ITEM NO. 20

STAFF REPORT

CITY OF OCEANSIDE

DATE: July 5, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING CHAPTER 6 ARTICLES I, II, III, IV, V, VI, VII, XII, AND XIII OF THE CITY OF OCEANSIDE MUNICIPAL CODE TO REFLECT THE ADOPTION OF THE 2010 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, AND GREEN BUILDING CODES, WITH CERTAIN LOCAL AMENDMENTS, ADDITIONS, AND DELETIONS; ADOPTION OF RESOLUTION OF FINDINGS SUPPORTING LOCAL AMENDMENTS**

SYNOPSIS

Staff recommends that the City Council introduce an ordinance amending Chapter 6, Articles I, II, III, IV, V, VI, VII, XII, and XIII of the Oceanside Municipal Code to reflect adoption of the 2010 Editions of the California Building, Residential, Electrical, Mechanical, Plumbing, Energy, and Green Building Codes, with certain amendments, additions and deletions; and adopt a resolution of findings supporting the local amendments.

BACKGROUND

On June 11, 2008, City Council adopted Ordinance Number 08-ORO370-1, which adopted the 2007 Editions of the California Building Standards Codes (CBSC). The 2007 edition of the codes includes the Building, Mechanical, Plumbing, Electrical, and Energy Codes as adopted by the State of California and mandated for use by each city and county within California. The CBSC is updated every three years by the California Building Standards Commission.

ANALYSIS

Staff is recommending adoption of the 2010 Editions of the CBSC. These codes are currently applicable statewide and represent the latest versions of the CBSC. The 2010 Edition of the CBSC includes two new codes that are now applicable statewide in California. The 2010 Editions of the Residential Building Code and Green Building Standards Code are now included in the collection of codes known as the CBSC.

The California Residential Building Code is adopted to provide construction standards specific to one- and two-family dwellings and townhouses of three stories or less. For use in California, only the prescriptive architectural and structural framing standards from the Residential Code apply.

The California Green Building Standards Code is adopted for the purpose of improving public health, safety and general welfare by enhancing the design and construction of buildings through use of building concepts having a reduced negative impact or positive environmental impact, and encouraging sustainable construction practices. The Green Code applies to building planning and design, energy efficiency, water conservation, material conservation, and resource efficiency and environmental quality.

The City of Oceanside is allowed to make local amendments to the fire and life/safety provisions of the codes adopted statewide. These local amendments must be justified by express findings related to specific climatic, geological, or topographical conditions within the City and cannot reduce the requirements applicable statewide.

Staff is recommending adoption of several local amendments to the 2010 California Building Code and 2010 Residential Building Code for the purpose of maintaining current local amendments related to fire protection and life/safety, and establishing new local amendments for fire-resistive roofing materials.

The new changes recommended to the City local amendments are as follows:

- Administrative Code section 105 is amended to limit the permit exemption for accessory structures less than 120 square feet to properties zoned for single family residential or agricultural uses and sets a limit of one exempt structure for each single family residence. The maximum height for any portion of the structure is 10 feet above ground level for flat lots or 10 feet above grade plane for sloping lots.

- Administrative Code section 109.4 is amended to allow for some discretion by the Chief Building Official when assessing investigative fees for unpermitted construction activity. Current City code requires that double the normal permit fees be paid for all unpermitted construction activity with no exceptions. The intended purpose for investigative fees is to provide the City with the means to recover the additional costs of staff time related to the investigation of unpermitted construction activity. The proposed code change sets investigative fees at a maximum of double the normal permit fee but allows the Chief Building Official some discretion in setting the actual fee based upon the required staff time required on a case by case basis.
- California Building Code Table 1505.1 and California Residential Code section R902 are amended to require a minimum Class B fire resistive roof covering for structures in the City. This requirement is endorsed by the Fire Department, and is common throughout Southern California.

The attached ordinance and resolution shall be applied to Articles I,II,III,IV,V,VI,VII,XII,XIII of Chapter 6, of the Oceanside City Code.

FISCAL IMPACT

Does not apply.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council introduce an ordinance amending Chapter 6, Articles I, II, III, IV, V, VI, VII, XII, and XIII of the Oceanside Municipal Code to reflect adoption of the 2010 Editions of the California Building, Residential, Electrical, Mechanical, Plumbing, Energy, and Green Building Codes, with certain amendments, additions and deletions; and adopt a resolution of findings supporting the local amendments.

