

ORDINANCE NO. 950 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING CHAPTER 17.04, SECTIONS 17.04.020, 17.04.030,
17.04.040, 17.04.050, 17.04.060, 17.04.070 OF THE MUNICIPAL CODE

WHEREAS, the City Council for the City of Paso Robles has adopted the 2007 Editions of the California Building Code, Fire Code, Plumbing Code, Mechanical Code and 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 Codes based on conditions specific to the jurisdiction; and

WHEREAS, the City Council has determined, in Resolution No. 08-165 that climatic, geological and topographical conditions exist within the City of Paso Robles, making it necessary to amend the 2007 Editions of the California Building Code, Fire Code, Plumbing Code and Electrical Code.

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

Section 1. Section 17.04.020 of Chapter 17.04, "Uniform Codes" of the City of El Paso de Robles Municipal Code is hereby amended in its entirety to read as follows:

17.04.020 Changes or additions to the California Building Code.

A. Appendix Section 105, Permits, is amended and subsections added as follows:

105.1.3 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.

105.1.4 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.

105.1.5 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:

105.1.6 Dedication of Street Right-of-Way:

The owner of the lot shall make a perpetual and irrevocable offer of dedication to the City for public street purposes, and all uses appurtenant thereto, of a depth determined by the City Engineer based upon the Circulation Element of the General Plan and Official Plan Lines adopted by the City Council. It shall be the responsibility of the City Engineer to confirm that the required dedication(s) has/have been provided.

105.1.7 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.

B. Appendix Section 109, Inspections, is amended and subsections added as follows:

An inspection may be refused if:

109.1.1

The project address is not conspicuously posted on site.

109.1.2

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.

109.1.3

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.

C. Appendix Section 110, Certificate of Occupancy, is amended and subsection added as follows:

110.3.1 Temporary Occupancy:

The exception will be those buildings given prior administrative approval to be erected and used as models of typical construction in conformity with 110.1 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.

D. Appendix Section 112, Board of Appeals, is amended and subsections added as follows:

112.1.1

In order to provide for interpretations of steps necessary to implement the 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.

112.2.1

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.

112.3.1

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 (two of the members of the board must work in construction as required by *Health & Safety Code* § 19957.5) 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.

112.4 Eligibility.

Any individual meeting those criteria as set forth in sub-section 112.3.1 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.

112.5 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.

112.6 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.

112.7 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.

112.8 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.

112.9 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.

112.10 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.

E. Section 406.1.3, Garages and carports, is amended as follows:

406.1.3

Carports shall be open on at least two sides. Carport and Garage floor surfaces shall be of approved noncombustible material. Carports not open on at least two sides shall be considered a garage and shall comply with the provisions of this section for garages.

F. Section 707.2., Shaft Enclosure Required, is amended with subsection as follows:

707.2.1 Wood burning appliance shafts.

Wood or solid fuel burning appliances shall be provided with a one-hour fire rated shaft 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 shaft. Shafts shall be Draft Stopped at Floor/Ceiling Roof/Ceiling penetrations with material prescribed in Section 717.3.1.

G. Section 903.2, Automatic Sprinkler Systems, is amended as follows:

903.2 Where required. Sections 903.2.1 through 903.2.9.1

Unless required by the Code for a lesser square footage, approved automatic sprinkler systems shall be provided in all new buildings and structures where the total combination of both usable and unusable floor area exceeds 5,000 square feet.

Exceptions:

1. Group R Occupancies per Section 903.2.7 “*Exceptions*.”

New Construction:

1. The area of mezzanines and additional stories above and below 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 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 5,000 square feet by the installation of separation walls. Courts meeting the requirements of Section 1206 of the California Building Code 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 permit (i.e. 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 of construction, shall have the sprinkler system hydraulically designed to a minimum standard N.F.,P.A. hazard group, as determined by the Code Official.

Existing Construction:

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

1. In conjunction with any change in the occupancy group assigned the structure under the California Building Code, and the floor area exceeds 5,000 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 the Code.

3. The square footage of a building shall be computed using outside 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 5,000 square feet by the installation of separation walls. Courts meeting the requirements of Section 1206 of the California Building Code shall not be included in the calculation.

H. Section 1013.1, Guards, is amended and subsection added as follows:

1013.1.1

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 the California Building Code.

