

ORDINANCE NO. 843 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING TITLE 17 OF THE MUNICIPAL CODE -
BUILDING AND CONSTRUCTION

WHEREAS, the City Council for the City of Paso Robles adopted the 1997 Edition of the Uniform Building Code and 2002 Editions of the Uniform Plumbing, Mechanical Codes and 1999 National Electrical Code, which were appropriate for the time; and

WHEREAS, the State Building Standards Act (Health and Safety Code Section 17958.7) provides that local agencies may amend the Model Codes based on conditions specific to the jurisdiction; and

WHEREAS, the City Council has determined that conditions exist within the boundaries of the City of Paso Robles, making it necessary amend to the 1997 Edition of the Uniform Building Code and 2002 Editions of the Uniform Plumbing, Mechanical Codes and 1999 National Electrical Code

NOW THEREFORE, the City Council of the City of El Paso de Robles does ordain as follows:

Section 1. 17.04.020 CHANGES OR ADDITIONS TO THE UNIFORM BUILDING CODE

A. Building Site Grading:

1. All building sites must be graded to drain roof and surface waters to nearest approved place to deposit such waters, such as street, storm drain or natural watercourse. Adequate provisions shall be made to prevent drainage waters from damaging the cut face of an excavation or the slope face of a fill, or any other portion of the building site, lot or adjoining properties.

Proposed site grading and/or required plot plans must be approved by the Public Works Department with the actual site work completed and accepted by the City Engineer or his authorized representative prior to issuance of the building permit. Issuance of building permits prior to completion of the site work will be subject to planning commission approval. Requests for exemption shall be submitted through the office of the City Engineer, subject to his review and recommendation.

2. There shall be a minimum of five feet unobstructed area in each side yard of any residential building. In the front and rear yards, a minimum of ten feet of usable, unobstructed, natural or constructed area shall be required.

B. Section 104 Start of Construction, is amended as follows:

104.2.1.1 Start of Construction:

For the purpose of enforcement of this code, it shall be interpreted that any movement of soil or preparation for installation of foundation or utilities, other than that allowed under the jurisdiction of an approved grading permit shall signify the start of construction. Prior to start of construction, a valid building permit shall be secured.

C. Section 105 Board of Appeals

105.1 Board of Housing and Disabled Access Appeals established.

In order to provide for interpretations of steps necessary to implement the Uniform Housing Code, Uniform Code for Abatement of Dangerous Buildings, Title 24 of the California Code of Regulations or the technical codes adopted by the Chapter pertaining to access or accommodations for the physically disabled, and those Chapters of Municipal Code where the Board is specifically noted as being the entity responsible for the hearing of appeals, there is hereby established a City of Paso Robles Housing Advisory and Disabled Access Board of Appeals, (hereinafter sometimes collectively referred to as "Board of Appeals" or "Board").

The Board shall serve as the "local appeals board" specified in sections 19957.5 of the California Health and Safety Code, in appeals relating to accommodations for the physically disabled.

105.2 Responsibilities and Limitation of Authority.

The Board of Appeals shall function as the "Local Appeals Board" and "Housing Appeals Board" and "Disabled Appeals Board" as specified in Sections 17920.5 and 17920.6, respectively, of Division 13, Part 1.5 of the California Health and Safety Code. The Board shall have no authority relative to interpretation of the administrative provisions of the

codes adopted by the City, nor shall the Board be empowered to waive requirements of any code adopted by the City.

The authority of the Board shall consist of the ability to consider appeals filed pursuant to this Chapter and give reasonable interpretations of the Chapter and the technical codes. When required to do so, the Board will conduct hearings regarding appeals of notices and/or orders relative to unsafe buildings pursuant to the Uniform Code for the Abatement of Dangerous Buildings and substandard buildings pursuant to the Uniform Housing Code adopted by reference in Chapter 17.04.

105.3 Membership.

Board of Appeals. The Housing Advisory and Board of Appeals (hereinafter sometimes referred to as "Board of Housing Appeals") shall consist of five (5) members; the Disabled Access Board of Appeals shall consist of the five (5) members of the Board of Housing Appeals and shall be supplemented by two (2) additional members, both of whom shall be physically disabled as defined in section 2-417, Title 24, Part 2 of the California Code of Regulations when the appeal pertains to disabled access.

Members selected to hear an appeal shall reflect an area of expertise reflective of the appeal being heard.

Members of the Board of Appeals shall be qualified by experience and training to pass judgment upon matters pertaining to building construction and/or disabled access, as appropriate. Members of the Board of Appeals shall be appointed by, and serve at the pleasure of the City Council. Each member of the Board shall comply with applicable provisions of the Political Reform Act of 1974, California Government Code Section 81000 et seq. The Building Official shall be an ex officio member of the Board and shall act as secretary to said Board, but shall have no vote upon any matter before the Board.

105.4 Eligibility.

Any individual meeting that criteria as set forth in sub-section 105.3 above shall be eligible to serve on the Board of Appeals.

Exception:

Employees of the City shall not be eligible to serve on the Board of Appeals.

105.5 Term.

Terms of initial appointment shall be for a term of two (2) years for two (2) members and four (4) years for three (3) members. Subsequent appointments shall be for a term of four (4) years.

Terms for initial appointment of disabled members for the Disabled Access Appeals shall be two (2) years for one member and four (4) years for the second. Subsequent appointments shall be for a term of four (4) years.