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REVIEWED BY:

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Scott Smith, City Engineer

ATTACHMENTS:

1. City Council Ordinance
2. City Council Resolution

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING CHAPTER 6 OF THE OCEANSIDE CITY CODE BY THE ADOPTION OF THE 2010 EDITIONS OF THE CALIFORNIA ADMINISTRATIVE, BUILDING, PLUMBING, MECHANICAL, HOUSING, ELECTRICAL, DANGEROUS BUILDING, RESIDENTIAL AND GREEN BUILDING CODES

WHEREAS, the California Building Standards Codes are published every three years by the Building Standards Commission; and

WHEREAS, the California Building Standards Commission has published the 2010 California Building Standards Codes by amending Title 24 of the California Code of Regulations, effective January 1, 2011; and

WHEREAS, the California Building Standards Codes may be adopted by cities by incorporation by reference; and

WHEREAS, cities may establish more restrictive building standards than those set forth in the California Building Standards Codes, if certain findings are made pertaining to local climatic, geologic or topographic conditions; and

WHEREAS, the City Council of the City of Oceanside has adopted a resolution of local findings supporting modifications to the California Building Code, 2010 edition and the California Residential Code, 2010 edition.

NOW THEREFORE, the City Council of the City of Oceanside DOES ORDAIN as follows:

SECTION 1. Articles I through VII, inclusive, of Chapter 6 of the Oceanside City Code are hereby amended by the amendment of Sections 6.1, 6.2, 6.3, 6.6, 6.7, 6.8, 6.10, 6.12, 6.14, 6.15, and 6.16 to read as follows:

ARTICLE I. ADMINISTRATIVE CODE

Sec. 6.1. Adoption by reference.

(a) The Administrative Code hereinafter referred to is the California Building Code, 2010 Edition, Volume 1, Chapter 1, Division II, Scope and Administration, published by the

California Building Standards Commission; one copy of the Administrative Code shall be kept on file in the office of the City Clerk.

(b) All the provisions of said Administrative Code including such provisions as are herein added, deleted or amended, are hereby adopted by reference and shall constitute the Administrative Code for the City of Oceanside, establishing the rules and regulations for the following technical codes; California Building Code, 2010 edition; California Residential Code, 2010 edition; California Electrical Code, 2010 edition; California Mechanical Code, 2010 edition; California Plumbing Code, 2010 edition; California Energy Code, 2010 edition; California Green Building Standards Code, 2010 edition.

Sec. 6.2. Modifications to the Administrative Code.

The Administrative Code, 2010 edition is hereby modified by the amendments, deletions and additions of various sections, subsections and paragraphs as follows:

(a) *SECTION 101 - GENERAL* is modified by deleting subsection 101.4.4 and adding subsection 101.4.4 as follows:

101.4.4 PROPERTY MAINTENANCE. The provisions of the Uniform Housing Code 1997 edition and the Uniform Code for the Abatement of Dangerous Buildings 1997 edition shall apply as is applicable to existing structures and premises; equipment and facilities; light, ventilation, space heating, life and fire safety hazards; responsibilities of owners, operators, and occupants; and occupancy of existing premises and structures.

(b) *SECTION 105 – PERMITS* is modified by deleting exception 1 and adding new exception 1 and by adding paragraphs 14 and 15 to subsection 105.2 as follows:

- 1. When located in rear yards of property zoned for single-family dwellings and for property zoned for agriculture use, one-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet. Limited to one accessory structure per single family dwelling. The maximum height for any portion of the structure is 10 feet above ground level for flat lots or 10 feet above grade plane for sloping lots.

14. A skylight or other similar roof penetration which does not require cutting of structural members other than roof sheathing, provided that the skylight is located in relation to property lines and fire walls. Any electrical work associated with such installations, is not exempt from a permit.

15. Seasonal plastic/hoop agricultural crop cover structures that do not exceed six (6) feet in height regardless of area, provided that the structures are located in accord with required zoning setbacks from property lines.

(c) *SECTION 105 – PERMITS* is modified by deleting subsection 105.5 and adding subsections 105.5, 105.5.1, 105.5.2, 105.8, and 105.9 as follows:

105.5 Expiration. Every permit issued by the Chief Building Official under provisions of this article and of the technical codes shall expire by limitation and become null and void if the work authorized by such permit is not commenced, continued, or completed as follows:

a) *Work not commenced.* If the work authorized by the permit is not commenced within one (1) calendar year from the date of issuance of such permit. Work shall be presumed to have commenced if the permitee has obtained a required inspection approval of work authorized by the permit.

b) *Work stopped.* If the work authorized by the permit has commenced, and subsequently has stopped for a period of six (6) calendar months. Work shall be presumed to be stopped if the permitee has not obtained a required inspection approval of work authorized by the permit within the preceding six (6) months period.

c) *Completion of work.* Work authorized by a permit shall be completed within three (3) calendar years from the original date of issuance of the permit.

Upon expiration of a permit, a renewal permit must be obtained as specified in section 105.5.1before such work can be recommenced.

