DATE: October 21, 2013

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Edward John Hamer, Senior Building Official

SUBJECT: Introduction of an Ordinance of the City of Petaluma Adopting the 2013 Edition of the California Building Standards Code, California Code of Regulations Title 24, Parts, 1, 2, 2.5, 3, 4, 5, 6, 8, 10, 11 and 12, and Amendments Thereto Based on Local Climatic, Geological and Topographic Conditions

RECOMMENDATION

It is recommended that the City Council adopt the attached Ordinance of the City of Petaluma Repealing Sections 17.04.010 entitled "Adoption of Uniform Codes", and Section 17.04.020 entitled "Amendments Made in California Building Code" of the Petaluma Municipal Code and Adding New Sections 17.04.010 and .020 Adopting by Reference the 2013 Edition of the California Building Standards Code, California Code of Regulations Title 24, Parts, 1, 2, 2.5, 3, 4, 5, 6, 8, 10, 11, and 12, and Amendments Thereto Based on local Climatic, Geological and Topographic Conditions.

BACKGROUND

It has been three (3) years since the State of California adopted a new set of Building Codes. Since that time Building Code Officials, Fire Officials, and other interested parties have convened before the State Building Standards Commission in Sacramento regarding the adoption of the California Building Standards Code to make recommendations for changes and additional requirements to the 2013 California Building Standards Codes (Title 24). Most of the components of the 2013 California Building Standards Codes are based on the 2012 editions of the International Building Codes, but are heavily modified with California amendments. The Plumbing and Mechanical Codes are based on the 2012 International Association of Plumbing and Mechanical Officials Codes which have also been modified with California amendments.

DISCUSSION

It is recommended that pursuant to Section 50022.2 of the California Government Code, the following codes be adopted by reference, including amendments which are made pursuant to the findings of fact set forth in the adopting ordinance:

A. Part I—2013 California Administrative Code;

B. Part 2—2013 California Building Code based on the 2012 International Building Code, including Chapters 31B (Public Swimming Pools) and 33 (Safeguards During Construction) in their entirety except as amended in Section 17.04.020;

Agenda Review:

City Attorney
Finance Director
City Manager
C. Part 2.5—California Residential Code based on the 2012 International Residential Code including Appendix Chapters G (Swimming Pools and Hot Tubs) and K (Sound Transmission) in their entirety except as amended in 17.04.020;


E. Part 4—2013 California Mechanical Code based on the 2012 Uniform Mechanical Code including Sections 101.0 through 118.1 of Chapter 1 inclusively (Administration);

F. Part 5—2013 California Plumbing Code based on the 2012 Uniform Plumbing Code including Sections 101.1 through 103.1 of Chapter 1 inclusively (Administration);

G. Part 6—2013 California Energy Code;

H. Part 8—2013 California Historical Building Code;


K. Part 12—2013 California Referenced Standards Code;

All references to permit fees in the codes to be adopted by reference will be deleted pursuant to the ordinance prepared for this year’s triennial building standards code adoption. Instead, the permit fees applicable in Petaluma will be fixed by the fee schedules adopted by the city council via resolution.

FINANCIAL IMPACTS

There are not direct financial impacts to the City of Petaluma with the adoption of these codes and amendments.

ATTACHMENTS

1. Proposed Ordinance (with Exhibit A) adopting the 2013 California Building Standards Code and City of Petaluma local amendments.

2. Letter from the Redwood Empire Association of Code Officials (REACO) (Exhibit B) supporting the adoption of the 2013 California Green Building Standards Code (CALGreen) at a modified Tier One level.
ORDINANCE NO. N.C.S.

