

ORDINANCE NO. 2016 - 679

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WASCO REPEALING AND RE-ENACTING CHAPTER 15.04 OF THE CITY OF WASCO MUNICIPAL CODE RELATING TO BUILDINGS AND BUILDING REGULATIONS, AND ADOPTING BY REFERENCE THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2016 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE INCLUDING THE FOLLOWING PARTS:

- Part 1 California Administrative Code**
- Part 2 California Building Code**
- Part 2.5 California Residential Code**
- Part 3 California Electrical Code**
- Part 4 California Mechanical Code**
- Part 5 California Plumbing Code**
- Part 6 California Energy Code**
- Part 7 Currently Vacant**
- Part 8 California Historical Code**
- Part 9 California Fire Code**
- Part 10 California Existing Building Code**
- Part 11 California Green Building Standards Code**
- Part 12 California Referenced Standards Code**

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The City Council of the City of Wasco does ordain as follows:

Section 1: Repeal

Chapter 15.04 of the Wasco Municipal Code is hereby repealed in its entirety.

Section 2: Purpose and Authority

The purpose of this Ordinance is to adopt by reference the 2016 edition of the California Building Standards Code, Title 24 of the California Code of regulations, subject to the definitions, clarifications, and amendments set forth in this Ordinance. The purpose of this Ordinance is also to provide minimum requirements and standards for the protection of the public safety, health, property and welfare of the City of Wasco. This Ordinance is adopted under the authority of Government Code Subsection 50022.2 and Health and Safety Code Section 18941.5.

Section 3: Reenacted

Chapter 15.04 of the Wasco Municipal Code, Wasco Building Code, is hereby reenacted and adopted to read as follows:

15.04.010 Title.

This chapter shall be known as the Wasco Building Code, and may be cited as such, and will be referred to herein as "this code."

15.04.015 Application.

This code shall be the exclusive source of regulations for all new construction and any alterations, repairs, relocations, or reconstruction of any building or any portion thereof including any electrical, mechanical, gas, plumbing, or fire protection equipment installed on any property or used on or within any building.

15.04.020 Conflicts with other laws, rules, etc.

In the event of any conflict between this code and any law, rule, or regulation of the state of California, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this code.

15.04.025 Fees.

A. Notwithstanding any provisions in the codes adopted by reference in this chapter, all fees related to said codes are to be set by resolution by the city council.

B. Fees for duplicating documents and other special services shall be set and established by the administrative authority.

15.04.030 Adoption of Uniform Codes.

The following publications are adopted by reference and incorporated in this code, except as expressly amended or superseded by the provisions of this chapter:

A. Part 1, California Administrative Code, 2016 Edition;

B. Part 2, California Building Code, 2016 Edition;

C. Part 2.5, California Residential Building Code, 2016 Edition;

D. Part 3, California Electrical Code, 2016 Edition;

E. Part 4, California Mechanical Code, 2016 Edition;

F. Part 5, California Plumbing Code, 2016 Edition;

G. Part 6, California Energy Code, 2016 Edition;

H. Part 8, California Historical Code, 2016 Edition;

I. Part 9, California Fire Code, 2016 Edition;

J. Part 10, California Existing Building Code, 2016 Edition;

K. Part 11, California Green Building Standards Code, 2016 Edition;

L. Part 12, California Referenced Standards Code, 2016 Edition;

M. Uniform Housing Code, 1997 Edition, as published by the International Conference of Building Officials.

15.04.035 California Building Code amendments.

These are the amendments due to climatic, topographic, and geologic findings. These amendments are more restrictive than the model code.

This chapter contains the local amendments and clarifications to the technical requirements of the 2016 California Building Code. Most proposed changes result in regulations consistent with the cities current Building Code, and is also consistent with the Fire Code in Chapter 15.08.

A. This section is amended to require inspections for all gypsum board and plaster installations. This is consistent with current requirements.

B. This section is amended to require a private garage to be separated from the dwelling unit and its attic area by means of a minimum of five-eighths inch Type X gypsum board or equivalent applied to the garage side. This is consistent with current requirements.

C. This section allows a height and story increase in sprinklered buildings and is amended to apply to all occupancy groups, and not just those under authority of the State Fire Marshal. This is consistent with current requirements. This also allows an area increase in sprinklered buildings and is amended to apply to all occupancy groups, and not just those under authority of the State Fire Marshal. Require an automatic sprinkler system throughout buildings and portions thereof used as Group A occupancies. For Group A-1, A-2, A-3, and A-4 occupancies, the automatic sprinkler system shall be provided throughout the entire building containing Group A-1, A-2, A-3, or A-4 occupancies. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5. Sprinklers are not required in Group A areas used exclusively as participant sport areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit, or in conference rooms of less than one thousand square feet (ninety-three square meters) when located in another occupancy group. Modify the various sections in Chapter 9 and require sprinklers in all buildings, except Group U occupancies, with a fire area greater than ten thousand square feet, or a combined area greater than twenty-four thousand square feet. This is consistent with current requirements as well as the amendments proposed by the fire department. Require sprinkler protection within attic areas of Group R occupancies more than two stories in height. Sprinkler spacing and design in the attic areas shall be as required for attic areas in accordance with Section 903.3.1.1. This is added and specifies that when an automatic fire sprinkler system is installed in a building constructed for multiple tenants and the system protects multiple tenant spaces, the main controls, risers, gauges and appurtenances shall be located in an attached room or enclosure with access only from an exterior door. Requires an automatic sprinkler system in existing buildings when the floor area of an existing building is increased by twenty-five percent or more, and the total floor area exceeds ten thousand square feet (nine hundred twenty-nine square meters) before or after the addition. If a fire wall of four-hour fire-resistive construction without openings is installed to separate the new and existing portions of the building, the existing portion need not be sprinklered. Also, when the assembly occupant load of an existing building is increased by fifty percent or more, and the assembly occupant load exceeds fifty people before or after the addition, an automatic sprinkler system shall be installed throughout the entire building. This is similar to current requirements.