105.5.1 Renewal. An expired permit may be renewed as follows:

a) *Work not commenced.* When a permit has expired because work was not commenced within one (1) year from the date of permit issuance, a renewal may be obtained provided:

1. The plans for the proposed work are essentially the same as originally approved and permitted.
2. The expiration has not exceeded two (2) years from the original permit issuance date.
3. The same edition of the technical codes is in effect as used in the initial plan approval, or the plans have been updated to comply with the codes currently in effect.
4. All City approvals required precedent to the issuance of the original permit, including, but not limited to, grading, zoning, fire code, water and sewer connection, or other limitations customarily placed on such permits, are currently valid at the time of issuance of the renewal permit.

b) *Work stopped.* When a permit has expired because work authorized by the permit has commenced and subsequently stopped for a period of six (6) months, a renewal permit may be obtained provided:

1. The plans for the proposed work are essentially the same as originally approved and permitted.
2. The expiration has not exceeded two (2) years from the original permit issuance date.
3. The same edition of the technical codes are in effect as used in the initial plan approval, or the plans have been updated to comply with the codes currently in effect.
4. All City approvals required precedent to the issuance of the original permit, including, but not limited to, grading, zoning, fire code, water and sewer connection, or other limitations customarily placed on such permits, are currently valid at the time of issuance of the renewal permit.

The fee for a renewal permit shall be one-half (1/2) the amount required for a new permit, except where construction has progressed and all inspections have been approved except for the final inspection; the fee for the renewal permit shall be one-quarter (1/4) the amount required for a new permit.

c) *Work not completed within three years.* When a permit has expired because the work authorized by the permit has not been completed within the three (3) years from the original date of permit issuance, a renewal permit may not be issued except upon action of the board of appeals. The board of appeals may grant up to one (1) year additional time to complete the work if it finds that:

1. The permitee has diligently pursued completion of the work authorized by the permit, but for good cause has not been able to complete the work within the three (3) year time limitation.
2. The permitee is not in violation of the terms of the permit, the technical codes, nor any city or state code applicable to the construction project.
3. The work remaining can be completed reasonably within the additional time allotted.
4. All city approvals required precedent to the issuance of the original permit, Including, but not limited to, grading, zoning, fire code, water and sewer connection, or other limitations customarily placed on such permits, are currently valid at the time of issuance of the renewal permit.

The fee for a renewal permit shall be one-half (1/2) the amount required for a new permit, except where construction has progressed and all inspections have been approved except for the final inspection; the fee for the renewal permit shall be one-quarter (1/4) the amount required for a new permit. The board of appeals may determine such other fee as may be reasonable under the circumstances presented.

105.5.2 Time extension of an unexpired permit. The Chief Building Official may extend the time for action by a permitee to commence work, or complete the work authorized by a permit within the three (3) year limitation, for a period not exceeding six (6) months upon written request by the permitee showing that circumstances beyond the control of the permitee have prevented action from being taken. No more than one such extension may be granted.

105.8 Expiration of plan review. Applications for which no permit is issued within one (1) calendar year following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Chief Building Official.

105.9 Extension of plan review time. The Chief Chief Building Official may extend the time for action by the applicant for a period not exceeding six (6) months on the written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. If this code, the technical codes, or any other pertinent laws or regulations have been amended subsequent to the date of the original application, the plans and permit application shall be updated to comply with those new requirements effective at the time of the request for extension of time for plan check.

(d) *SECTION 109 - FEES* is modified by deleting subsections 109.2, 109.2.1, 109.4 and 109.5 and adding subsections 109.2, 109.3, 109.4 and 109.5 as follows:

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, plumbing systems or alterations and miscellaneous activities regulated by the adopted technical codes requiring a permit, a fee for each permit shall be paid as required as set forth in fee schedules adopted by resolution of the Oceanside City Council.

109.2.1 Plan review fees. When submittal documents are required by section 107 of the Administrative Code, a plan review fee shall be paid at the time of filing the submittal documents for plan review. The plan review fee shall be as set forth in fee schedules adopted by resolution of the Oceanside City Council. Plan review fees are separate fees from the permit fees identified in section 109.2. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in section 107.3.4.2, an additional plan review fee shall be charged at the rate established in the adopted fee schedule. For items submitted for which there is no specific fee established, the Chief Chief Building Official shall determine the appropriate fee based upon consideration of the items listed in the fee schedule that most resemble the submittal and the expected staff time involved to review and process the review.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee in addition to the permit fee. The amount of the investigation fee shall be established by the Chief Chief Building Official and shall not exceed two (2) times the permit fee established by resolution of the Oceanside City Council. The payment of such investigative fee shall not exempt an applicant from compliance with all other provisions of either this code, the technical codes nor from any penalty prescribed by law.

109.5 Related fees. Fees and surcharges for miscellaneous services provided by the building division shall be as set forth in the fee schedule established by resolution of the Oceanside City Council and by various requirements of California State law.

(e) *SECTION 113-BOARD OF APPEALS* is modified by deleting subsections 113.1 and 113.3 and adding subsection 113.1 as follows:

113.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Chief Building Official relative to the application and interpretation of the technical codes, the City Council of the City of Oceanside is hereby designated as the board of appeals. The Chief Chief Building Official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board shall render all decisions and findings in writing to the appellant with a duplicate copy to the Development Services Director.