Introduced by                          Seconded by

______________________________________

AN ORDINANCE OF THE COUNCIL OF THE CITY OF PETALUMA
ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA
BUILDING STANDARDS CODE, INCLUDING: PART 1, 2013
CALIFORNIA ADMINISTRATIVE CODE; PART 2, 2013 CALIFORNIA
BUILDING CODE; PART 2.5 CALIFORNIA RESIDENTIAL CODE; PART
3, 2013 CALIFORNIA ELECTRICAL CODE; PART 4 2013 CALIFORNIA
MECHANICAL CODE; PART 5 2013 CALIFORNIA PLUMBING CODE;
PART 6, CALIFORNIA ENERGY CODE; PART 8, 2013 CALIFORNIA
HISTORICAL BUILDING CODE; PART 10, 2013 CALIFORNIA EXISTING
BUILDING CODE; PART 11 2013 CALIFORNIA GREEN BUILDING
STANDARDS CODE; AND PART 12, 2013 CALIFORNIA REFERENCED
STANDARDS CODE, AND LOCAL AMENDMENTS TO SPECIFIED
PROVISIONS OF THE CALIFORNIA BUILDING STANDARDS CODE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PETALUMA AS
FOLLOWS:

SECTION 1: REPEALED. Section 17.04.010 entitled "Adoption of Uniform Codes"
and Seduction 17.04.020 entitled "Amendments Made in California Building Code" of the
Petaluma Municipal Code are hereby repealed in their entireties.

SECTION 2: FINDINGS. The City Council of the City of Petaluma finds that in order to
best protect the health, safety and welfare of the citizens of the City of Petaluma, the standards of
building within the City must conform with state law except where local climatic, geological, and
topographic conditions warrant more restrictive regulations. These considerations support
adoption of the state building codes contained in California Building Standards Code, Title 24, and
other uniform codes governing the construction and regulation of buildings and structures with the
modifications and amendments contained herein.

Pursuant to California Health and Safety Code Section 17958.7, the City Council makes the factual
findings set forth in "Exhibit A" attached hereto and incorporated herein by reference, and finds
that the amendments made in this ordinance to the California Building Standards Code Title 24,
Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 10, 11, and 12, are reasonably necessary because of the local climatic,
geological or topographical conditions described in Exhibit A.
SECTION 3: CURRENT BUILDING CODES ADOPTED.

Section 17.04.010 entitled “Adoption of Uniform Codes” and Section 17.04.020 entitled “Amendments made in California Building Code” are hereby added to the Petaluma Municipal Code to read as follows:

17.04.010 - Adoption of Uniform Codes. Pursuant to Section 50022.2 of the California Government Code, the following codes are adopted by reference, including the amendments listed in this chapter, which are made pursuant to the findings of fact set forth in Exhibit A of the adopting ordinance.

A. Part 1—2013 California Administrative Code;

B. Part 2—2013 California Building Code based on the 2012 International Building Code, including Chapters 31B (Public Swimming Pools) and 33 (Safeguards During Construction) in their entirety, except as amended in Section 17.04.020;

C. Part 2.5—California Residential Code based on the 2012 International Residential Code including Appendix Chapters G (Swimming Pools and Hot Tubs) and K (Sound Transmission) in their entirety, except as amended in Section 17.04.020;


E. Part 4—2013 California Mechanical Code based on the 2012 Uniform Mechanical Code including Sections 101.0 through 118.1 of Chapter 1 inclusively (Administration);

F. Part 5—2013 California Plumbing Code based on the 2012 Uniform Plumbing Code including Sections 101.1 through 103.1 of Chapter 1 inclusively (Administration);

G. Part 6—2013 California Energy Code;

H. Part 8—2013 California Historical Building Code;


J. Part 11—2013 California Green Building Standards Code at the Mandatory Level for all Additions and Alterations, and at the Tier one level for all Wholly New Construction, with the exception of Appendix A4, Division A4.2 Energy Efficiency and Appendix A5, Division A5.2 Energy Efficiency, neither of which are adopted;


However, all fee amounts in the codes adopted by reference are hereby deleted. Fees applicable in the city for inspections, permit issuance and any and all other services related to the codes adopted by reference will be fixed by fee schedules set by the city council by duly adopted resolution.
17.04.020 - Amendments Made in California Building Code. Part 2 of the 2013 California Building Standards Code, California Building Code, as adopted in section 17.04.010, is hereby amended to include the following additions, amendments and deletions:

**Section 105.2 (1)** is hereby amended to read as follows:

105.2 (1) - One-Story Detached Accessory Structures Used as Tool and Storage Sheds, Playhouses and Similar Uses. Provided the floor area is not greater than one hundred twenty square-feet (120 sq.-ft.) (11 m2), there are no wall finishes such as, but not limited to, gypsum wallboard, plaster, stucco, or paneling placed on any interior surface of any wall and/or partition, and no electrical, mechanical or plumbing systems are contained within the structure.