105.6 Rules and Regulations.

The Board of Appeals shall adopt reasonable rules and regulations, subject to approval by the City Council, for conducting its business. The Board Shall render all decisions in writing.

105.7 Appeals Procedure.

Any person aggrieved by a decision of the Building Official for the City pertaining to orders, decisions, or determinations relative to the application and interpretations of the Uniform Housing Code, Uniform Code for Abatement of Dangerous Buildings, Title 24 of the California Code of Regulations or the technical codes adopted by the Chapter pertaining to access or accommodations for the physically disabled, shall have the right to appeal the decision as provided for under this chapter.

Decisions and actions regarding the enforcement of the requirements of Division 13, Part 5.5 of the California Health and Safety Code may be appealed by any person to the Appeals Board for Disabled Access as provided for under this chapter.

105.8 Appeal Hearing Fee.

A fee, as provided for under this sub-section, shall accompany an application for a hearing before any Housing Advisory or Board of Appeals. The purpose of the fee shall be to cover those costs incurred by the City to provide for the appeals process.

Appeal Fees shall be set by resolution, subject to review by City Council. Appeal fees will be reviewed periodically to ensure that the fees charged cover the costs associated with the appeals process.

105.9 Timing and form of appeal.

An appeal shall be filed with the Secretary of the Board of Appeals or Appeals Board for Disabled Access (as applicable) within fifteen (15) working days (holidays observed by the City are not working days) after the rendering of the decision affecting the aggrieved person. Grounds for the appeal shall be set forth in writing in a form to be supplied by the secretary in addition to any other supporting materials the appellant may wish to furnish, setting forth the reasons for the appeal.

Any written reports to be made to the Board shall be filed with the Secretary of the Board and shall be made available to the Board and to the public no less than five (5) working days prior to the date set for the hearing. Any City of Paso Robles Department Manager or designee shall have the right to be heard on any matter coming before the Board.

105.10 Hearing and decision.

The Secretary of the Board shall set the time and place for a hearing the appeal, and a notice of the time and place of the hearing shall be published in a newspaper of general circulation in the City of Paso Robles, and notice shall also be given to the appellant by mailing, postage prepaid, at the address provided by the appellant in the letter of appeal at least ten (10) working days before the hearing date.

D. Section 106.4 is amended and subsection 106.4.5.1 is added to Section 106.4, Permit Issuance:

106.4.5.1 Permit Issuance:

Should a permit be secured by check, later to be returned for insufficient funds or closed account, that this shall show just cause for revocation of any permits and posting of a Stop Work Order. In conjunction with posting of a Stop Work Order, the site shall be noticed for abatement.

106.4.5.2 Street Dedication as a Condition of Issuance of a Building Permit:

No Building Permit shall be issued for the construction, reconstruction or relocation of any building or structure abutting upon a street having a lesser width than that established by resolution of the City Council unless the following requirements are complied with:

106.4.5.3 Dedication of Street Right-of-Way:

When the building permit valuation is \$15,000.00 or more, as measured for the cumulative valuation of permits over any five (5) year period, the owner of the lot shall make a formal and irrevocable offer of dedication to the City for public street purposes, and all uses appurtenant thereto, of a depth equal to one-half of the width of the street(s) described in the resolution. It shall be the responsibility of the City Engineer to confirm that the required dedication(s) has/have been provided.

106.4.5.4 Setbacks:

The required setback shall be maintained for all buildings, structures and improvements, including off-street parking, as measured from the right-of-way width. It shall be the responsibility of the Building Official to confirm that the required setbacks have been provided, based on property monuments established by a licensed surveyor.

E. Section 108 of the Uniform Building Code is amended as follows:

An inspection may be refused if:

- 108.4.1** The project address is not conspicuously posted on site.

108.4.2 A trash container or enclosure capable of retaining debris associated with construction process is not available on site, or an existing container is not regularly emptied or maintained.

108.4.3 Portable sanitary facilities are not located within reasonable walking distance of the site (75 yards). There shall be not less than one approved type of water closet for each twenty (20) employees or a fractional part thereof, at start of construction.

F. Permit Fees, Table 1-A is hereby deleted

G. Section 109 Certificate of Occupancy, of the Uniform Building Code is amended as follows:

109.1 No building hereafter erected, moved, enlarged or altered shall be occupied, used or changed in use until after final inspection of such building has been performed and a Certificate of Occupancy shall have been applied for coincident with the application for a building permit.

109.1.1 A Certificate of Occupancy shall be issued only after such building, enlargement or alteration has been completed in conformity with the provisions of this and all other codes and/or required conditions established by the City.

109.1.2 The exception will be those buildings given prior administrative approval to be erected and used as models of typical construction in conformity with 109.1 above. Upon administrative approval utilities could be established. The required Certificate of Occupancy will be deferred until such time as a request for permanent occupancy is made.

109.1.3 Any use legally occupying an existing building at the time this code becomes effective may be continued but shall not be changed unless a Certificate of Occupancy for the new use shall have been issued by the Building Division, pending review by the Community Development Department and after finding that such use conforms to this and all other applicable codes or required conditions.