Sec. 6.3. Technical Codes.

The California Building Code, Title 24 Part 2; California Residential Code, Title 24 Part 2.5; California Plumbing Code, Title 24 Part 5; California Mechanical Code, Title 24 Part 4; California Electrical Code, Title 24 Part 3; California Energy Code, Title 24 Part 6: California Green Building Standards Code, Title 24 Part 11; Uniform Housing Code; Uniform Code for the Abatement of Dangerous Buildings; and the Uniform Code for Building Conservation, as adopted by reference by this chapter, are hereby designated as the technical codes.

ARTICLE II. BUILDING CODE

Sec. 6.6. Adoption by Reference.

(a) The Building Code hereinafter referred to is the 2010 California Building Code including appendix G, flood resistant construction, published by order of the California legislature. One (1) copy of the Building Code shall be kept on file in the office of the City Clerk.

Sec. 6.7. Modifications to the Building Code.

The 2010 California Building Code is hereby modified in the following respects:

Chapter 2 Definitions Section 202 Definitions is hereby amended by adding the following defined term:

Mid-rise building. Any building having four stories or more in height, while being 75 feet (22.860 m) or less in height, and not defined as a high-rise building by section 202 of this code. Measurement will be from the underside of the roof or floor above the topmost space that can be occupied, to the lowest fire apparatus access road level.

Chapter 4 Special Detailed Requirements Based On Use And Occupancy.

Section 450 Mid-Rise Buildings is hereby added to Chapter 4 of the California Building Code to read as follows:

450.1 Applicability. The provisions of this section shall apply to new Mid-rise buildings, and or any mid-rise building which undergoes a complete renovation that requires the complete vacancy of the building to complete the renovation.

Exception: The provisions of this section shall not apply to the following buildings or structures:

1. Buildings used exclusively as open parking garage.
2. Buildings where all floors above the fourth floor (16,764 mm) level are used exclusively as open parking garage.
3. Buildings such as power plants, lookout towers, steeples, grain houses, and similar structures with non-continuous human occupancy, when so determined by the enforcing agency.

450.2 Automatic sprinkler system. Every mid-rise building must be protected throughout by an automatic fire sprinkler system that is designed and installed in conformance with latest Edition of NFPA 13 and in accordance with the following:

1. Shutoff valves and a water-flow alarm device must be provided for each floor. Each shutoff valve and flow device must be electronically supervised.
2. Every mid-rise building must be provided with a class I standpipe system that is interconnected with the fire sprinkler system. The system must consist of 2 1/2" hose valves that must be located in each stair enclosure on every floor level. Two hose outlets must also be located on the roof, outside of each stair shaft enclosure that penetrates the roof. The standpipe system must be designed, installed, and tested in accordance with NFPA 14. A valved outlet and a pressure gauge shall be installed on all standpipe systems.
3. Fire Department standpipe connections and valves serving the floor must be within the vestibule and located in a manner so as not to obstruct egress when hose lines are connected and charged.

450.3 Smoke Detection. Smoke detectors must be provided in accordance with this section. Smoke detectors must be connected to an automatic fire alarm system installed in accordance with the latest edition of NFPA 72. The actuation of any detector required by this section will operate the emergency voice alarm signaling system and will place into operation all equipment necessary to prevent the circulation of smoke through air return and exhaust ductwork. Smoke detectors must be located as follows:

1. In every mechanical equipment, electrical, transformer, telephone equipment, unmanned computer equipment, elevator machinery or similar room and in all elevator lobbies. Elevator lobby detectors must be connected to an alarm verification zone or be listed as a releasing device.

2. In the main return-air and exhaust-air plenum of each air-conditioning system. Such devices must be located in a serviceable area downstream of the last duct inlet.
3. At each connection to a vertical duct or riser serving two or more stories from a return-air duct or plenum of an air conditioning system. An approved smoke detector may be used in each return-air riser carrying not more than 5,000 cubic feet per minute and serving not more than 10 air inlet openings.
4. In all corridors serving as a means of egress for an occupant load of 10 or more.

450.4 Emergency voice/alarm communication systems. An emergency voice/alarm communication system shall be provided in accordance with the California Fire Code as modified by the City of Oceanside.

450.5 Central control station. A central control station room for fire and life safety department operations must be provided. The location and accessibility of the central control station room must be approved by the Fire Department. The room must be separated from the remainder of the building by not less than one-hour, fire-resistive occupancy separation. The room must be a minimum of 96 square feet with a minimum dimension of 8 feet. It must contain the following as a minimum:

1. The voice alarm and public address panels.
2. Fire Department communications panel.
3. The fire alarm enunciator panel.
4. Elevator annunciation panel (when building exceeds 55 feet in height).
5. Status indicators and controls of air handling systems (stairwell pressurization).

6. Controls for unlocking stairwell doors.
7. Fire pumps status indicators (if required).
8. Complete building plans set.
9. Work table.
10. Elevator control switches for switching of emergency power.