**Section 115** is hereby amended to read as follows:

115 - Stop Work Orders

115.1 - Authority. Whenever the building official finds any work regulated by this code being performed in a manner that is contrary to the provisions of this code, without a permit, beyond the scope of the issued permit, in violation of the Petaluma Municipal Code or Zoning Ordinance, or dangerous or unsafe, the building official is authorized to issue a stop work order.

115.2 - Issuance. The stop work order shall be in writing and shall be posted in a visible location near the location where the work is being conducted. If the owner or owner's agent is not on site at the time of posting, a notice advising the reasons for the stop work order issuance shall be hand delivered or mailed first-class to the owner of the property involved, or to the owner’s agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, the conditions under which the cited work will be permitted to resume, and the name and contact information of the official or agency issuing the order.

115.3 - Unlawful Continuance. Any person who continues to engage in any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor.

115.4 - Removal of Posted Stop Work Order. Any person who removes a posted stop work order without written consent of the Building Official shall be guilty of a misdemeanor.

115.5 - Response Required. Violators receiving a stop work order are required to respond to the Building Division within two (2) business days of the issued notice to receive instructions on how to rescind the order.

115.6 - Permit Application Required. A building permit application with construction or demolition plans and supporting (structural calculations, energy calculations, accessible access) documents must be submitted for approval within fifteen (15) working days following response to the Building Division. Plans will be reviewed and correction letters
issued or permit application approved within fifteen (15) working days of receipt by the Building Division. A response to any correction letter must be submitted within fifteen (15) working days of the date of the correction letter. Five working days will be required to review this second submission and a permit approved for issuance. Permits ready for issuance must be issued within 5 working days thereafter. All construction must be inspected as work progresses and signed off by all (affected) departments within 60 days of building permit issuance.

115.7 - Stop Work Order Penalty. The Building Official may impose Stop Work Order Penalties in accordance with Section 1.14.050 of this code and/or other applicable law.

CHAPTER 7 – FIRE RESISTANCE-RATED CONSTRUCTION

Section 722 is added to read as follows:

722 - Repair of Breaches of Non-Rated Walls/Ceilings in Fire Zone 1. Breaches, openings, holes or other broken wall and ceiling areas in buildings in Fire Zone 1 (generally defined as the Downtown Business District) as defined in Section 17.22 of the Petaluma Municipal Code shall be repaired, restored or replaced when damaged, altered, breached, penetrated, removed or improperly installed. Openings/breaches can be repaired with like material such as lath and plaster, sheetrock, plywood or other reasonable barrier. The intent of this Section is to close openings/breaches to limit the spread of fire and products of combustion in the downtown business district buildings.

CHAPTER 9 – FIRE PROTECTION SYSTEMS

Section 901.2.1 is added to read as follows:

901.2.1 - Problematic and Unreliable Fire Alarms. The Fire Chief may determine a fire alarm to be unreliable upon receipt of more than three (3) false alarms within a twelve-month period. Upon making such a finding, the Fire Chief may order the following:

(a) For any nuisance alarm where the system is not restored, the Fire Chief may require the system owner to provide standby personnel or take such other measures as the Fire Chief deems appropriate. Such measures shall remain in place until a fire department approved fire alarm maintenance firm certifies in writing to the Fire Chief that the alarm system has been restored to a reliable condition. The Fire Chief may require such tests as he deems necessary to demonstrate the adequacy of the system.

(b) Require the owner to pay mitigation fees pursuant to the City of Petaluma fee schedule.