1013.1.1 Exceptions, added as follows:

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

I. Section 1507.8 Wood Shingles, and Section 1507.9 Wood Shakes, is amended with subsections as follows:

1507.8.1.2 & 1507.9.1.2

The installation of Wood Shingles and Wood Shakes shall comply with the provisions of Section 1505.7, Special purpose roofs. The completed roof assembly shall be such that it shall have a Class A rating.

J. Section 1805, Footings and Foundations, is amended with subsections as follows:

1805.1.1

There shall be no stacking of concrete for foundations, piers or stem walls. All foundations, piers or stem walls shall be formed on both sides (inside and out) when exceeding six inches (6") above lowest adjacent grade.

1805.1.2

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

K. Section 1910, Minimum Slab Provisions, is amended as follows:

1910.1 General.

The thickness of concrete floor slabs supported directly on the ground shall be not less than 4"(101mm). A 6-mil (0.006 inch; 0.15mm) polyethylene vapor retarder with joints

lapped not less than 6 inches (152mm) shall be placed between the base course or subgrade and the concrete floor slab, or other approved equivalent methods or materials shall be used to retard vapor transmission through the floor slab.

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.

L. Section 2111, Masonry Fireplaces, is amended as follows:

2111.3 Seismic reinforcing.

Masonry or concrete fireplaces shall be constructed, anchored, supported and reinforced as required in this chapter. Masonry and concrete fireplaces shall be reinforced and anchored as detailed in Sections 2111.3.1, 2111.3.2, 2111.4 and 2111.4.1 for chimneys serving fireplaces. Masonry and concrete chimneys shall be reinforced in accordance with the requirements of sections 2101 through 2108.

2111.4 Seismic anchorage.

Masonry and concrete chimneys shall be anchored at each floor, ceiling or roof line more than 6 feet above grade, except where constructed completely within the exterior walls. Anchorage shall conform to the following requirements.

M. Section 2113, Masonry Chimneys, is amended as follows:

2113.3 Seismic reinforcing.

Masonry or concrete chimneys shall be constructed, anchored, supported and reinforced as required in this chapter. Masonry and concrete chimneys shall be reinforced and anchored as detailed in Sections 2113.3.1, 2113.3.2, 2113.4 and 2111.4.1 for chimneys serving fireplaces. Masonry and concrete chimneys shall be reinforced in accordance with the requirements of sections 2101 through 2108.

2113.4 Seismic anchorage.

Masonry and concrete chimneys and foundations shall be anchored at each floor, ceiling or roof line more than 6 feet above grade, except where constructed completely within the exterior walls. Anchorage shall conform to the following requirements.

N. Section 3103, Temporary Structures, is amended as follows:

3103.1 General.

The provisions of this section shall apply to structures erected for a period of less than 90 (ninety) days. Tents and other membrane structures erected for a period of less than 90 days shall comply with the California Fire Code. Those erected for a longer period of time shall comply with applicable sections of this code. 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 or until a valid permit has expired, has been suspended or revoked. 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 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.

O. Section 3105, Awnings and Canopies, is amended as follows:

3105.3 Design and Construction.

Awnings and canopies shall be designed and constructed to withstand wind or other lateral loads and live loads as required by Chapter 16 with due allowance for shape, open construction and similar features that relieve there pressures of loads. Awnings and Canopies shall have frames of noncombustible material. 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 and canopies 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 or canopy does not block any required exit.

3105.4 Canopy materials.

Awning and canopies shall be constructed of a rigid framework with an approved covering that meets the fire propagation performance criteria of NFPA 701 or has a flame spread index not greater than 25 when tested in accordance with ASTM E 84. Coverings for all exterior awnings and canopies 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).

Section 2. Section 17.04.030 of Chapter 17.04, "Uniform Codes" of the City of El Paso de Robles Municipal Code is hereby amended in its entirety to read as follows:

17.04.030 Changes or additions to the California Fire Code.

A. Section 316, Building or property damaged by fire, is added as follows:

316.

The owner, occupant or other persons having under their control of any property, or materials on property, damaged by fire, when access by the 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.

B. Section 505, Premises Identification, is amended as follows:

505.1

New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. In all buildings, other than Group R-3, numbers shall be a minimum of 6 inches high with 1/2-inch stroke, and all Group R-3 shall be minimum of 4 inches high with a 3/4-inch stroke.

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.

505.1.1 Rear Door Address Numbers.

All buildings with access via an alley or other similar roadways shall have the address number provide on the rear door of the building or tenant space.