450.5.1 Annunciation Identification. Control panels in the central control station must be permanently identified as to function. Water flow, automatic fire detection and manually activated fire alarms, supervisory and trouble signals must be monitored by an approved, UL listed Central Monitoring Station and annunciated in the central control station by means of an audible and visual indicator. For the purposes of annunciation, zoning must be in accordance with the following:

1 When the system serves more than one building, each building must be considered separately.
2. Each floor must be considered a separate zone.
3. When one or more risers serve the same floor, each riser must be considered a separate zone.

450.6 Elevators. Elevators and elevator lobbies must be provided and must comply with the provisions of Chapter 30 of the California Building Code and the following:

1. At least one elevator cab must be assigned for Fire Department use, which must serve all floors of the building. All provisions hereinafter are in reference to said elevator cab(s).
2. The size of the elevator cab must have dimensions as specified: The elevator cab must be provided with adequate dimensions to accommodate

an ambulance-type stretcher in accordance with the provisions of Chapter 30 of California Building Standards Code.

450.7 Stairways. Required exit stairways shall comply with this section.

450.7.1 Stairway Enclosure. Stairway enclosures must be continuous and must fully enclose all portions of the stairway. Exit enclosure must exit directly to the exterior of the building or include an exit passageway on the ground floor, leading to the exterior of the building. Each exit enclosure must extend completely through the roof and be provided with a door that leads onto the roof.

450.7.2 Pressurized Enclosures and Stairways. All required stairways and enclosures in a mid-rise building must be pressurized as specified in the California Building Code; Section 905 Pressurized Stairways will be designed to exhaust smoke manually when needed.

450.7.2.1 Vestibules. Pressurized stairway enclosures serving mid-rise buildings must be provided with a pressurized entrance vestibule on each floor, that complies with the California Building Code, Section 1020.1.7.

450.7.2.2 Pressure Differences. The minimum pressure difference within a vestibule must be in accordance with the California Building Code, Section 909.20.2.4

450.7.3 Stairway door operation. All stairway doors that are locked to prohibit access from the interior of the stairway must have the capability of being unlocked simultaneously, without unlatching, upon a signal from the fire control room. Upon failure of normal electrical service, or activation of any fire alarm, the locking mechanism must automatically retract to the unlocked position.

450.7.3.1 Stairway communication system. A telephone or other two-way communication system connected to an approved emergency service which operates continuously must be provided at not less than every third floor in each required exit stairway vestibule.

450.7.3.2 Signage. Approved signage must be provided in each stairwell vestibule stating doors are locked, on which floor(s) entry may be made, and on which floor(s) a telephone is located. Hardware for locking of stairway vestibule doors must be State Fire Marshal listed and approved by the Chief by permit before installation. Stairway doors located between the vestibules and stairway shaft must not be locked.

Chapter 9 Fire Protection Systems is hereby amended by adding to (A), deleting from (D) or revising (R), the Building Code portion of the California Building Standards Code to read as follows:

(R) Section 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section. For the purpose of fire sprinkler systems, buildings separated by less than 10 feet from adjacent buildings shall be considered one building. Fire barriers, partitions, and walls, regardless of rating, shall not be considered as creating separate buildings for purposes of determining fire sprinkler requirements. Mezzanines shall be included in the total square-footage calculation.

(R) Section 903.2.1 Groups A, B, F, M and S Occupancies. An automatic sprinkler system shall be provided for Groups A, B, F, M and S occupancies where one of the following conditions exist:

1. The fire area exceeds 5,000 square feet (465 m2).
2. The height of the building as measured from the lowest point of fire e quipment access exceeds 34 feet.
3. When a structure is in the direct urban wildland interface. (Refer to Urban Wildland Interface map located at the Fire Department).
4. When the building is located on a dead-end access road or cul-de-sac exceeding 500 feet. (Note: If a Fire Department-approved secondary access is provided to the dead-end access road or cul-de-sac, this condition will not apply)
5. When Fire Department travel time exceeds five (5) minutes from the closest fire station to any building. (Time tests will be conducted by the Fire Department based on established testing procedures).
6. When the building's calculated fire flow requirement, based on building square-footage and construction type, exceeds 2500 gallons per minute (G.P.M.).
7. Buildings with an assembly area above the first floor and with an occupant load over 50.

Exception:

1. Group F1 Woodworking operations shall comply with section 903.2.3.1.
2. Greenhouses and buildings constructed for use as greenhouses are exempt from fire sprinkler requirements unless physically connected to other structures.

(D) Section 903.2.1.1 Group A-1 is deleted in its entirety.

(D) Section 903.2.1.2 Group A-2 is deleted in its entirety.

(D) Section 903.2.1.3 Group A-3 is deleted in its entirety.

(D) Section 903.2.1.4 Group A-4 is deleted in its entirety.

(D) Section 903.2.1.5 Group A-5 is deleted in its entirety.