Section 903.2 is amended to read as follows:

903.2 - Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in locations described in this section. Additional local requirements are described in Sections 903.2.1 through 903.2.19.1.2 and may supersede the following requirements. The most restrictive requirement shall apply.
Section 903.2.20 is added to read as follows:

903.2.20 - Local Fire Sprinkler System Requirements.

Section 903.2.20.1 is added to read as follows:

903.2.20.1 - System Requirements. An approved automatic-fire sprinkler system shall be installed and maintained in all newly constructed buildings.

Exceptions:

1. Detached Group U occupancies one thousand square feet (1,000’ sq.) or less agricultural buildings and private riding arenas as approved by the Fire or Building Code Official.

2. Detached pool houses up to one thousand square feet (1,000’ sq.) in floor area within fifty feet (50’) of the pool and limited to a single bathroom.

3. Detached non-combustible motor vehicle fuel dispensing canopies classified as Group M occupancy.

4. A room above a detached garage used for storage only that does not contain a bathroom, cooking or refrigeration facilities.

5. Detached carports of noncombustible construction with non-habitable spaces above.

6. Detached Group B or M occupancies five hundred square feet (500’ sq.) or less.

Section 903.2.20.2 is added to read as follows:

903.2.20.2 – Additions-Residential. Additions to existing residential buildings that increase the total square footage of existing floor area by fifty percent (50%) or greater shall meet the requirements for a newly constructed building. This requirement applies to the cumulative effect on square footage of 50% or greater as a result of additions taking place over a five year period involving one or more building permits. All additions to residential buildings with an existing approved automatic sprinkler system shall be required to extend the sprinkler system into the addition.

Section 903.2.20.3 is added to read as follows:

903.2.20.3 - Remodels, Repairs and/or Alterations. Residential remodels, repairs and/or alterations, individually or any combination thereof, involving fifty percent (50%) or greater of square footage of the existing floor area shall meet the requirements for a newly constructed building. This requirement applies to the cumulative effect on square footage of fifty percent (50%) or greater as a result of remodels, repairs and/or alterations taking place over a five year period involving one or more building permits.
Section 903.2.20.5 is added to read:

903.2.20.5 - Additions-Commercial and Multi-Family Additions. Additions to existing commercial buildings that increase the total square footage of existing floor area by twenty-five percent (25%) or greater shall meet the requirements for a newly constructed building. All additions to commercial buildings with an existing approved automatic sprinkler system shall be required to extend the sprinklers into the addition.

Section 903.2.20.6 is added to read as follows:

903.2.20.6 - Remodels, Alterations or Repairs-Commercial. For remodels, alterations and/or repairs to existing building(s) involving demolition, removal or repair of fifty percent (50%) or greater of the structure, the building shall meet the automatic fire sprinkler requirements for a newly constructed building.

Exceptions: Alterations or additions made solely for the purpose of complying with the American's with Disabilities Act.

Section 903.2.20.7 is added to read:

903.2.20.7 - Changes of Occupancy. When any change of occupancy occurs where the proposed new occupancy classification is more hazardous based on fire and life safety risks as determined by the Fire Code Official including, but not limited to, the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

Section 903.2.20.8 is added to read:

903.2.20.8 - Residential Conversions. Fire sprinkler systems shall be installed in all single-family dwellings that are converted to duplexes and/or multi-family dwellings, bed and breakfasts, inns, lodging houses or similar uses. Fire sprinkler systems shall be installed in all conversions of a detached garage into living space or sleeping space.

Section 903.2.20.9 is added to read as follows:

903.2.20.9 - Elevation of Existing Buildings. An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to three (3) or more stories or more than thirty-five feet (35') in height, from grade to the exposed roof.

Exceptions: An automatic fire-extinguishing system need not be provided when the area above thirty-five feet (35') is provided for aesthetic purposes only and is a non-habitable space.
Section 903.2.20.10 is added to read:

903.2.20.10 - Installation of Automatic Fire Sprinklers in Pre-Existing Buildings (Historic Downtown Business District).