H. Guardrail - Section 509.1 is amended as follows:

Man-made changes in grade such as retaining walls, garden walls, abrupt changes in elevation in excess of 30 inches, sloped grades in excess of one (1) foot vertical to two feet horizontal, or other gradient conditions, which in the opinion of City Health and Safety Officials, may constitute potential hazard should they be left accessible to the public, shall be protected by a suitable fence or guardrail, meeting those height and spacing requirements as noted in Uniform Building Code Table 16-B.

Exceptions to the above:

509.1.1 Landscape or garden terracing, rendered non-accessible to the public by the means of existing perimeter fencing or when protected by the landscape elements (Example: hedge rows).

509.1.2 Topographical or Geographical conditions inherent to the property, lying outside that area normally frequented by individuals.

I. Section 2311.7 Truss Connection, is added as follows:

Truss connection to plate shall be made by the use of a visible mechanical connector designed expressly for that purpose satisfying all loading requirements. Standard roof rafters found in conventional construction shall be attached in the same manner. Trusses in excess of 35 feet shall be ridge blocked to eliminate the deflection or bending, which would affect loading.

J. Section 708.2.1 (5), Fire and Draft Stops, is amended as follows:

708.2.1 Fire Stops, where required. Firestopping shall be provided in the following locations:

(5) In openings around vents, pipes, ducts, chimneys, fireplaces and similar openings, which afford a passage for fire at ceiling and floor levels, with noncombustible materials. In addition to those requirements outlined under this Section, wood-burning appliances shall be provided with a one-hour fire rated chase surrounding the flue, when such appliances penetrate any part of the attic space. Fireplaces fueled only by natural gas shall be considered as gas appliances and may be excluded from the need to install a one-hour rated chase.

K. Chapter 11, Accessibility. Add Section 1101.3 as Follows:

1101.3 Maintenance. All buildings, structures, and sites, both existing and new, and all parts thereof, including parking, facilities and equipment for the physically disabled, shall be maintained in a safe, functionally effective and sanitary condition. All devices or safeguards, which are required by this code, shall be maintained in conformance with the Code Edition, State, or Federal Regulations under which they were installed.

Regrading, repaving, replacement of signage and/or restriping of physically disabled parking spaces in parking lots and structures in both publicly and privately funded public or commercial facilities shall comply with the State of California Code of Regulations of the California Building Code adopted on July 19, 1989.

L. Section 1924 Wire Mesh - Floor Slab, of the Uniform Building Code is amended as follows:

The minimum thickness of concrete floors and slabs supported directly on the ground shall be not less than 4".

Where concrete slab floor on grade construction is used and slabs are not poured monolithic with footings, there shall be placed vertically in all perimeter footings three eighths (3/8) inch deformed steel reinforcing bars, spaced four (4) feet center to center. The bars shall be wired in place at time of foundation inspection, not wet set in conjunction with the concrete pour. Said bars shall be bent inward and tied to the six by six (6 x 6) - ten/ten (10/10) wire mesh slab reinforcing prior to pouring the slab. Vapor barriers shall not extend over the bearing surface of the perimeter footings or stem wall. When floor slabs and footings are poured monolithic, the three eighths (3/8) inch diameter vertical reinforcing may be omitted. All building slabs shall have a minimum six by six (6 x 6) - ten/ten (10/10) wire mesh reinforcing. Fill material in trenches and under slabs shall be sand unless native material is approved by the Building Official.

M. Section 1806.5 Footings is amended as follows:

1806.5.1 All continuous concrete or masonry foundations shall be reinforced with not less than two (2) each - Number four (4) reinforcing bars.

1806.5.2 Any footing or stem wall obtaining a height of 30" or more may be required to have additional horizontal reinforcing.

1806.5.3 There shall be no stacking of concrete for piers or stem walls. All stem walls shall be formed on both sides (inside and out).

1806.5.4 Any anchorage other than standard foundation bolts required by building design or calculation shall be secured in place at the time of foundation inspection.

N. Section 1502 – Definitions, Wood Shakes, is amended as follows:

Wood shake/shingles shall meet that installation criteria as outlined in Uniform Building code Standard 15-2 and 15-3. The completed roof assembly shall be such that it shall have a Class A rating.

O. Section 304.7 is amended as follows:

Group B Occupancies. An automatic sprinkler system shall be installed in all structures classed as Group B occupancies where the floor area exceeds 5000 square feet on all floors or in Group B occupancies 3 stories or more. The area of mezzanines shall be included in determining the areas where sprinklers are required. This requirement shall not preclude the installation of any separation walls required by other sections of the Building Code.

P. Section 904.2.1, Fire Extinguishing Systems, Where Required.

I. New Construction:

Unless required by the Uniform Building Code for a lesser square footage, an automatic sprinkler system shall be installed in all structures where the total floor area exceeds 5000 square feet. The area of mezzanines, and additional stories above the ground floor, shall be included in determining the areas where sprinklers are required. This requirement shall not preclude the installation of any separation walls required by other sections of the Building Code.

Exception: Group R - Divisions I and III Occupancies, unless required by Section 1003.2 of the Uniform Fire Code.

The square footage of a building shall be computed using a combination of both usable and unusable floor area. Vent shafts and concealed spaces shall be considered when computing building area. Areas of buildings may not be reduced, subdivided, or compartmentalized into areas less than 5000 square feet by the installation of separation walls. Courts meeting the requirements of Section 503.3 of the Uniform Building Code shall not be included in the calculation.