(D) Section 903.2.3 Group F-1 is deleted in its entirety.

(D) Section 903.2.6 Group M is deleted in its entirety.

(R) Section 903.2.7 Group R: An approved automatic sprinkler system shall be provided throughout residential occupancies when the following conditions exist:

3. Residential buildings containing two (2) or more dwelling units hereinafter constructed exceeding 10,000 square feet, or exceeding 34 feet in height, shall be protected with a fire sprinkler system meeting N.F.P.A. Standard 13 with life safety sprinkler heads in living areas.
4. Residential buildings containing two (2) or more dwelling units hereinafter constructed exceeding 5,000 square feet, but less than 10,000 square feet total area shall be protected with a fire sprinkler system meeting N.F.P.A. Standard 13-R.
5. Residential buildings containing one or two family dwelling unit in excess of 5000 square feet shall be protected by life safety fire sprinkler systems meeting the NFPA standard 13-D. Residential buildings containing two or more dwelling units shall be protected by life safety fire sprinkler systems meeting the N.F.P.A. Standard 13.
6. When Fire Department travel time exceeds five (5) minutes from the closest fire station to any building. (Time tests will be conducted by the Fire Department based on established testing procedures).
7. When the structure is in the direct urban wildland interface. (Refer to Urban Wildland Interface map located at the Fire Department).
8. When a dead-end access road or cul-de-sac exceeds 500 feet, all buildings beyond 500 feet from the intersection will be equipped with automatic fire sprinklers. (Note: If an approved secondary fire access is provided to the dead-end, this condition shall not apply).

9. When required fire flow for the building is insufficient, as determined by the Fire Authority having Jurisdiction (FAHJ).

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-4.

(D) Section 903.2.8 Group S-1 is deleted in its entirety.

(D) Section 903.2.8.1 Repair garages are deleted in its entirety.

(D) Section 903.2.8.2 Bulk Storage of Tires is deleted in its entirety.

(R) Section 903.4 Sprinkler System Monitoring and Alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water flow switches on all sprinkler systems shall be electrically supervised.

Exceptions:

1. Automatic sprinkler systems protecting one and two family dwellings.
2. Underground supply valves.

(R) Section 903.4.2 Alarms. Approved horn strobe devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building on the street addressed side of the building.

(A) Section 903.4.2.1 Duct Detectors. Duct detectors shall be shown on fire alarm plans and devices shall be tested by the Fire Department.

(A) Section 903.4.2.2 Automatic Telephone Dialing Devices. Automatic telephone dialing devices shall be in accordance with NFPA 72. Two separate telephone lines (numbers) shall be provided from the protected premises to the central station, which use Digital Alarm Communicator Transmitter, (DACT).

(A) Section 903.4.2.3 Signage. Any company providing monitoring for any electronic monitoring system, fire suppression, or detection system shall post an approved visible sign at all control valves, control panels and monitoring panels. The sign shall state the name of the monitoring company, the 24-hour phone number of the central station, and instructions to call the central station before doing any work or testing on any system being monitored.

(R) 907.2.10.2 Power Source. In new construction and in newly classified Group R-3.1 occupancies, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection. Smoke alarms may be solely battery-operated when installed in existing buildings; or in buildings without commercial power; or in buildings that undergo alterations, repairs or additions regulated by Section 907.2.10.6

(A) 907.2.10.6 Additions, Alterations or Repairs to Group R Occupancies. When the valuation of an addition, alteration or repair to a Group R occupancy exceeds $1,000 and a permit is required, or when one or more

sleeping rooms are added or created in existing Group R occupancies, smoke alarms shall be installed in accordance with Section 907.2.10.

(a) Section 1505.1 General, is revised as follows: Roof assemblies shall be divided into the classes defined bellow. Class A and B assemblies shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant- treated wood roof coverings shall be tested in accordance with ASTM D 2898. The minimum class of roof coverings installed on buildings is Class B and shall comply with Table 1505.1 based upon the type of construction of the building.

Exception: Skylights and sloped glazing that comply with Chapter 24 or Section 2610.

(b) Table 1505.1 is revised as follows:

TABLE 1505.1

MINIMUM ROOF COVERINGS CLASSIFICATION FOR TYPES OF CONSTRUCTION

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

(c) Section 1505.1.2 Roof Coverings within the Wildland Urban Interface Fire Area is revised 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 (1) 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 Class A roof covering. The Wildland Urban Interface Zone shall be as established and mapped by the Oceanside Fire Department.

(d) Section1505.1.3 Roof coverings within all other areas is revised 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 (1) 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 structure, shall be a fire-retardant roof covering that is at least Class B.

(e) Section 1505.5 Nonclassified roofing is deleted in its entirety.

ARTICLE III. PLUMBING CODE

Sec. 6.8. Adoption by reference.

(a) The Plumbing Code hereinafter referred to is the 2010 California Plumbing Code including the appendices, published by order of the California legislature. One (1) copy of the Plumbing Code shall be kept on file in the office of the City Clerk.