(a) Geographic Boundary-Historic Downtown Business District: For the purposes of this section, the Historic Downtown Business District shall include all buildings located inside the geographic area generally formed by Kentucky Street to the west, Washington Street to the north, the Petaluma River to the east and B Street to the south. Also included in this section is 201 Washington Street (Phoenix Theater) and 132 Keller Street (formerly Tuttle Drug), as more particularly described in Figure 1003.2.12.

(b) Installation Requirements: An automatic sprinkler system conforming to the Standard for the Installation of Sprinkler Systems (NFPA-13) shall be installed in all existing buildings in the Historic Downtown Business District in accordance with the following criteria:

1. Kentucky Street and Western Avenue:
   a. In any building wherein a change of occupancy occurs.
   b. In any building or occupancy where the square footage of the building or occupancy is increased or alterations to the structure are made pursuant to Section 903.2.19.3, Section 903.2.19.4, Section 903.2.19.5, Section 903.2.19.6, Section 903.2.19.7 and Section 903.2.19.8 of this Ordinance.
   c. All buildings with basements or space below street grade used for storage, business or public use shall have automatic fire sprinklers installed within the basements or the below street grade areas no later than December 31, 2010.
d. All buildings not meeting the criteria of (a) or (b) above shall have automatic fire sprinklers installed throughout the structure, including all public, private, storage and/or concealed spaces, as defined by the Standard for the Installation of Sprinkler Systems (NFPA-13) by no later than December 31, 2016.

(2) Petaluma Boulevard North: Automatic fire sprinkler requirements shall not become effective until the City of Petaluma installs an appropriate sized water main and laterals to the curb lines similar to the main previously installed on Kentucky Street and Western Avenue. Upon notice by the City of such installation, an automatic sprinkler system conforming to the Standard for the Installation of Sprinkler Systems (NFPA-13) shall be installed according to the following criteria:

a. In any building wherein a change of occupancy occurs.

b. In any building or occupancy where the square footage of the building or occupancy is increased or alterations to the structure are made pursuant to Section 903.2.19.3, Section 903.2.19.4, Section 903.2.19.5, Section 903.2.19.6, Section 903.2.19.7 and Section 903.2.19.8 of this Ordinance.

c. All buildings with basements or space below street grade used for storage, business or public use shall have automatic fire sprinklers installed within the basements or the below street grade areas, no later than December 31 of the year that is six (6) years from the date of the water main installation.

d. All buildings not meeting the criteria of (a) or (b) above shall have automatic fire sprinklers installed throughout the structure, including all public, private, storage and/or concealed spaces, as defined by the Standard for the Installation of Sprinklers (NFPA-13), no later than December 31 of the year that is twelve (12) years from the date of the water main installation.

(3) Property Owner's Responsibility for System Installation:

a. The Property Owner shall be responsible for installation of the lateral service from the curb line into the building. This also includes isolation, check or other valves or devices, as applicable.

b. The Property Owner shall be responsible for the installation of the automatic fire sprinkler system according to the Standard for the Installation of Sprinkler Systems (NFPA-13).
(4) Plans and Specifications: Plans and Calculations (NFPA-13, Chapter 8) for the service lateral and fire sprinkler system shall be submitted to and approved by the Fire Prevention Bureau prior to installation of equipment and materials.

a. For the Kentucky Street installations that are required on or before December 31, 2010 or December 31, 2016, all Plans and Calculations for service lateral and sprinkler systems shall be submitted no later than June 30, 2010 or June 30, 2016 respectively, with installation and approval of work to occur prior to December 31, 2010 or December 31, 2016 respectively.

b. For Petaluma Boulevard North installations that occur in the last year of the six (6) or twelve (12) year deadline (when established) after the installation of the water main by the City of Petaluma, Plans and Calculations shall be submitted in that last year no later than June 30 of that year, with installation and approval of work to occur prior to December 31 of that last year.

Section 903.3 is amended as follows:

903.3 - Installation Requirements. Sprinkler systems shall be designed and installed in accordance with NFPA-13, NFPA-13R (if approved by the Fire Code Official) and NFPA-13D. Pursuant to Section 102.7.1 and Section 105.1.4, the Fire Code Official may require additional sprinkler coverage to mitigate certain conditions such as access or water supply issues.