C. Section 508, Fire Protection Water Supplies, is amended as follows:

508.2.1.1 Installation Requirements.

Private fire service mains and water tank installation plans shall be reviewed and approved by the Fire Department prior to installation. The Fire Code Official shall conduct field verification for compliance with approved plans prior to the issuance of a Certificate of Occupancy.

D. Section 903, Automatic Sprinkler Systems, is amended as follows:

903.2 Where required. Sections 903.2.1 through 903.2.9.1

Unless required by the Code for a lesser square footage, approved automatic sprinkler systems shall be provided in all new buildings and structures where the total combination of both usable and unusable floor area exceeds 5,000 square feet.

Exceptions:

1. Group R Occupancies per Section 903.2.7 "*Exceptions:*"

New Construction:

1. The area of mezzanines and additional stories above and below 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 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 5,000 square feet by the installation of separation walls. Courts meeting the requirements of Section 1206 of the California Building Code 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 permit (i.e. 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 of construction, shall have the sprinkler system hydraulically designed to a minimum standard N.F.,P.A. hazard group, as determined by the Code Official.

Existing Construction:

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

1. In conjunction with any change in the occupancy group assigned the structure under the California Building Code, and the floor area exceeds 5,000 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 the Code.
3. The square footage of a building shall be computed using outside 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 5,000 square feet by the installation of separation walls. Courts meeting the requirements of Section 1206 of the California Building Code shall not be included in the calculation.

903.3.7 Fire department connections.

The location of fire department connections shall be approved by the fire code official. Connections shall be located on the addressed side of the building, with the exact location to be specified by the Fire Code Official.

Exceptions:

1. The Fire Code Official may require locations other than the addressed side when impractical due to response needs or unusual building configuration.

Section 3. Section 17.04.040 of Chapter 17.04, "Uniform Codes" of the City of El Paso de Robles Municipal Code is hereby amended in its entirety to read as follows:

17.04.040 Changes or additions to the California Electrical Code.

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

A. Article 230.70., Service Equipment-Disconnecting Means, General, is amended with subsection as follows:

230.70.1

All electric services shall have a single main disconnect to disconnect all conductors in a building or structure. 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)

Section 4. Section 17.04.050 of Chapter 17.04, "Uniform Codes" of the City of El Paso de Robles Municipal Code is hereby amended in its entirety to read as follows:

17.04.050 Changes or additions to the California Plumbing Code.

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

A. Section 313.0, Protection of Piping, Materials and Structures, is amended with subsection as follows:

313.6

No water, soil, or waste pipe shall be installed or permitted outside of a building , attic space, underfloor area or in an exterior wall unless, where necessary, adequate provision is made to protect such pipe from freezing. Potable water piping located on outside of a building, in attic spaces, exterior walls and underfloor areas 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. Insulation must completely cover all portions of water piping with no gaps or openings.

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.

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.

B. Section 315.0, Trenching, Excavation, and Backfill, is amended with subsection as follows:

315.4.1

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

C. Section 402.0, Water-Conserving Fixtures and Fittings, is amended with subsections as follows:

402.7

Faucet Aerators or devices, which will limit the flow of lavatory faucets to a maximum 2.50 gallons per minute, shall be installed in all new fixtures.

402.8

Shower heads shall deliver not more than 2.50 gallons per minute.

402.9

Equipment installed in automatic and coin operated car washes shall be capable of recycling a minimum of fifty percent (50%) of the water required for their daily operation.

D. Section 603.2, Backflow Prevention Devices, Assemblies, and Methods, is amended with subsections as follows:

603.2.8

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 Department.

603.2.9

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 Department.

E. Section 608.0, Excessive Water Pressure, is amended with subsection as follows:

608.2.1

For potable water services up to and including one and one half (1-1/2) 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.

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

Section 5. Section 17.04.060 of Chapter 17.04, "Uniform Codes" of the City of El Paso de Robles Municipal Code is hereby amended in its entirety to read as follows:

17.04.060 Changes or additions to Building Permit, Energy 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; inspections 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.

Section 6. Section 17.04.070 of Chapter 17.04, "Uniform Codes" of the City of El Paso de Robles Municipal Code is hereby amended in its entirety to read as follows:

17.04.070 Changes or additions to 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 7. 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 8. 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 9. 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.

Section 10. The Director of Public Works shall transmit a copy of this Ordinance, as well as a copy of Resolution 08-165 to the California Building Standards Commission for filing.

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 4, 2008, and passed and adopted by the City Council of El Paso de Robles on the 18th day of November, 2008 by the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, Deputy City Clerk