Plans for Fire Sprinkler systems shall be submitted for review prior to inspection of the structural frame.

II. Existing Construction:

An automatic fire sprinkler system shall be installed in all rooms or buildings, when the following conditions are determined to exist:

1. In conjunction with any change in the occupancy group assigned the structure under the Uniform Building Code, and the floor area exceeds 5000 square feet.
2. The area of mezzanines shall be included in determining the areas where sprinklers are required. This requirement shall not preclude the installation of any separation walls required by other sections of the Building Code.
3. The square footage of a building shall be computed using inside wall areas. Vent shafts and concealed spaces shall be considered when computing building area. Areas of buildings may not be reduced, subdivided, or compartmentalized into areas less than 5000 square feet by the installation of separation walls. Courts meeting the requirements of Section 404 of the Uniform Building Codes shall not be included in the calculation.

III. Historical Structures:

The title "Historical Structure" shall refer to those structures officially listed in the State Historical Register or the local historical inventory on file in the Community Development Department.

The requirements to install an automatic fire sprinkler system in a Historical Structure shall be the same as those for an existing structure, except for the following provisions:

Special conditions associated with Historical Structures:

1. Recommendations for the placement of backflow devices and Fire Department connections on the exterior of a Historical Structure shall be made by the Fire Department. The Fire Department's recommendations shall be subject to review by the City Planning Division, and the Development Review Committee.
2. Exterior devices shall be installed in a manner as to prevent disruption of the historical aesthetics of the structure.
3. Unless rendered impossible by structural components, sprinkler piping shall be installed within attic spaces, with the risers stubbed into the habitable area. In all cases, the system shall be designed and installed in a manner as to prevent disruption of any historical facades or architecture.

Q. Section 904.2.3.3, Exhibition and Display Rooms, is hereby deleted:

R. Section 3103, Moved and Temporary Buildings, is amended as follows:

3101.1 Buildings or Structures moved into, previously existing within, or assembled within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

3103.2 Temporary buildings or structures such as reviewing stands and other miscellaneous structures, sheds, canopies, private aircraft hangers less than 900 square feet in net area, or fences used for the protection of the public around and in conjunction with construction work may be erected by approval of a building permit from the Building Official that is valid for only a limited period of time. Said limited time period is to be ninety (90) days. Any extensions of that time period must be approved by City Council. All other buildings shall be termed as "permanent" buildings and required to meet all applicable codes.

Temporary structures need not comply with the type of construction or fire - resistive time periods required by this code. Temporary buildings or structures shall be completely removed upon the expiration of the time period specified in the permit. Failure to remove the buildings or structures will result in abatement proceedings and misdemeanor citation as prescribed under Municipal Code.

(Ord. 550 1988)

S. Section 3206 Awnings, of the Uniform Building Code is amended as follows:

3206.2 Awning Construction.

Awnings shall have non-combustible frames. Awning frames may be rigid, except when in the opinion of the Fire Chief emergency access to upper floors will be impeded by the installation of rigid frame awnings. Should this be the case, awnings shall be collapsible, retractable or capable of being folded against the face of the supporting building. When collapsed, retracted or folded, the design shall be such that the awning does not block any required exit.

Coverings for all exterior awnings connected or adjacent to buildings shall be made either from fabric that has been made flame-resistant through treatment with an approved exterior chemical process by an approved application concern, or from inherently flame-resistance fabric approved and listed by the State Fire Marshal for exterior use. Certificates of flame-resistance or other documentation acceptable to the Chief shall be available on the premises (Exception: Single-family and small two-family dwellings not exceeding two stories in height).

T. Appendix Chapter 31, is amended as follows:

3116.1 A patio, when enclosed through the use of insect screening or plastic which is readily removable, not exceeding 0.125 inch in thickness, shall be assumed to become an addition to the existing structure.

3116.2 As an addition to the structure it shall adhere to those setback requirements as established by the currently adopted zoning regulations as they may pertain to the particular use, type of construction, or established zoning.

(Ord. 581 N.S. (part), 1989; Ord. 550 N.S., 1988; Ord. 546 N.S., 1988; Ord. 538 N.S.' 1, 1987; Ord. 525 N.S. ' 1, 1987; Ord. 515 N.S. ' 2, 1986)

17.04.030 CHANGES OR ADDITIONS TO THE UNIFORM FIRE CODE

ARTICLE 2. Definitions and Abbreviation.

Section 204-6, is amended as follows:

"Confined Area" shall mean any area bordered or surrounded by a wall, fence, planter, landscaping, or geography that would require the climbing or scaling of such to reach a public way.

ARTICLE 9, Fire Department Access and Water Supply.

A. Section 902, Fire Apparatus Access Roads.

Uniform Fire Code Section 902.2 is amended as follows:

902.2.1 Dimensions. Fire apparatus roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. During the construction phase, this surface shall consist of base material with sufficient depth to support a 40,000 lb. vehicle (a maintained depth of 6 inches of Class II base).

902.2.2 Surface. Fire apparatus roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. During the construction phase, this surface shall consist of base material with sufficient depth to support a 40,000 lb. vehicle (a maintained depth of 6 inches of Class II Base).

902.2.3 Prior to occupancy, a fire apparatus road shall be made to conform to the requirements contained within the City Zoning Codes.