Section 903.3.1 is amended to read:

903.3.1 - Design Criteria. Fire sprinkler systems installed in buildings of undetermined use shall be designed and installed to have a design density of .33 gallons per minute per square foot over a minimum design area of three thousand square feet (3,000’ sq.). Where a subsequent occupancy change requires a system with greater capacity, it shall be the building owners’ responsibility to upgrade the system to the required density and meet any additional requirements of the Fire Code at the time of such change.

Section 903.3.7 is amended to read as follows:

903.3.7 - Fire Department Connections. The location of fire department connections (FDC’s) shall be within fifty feet (50’) of a fire hydrant or as approved by the Fire Code Official. Approved locking caps shall be provided on all newly installed FDC’s and on any existing FDC’s found to be vandalized.

Section 903.4 is amended to read as follows:

903.4 - Sprinkler System Monitoring and Alarms. Except for Group R, Division 3 Occupancies, all valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels, temperatures, critical air pressure and water flow switches shall
be electronically supervised. Valves when used for standpipes are excluded from this provision unless required by the Fire Code Official.

**Section 903.4.2** is amended to read as follows:

**903.4.2 - Alarms.** One (1) exterior approved audible and visual device shall be connected to every automatic fire sprinkler system in an approved location. 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. Where a building fire alarm system is installed, actuation of the automatic fire sprinkler system shall actuate the building fire alarm system.

Every new commercial fire alarm system installed as a sprinkler system monitoring alarm, including those systems activated solely by fire sprinklers, shall also function for the purpose of occupant notification, so that occupants of the building shall be notified audibly and visually within each major suite or tenant space. A minimum of one (1) notification device shall be located in each major suite in a normally occupied location as determined by the Fire Code Official or building division.

**Section 905.3.1** is amended to read as follows:

**905.3.1 - Building Height.** Class I standpipes shall be installed in buildings three stories or over in height and/or if, in the opinion of the Fire Chief, a hazard or condition exists in which the installation of standpipes would improve firefighting operations. Standpipes will be provided with approved outlets provided on each floor level, including the roof when roof access is provided.

**Section 905.9** exception 2 is deleted.

**Section 907.10** is added to read as follows:

**907.10 - False Fire Alarms.** Owners of properties with a-fire alarm system shall maintain the system in accordance with section 907.8. False alarm fees shall be assessed per the current adopted city fee schedule.

**Section 1907.2** is hereby added to read as follows:

**1907.2 - Prohibited Concrete Reinforcement Materials.** Welded Wire Fabric of any size or gauge shall not be used as concrete reinforcement of any concrete slab or flat work including, but not limited to, flooring, sidewalks, patios, driveways, foundation slabs, equipment slabs, and roadways.

**APPENDIX - Chapter J** is hereby modified by deleting J103.2 Exception 1.

**Section 3109** is hereby modified to read as follows:

**3109.4 - Residential Swimming Pools.** Exception is deleted.

**Section 3109.4.1** is hereby modified in part to read:
3109.4.1 Barrier Height and Clearances. The top of the barrier shall not be less than 72 inches (1829 mm) above grade measured on the side of the barrier that faces away from the swimming pool.

SECTION 2.5: The California Residential Code, as adopted in section 17.04.010, is hereby amended to include the following additions, amendments and deletions:

Section AG105.2 (1) is modified in part to read:

(1) The top of the barrier shall not be less than 72 inches (1829 mm) above grade measured on the side of the barrier that faces away from the swimming pool.

SECTION 4. SEVERABILITY

If any part of this ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision will not affect the validity of the remaining parts of this ordinance. The City Council of the City of Petaluma hereby declares that it would have adopted this ordinance and each of its provisions irrespective of any part being held invalid.

SECTION 5. CEQA NOT APPLICABLE

The City Council finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to section 15050(c)(2) of the CEQA Guidelines, because the activity has no potential for resulting in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to section 15060(c)(3) of the CEQA Guidelines, because the activity is not a project as defined in Section 15378 of the CEQA guidelines.