ARTICLE IV. MECHANICAL CODE

Sec. 6.10. Adoption by reference.

(a) The Mechanical Code hereinafter referred to is the 2010 California Mechanical Code including the appendices, published by order of the California legislature. One (1) copy of the Mechanical Code shall be kept on file in the office of the City Clerk.

ARTICLE V. HOUSING CODE

Sec. 6.12. Adoption by reference.

(a) The Housing Code hereinafter referred to is the Uniform Housing Code, 1997 Edition, published by the International Conference of Chief Building Officials. One copy of the Housing Code shall be kept on file in the office of the City Clerk.

ARTICLE VI. ELECTRICAL CODE

Sec. 6.14. Adoption by reference.

(a) The Electrical Code hereinafter referred to is the 2010 California Electrical Code, published by order of the California legislature. One copy of the Electrical Code shall be kept on file in the office of the City Clerk.

Sec. 6.15. – Modifications to the California Electrical Code.

The California Electrical Code, 2010 edition, is hereby modified as follows:

(a) Article 90 of the California Electrical Code is modified by the addition of section 90.10 as follows:

90.10 Power distribution panels. Each suite in a strip mall; each office under one owner or one tenant in an office building; or each dwelling unit in apartment buildings, duplexes, condominiums, and townhouses shall be so wired that each suite, office, or dwelling unit is wired from separate distribution panels. The wiring shall not be intermixed. Distribution panels shall be readily accessible as required elsewhere in this code. Hotels and motels may be wired from one or more central distribution panels.

(b) Section 408.3(E) Phase arrangement. The phase arrangement on three-phase buses shall be A,B,C from front to back, top to bottom, or left to right, as viewed from the front of the switchboard or panel board. The C phase shall be that phase having the higher voltage to ground on the three-phase, four- wire delta connected systems. Other bulbar arrangements may be permitted for additions to existing installations.

ARTICLE VII. DANGEROUS BUILDINGS CODE

Sec. 6.16. Adoption by reference.

(a) The Dangerous Buildings Code hereinafter referred to is the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Chief Building Officials. One (1) copy of the Dangerous Buildings Code shall be kept on file in the office of the City Clerk.

SECTION 2. Articles XII and XIII are hereby added to Chapter 6 of the Oceanside City Code, as follows:

ARTICLE XII. RESIDENTIAL CODE

Sec. 6.70. Adoption by reference.

(a) The Residential Code hereinafter referred to is the California Residential Code, 2010 Edition, published by order of the California legislature. One (1) copy of the Residential Code shall be kept on file in the office of the City Clerk.

(b) All of the provisions of said Residential Code including such provisions as are hereinafter added, deleted, or amended, are hereby adopted by reference and shall constitute the Residential Code of the City of Oceanside, establishing rules and regulations covering the subjects and matters therein referred to.

Sec. 6.71. Modifications to the Residential Code

The 2010 California Residential Code is hereby modified in the following respects:

(a) TABLE R301.2(1) is filled in and footnote (g) is revised as required by the Residential Code for use in the City of Oceanside.

TABLE R301.2(1)

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY[f]	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP[e]	ICE BARRIER UNDERLAYMENT REQUIRED[h]	FLOOD HAZARDS[g]	AIR FREEZING INDEX[i]	MEAN ANNUAL TEMP[j]
	Speed (mph)	Topographic effects[k]		Weathering	Frost line depth[b]	Termite[c]					
ZERO	85	NO	D_2 or E	Negligible	12" – 24"	Very Heavy	43	NO	See revised footnote G	0	60

Footnote (g) The initial NFIP Map was an Index Map 060294A, Dated May 10, 1974. The map number was identified with the community number and suffix "A". The initial FIRM date was September 5, 1984 and 7 panels were issued for Oceanside. All panels had the same 06029400 prefix and ended with the following suffixes 05B, 07B, 09B, 11B, 12B, 13B, and 14B. There are 22 current FIRM panels with effective date of May 15, 2012.

The following are the list of current effective panels:

- Index Maps (3 sheets) 06073CIND1C, 06073CIND2C, 06073CIND3C.
- All FIRM panel numbers begin with prefix 06073C0 and continue with the following suffixes: 464G, 468H, 469G, 488G, 490G, 734H, 742G, 751H, 752H, 753H, 754H, 756H, 757G, 758G, 759G, 761G, 762G, 766G, 767G, 769G, 776G, 786J.

(b) Section R403.1 is revised by deleting the exception allowing unreinforced foundations.

(c) Section R902.1 Roof covering materials is revised as follows. Roofs shall be covered with materials as set forth in sections R904 and R905. A minimum of Class A or B roofing shall be installed in areas designated by this section. Classes A or B roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry, and exposed concrete roof deck.
2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets or shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

(d) Section R902.1.3 Roof coverings within all other areas, is revised 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 (1) year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

(e) Section R902.2 Fire-retardant-treated shingles and shakes, is revised as follows. Fire-retardant-treated wood shakes and shingles are wood shakes and shingles which have been qualified for use on Class A or B roofs.