902.2.4 When required, secondary means of access or apparatus roads not covered by Section 2, sub-sections 902.2.1 through 902.2.3 above, shall be developed and

maintained per those specifications as established under Uniform Fire Code Section 902.2.2.1 through 902.2.2.6

902.2.2.6 Any exceptions to this Ordinance will require the submittal of such improvement drawings and cross sections as necessary for the approval by the Director of Public Works and the Fire Chief.

B. Section 901, Fire Department Access and Water Supply.

Section 901.4.4 is amended as follows:

901.4.4 Premises Identification. Approved numbers of addresses shall be placed on all new buildings in such a position as to be plainly visible and legible from street or road fronting the property. Said numbers shall contrast with their background. The characters should be a minimum of 4 inches high with 1/2-inch stroke for single-family residences and minimum of 6 inches high with a 3/4-inch stroke for all other occupancies.

When the building or group of buildings (five units or more) is served by an alley or interior driveway, the numbers or alphabetical designation shall be displayed on a directory or annunciator board, approved by the Fire Chief, at each driveway or alley entrance. Senior Housing, Retirement Villas, Hotel and Motel annunciator boards shall be of a Graphic type. The property owner, Homeowner's Association or individual in charge of the property shall be responsible for maintaining the directory.

C. ARTICLE 10, Fire Protection System and Equipment.

Section 1001.1 is amended as follows:

1001.1.1 Type Required. The chief shall designate the type and number of fire appliances to be installed and maintained in and upon all buildings and premises in the jurisdiction other than private dwellings. This shall be done according to the relative severity of probable fire, including the rapidity with which it may spread. Such appliances shall be of a type suitable for the probable class of fire associated with such building or premises and shall have approval of the chief. Portable fire extinguishers shall be in accordance with U.F.C. Standard No. 10-1. The minimum fire extinguisher requirement shall be one (1) 2A10BC fire extinguisher for every 75' of floor travel.

Section 1003.2, Required Installations.

I. New Construction:

1. Unless required by the Uniform Building Code for a lesser square footage, an automatic sprinkler system shall be installed in all structures where the total combination of both usable and unusable floor area exceeds 5000 square feet. The area of mezzanines, and additional stories above the ground floor, shall be included in determining the areas where sprinklers are required. This requirement shall not preclude the installation of any separation walls required by other sections of the Building Code.

Exception: Group R - Divisions I and III Occupancies, unless required by Section 1003.2.2 of the Uniform Fire Code.

2. The square footage of a building shall be computed using a combination of both usable and unusable floor area. Vent shafts and concealed spaces shall be considered when computing building area. Areas of buildings may not be reduced, subdivided, or compartmentalized into areas less than 5000 square feet by the installation of separation walls. Courts meeting the requirements of Section 503.3 of the Uniform Building Codes shall not be included in the calculation.
3. Plans for Fire Sprinkler systems shall be submitted for review prior to inspection of the structural frame.
4. Occupancies within Commercial Zones, in which the type of tenant is not known at the time of building permit (Shell Buildings), shall have the sprinkler system hydraulically designed to a minimum standard of N.F.P.A. #13 Ordinary Hazard Group III.
5. Occupancies within Industrial or Manufacturing Zones, when the type of tenant is not known at the time of construction, shall have the sprinkler system hydraulically designed to a minimum standard N.F.P.A. hazard group, as determined by the Fire Chief.

II. Existing Construction:

An automatic fire sprinkler system shall be installed in all rooms or buildings, when the following conditions are determined to exist:

1. In conjunction with any change in the occupancy group assigned the structure under the Uniform Building Code, and the floor area exceeds 5000 square feet.
2. The area of mezzanines shall be included in determining the areas where sprinklers are required. This requirement shall not preclude the installation of any separation walls required by other sections of the Building Code.
3. The square footage of a building shall be computed using inside wall areas. Vent shafts and concealed spaces shall be considered when computing building area. Areas of buildings may not be reduced, subdivided, or compartmentalized into areas less than 5000 square feet by the installation of separation walls. Courts meeting the requirements of Section 404 of the Uniform Building Codes shall not be included in the calculation.

III. Historical Structures:

The title "Historical Structure" shall refer to those structures officially listed in the State Historical Register or the local historical inventory on file in the Community Development Department.

The requirements to install an automatic fire sprinkler system in a Historical Structure shall be the same as those for an existing structure, except for the following provisions:

A. Special conditions associated with Historical Structures:

1. Recommendations for the placement of backflow devices and Fire Department connections on the exterior of a Historical Structure shall be made by the Fire Department. The Fire Department's recommendations shall be subject to review by the City Planner and the Architectural Review Committee.
2. Exterior devices shall be installed in a manner as to prevent disruption of the historical aesthetics of the structure.
3. Unless rendered impossible by structural components, sprinkler piping shall be installed within attic spaces, with the risers stubbed into the habitable area. In all cases, the system shall be designed and installed in a manner as to prevent disruption of any historical facades or architecture.

Section 1003.3.1 is amended as follows:

- 1003.3.1.1** All automatic sprinkler systems shall be supervised by an approved central, proprietary or remote station service or a local alarm, which will give an audible signal at a constantly attended location

Exceptions:

1. Isolated specialty systems such as paint spray booth or other small systems as approved by the Fire Chief, unless the entire occupancy is equipped with an automatic sprinkler system.
2. Residential sprinkler systems for single family dwellings, duplexes, or triplexes under 5,000 square feet.