SECTION 6. EFFECTIVE AND OPERATIVE DATES

This ordinance will become effective thirty days after the date of its adoption by the Petaluma City Council; however, the provisions of this ordinance will not become operative until January 1, 2014, at the same time the 2013 edition of the California Building Standards Code takes effect.

SECTION 7. FILING

In accordance with California Health and Safety Code Section 17958.7, the City Clerk is hereby directed to file a copy of this ordinance and the attached findings of fact with the California Building Standards Commission prior to the effective date of this ordinance specified above.

SECTION 8. POSTING/PUBLICATION
The City Clerk is hereby directed to post and/or publish this ordinance or a synopsis for the period and in the manner required by City Charter.

INTRODUCED and ordered posted/published this ___ day of ________________, 2013.

ADOPTED this ___ day of ________________, 2013 by the following vote:

AYES:

NOES:

ABSENT:

________________________________________

David Glass, Mayor

ATTEST:

APPROVED AS TO FORM:

________________________________________

Clair Cooper, City Clerk

________________________________________

Eric Danly, City Attorney
EXHIBIT "A"

CLIMATIC

Precipitation: Precipitation ranges from twenty inches (20") to approximately twenty-five inches (25") per year. Approximately ninety percent (90%) falls during the months of November through April, and ten percent (10%) from May through October. Severe flooding occurred during the months of January and March, 1995 and in 1998 and 2006.

Relative Humidity: Humidity generally ranges from fifty percent (50%) during daytime and eighty-six percent (86%) at night. It drops to twenty-percent (20%) during the summer months and occasionally drops lower during the months of September through November.

Temperatures: Temperatures have been recorded as high as 104 degrees Fahrenheit. Average summer highs are in the 78-85 degree range.

Winds: Prevailing winds are from the northwest. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 5-15 mph range, gusting to 7.4-30 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.

Soils: Much of Petaluma has "Adobe" type soil. This soil has very high clay content and is extremely expansive. With Petaluma's dry summers and wet winters, the moisture content of the soil varies greatly during the course of the year. This moisture content change causes expansion/contraction of the clay soil. This expansion/contraction can place significant loads on concrete slabs and foundation systems making some "standard" foundation methods/materials inappropriate for the local conditions encountered.

TOPOGRAPHIC

The topographic environment of a community is primarily a combination of two (2) factors: the area's physical geographic characteristics and the historic pattern of urban-suburban development. These two (2) factors, alone and combined, create a mixture of environments which ultimately determine the needs of the City of Petaluma's Building regulations.

The basic geographical boundaries of the city include hills to the south and west, and valley floor in the central area and to the north and east. The Petaluma River bisects the city through the central area. The City of Petaluma covers 13 square miles, including an urban population estimated at 58,000. The city's service area is a conglomeration of bay, plains, hills, valleys, and ridges.

GEOLOGICAL

The relatively young geological processes that have created the San Francisco Bay Area are still active today. Two (2) active earthquake faults (San Andreas and the Hayward-Rodgers Creek) affect the Petaluma area. Approximately fifty percent (50%) of the city's land surface is in the
high-to-moderate seismic hazard zones.

Many of the soils found throughout the City of Petaluma are highly expansive adobe type soils. The combination of the highly expansive nature of these soils along with the long dry summers followed by a compressed rainy season create high stresses on building foundation systems, as such some simpler types of foundation systems are not adequate for these soils conditions.

As there are no "isolated, self-contained" areas within City limits the Grading Permit exception J103.2 (1) was removed for clarity.

PROCEDURAL CLARIFICATION

Changes to the Stop-Work Order section are made to more clearly explain the Stop Work Order process and to establish the penalties for violations of this section.

DEFINITION CLARIFICATION

Due to code enforcement problems in the past, the description of buildings not requiring permits was expanded to help clarify when permits are/are not required.

CONTINUITY

All the amendments to Chapters 7 and 9 of Part II (Building Code) of the California Building Standards Codes contained in this Ordinance are made so that they reflect amendments to chapters 7 and 9 of Part 9 (Fire Code) of the California Building Standards Code made through a separate Ordinance sponsored by the Fire Marshal’s Office.

SUMMARY

These local climatic conditions affect the pressures applied to concrete flatwork and foundations beyond the strength of welded wire fabric reinforcement material.

The population and housing density increased the dangers of accidental drowning's thus requiring the need to have taller swimming pool barriers.

CONCLUSION

The local climatic and geological conditions have necessitated these minor modifications to the Title 24 California Building Standards Codes.
EXHIBIT B

DATE: October, 2013

TO: All REACO Members and Interested Stakeholders

RE: Recommendations for amendment options in adoption of California Green Building Code Standards (CALGreen)

The mission of the Redwood Empire Association of Code Officials (REACO) is to promote life safety and the protection of property through the development, interpretation and application of consistent building codes, standards and policies.

The model code adoption cycle for the 2013 codes presents a unique opportunity for our organization to provide our members and the public with recommendations for a consistent and effective regional sustainable building program. During the 2010 model code update REACO recommended all jurisdictions amend the California Green Building Standards Code (CALGreen) to include Tier 1 levels for both residential and nonresidential occupancies. For the 2013 model code update CALGreen is again composed of both mandatory measures and appendices with two tiers of voluntary measures for both residential and nonresidential new buildings. Selected portions of the appendices may be adopted by local ordinance amending CALGreen. The 2013 CALGreen code scope of projects that apply has been increased to include residential alterations and additions that increase either volume or area of a dwelling. The scope of nonresidential projects for additions and alterations has also been increased to include additions of 1,000 square feet or more and alterations of $200,000 valuation or higher.

Tier 1 requirements for energy efficiency include a 15% increase in the minimum standards established by the California Energy Commission (CEC). Local jurisdictions are required to receive approval from the California Energy Commission for any ordinance that establishes energy efficiency standards at a higher level than the minimum standards set by the CEC. The approval requires a cost-effectiveness study to be completed. At this time, due to the lag in approval by the CEC of performance computer programs, there have been no cost effectiveness studies completed. The California Building Officials (CALBO) have communicated to our membership the recommendation that jurisdictions that wish to amend CALGreen to Tier 1 to not include the enhancement amendment to energy efficiency standards. Also, according to the CEC Blueprint newsletter of June, 2012, "a newly constructed residential building built to the prescriptive requirements of the 2013 Standards
will use 25% less energy for lighting, heating, cooling, ventilation, and water heating than one built to the prescriptive requirements of the 2010 California Energy Code. For nonresidential buildings, there will be a 30% reduction. Tier 1 for energy efficiency increases the standards an additional 15% thus making the cost-effectiveness of such improvements more difficult to achieve.

The Redwood Association of Code Officials surveyed membership and completed extensive discussion of the alternate code-adopted options. The recommendation was voted on by membership on October 8, 2013, with direction to the executive board to draft a document that all jurisdictions may use during their model code update ordinance process.

The REDWOOD EMPIRE ASSOCIATION OF CODE OFFICIALS Executive Board, as directed by the membership, recommends that local jurisdictions consider adoption of the Tier 1 voluntary measures for both residential and nonresidential projects for new buildings only and to include the following categories within the Tier 1 measures: Planning & Design, Water Efficiency & Conservation, Material Conservation & Resource Efficiency, and Environmental Quality as mandatory. The Executive Board does not recommend the adoption of Appendix Sections A4.2 and A5.2 (Energy Efficiency) as mandatory to comply with compliance with 2013 CALGreen for the reasons mentioned above.

Recognizing that these regulations will require additional training, the REACO Education Committee, in conjunction with the North Coast Builder's Exchange (NCBE), the American Institute of Architects Redwood Empire Chapter (AIARE), and the Redwood Empire Chapter of the USGBC is scheduling a series of training opportunities locally. Our goal is to provide consistent training in the application of the standards to both the enforcement and building industry.

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[Signatures]