ARTICLE XIII. GREEN BUILDING CODE

Sec. 6.80. – Adoption by reference.

(a) The Green Building Code hereinafter referred to is the California Green Building Standards Code, 2010 Edition, published by order of the California legislature. One (1) copy of the Green Building Code shall be kept of file in the office of the City Clerk.

(b) All of the mandatory provisions of said Green Building Code including such provisions as are hereinafter added, deleted, or amended are hereby adopted by reference and shall constitute the Green Building Code of the City of Oceanside, establishing rules and regulations covering the subjects and matters therein referred to.

SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days after its passage in the North County Times, a newspaper of general circulation published in the City of Oceanside.

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California held on the day of_____, 2012, and, thereafter,

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PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oceanside, California held on this ____ day of _____, 2012, by the following vote

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING CHAPTER 6 OF THE OCEANSIDE CITY CODE BY THE ADOPTION OF THE 2010 EDITIONS OF THE CALIFORNIA ADMINISTRATIVE, BUILDING, PLUMBING, MECHANICAL, HOUSING, ELECTRICAL, DANGEROUS BUILDING, RESIDENTIAL AND GREEN BUILDING CODES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA, SETTING FORTH EXPRESS FINDINGS FOR REQUIRED AMENDMENTS TO THE 2010 CALIFORNIA BUILDING STANDARDS CODE RELATIVE TO LOCAL CLIMATIC, TOPOGRAPHICAL AND GEOLOGIC CONDITIONS.

(RESOLUTION NO. 2012-XXXXX

WHEREAS, Health and Safety Code Section 17985.5 permits the City to make changes or modifications to the requirements contained in the provisions in the California Building Standards Code and other regulations adopted pursuant to Section 17922 of the Health and Safety Code, as it determines, pursuant to the provisions of Section 17958.7 are reasonably necessary because of local climatic, geologic, or topographic conditions; and

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

WHEREAS, The Building Division of the Oceanside Development Services Department has recommended that the California Building Standards Codes, as set forth in Ordinance No. XXXX, be adopted by the City with certain changes or modifications to (i) the California Building Code, 2010 Edition("CBC") and (ii) the California Residential Code, 2010 Edition which are reasonably necessary because of local climatic, geologic, or topographical conditions and to safeguard life and property within the City of Oceanside; and

WHEREAS, Health and Safety Code Sections 13869.7, 17958.7, and 18941.5 require that the City Council, before making any modifications or changes to the California Building Standards Code relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshall and contained in the California Building Standards Code, shall make express findings that such changes or modifications are reasonably necessary because of local climatic, geologic, or topographic conditions.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oceanside as follows:

SECTION 1.

The changes or modifications to the 2010 California Building Standards Codes, as set forth in Chapter 6 of the Oceanside Municipal Code (Ordinance No. XXXX) related to life and fire safety and as recommended by the Building Division of the Development Services Department, are found to reasonably necessary due to the following local conditions:

A. Climatic Conditions

1. Hot, dry Santa Ana winds are common to all areas within the City of Oceanside. These winds, which can cause small fires to spread quickly, are a contributing factor to the higher fire danger in the area, and create the need for an increased level of fire protection.

2. The City of Oceanside is located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles, to rapid ignition and spread of fire. Therefore, there exists a need for additional fire protection measures.

B. Geological Conditions

1. The City of Oceanside is located in a highly active seismic area. Experts predict a major earthquake in our region within the next 50 years. The situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake.

2. Traffic and circulation congestion presently exists in the City of Oceanside. This congestion can contribute to delays in fire department response time to fires. This condition will be exacerbated by any major disaster, including an earthquake wherein damage to the roadway system will occur. This condition makes the need for additional on-site protection for property and occupants necessary.

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SECTION 2.

The amendments to the 2010 Building Standards Codes are found reasonably necessary based upon the climatic and/or geologic conditions cited in Section 1, above and are listed as follows:

Code Section	Findings in Section 1
CBC 450-450.7.3.2	B-1, B-2
CBC Chapter 9	A-1, A-2, B-1, B-2
CBC Table 1505.1, 1505.1.2, 1505.1.3, 1505.5	A-1, A-2, B-2
CRC R902.1, R902.2	A-1, A-2, B-2

Additional amendments have been made to the Building Standards Codes. On recommendation of the Building Division of the Development Services Department, such amendments are hereby found to be either administrative or procedural in nature or concern themselves with subjects not covered in said Codes.

SECTION 3.

The Building Division of the Development Services Department shall file copies of this Resolution and Ordinance No. XXXX with the State Building Standards Commission and State Department of Community Development as prescribed in state law.

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____day of _____, 2012, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Barbara Hamilton, ABST.
CITY ATTORNEY