Section 1006.2.1.1 and 1006.2.1.2 are added as follows:

- 1006.2.1.1** Prior to the installation of any new hood extinguishing system, the contractor will submit the plans of the proposed installations to the Paso Robles Fire Department for approval.

- 1006.2.2.2** Plans need not be sophisticated Engineer's drawings. However they shall be proportional, and contain an approximate line drawing of the system. The information required to be included on such drawings shall include:

1. Make and model of the system.
2. Site location of system and type of chemical used.
3. Size of hood.
4. Number, type and location of appliances covered.
5. Number, type and location of nozzles.

6. Number and location of heat detectors.
7. Location and length of run of piping and conduit
8. Type, size and location of gas shut-off valve.

Plans are not required for modification of an existing system, provided that the modification is complete, a description of the modification will be submitted with the certification of inspection.

Upon completion of installation of a new system, a systems test is required. The test shall be that which is commonly referred to as a "Balloon Test", or that which is recommended by the system manufacturer if a "Balloon Test" is not feasible. In any case, the test shall check the operation of the manual pull station, if installed, the mechanical pneumatic or electric energy shut-off valve, and the piping, distribution, and nozzle system.

D. Section 1101.1.1, Building or Property Damaged by Fire.

The owner, occupant or other person having under their control any property, or materials on property, damaged by fire, when access by public is possible, shall secure the property either by boarding up all openings, fencing, barricading or other appropriate measures as directed by the Fire Chief within 48 hours of the incident.

Within thirty (30) days after written notice to do so has been served, all debris and/or damaged materials shall be removed from the property or proof furnished that contractual arrangements have been made for demolition, replacement or repair of all fire damaged structures remaining on the property involved in the fire.

Section 1203 add section 1203.1 as follows:

1203.1 Walkways. Walkways leading from required exits to public way shall be provided with an all-weather surface not less than 36 inches wide and have a clear height of not less than seven (7) feet.

E. Article 11, General Provisions for Fire Safety, Division V is added to the Uniform Fire Code as follows:

ARTICLE 11. General Fire-safety Precautions.

Division V. Ignition Sources

Section 1112.1, Fire-retardant roof coverings.

Fire-retardant roof coverings as defined under Section 1502 of the Uniform Building Code shall be installed on all new construction and upon re-roofing.

Section 1112.2.5:

Fire Resistive Construction. All exterior awnings connected or adjacent to buildings shall be made either from fabric which has been made flame-resistant through treatment with an approved exterior chemical process by an approved application concern or from inherently flame-resistant fabric approved and listed by the State Fire Marshall for exterior use. Certificates of flame resistant or other documentation acceptable to the chief shall be available on the premises.

Exception: Single-family and small two-family dwellings not exceeding 2 stories in height.

Section 7902.3.2:

Plans shall be submitted with each application for a permit to store more than 110 gallons of liquids in drums or tanks. The plans shall indicate the methods of storage, quantities to be stored, distances from buildings and property lines, access ways, fire protection facilities and provisions for drainage and runoff. Storage shall be in accordance with approved plans.

Section 7902.2.2.1, Restricted Locations:

Section 79.501. The storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited within the limits established by law as the limits of district in which such storage is prohibited.

Storage of flammable or combustible liquids in above-ground tanks, storage of flammable or combustible liquids in outside above-ground tanks is prohibited in all areas of the City, except those zoning districts where the use is permitted, subject to approval of a conditional use permit.

Temporary aboveground storage for storage for purposes of tract and/or public works projects may be permitted subject to special permit issued by the Fire Marshall.

F. ARTICLE 10. Fire Protection Systems and Equipment.

Section 1001.4 and 1001.5, Maintenance and Testing.

Fire alarm systems shall be maintained and tested in accordance with nationally recognized standards.

Fire Alarms shall be tested in an annual basis by a licensed firm or contractor, with a record of the inspection posted on the premises in an accessible/readable location. The agency providing the inspection shall be responsible for providing the City Fire Department with a duplicate copy of the inspection record.

P. Add Section 1001.5.1.1, Audibility.

Fire alarms shall be discernable throughout any building or structure protected by a fire alarm system, fire sprinkler system, fire suppression system or other required installation. Alarm systems shall also comply with those requirements set forth under Title 24, California State Accessibility Standards for the Disabled.

G. PART VIII - Appendices

The following appendices to the Uniform Fire Code are hereby deleted:

Appendix I-B Life Safety Requirements for High Rise Buildings

Appendix I-C Stairway Identification

Appendix II-C Marinas

Appendix II-D Rifle Ranges

17.04.040 CHANGES OR ADDITIONS TO THE NATIONAL ELECTRICAL CODE.

Changes or additions to the National Electrical Code, referenced to in Section 17.04.010 of this chapter are as follows:

- A. All electric services shall have a single main disconnect to disconnect all conductors in a building.
- B. In all new construction and remodels involving fifty percent or more of the total square footage of the building, when the required disconnect is located within the building or in an area not readily accessible, an emergency disconnect shall be provided in a readily accessible location on the exterior of the building as designated by the fire chief. The disconnecting device shall be located within an approved security enclosure (such as a Knox Box) and a key provided the fire department. (Ord. 581 N.S. (part), 1989; Ord. 545 N.S., 1988; Ord. 515 N.S. ' 4, 1986)

17.04.050 CHANGES OR ADDITIONS TO THE UNIFORM PLUMBING CODE.

Changes or additions to the Uniform Plumbing Code referred to in Section 17.04.010 of this chapter are as follows:

Section 313.6, minimum standards for freeze protection.