D. This section is added to amend site grading requirements addressing minimum slopes to provide for adequate drainage. This is consistent with current requirements.

E. Table 1805.4.2 is amended and requires continuous footings to be provided with a minimum of one No. 4 bar top and bottom. This is consistent with current requirements.

F. This amendment specifies that anchor bolts shall be not less than five-eighths inch (15.9 mm) diameter steel bolts and shall include steel plate washers, a minimum of 0.229 inch by three inches (5.82 mm by seventy-six millimeters by seventy-six millimeters) in size, between the sill plate and nut. This is consistent with current requirements.

15.04.040 California Electric Code amendments.

This amendment is due to geological findings. This amendment is more restrictive than the model code.

A. This amendment requires a grounding electrode to be installed in new construction. This is consistent with current requirements.

15.04.045 Findings.

The City Council of the City of Wasco finds and declares that the additions, modifications, and changes made to the codes are necessary for the protection of the public health, safety, and welfare due to climatic, geological, or topographical conditions. These amendments are authorized under Health and Safety Code Sections 18941.5 and 17958 and are identified as follows:

A. Express Finding Number 1: Climatic.

1. The City of Wasco is in the seventy mile per hour wind zone, this results in frequent movement and shifting of buildings, structures, and associated systems serving those facilities.

2. The City of Wasco receives an average rainfall of 7+ inches per year. Heavy storms are very infrequent and precipitation events from a given storm are typically minimal.

3. The City of Wasco is susceptible to extended periods of Tule fog. These conditions cause loss of visibility. This condition often results in multiple vehicle accidents which will commit emergency resources for extended periods of time, as well as create driving difficulties for emergency equipment resulting in delayed response times to fires and other emergencies.

B. Express Finding Number 2: Geological.

1. The City is located in seismic Zone 4. Built-in fire protection and other safety measures, such as limitations of building height, stories, areas, and the anchoring of the structure to the foundation would provide a higher level of safety for building occupants, emergency responders, and property. This is even more critical in high occupancy (assembly) buildings where the potential loss of life is very high. Minor earthquakes occur causing movement and shifting of buildings structures, and associated systems serving those facilities.

C. Express Finding Number 3: Topographical.

1. The City of Wasco drops in elevation + - 50 feet from the east to the north west the natural flow of the land.

15.04.050 Filing of findings.

The City Clerk is directed to file a copy of the ordinance codified in this chapter with the California Building Standards Commission of the State of California.

15.04.055 Interpretation.

The provisions of this code are enacted for the public health, safety, and welfare and are to be liberally construed to obtain the beneficial purposes thereof as specified in Chapter 1 of the Building Code.

15.04.060 Liability.

The provisions of this code shall not be construed as imposing upon the City of Wasco any liability or responsibility for damage to persons or property resulting from defective work, nor shall the City of Wasco, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this code of any permits or certificates issued under this code.

15.04.065 Effective date and publication.

The ordinance codified in this chapter shall take effect on January 1, 2017 after its adoption and pursuant to resolution, published in summary format prior to adoption and within fifteen days after its adoption in a newspaper of general circulation published and circulated in the City of Wasco.

Section 4: The City Clerk is hereby ordered to publish this Ordinance in summary form in accordance with the law, in a newspaper of general circulation in the City. This ordinance shall become effective 30 days from the date of its adoption.

SIGNED AND ADOPTED this 15th day of November, 2016



Cherylee Wegman, Mayor

I, DUVIET RODRIGUEZ, the City Clerk of the City of Wasco, hereby certify the foregoing Ordinance No. 2016 - 679 was approved, adopted and passed by the City Council on the 15th day of November, 2016 by the following vote:

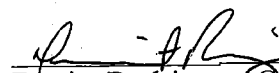
The above ordinance was introduced by Councilmember Hively, seconded by Councilmember Espitia, and PASSED and ADOPTED by the following vote of the City Council:

AYES: Wegman, Cortez, Espitia, Hively, Reyna

NOES: None

ABSTAIN: None

ABSENT: None


Duviet Rodriguez, City Clerk

11/17/16 -

Mailed a certified copy of Ordinance No. 2016-679 to the following below:

California Building Standards Commission
2525 Natomas Park Drive, Ste. 130
Sacramento, CA 95833-2936

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



March 24, 2017

Ms. Duviet Rodriguez
City Clerk
City of Wasco
746 8th Street
Wasco, CA 93280

CITY OF WASCO
RECEIVED

APR 04 2017

BY: DUVIET

RE: Ordinance #2016-679

Dear Ms. Rodriguez:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on November 21, 2016.

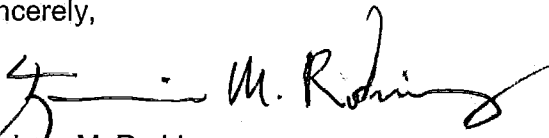
Our review finds the submittal to contain one ordinance, No. 2016-679, modifying provisions of the 2016 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code Sections 17958.7 and 18941.5. The code modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the California Building Standards Commission (CBSC). CBSC is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with CBSC in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code Section 13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than CBSC. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: CBSC Chron
Local Filings