory proof that any requirements of the public utilities have been fulfilled.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.090 Relocation permit—Required.

It is unlawful for any person, firm or corporation to move any structures from or onto any lot, piece or parcel of land located within the city until a relocation permit has been obtained as provided in this chapter.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.100 Relocation permit—Application.

Every application for a relocation permit shall be made in writing upon a form furnished by the building inspector, and shall set forth such information as may reasonably be required.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.110 Relocation permit—Issuance.

A. No permit shall be issued to relocate any structure within the city, which:

1. Is so constructed or in such condition as to be dangerous;

2. Is infested with pests;

3. Is unsanitary;

4. Is, if it be a dwelling or inhabitation, unfit for human habitation;

5. Is so dilapidated, defective, unsightly or in such a condition of deterioration or disrepair that its relocation at the proposed site would cause appreciable harm to or depreciate the property within a radius of three hundred feet from the proposed site;

6. Is a structure of a type prohibited at the proposed site by any law or ordinance. If, however, the condition of the structure, in the judgment of the building official,admits of practicable and effective repair, a permit may be issued upon condition as hereinafter in this chapter provided.

B. The building official shall, in granting any relocation permit, be governed by the following conditions:

1. Conformance to the building, housing, electrical, plumbing, heating and energy codes of the city. The building official shall determine what repairs, alterations and remodeling will be required to conform to all the requirements of the aforementioned codes;

2. Conformance to city codes, ordinances and regulations regarding curbs and gutters, sidewalks, retaining walls, drainage, driveways and street trees.

3. The structure when completed and in place will have a finished appearance and will not depreciate other properties in the vicinity.

C. The building official shall require the repair of sidewalks, curbs and gutters, the removal of abandoned driveways and approaches, the filling in of basements, trenches and other excavations, or other work necessary to return the premises to a state that will not be detrimental nor injurious to the public or property.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.120 Relocation permit—Bond—Required.

A. No relocation permit shall be issued unless the applicant shall first post with the city clerk a bond executed by the owner of the premises where the structure is to be removed, or by the owner of the premises to which the structure is to be moved, as principal, and by a surety company authorized to do business in this state, as surety.

B. The bond shall be joint and several, shall name the city as obligee, and shall be in an amount equal to the cost, plus twenty-five percent, of the work required to be done in order to comply with the relocation permit, as estimated by the building official. In lieu of a surety bond, the applicant may post a bond executed by either of such owners, as principal, and which is secured by a deposit of cash in the amount named above and conditioned as required in the case of a surety bond. Such a bond as so secured is hereinafter called a "cash bond" for the purposes of this chapter.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.130 Relocation permit—Bond—Conditions.

Every bond posted pursuant to this chapter shall be conditioned as follows:

A. That all of the terms and conditions of the relocation permit shall be complied with to the satisfaction of the building official;

B. That all of the work required to be done pursuant to the relocation permit shall be fully performed and completed within the time limit specified in the relocation permit; or, if no time limit is specified, within ninety days after the date of the issuance by the city of the housemover's permit provided for in this chapter. The time limit herein specified, or the time specified in any permit, may be extended once for a period not to exceed ninety days by the building official. No such extension of time shall be valid unless written, and no such extension shall release any surety upon any bond.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.140 Default and enforcement.

A. Whenever the building official shall find that a default has occurred in the performance of any term or condition of any permit issued pursuant to the provisions of this chapter, written notice thereof shall be given to the principal and to the surety on the bond.

B. Such notice shall be personally served upon the principal if he resides within the city, or served by registered mail if such principal does not reside within the city.

C. After receipt of such notice, the surety or principal must either cure the default within the time specified, or pay to the city the full face amount of the surety or cash bond. In the latter event, the city shall cause the required work to be completed without further notice. The balance, if any, of the funds not utilized by the city shall, upon completion of the work, be returned to:

1. The surety or principal, in the case of a surety bond.

2. The depositor, or his successors or assigns, in the case of a cash bond.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.150 Relocation permit—Bond—Duration.

The term of each bond posted pursuant to this chapter shall begin upon the date of the posting thereof and shall end upon the completion, to the satisfaction of the city, of the performance of all the terms and conditions of the relocation permit. Such completion shall be evidenced by a statement thereof, signed by the building official, a copy of which will be sent to any surety or principal upon request. When a cash bond has been posted, the cash shall be returned to the depositor, or to his successors or assigns, upon the termination of the bond, except any portion thereof that may have been used or deducted as provided in this chapter.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.160 Relocation permit—Right of entry.

A. The city, the surety and the duly authorized representatives of either shall have access to the premises described in the relocation permit for the purposes of inspecting the progress of the work.

B. In the event of any default in the performance of any term or condition of the relocation permit, the surety, or any person employed or engaged on its behalf, or the city manager, shall have the right to go upon the premises to complete the required work or to remove or demolish the structure.

C. It is unlawful for any person to interfere with or obstruct the access to such premises of any authorized representative or agent of any surety, or the city, engaged in the work of completing, demolishing or removing any structure for which a relocation permit has been issued, after a default has occurred in the performance of the terms or conditions thereof.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.170 Appeal—Notice.

Any applicant for a housemover's permit, or for a relocation permit, or any person aggrieved by a decision of the building official, may appeal such decision to the council by filing with the city clerk a written notice of appeal within ten days of the receipt of notice of such decision. The appeal shall state the grounds upon which it is made, and the particular decision from which the appeal is made.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.180 Appeal—Filing fee.

The filing of the notice of appeal shall be accompanied by the filing fee set forth in the city's master fee schedule.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.190 Appeal—Hearing.

Within ten days after the filing of notice of appeal the city clerk shall place the public hearing on the agenda for the next regularly scheduled council meeting. The decision of the council shall be rendered not later than the next regularly scheduled council meeting. In the event a decision is not rendered within the time specified time limit, the notice of appeal is automatically rejected.

(Ord. 97-7 Div. 1 (part), 1997.)

16.28.200 Appeal—Hearing notice.

The council shall give notice of the public hearing on the notice of appeal, by at least one publication in a newspaper of general circulation within the city at least ten days prior to the date of such public hearing.

Each notice shall consist of the words "Notice of Proposed Building Relocation," in letters of not less than one inch in height and in addition thereto, a statement in small letters setting forth a general description of the premises involved, the time and place at which the public hearing will be held, and any other information which the council may deem to be necessary.

(Ord. 97-7 Div. 1 (part), 1997.)

## Chapter 16.30 CERTIFICATE OF COMPLIANCE (RESIDENTIAL RENTAL)

**Sections:**

16.30.010 Certificate of compliance.

Before a business license as required in Section 4.32.260 can be issued to an owner or agent for the rental of any residential unit, a valid certificate of compliance must be obtained by the owner or agent from the person designated as housing administrator.

(Ord. 97-7 Div. 2 (part), 1997.)

16.30.020 Application.

To obtain such a certificate of compliance the owner or agent shall file with the housing administrator a written application on a prescribed form and accompanied by a fee to cover the cost of inspection, in accordance with the city's master fee schedule.

(Ord. 97-7 Div. 2 (part), 1997.)

16.30.030 Inspection for compliance.

Within twenty working days after the application is received, the housing administrator shall inspect the unit to determine compliance with the city's codes and ordinances. If the unit is in compliance with such codes and ordinances, the housing administrator shall issue a certificate of compliance.

(Ord. 97-7 Div. 2 (part), 1997.)

16.30.040 Contents of certificate.

A. The certificate of compliance shall state:

1. The date of issue;

2. The description of the unit;

3. The address of the unit;

4. The name of the person to whom it is issued; and

5. That the unit complies with the provisions of applicable codes and ordinances so far as could be revealed by inspection.

B. The certificate shall expire at the end of two years or at such earlier date as set forth in the certificate.

(Ord. 97-7 Div. 2 (part), 1997.)

16.30.050 Housing code deficiencies.

Where an inspection discloses such unit is not in compliance with such codes and ordinances, the housing administrator shall give written notice of each deficiency to the owner. No certificate of compliance shall be issued to the owner until all deficiencies are corrected. If the owner fails to correct all such deficiencies within six months after the application was filed, such application shall expire.

(Ord. 97-7 Div. 2 (part), 1997.)

16.30.060 Temporary certificates.

Upon a showing of good cause, the housing administrator may issue a temporary certificate of compliance for a portion or the entire unit prior to correction of all the deficiencies.

(Ord. 97-7 Div. 2 (part), 1997.)

16.30.070 Fees.

Other than the inspection fee required under Section 16.30.020 there shall be no fee required for a certificate of compliance.

(Ord. 97-7 Div. 2 (part), 1997.)

16.30.080 Inspection rights.

The owner shall be responsible for making the unit available for inspection by the city. If the occupant of the unit does not consent to the entry for such inspection, the housing administrator shall seek an inspection warrant pursuant to the state Code of Civil Procedure.

(Ord. 97-7 Div. 2 (part), 1997.)

16.30.090 Appeals.

Any person aggrieved by the determination of the housing administrator under this chapter may appeal to the board of appeals in the manner provided in the housing code.

(Ord. 97-7 Div. 2 (part), 1997.)

16.30.100 Enforcement.

The housing administrator may promulgate written rules and regulations pertaining to the enforcement and implementation of this chapter. During declared emergencies, nothing in this chapter shall prevent the housing administrator from taking such temporary action as is, in his or her judgment, within the spirit and intent of this chapter and the adopted rules and regulations.

(Ord. 97-7 Div. 2 (part), 1997.)

16.30.110 Voluntary inspections.

An owner or tenant may voluntarily request a housing code inspection. Upon receipt of the fee required by Section 16.30.020, the city shall complete such inspection. Any deficiencies which shall be discovered by such inspection, shall be corrected by the owner within six months.

(Ord. 97-7 Div. 2 (part), 1997.)

## Chapter 16.32 SEISMIC HAZARDS IDENTIFICATION AND MITIGATION PROGRAM[[12]](#footnote-12)

**Sections:**

16.32.010 Purpose.

It is found that in the event of a strong or moderate local earthquake, loss of life or serious injury may result from damage to or collapse of buildings in the city. It is generally acknowledged that the city will experience earthquakes in the future due to its proximity to both the San Andreas and Hayward faults. The purpose of this chapter is to promote public safety by identifying those buildings in the city which exhibit structural deficiencies, and by accurately determining the severity and extent of those deficiencies in relation to their potential for causing loss of life or injury. The council finds it desirable to identify the hazards that these deficiencies may pose to occupants of buildings and pedestrians in the event of an earthquake. The building official has conducted a field survey to identify seismically hazardous buildings, including unreinforced masonry (URM) buildings and will conduct such a survey for multifamily residential soft story buildings as a second phase of a seismic hazards identification program that is consistent with the state Earthquake Protection Law, Health and Safety Code section 19000 et seq.

It is also the purpose of the chapter to protect the public health, safety and welfare by reducing the risk of death and injury resulting from the effects of earthquakes on URM buildings and multifamily residential soft story buildings constructed prior to the adoption and enforcement of building codes that required earthquake-resistant design.

The provisions of this chapter are intended as minimum standards for structural seismic resistance established primarily to reduce the risk of building damage, injury and loss of life. Compliance with these standards will not necessarily entirely prevent injury or loss of life or prevent earthquake damage to rehabilitated buildings. This chapter does not require alteration of existing electrical, plumbing, mechanical or fire safety systems unless they constitute a hazard to life or property.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.020 Definitions.

For the purpose of this chapter the following words shall have the following meanings:

"Bearing wall" means any wall supporting a floor or roof where the total superimposed load exceeds one hundred pounds per linear foot, or any unreinforced masonry wall supporting its own weight when over six feet in height.

"Building" for the purpose of determining occupant load, means any contiguous or interconnected structure; for the purpose of engineering evaluation, "building" means the entire structure or portion thereof which will respond to seismic forces as a unit.

"Civil or structural engineer" means a licensed civil or structural engineer registered by the state pursuant to the rules and regulations of Title 16, Chapter 5 of the California Administrative Code.

"Complete" or "completion" means compliance with the requirements of this chapter to the satisfaction and approval of the building official.

"High hazard building." Refer to Section 16.32.040.C.1.

"Medium hazard building." Refer to Section 16.32.040.C.2.

"Low hazard building." Refer to Section 16.32.040.C.3.

"Occupant load" means the occupant load for the entire structure as determined in accordance with the city's current California Building Code as adopted through this title, regardless of degree of actual use.

"Owner" means any person, agent, firm, corporation or other entity having legal or equitable interest in property.

"Soft story" means a wood-frame, multi-family apartment house constructed before January 1, 1978, where the ground floor portion of the wood frame structure contains parking or other similar open floor space that causes soft, weak, or open wall lines, and having one or more levels above the ground floor.

"Unreinforced masonry (URM) building" means any building constructed prior to the adoption of the city building code requiring earthquake resistant design of buildings that are constructed of unreinforced masonry wall construction and exhibit any of the following characteristics:

A. Exterior parapets or ornamentation that may fall.

B. Exterior walls that are not anchored to the floors or roof.

C. Lack of an effective system to resist seismic forces.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.030 Scope of program.

A. Pursuant to the California Health and Safety and Government Codes, the building official shall assess the earthquake hazard in El Cerrito and identify buildings subject to being potentially hazardous to life in the event of an earthquake. Potentially hazardous buildings include the following:

1. Unreinforced masonry buildings.

2. Soft story woodframe, multiunit residential buildings.

B. Exemptions. The following buildings need not comply with this chapter:

1. Buildings which have been structurally upgraded in substantial accordance with either the Los Angeles Division 88 Standard for URM buildings or the 1997, or later, edition of the Uniform Code for Building Conservation.

2. Detached one- or two-family dwellings.

3. Attached multi-family dwellings containing two or fewer dwelling units and used solely for residential purposes.

4. Structures used solely as warehouses or for similar purposes not for human habitation.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.040 Engineering reports and seismic hazard classification.

A. At the time of adoption of this section, the building official had conducted a field survey to identify all known URM buildings within the city. All URM buildings listed in the field survey were investigated by an independent structural engineer selected by the city redevelopment agency, and confirmed to be URM buildings. Any URM buildings not identified within the field survey remain subject to the requirements of this chapter upon notice by the city.

B. The engineer has prepared written structural assessments for those buildings on the list that the engineer found to be URM buildings. The reports analyze the building's structural systems to determine if any individual portion or combination of these systems is inadequate to prevent a structural failure (collapse or partial collapse), in the event of an earthquake. The reports also contain recommended seismic improvements, and cost estimates.

C. The seismic hazard classifications for this chapter are hereby established below, based on the percentage range of probability of partial or significant damage, and/or partial or complete collapse, as determined by the Basic Structural Hazards and Final Structural Scores "S" assigned by the engineer in the structural assessment for each building. Each building within the scope of this chapter shall be placed in one such classification by the building official, as follows.

1. High Hazard Building. Any URM building within the scope of this chapter having a percentage range of probability of partial or significant damage, partial or complete collapse of fifty percent or greater.

2. Medium Hazard Building. Any URM building within the scope of this chapter having a percentage range of probability of partial or significant damage, partial or complete collapse of between fifteen percent and forty-nine percent.

3. Low Hazard Building. Any URM building within the scope of this chapter having a percentage range of probability of partial or significant damage, partial or complete collapse of fourteen percent or less.

D. The city has provided all identifiable owners of studied URM buildings with a copy of the written structural assessment and seismic hazard classification for their respective buildings.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.050 Time limits and responsibilities of URM building owners.

A. Notification of Building Tenants. A URM building owner shall notify all tenants, in writing, that a structural investigation has been performed and that the report is available at the building official's office. This notice must be sent within thirty days of the date of adoption of this chapter, or by December 18, 2009.

B. Notification of the City. A URM building owner shall provide copies to the building official of each letter sent to the tenants of buildings reported as potentially hazardous, within forty-five days of the date of adoption of this chapter, or by January 2, 2010.

C. Letter of Intent. A URM building owner shall submit a letter to the building official within six months of the date of adoption of this chapter, or by May 18, 2010, indicating the owner's intention for dealing with the potential seismic hazards found to exist in, or on the exterior of the building.

1. For High Hazard URM Building. The property owner shall submit all necessary building permit plans for retrofit mitigation of all URM seismic hazards listed in the engineer's report, to the standards of the 2007 California Building Standards Code, to the city for plan check within one and one-half years of the date of adoption of this chapter, or by May 18, 2011. The owner shall obtain all necessary permit(s) to mitigate all URM seismic hazards and shall complete all abatement work or demolish the building within two and one-half years of the date of adoption of this chapter, or by May 18, 2012.

2. For Medium Hazard URM Building. The property owner shall submit all necessary building permit plans for retrofit mitigation of all URM seismic hazards listed in the engineer's report, to the standards of the 2007 California Building Standards Code, to the city for plan check within two and one-half years of the date of adoption of this chapter, or by May 18, 2012. The owner shall obtain all necessary permit(s) to mitigate all URM seismic hazards and shall complete all abatement work or demolish the building within three and one-half years of the date of adoption of this chapter, or by May 18, 2013.

3. For Low Hazard URM Building. The property owner shall submit all necessary building permit plans for retrofit mitigation of all URM seismic hazards listed in the engineer's report, to the standards of the 2007 California Building Standards Code, to the city for plan check within three and one-half years of the date of adoption of this chapter, or by May 18, 2013. The owner shall obtain all necessary permit(s) to mitigate all URM seismic hazards and shall complete all abatement work or demolish the building within four and one-half years of the date of adoption of this chapter, or by May 18, 2014.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.060 Economic hardship extension.

A. General Economic Hardship Extension. The city council may consider an amendment to this chapter to allow a one-year extension of either submittal of plans or completion of abatement/demolition for all URM buildings, if the council finds that an economic hardship exists at that time, due to a prevalent economic downturn and difficulty in obtaining financing for abatement work.

B. Individual Economic Hardship Extension. A panel consisting of the community development director, finance director, and building official may, upon application, grant a one-year individual property owner economic hardship extension separate and apart from the general hardship extension described in section A. above. An approved individual property owner economic hardship extension may be for submittal of plans, completion of abatement/demolition, or both. Individual hardship extensions shall be granted only where the owner demonstrates that financing is unavailable to pay for the required seismic retrofit work. A property owner requesting individual hardship shall provide the panel, as part of the application, with statements from at least two banks that they are unable to provide the needed financing to the subject individual owner, for the URM mitigation required pursuant to this chapter. The decision of the panel may be appealed to the city manager or designee. The decision of the city manager or designee shall be final.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.070 Historic building extension.

The property owner may appeal to the building official for a one-year extension for submittal of plans, or completion of abatement/demolition, if based on an historic analysis of their building, that is found acceptable to the city, the building is demonstrated to be a significant historic resource eligible for inclusion on a local, state or national register of historic places, pursuant to any applicable historic building regulations promulgated by the city, state, or the Secretary of the Interior's Standards and Guidelines for Historic Preservation.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.080 Program status report to the council.

The building official shall submit an annual report to the council on the status of the URM seismic hazards mitigation program. The report shall include information regarding the number of buildings that have had any action taken, or to be taken by individual building owners to correct these inadequacies.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.090 Report to the state seismic safety commission.

The building official shall submit a report to the state seismic safety commission which shall include the following:

A. A listing of the number of buildings identified and the total square footage, broken down by use;

B. A copy of this chapter;

C. A summary of the status of the mitigation program listing the number of building owners notified, the number of buildings strengthened, and whether or not the city provided any incentive programs to the building owners;

D. Any suggestions for other cities going through the seismic hazard identification and mitigation process.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.100 Remedies.

It is unlawful for the owner of a URM building identified as being included in the scope of this chapter to fail to comply with the provisions of this chapter within the time period specified in Section 16.32.050, or to fail to submit a letter of intent within the time period specified in Section 16.32.050, or to fail to post an earthquake warning sign per the provisions of Section 16.32.140. If the property owner in charge or control of the subject building fails to comply with any order issued by the building official pursuant to this chapter within the time limit set forth in this chapter, the building official shall verify that the record owner of this building has been properly served. If the order has been served on the record owner, then the following remedies are available to the city:

A. The building official may order that the entire building be vacated and that the building remain vacated until such order has been complied with. If compliance with such order has not been accomplished within ninety days after the date the building has been ordered vacated, the building official may order its demolition in accordance with the provisions of Sections 107, 108, and 109 of the International Property Maintenance Code or Section 203 of the Uniform Administrative Code.

B. The city may seek injunctive relief on behalf of the public to enjoin a building owner's violation of this chapter.

C. A building owner violating this chapter shall be guilty of an infraction. Such building owner is guilty of a separate offense for each and every day during any portion of which such violation of this chapter is committed, continued or permitted by such building owner.

D. The remedies listed in this section are not exclusive.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.110 Permits.

The building owner or his/her agent shall obtain all required permit(s) prior to commencement of work in accordance with the requirements established by the El Cerrito Municipal Code whether the building is to be demolished or altered for compliance.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.120 Administration.

A. The building official shall be responsible for the administration of this chapter.

B. The building official shall issue a notice to the owner of each building within the scope of this chapter within thirty days of the adoption of this chapter, or by December 18, 2009. The notice shall be served either personally or by certified registered mail upon the owner as shown in the records of the Contra Costa County tax assessor.

C. The notice shall be in writing and shall specify that the subject building has been determined by the building official to be within the scope of this chapter, and therefore the owner is required to comply with the requirements of this chapter. The notice shall specify (1) the seismic hazard classification of the building, (2) the owner's alternatives, and (3) the time limits for compliance per Section 16.32.050 above.

D. The owner or his/her agent may obtain relief from the notice by submitting to the building official proof that the building is not within the scope of this chapter. Proof shall include the investigative method employed and shall be certified by a civil or structural engineer or architect licensed by the state of California. The building official may require additional information to substantiate the relief requested.

E. Forty-five days after the notice is served, the building official shall record with the office of the Contra Costa County recorder a certificate stating that the subject building is within the scope of this chapter, and that the owner thereof has been ordered to have the building altered to comply with this chapter or demolish the building.

F. If the building is found not to be within the scope of this chapter, or as a result of structural analysis and alteration is found to comply with this chapter, or is demolished, the building official shall file with the office of the Contra Costa County recorder a certificate terminating the status of the subject building or property as being classified within the scope of this chapter.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.130 Retrofit standards and plans.

A. Any seismic retrofit of a URM building shall provide for the reasonable adequacy of all of the following:

1. Unreinforced masonry walls to resist normal and inplane seismic forces.

2. The anchorage and stability of exterior parapets and ornamentation.

3. The anchorage of unreinforced masonry walls to the floors and roof.

4. Floor and roof diaphragms.

5. The development of a complete bracing system to resist earthquake forces.

B. Any seismic retrofit of a URM building that occurs within the time limits listed in Section 16.32.050.C.1, 2, or 3, including any extension granted through this chapter shall comply with the 2007 California Building Standards Code as adopted through this title. Those standards provide for retrofit design to meet the requirements of the 1997 Uniform Code for Building Conservation.

C. Any seismic retrofit of a URM building that occurs after the time limits in Section 16.32.050.C.1, 2, or 3, including any extension granted through this chapter, shall comply with the then current California Building Standards Code as adopted through this title.

D. The property owner shall cause to be submitted to the building official the necessary number of complete sets of plans and supporting documentation for the work proposed in accordance with requirements of this chapter. In addition to the required analysis, the licensed engineer or architect responsible for the plans shall determine and record on the submitted plans the information required by both this section, and the 2007 California Building Standards Code, or the then current California Building Standards Code, as determined by Section B and C above.

E. Plans for all structural elements related to the seismic retrofit shall contain:

1. An overall description of the subject building, listing and describing specific conditions which constitute or contribute to structural hazards, problems, questions, etc., and, in each case, details of the necessary repairs and alterations.

2. The type(s), description, dimensions and condition of the existing foundation of the building, and necessary repairs and alterations.

3. The type(s), description and dimensions of existing walls, and necessary repairs and alterations.

4. The size(s), spacing(s), and span(s) of floor and roof members and the necessary repairs and alterations.

5. The extent, type and condition of existing wall anchorage to floors and roof, and the necessary repairs and alterations.

6. The extent, type and condition of parapet walls and their connection to walls and roof, and the necessary repairs and alterations.

7. Complete, accurately dimensioned floor plans showing the use of all affected rooms and spaces.

8. Masonry wall elevations with dimensioned openings, corbels, piers, wall thickness(es) and height(s).

9. Extent, type, size, condition and adequacy of headers, lintels, etc., over openings in masonry-bearing walls, and the necessary repairs and alterations.

10. The location and extent of cracks or damaged portions of masonry walls, parapets, etc., and the necessary repairs and alterations.

11. The condition of mortar joints throughout, whether pointing is required, and the extent of this need.

F. Where use of existing materials is proposed in the structural design, and established design values acceptable to the building official do not exist, in-place testing of such materials shall be performed by an approved special inspector in accordance with the California Building Standards Code. The methodology and results of such tests shall be submitted as part of a special inspection report with the permit application. The building official shall approve in advance the number and location of such tests.

(Ord. No. 2009-05, § 1, 10-19-2009)

16.32.140 Posting of sign.

The owner of a URM building within the scope of this chapter shall post, at a conspicuous place near the primary entrances to the building, a sign provided by the building official stating "This is an unreinforced masonry building. Unreinforced masonry buildings may be unsafe in the event of a major earthquake." The sign shall be posted within sixty days of receipt by the building owner of installation standards established by the building official. If the subject building is subsequently found not to be within the scope of this chapter, or as a result of structural analysis and alteration is found to comply with this chapter, or is demolished, the building official shall terminate the requirement for the sign posting, and the sign shall be removed.

(Ord. No. 2009-05, § 1, 10-19-2009)

## Chapter 16.34 UNDERGROUNDING OF UTILITIES

**Sections:**

16.34.010 Required when—Utility service materials and equipment defined.

For any new structure or any remodeling or addition involving both a service change and a valuation exceeding eight percent of the assessor's fair market value for the existing structure, underground installation of all utility service laterals and equipment is required if a utility pole on the abutting street is situated within one hundred feet of the property lines for the new or remodeled structure. This includes, but is not limited to, electric, telephone and cable television lines, which must be underground, in accordance with utility-filed rules approved by the state public utilities commission, to the point of connection with the utility distribution facilities. The words "utility service laterals and equipment," as used in this section, do not include equipment appurtenant to underground utilities such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and risers from concealed ducts.

(Ord. 97-7 Div. 4 (part), 1997.)

16.34.020 Waivers.

Any property owner aggrieved by the provisions of Section 16.34.010 may appeal to the city manager, in writing, specifically setting forth why a waiver should be granted. The city manager may require the applicant to provide supporting information, including reports related to technical and economic aspects of construction and development prepared by a qualified person. A waiver may be granted by the city manager upon the finding that topography, soil or other conditions make underground installation of utility service laterals and equipment unreasonable or impractical, or that such installations involve an unnecessary or unusual hardship pertaining to the specific parcel of land. In approving such a waiver, the city manager shall have the authority to impose such conditions as he or she deems necessary to protect the best interests of the surrounding area or neighborhood. The decision of the city manager may be appealed to the council by any person affected by such decision.

(Ord. 97-7 Div. 4 (part), 1997.)

16.34.030 Exceptions.

Overhead utility distribution facilities may be permitted along street frontages of the parcels subject to Section 16.34.010 when approved by the city manager.

(Ord. 97-7 Div. 4 (part), 1997.)

## Chapter 16.35 PUBLIC PROJECT CONTRACT PROCEDURES

**Sections:**

16.35.010 Purpose.

The purpose of this chapter is to allow contracts for construction of public projects to be awarded through informal bidding procedures in accordance with the provisions of the Uniform Public Construction Cost Accounting Act (the "Act") (California Public Contract Code Section 22000 et seq.).

(Ord. 2002-3 § 1 (part), 2002.)

16.35.020 Contracting procedures.

Public projects, as defined by the act, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the California Public Contract Code.

(Ord. 2002-3 § 1 (part), 2002.)

16.35.030 List of qualified contractors.

A list of contractors shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

(Ord. 2002-3 § 1 (part), 2002.)

16.35.040 Notice inviting informal bids.

With respect to public projects let to contract by informal procedures, unless the product or service is proprietary, notice inviting informal bids shall be mailed to either: (i) all contractors on the list for the category of work being bid; (ii) all construction trade journals specified by the Commission pursuant to Public Contracts Code Section 22036; or (iii) all contractors on the list for the category of work being bid and all construction trade journals specified by the Commission pursuant to Public Contract Code Section 22036. All mailing of notices pursuant to this section shall be completed not less than ten calendar days before bids are due.

(Ord. 2002-3 § 1 (part), 2002.)

16.35.050 Contents of notice.

The notice inviting informal bids shall describe the project in general terms, how to obtain more detailed information about the project, and shall state the time and place for the submission of bids.

(Ord. 2002-3 § 1 (part), 2002.)

16.35.060 Delegation of authority to award contracts.

The city manager or the public works director/city engineer, or designees of these positions are authorized to award informal contracts pursuant to this chapter.

(Ord. 2002-3 § 1 (part), 2002.)

## Chapter 16.38 VIOLATION—PENALTY

**Sections:**

16.38.010 Violation—Penalty.

Any person violating any of the provisions of Chapters 16.02 through 16.36 of this title shall be deemed guilty of an infraction as provided for in Section 1.08.030 of this code.

(Ord. 97-7 Div. 5 (part), 1997.)

16.38.020 Violation—Penalty for work without permits.

A. Any person who commences work without all necessary permits required by this title, within a twelve-month period, shall be subject to the following penalties:

1. First offense: An investigation fee equal to the permit fee;

2. Second offense: An investigation fee equal to the permit fee plus a five hundred dollar; penalty fee;

3. Three or more offenses: Three or more offenses shall require reference of the matter to the city attorney for misdemeanor prosecution.

B. The foregoing penalties, applicable to first and second offenses for those commencing work without all necessary permits, supersede any conflicting provisions of this code governing the penalties for violation of any provision thereof.

(Ord. 97-7 Div. 5 (part), 1997.)

## Chapter 16.40 CALIFORNIA ADMINISTRATIVE CODE

**Sections:**

16.40.010 California Administrative Code—Adoption.

The Administrative Code for the city, sometimes referred to as "the CMC," is the California Administrative Code, 2010 Edition as approved by the California Building Standards Commission, and as published in Title 24, Part 1, of the California Code of Regulations, except as amended and supplemented in the manner set forth in this chapter.

(Ord. No. 2010-09, Div. XI, 11-15-2010)

1. Editor's note(s)—Ord. No. 2022-03, Div. II, adopted Nov. 1, 2022, repealed the former Ch. 16.02, §§ 16.02.010—16.02.220, and enacted a new Ch. 16.02 as set out herein. The former Ch. 16.02 pertained to similar subject matter and derived from Ord. No. 2019-09, Div. II, adopted Dec. 3, 2019. [↑](#footnote-ref-1)
2. Editor's note(s)—Ord. No. 2022-03, Div. III, adopted Nov. 1, 2022, repealed the former Ch. 16.03, §§ 16.03.010—16.03.110, and enacted a new Ch. 16.02 as set out herein. The former Ch. 16.03 pertained to similar subject matter and derived from Ord. No. 2019-09, Div. III, adopted Dec. 3, 2019. [↑](#footnote-ref-2)
3. Editor's note(s)—Ord. No. 2022-03, Div. IV, adopted Nov. 1, 2022, repealed the former Ch. 16.04, § 16.04.010, and enacted a new Ch. 16.04 as set out herein. The former Ch. 16.04 pertained to similar subject matter and derived from Ord. No. 2019-09, Div. IV, adopted Dec. 3, 2019. [↑](#footnote-ref-3)
4. Editor's note(s)—Ord. No. 2022-03, Div. V, adopted Nov. 1, 2022, repealed the former Ch. 16.06, § 16.06.010, and enacted a new Ch. 16.06 as set out herein. The former Ch. 16.04 pertained to similar subject matter and derived from Ord. No. 2019-09, Div. V, adopted Dec. 3, 2019. [↑](#footnote-ref-4)
5. Editor's note(s)—Ord. No. 2022-03, Div. VI, adopted Nov. 1, 2022, repealed the former Ch. 16.08, §§ 16.08.010, 16.08.040, and enacted a new Ch. 16.08 as set out herein. The former Ch. 16.08 pertained to similar subject matter and derived from Ord. No. 2019-09, Div. VI, adopted Dec. 3, 2019. [↑](#footnote-ref-5)
6. Editor's note(s)—Ord. No. 2022-03, Div. VII, adopted Nov. 1, 2022, repealed the former Ch. 16.09, §§ 16.09.010, 16.09.030, and enacted a new Ch. 16.09 as set out herein. The former Ch. 16.09 pertained to similar subject matter and derived from Ord. No. 2019-09, Div. VII, adopted Dec. 3, 2019. [↑](#footnote-ref-6)
7. Editor's note(s)—Ord. No. 2010-09, Div. VI, adopted Nov. 15, 2010, repealed Ch. 16.10 and enacted a new chapter as set out herein. The former Ch. 16.10, §§ 16.10.010—16.10.060, pertained to similar subject matter and derived from Ord. No. 2007-14, Div. VI(part), 2007. [↑](#footnote-ref-7)
8. Editor's note(s)—Ord. No. 2010-09, Div. VII, adopted Nov. 15, 2010, repealed Ch. 16.12 and enacted a new chapter as set out herein. The former Ch. 16.12, §§ 16.12.010 and 16.12.020, pertained to similar subject matter and derived from Ord. No. 2007-14, Div. VII(part), 2007. [↑](#footnote-ref-8)
9. Editor's note(s)—Ord. No. 2022-03, Div. VIII, adopted Nov. 1, 2022, repealed the former Ch. 16.20, §§ 16.20.010—16.20.060, and enacted a new Ch. 16.20 as set out herein. The former Ch. 16.20 pertained to similar subject matter and derived from Ord. No. 2019-09, Div. VIII, adopted Dec. 3, 2019. [↑](#footnote-ref-9)
10. Editor's note(s)—Ord. No. 2022-03, Div. IX, adopted Nov. 1, 2022, repealed the former Ch. 16.24, § 16.24.010, and enacted a new Ch. 16.24 as set out herein. The former Ch. 16.24 pertained to similar subject matter and derived from Ord. No. 2019-09, Div. IX, adopted Dec. 3, 2019. [↑](#footnote-ref-10)
11. Editor's note(s)—Ord. No. 2022-03, Div. X, adopted Nov. 1, 2022, repealed the former Ch. 16.26, §§ 16.26.010—16.26.350, and enacted a new Ch. 16.26 as set out herein. The former Ch. 16.26 pertained to similar subject matter and derived from Ord. No. 2019-09, Div. X, adopted Dec. 3, 2019. [↑](#footnote-ref-11)
12. Editor's note(s)—Ord. No. 2009-05, § 1, adopted Oct. 19, 2009, amended Ch. 16.32 in its entirety, in effect repealing and reenacting said chapter to read as herein set out. The former Ch. 16.32, §§ 16.32.010—16.32.100, pertained to the seismic hazards identification program and derived from Ord. No. 97-7, Div. 3, 1997. [↑](#footnote-ref-12)