(f) No water, soil or waste pipe shall be installed or permitted outside of a building or in an exterior wall, unless where necessary, adequate provision is made to protect such pipe from freezing. Minimum Standards for freeze protection shall be as follows:

(i) All overhead potable water piping, and any branch feed pipes located in outside walls shall be constructed of type "L" rigid copper.

(ii) The minimum size for Service risers for structures shall be 1" in diameter. Materials to be used may be Schedule 80 PVC or type "L" copper pipe.

(iii) Overhead potable water piping located in attic spaces and exterior walls shall be covered with insulation providing a minimum resistance factor of R-3 or greater. The R-3 insulation shall be in addition to any wall or attic insulation required by California Energy Standards.

(iv) A dedicated 20 amp, 120-volt receptacle, capable of supporting the loads associated with commercially available heat tapes shall be located within five feet of any backflow/check valve assembly associated with a fire suppression system.

(vi) Commercial and residential fire suppression systems shall be provided with an insulation cover providing a minimum resistance factor of R-3. The insulation used must be of a minimum Class III flame spread index, with a smoke density no greater than 450.

Section 402., Minimum measures for water Conservation:

a. In order to provide minimum water conservation measures in all new construction, when installing any new bathroom, restroom or toilet facility, or when increasing the net square footage of any structure, materials and or fixtures complying with the following shall be used:

Sub-Section 402.7

Faucet Aerators or devices, which will limit the flow of lavatory faucets to a maximum 2.50 gallons per minute.

Section 402.8

1. Toilets requiring 1.6 gallons or less per flush.
2. Shower heads limiting flows to 2.50 gallons or less per minute.
3. Equipment installed in automatic and coin operated car washes must be capable of recycling a minimum of fifty percent (50%) of the water required for their daily operation.

Section 603.0 of the Uniform Plumbing Code is amended as follows: (the following is to be added)

600.0 Cross-connection control shall be provided in accordance with the provisions of this chapter.

603.1 New Construction:

All new Commercial, Industrial, and Multi-family developments (two units or more) shall protect the city water supply through the installation of a Backflow - Reduced Pressure Device Prevention Device. Approval of the type and location of the device shall be the responsibility of the City Public Works/Engineering Department.

603.2 Remodel of existing buildings or units:

Existing Commercial, Industrial, and Multi-family developments (two units or more) originally constructed without backflow - reduced pressure devices, shall retrofit and install a backflow - reduced pressure device in conjunction with the issuance of any building or plumbing permit when the value of the work associated with the permit exceeds \$2500.00. Approval of the type and location of the device shall be the responsibility of the City Public Works/Engineering Department.

A. Section 608.0 of the Uniform Plumbing Code is amended as follows:

608.2 Excessive Water Pressure. Where local water pressure is in excess of eighty (80) pounds per square inch (551.2kPa), an approved type pressure regulator preceded by an adequate strainer shall be installed and the pressure reduced to eighty (80) pounds per square inch (551.2kPa) or less. For potable water services up to and including one and one half (12) inch (38.1 mm) regulators, provision shall be made to prevent pressure on the building side of the regulator from exceeding main supply pressure. Approved regulators with integral by-passes are acceptable. Each such regulator and strainer shall be accessibly located and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping. All pipe size determinations shall be based on eighty (80) percent of the reduced pressure.

As a result of excessive water pressures found within the City of El Paso de Robles, pressure regulators complying with 608.2 above shall be installed on all new construction, and on all remodels consisting of changes to, or increases of the floor space in excess of 50% of the existing gross square footage

B. Section 315.4, is amended as follows:

Plumbing trenches under buildings or concrete work shall be backfilled with sand unless native material is approved by Administrative Authority.

C. Section 413.0, is amended as follows:

Plumbing Fixtures Required. Each building shall be provided with sanitary facilities of not less than the minimum facilities listed for various occupancies as given in Appendix C of this 2000 Uniform Plumbing Code.

(Ord. 581 N.S. (part), 1989; Ord. 515 N.S. ' 5, 1986)

17.04.060 BUILDING PERMIT, ENERGY REVIEW AND DEMOLITION FEES.

The City Council shall, by resolution, establish the fees to be charged and collected for the issuance of building permits for construction, electrical, mechanical, and plumbing work including plan review; for energy review; and for plan review and inspections of demolished structures. Any fees imposed by this section shall be a civil debt owing to the city from the owner of the property where the service is performed. (Ord. 628 N.S. (part), 1992; Ord. 615 N.S., 1991)

17.04.070 PENALTY FOR VIOLATION

Any person who violates any of the provisions of this chapter, or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken or who fails to comply with such an order as affirmed or modified by the jurisdiction, within the time affixed herein, shall severally for each and every violation and noncompliance, respectively, be guilty of a misdemeanor. (Ord. 628 N.S. (part), 1992; Ord. 581 N.S. (part), 1989; Ord. 515 N.S. 1986)

Section 2. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

Section 3. Effective Date. This ordinance shall go into effect and be in full force and effect at 12:01 a.m. in the 31st day after its passage.

Section 4. Inconsistency. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof, such inconsistent and conflicting provisions or prior ordinance, motions, resolutions, rules, and regulations are hereby repealed.

Section 5. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases are declared invalid or unconstitutional.

Introduced at a regular meeting of the City Council held on November 5, 2002, and passed and adopted by the City Council of El Paso de Robles in the 19th day of November 2002 by the following roll call vote, to wit:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSENT: None
ABSTAIN: None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

ORDINANCE NO. 844 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE
ROBLES AMENDING CHAPTER 17.04 OF THE MUNICIPAL CODE
THEREBY ADOPTING THE 1997 EDITION OF THE UNIFORM BUILDING
CODE, 1999 NATIONAL ELECTRICAL CODE, 2000 UNIFORM PLUMBING CODE, 2000 UNIFORM
MECHANICAL CODE AND SPECIFIED SUPPORT CODES.

WHEREAS, the State of California, Division of Building Standards adopts the model codes pertaining to the construction, alteration, and maintenance of buildings on a three year cycle; and

WHEREAS, the State will adopt the 1997 Edition of the Uniform Building Code, 2000 Edition of the Uniform Plumbing Code, 2000 Edition of the Uniform Mechanical Code and the 1999 National Electrical Code, effective November 2002; and

WHEREAS, the California State Health and Safety Code mandates the application of those codes within 180 days of adoption by the State.

NOW THEREFORE, the City Council of the City of El Paso de Robles does ordain as follows:

SECTION 1. Section 17.04.010 of the Municipal Code, Technical building codes adopted - Copies on file.

The eighteen (18) documents and their respective appendices as outlined herein (one (1) copy of each of which are on file in the Office of the City Clerk in the City of El Paso de Robles), being marked and designated as the:

- A. Uniform Building Code, 1997 Edition, published by the International Conference of Building Officials, including the generic fire - resistive assemblies listed in the Fire Resistance Design Manual, Sixteenth Edition, dated April 2000, published by the Gypsum Association as referenced in Tables Nos. 7-A, and 7-B, and 7-C. Specific appendices of the Uniform Building Code excluded from adoption by this ordinance are Appendix Chapters 3 - Section 332, Sections 3107, 3108, 3110, 3111, 3112, 3113, Chapter 34 - Sections, 3413, 3414, 3415, 3416, 3417 and 3418, respectively.
- B. Uniform Building Code Standards, 1997 Edition published by the International Conference of Building Officials, including the Structural Welding Code - Reinforcing Steel, AWS D1.1-2002 (U.B.C. Standard No. 19 - 2); and the NFPA Standard for the Installation of Sprinkler Systems, 13, 13D, and 13R systems - 1999 Edition, published by the National Fire Protection Association (U.B.C. Standard No. 9 - 1), as modified or amended in the Uniform Building Code Standards referenced herein.
- C. Uniform Mechanical Code and appendices, 2000 Edition, published by the International Association of Plumbing and Mechanical Officials.
- D. International Plumbing Code and appendices, 2000 Edition, published by the International Association of Plumbing and Mechanical Officials.
- E. Uniform Housing Code, 1997 Edition, published by the International Conference of Building Officials.
- F. Uniform Code for Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials.
- G. Uniform Fire Code, 2000 Edition, published by the International Conference of Building Officials in conjunction with the Western Fire Chiefs Association.
- H. Uniform Administrative Code, 1997 Edition, as published by the International Conference of Building Officials.
- I. National Electric Code, 1999 Edition, as published by the National Fire Prevention Association.
- J. Uniform Swimming Pool, Spa and Hot Tub Code, 1997 Edition, published by the International Conference of Building Officials.
- K. Uniform Solar Energy Code, 1997 Edition, published by the International Conference of Building Officials.
- L. National Electrical Code Handbook, 1999 Edition, published by the National Fire Prevention Association.
- M. Uniform Plumbing Code Training Manual, 1997 Edition, published by the International Association of Plumbing and Mechanical Officials.
- N. Uniform Building Code Application and Interpretation Manual, 1997 Edition, published by the International Conference of Building Officials.
- O. Uniform Code for Building Conservation, 1997, Second Printing, published by the International Conference of Building Officials.

- P. Building Standards Construction Costs and Building Valuation, published six (6) times yearly by the International conference of Building Officials.
- Q. State of California, Historical Building Code, published by the State of California.

are hereby adopted as the code of the City of El Paso de Robles for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, area, and maintenance of all building or structures in City of El Paso de Robles providing for issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, conditions, and terms of such Uniform Building Code, 1997 Edition, Volumes 1, 2, and 3, published by the international Conference of Building Officials, and secondary publications referenced above, all of which are on file in the office of the City Clerk, are with the exception of those changes or additions hereinafter appearing, hereby referred to, adopted and made a part here of as it is fully set out in this ordinance.

SECTION 2. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 3. Effective Date. This ordinance shall go into effect and be in full force and effect at 12:01 a.m. in the 31st^h day after its passage.

SECTION 4. Inconsistency. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof, such inconsistent and conflicting provisions or prior ordinance, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 5. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases are declared invalid or unconstitutional.

Introduced at a regular meeting of the City Council of the City of El Paso de Robles held on November 5, 2002, and passed and adopted on the 19th day of November 2002 by the following roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
 NOES: None
 ABSTAIN: None
 ABSENT: None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk