

## **Title 15**

### **BUILDINGS AND CONSTRUCTION**

#### **Chapters:**

- 15.04 Uniform Codes**
- 15.08 Fire Code**
- 15.09 Building Code**
- 15.12 Water Conservation**
- 15.16 Dumping and Filling**
- 15.20 Property Maintenance Regulations.**

#### **Chapter 15.04**

#### **UNIFORM CODES**

##### **Sections:**

- 15.04.010 Adopted.**
- 15.04.015 Amendments to California Plumbing Code.**
- 15.04.020 Building Inspector.**
- 15.04.030 Fee Schedules.**

**15.04.010 Adopted.** The following codes as amended or supplemented as provided herein, are adopted and incorporated into this Chapter by reference.

- A. The 2007 California Building Code and Appendix Chapter J (2006 International Building Code);
- B. The 2007 California Mechanical Code (2006 Uniform Mechanical Code);
- C. The 2007 California Plumbing Code, Including Chapter 16 (2006 Uniform Plumbing Code);
- D. The 2007 California Electrical Code (2005 National Electric Code);
- E. 1997 Uniform Administrative Code;
- F. 2006 International Property Maintenance Code;
- G. 2006 International Existing Building Code;

H. 2007 International Fire Code Including Appendix Chapter 1 and Appendices A,B,C,D,M and R (2006 International Fire Code);

I. The 2001 Uniform Swimming Pool, Spa, and Hot Tub Code, promulgated by the International Association of Plumbing and Mechanical Officials.

**15.04.015 Amendment to California Plumbing Code.** Section 710.1 is hereby amended to read as follows:

Section 710.1. In every case where the outlet of a trap for a plumbing fixture is installed or located at an elevation that is less than two feet (2') above the rim of the nearest manhole uphill from the point of connection of the building sewer to the public sewer in any new or existing drainage system, approved types of backwater valve, relief vent and clean-out approved shall be installed in the building sewer at the point of lowest elevation of the ground surface for the building site outside of the building or at such other location as is permitted by the Building Inspector, providing that at any such location, the elevation of the ground surface is not less than two feet (2') below the lowest trap outlet served by the building sewer.

The installation shall consist of an approved fresh air inlet and a Y-branch or combination fitting installed in sequence in the line of flow from the building. The vent from this fresh air inlet shall be piped to the ground surface and capped with a vent cap. Provision shall be made by elevation above the ground or by other means for preventing the obstruction of the vent opening or the flow of water therein. The clean-out shall be placed as close to the valve as is practical and shall be piped to within one foot (1') of the ground surface and closed with an approved clean-out plug. Every existing installation that includes a plumbing fixture trap outlet that is less than two feet (2') above the rim of the nearest manhole uphill from the point of connection of the building sewer to the public sewer is hereby declared to be dangerous, unsanitary and a menace to life, health and property. Whenever it shall come to the attention of the Building Inspector that such an installation exists, he or she is hereby empowered to order and require that such plumbing outlet be immediately plugged or capped, or that the equipment described in the preceding paragraph of this section be installed immediately.

**15.04.020 Building Inspector.** The office of building inspector, plumbing inspector and other offices provided in the codes mentioned in Section 15.04.010 are consolidated into one office known as the office of building inspector.

**15.04.030 Fee Schedules.** The City Council may by resolution adopt fee schedules relating to the processing of applications for permits for various aspects of development in the City, including, but not limited to, the subject matter of Codes mentioned in Section 15.04.010 of this Chapter.

## Chapter 15.08

### FIRE CODE

#### Sections:

15.08.010	Adoption.
15.08.020	Definitions.
15.08.030	Permit Refusal & Appeal.
15.08.040	Amendments to Fire Code.
15.08.050	Appendix Chapter 1 Section 102.1 Amendment.
15.08.060	Appendix Chapter 1 Section 102.3 Amended.
15.08.070	Section 202 Amended – Definitions.
15.08.080	Section 304 Amended.
15.08.090	Section 307 Amended.
15.08.100	Section 316 Amended – Storage of Idle Pallets.
15.08.110	Section 503.2.6.1 Added – Private Bridge Engineering.
15.08.120	Section 503.2.6.2 Added – Private Bridge Certification.
15.08.130	Section 503.2.7 Amended – Grade.
15.08.140	Section 503.2.7.1 Added – Paving.
15.08.150	Section 503.3.1 Added – Prohibition of Unauthorized Signs.
15.08.160	Section 506.1 Amended where Required.
15.08.170	Section 508.5.21 Amended – Inspection, Testing & Maintenance.
15.08.180	Section 603.6.6 Added – Spark Arresters.
15.08.190	Section 901.1.1 Added – Responsibility.
15.08.200	Section 901.4 Amended – Installation.
15.08.210	Section 901.4.5 Added – Non-operational Equipment.
15.08.220	Section 903.2 Amended where Required.
15.08.230	Section 903.2.1 Amended – Area Requirements.
15.08.240	Section 903.2.7 Added – Group R.
15.08.250	Section 903.3.1.1.2 Added – Elevators
15.08.260	Section 903.3.1.3 Added – Sprinklers
15.08.270	Section 903.4.1 Amended – Signals.
15.08.280	Section 903.4.2.1 Added.
15.08.290	Section 903.4.3 Amended – Floor Control Valves.
15.08.300	Section 903.6 Amended – Repairs, Alterations, & Additions.
15.08.310	Section 904.11 Add Text – Non-Conforming Restaurant Cooking Appliances and Fire Extinguishing Systems.
15.08.320	Section 907.1.5 Added – Multiple Fire Alarm Systems.
15.08.330	Section 907.2 Amended where Required – New Buildings and Structures.
15.08.340	Section 907.2.10.1.2 Amended – Exception.
15.08.350	Section 907.2.10.2 Amended – Exception.
15.08.360	Section 907.2.10.3 Amended – Exception
15.08.370	Section 907.2.10.6 Added – Household Fire Warning Systems.

- 15.08.380 Section 907.9.5 Added – Zone Transmittal.**
- 15.08.390 Section 907.10.2 Change – “Occupied” to “Occupiable”.**
- 15.08.400 Section 907.13 Amended –Access.**
- 15.08.410 Section 907.18 Amended – Completion Documents.**
- 15.08.420 Section 2505.1 Amended – Individual Piles**
- 15.08.430 Section 7902 Added.**
- 15.08.440 Section D103.2 Amended – Grade**
- 15.08.450 Appendix M Added.**
- 15.08.460 Appendix R Added.**

**15.08.010 Adoption.** For the purpose of prescribing regulations governing the conditions hazardous to life and property from fire or explosion, that certain code known as the 2007 International Fire Code and Appendix Chapter 1 and Appendices A, B, C, D, M and R, published by the State of California, being particularly the 2007 edition thereof and the whole thereof, save and except such portions as are deleted, modified, or amended in this Chapter 15.08, a copy of which Fire Code and Appendix Chapters is on file in the office of the City Clerk, and the same are adopted and incorporated as fully as if set out at length in this Chapter, and from the date on which the ordinance codified in this Chapter shall take effect, the provisions thereof shall be controlling within the limits of the City.

**15.08.020 Definitions.** Whenever the following words or phrases are used within the Fire Code, they shall have the following meanings:

- A. “Corporation Counsel” means the City Attorney or the City of San Diego.
- B. “Fire Chief” means the Fire Chief of the Fire Department of the City of Monterey.
- C. “Fire Department” means the Fire Department of the City of Monterey.
- D. “Municipality” means the City of San Diego.
- E. “Fire Code” means the Fire Code and appendix referred to in Section 15.08.010.

**15.08.030 Permit Refusal & Appeal.** Whenever the Fire Chief has disapproved an application or refused to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal to the City Council by submitting, in writing, to the City Clerk and appeal on the decision of the Fire Chief. Such appeal shall be submitted within thirty (30) days of the decision being appealed. The City Clerk shall place such appeal before the City Council at its regular meeting after proper public notification. Any decisions of the City Council shall be final and not subject to further appeal.

**15.08.040 Amendments to Fire Code.** The amendments set forth in the following Sections in this Chapter 15.08 are amendments to the Fire Code. Whenever any of the amendments in the following Sections conflict with the Building Code in force at the time of application of such

amendments, the amendments set forth in this Chapter shall control.

**15.08.050 Appendix Chapter 1 Section 102.1 Amendment.** Appendix Chapter 1 Section 102.1 is amended to read as follows:

102.1. Construction and design provisions. The construction and design provisions of this Code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this Code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this Code.
3. Existing structures, facilities and conditions when identified in specific sections of this Code.
4. Existing structures, facilities and conditions, which, in the opinion of the fire code official, constitute a distinct hazard to life and property.
5. Existing structures to which additions, alterations or repairs are made that involve the addition, removal or replacement of fifty percent (50%) or greater of the linear length of the walls of the existing building (exterior plus interior) within a one-year period.
6. Existing structures to which additions, alterations or repairs are made that are valued at an amount set forth by resolution where adopted.”

**15.08.060 Appendix Chapter 1 Section 102.3. Amended.** Appendix Chapter 1 Section 102.3 is amended to read as follows:

102.3. Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same groups or occupancy or in a different group of occupancies, unless such structure is made to comply with the provisions of this code.”

**15.08.070 Section 202 Amended.** Section 202 is amended to add the following definitions:

All Weather Surface. A road surface constructed to the minimum standards adopted by the jurisdiction.

Bridge. A structure to carry a roadway over a depression or obstacle.

Occupancy Group U. *Add the following examples to “Agricultural buildings”;* Storage, livestock, and poultry; milking barns, shade structures, and horticultural structures (greenhouses and crop protection structures).”

**15.08.080 Section 304 Amended.**

Section 304. Rubbish within Dumpsters. In all rooms or above outside areas, adjacent to building or underneath roof overhangs or when located nearer than ten feet (10') to adjacent property line, used for storage of combustible waste materials in other than Group R, Division 3 occupancies shall be protected by automatic sprinkler protection. Such sprinklers may be connected to the domestic water supply, provided sufficient coverage of the area is provided and an approved accessible shutoff valve is provided for each room or area.

Exception:

(1) Trash areas adjacent to solid brick or concrete walls with no openings or eaves are not required to be protected by automatic sprinkler system(s).

**15.08.090 Section 307 Amended.**

**Section 307 - Incinerators, Open Burning and Commercial Barbecue Pits.**

Open Burning

Section 307. General. Open burning shall be prohibited including the outdoor rubbish fires and bonfires, unless (1) the fire is confined to an approved incinerator as defined by the Uniform Mechanical Code and authorized by the Monterey Bay Air pollution Control District, (2) the open fire is for the explicit purpose of preparation of food, such as in the case of a luau, barbecue, and the like, or (3) open fire rings or 2-ft by 2-ft by 2-ft warming fires are located within the coastal beach areas, excluding fenced off sensitive habitat areas, at a minimum distance of fifty (50) feet from any habitable structure and are under constant attendance, (4) gas fueled factory manufactured / industry safety certified fire-pits, and (5) a special condition or circumstance exists and written authorization is granted by the Fire Chief and/or Police Chief.

**15.08.100 Section 316 Amended. Section 316 - Storage of Idle Pallets.**

Section 316.1. General. The requirements of this section apply to all pallets, whether wood or plastic.

**15.08.110 Section 503.2.6.1 Added.**

503.2.6.1 Private Bridge Engineering. Every private bridge hereafter constructed shall meet the following engineering requirements:

- a. The weight shall be designated for a minimum of HB-17 loading as prescribed by the AASHTO.
- b. The unobstructed vertical clearance shall be not less than fifteen feet (15') clear.
- c. The width shall be a minimum of twenty feet (20') clear. The fire code official may require additional width when the traffic flow may be restricted or reduce the width to a minimum of twelve feet (12') for Occupancy Group U or R-1 occupancies.
- d. The maximum grade change of the approach to and from any private bridge shall not exceed eight percent (8%) for a minimum distance of ten feet (10').

**15.08.120 Section 503.2.6.2 Added.**

503.2.6.2. Private Bridge Certification. Every private bridge hereafter constructed shall be engineered by a licensed professional engineer knowledgeable and experienced in the

engineering and design of bridges. Certification that the bridge complies with the design standards required by this code and the identified standards, and that the bridge was constructed to those standards, shall be provided by the licensed engineer, in writing, the fire code official. Every private bridge, including existing and those constructed under this code, shall be certified as to its maximum load limits every ten (10) years or whenever deemed necessary by the fire code official. Such re-certification shall be by a licensed professional engineer knowledgeable and experienced in the engineering and design of bridges. All fees charged for the purpose of certification or re-certification of private bridges shall be at the owner's expense.

**15.08.130 Section 503.2.7 Amended.**

503.2.7 Grade. The grade of the fire apparatus access roads shall be no greater than 15% unless specifically approved by the fire code official.

**15.08.140 Section 503.2.7.1 Added.**

503.2.7.1 Paving. All fire apparatus access roads over eight percent (8%) shall be paved with a minimum 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base. All fire apparatus access roads over fifteen percent (15%) where approved shall be paved with perpendicularly grooved concrete.

**15.08.150 Section 503.3.1 Amended.**

503.3.1. Prohibition of Unauthorized Signs. Posting of any road naming signs not authorized by the fire code official or the jurisdiction shall be prohibited.

**15.08.160 Section 506.1 Amended.**

506.1. Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box or other approved emergency access device to be installed in an approved location. The key box or other approved emergency access device shall be of an approved type and shall contain keys or other information to gain necessary access as required by the fire code official.

**15.08.170 Section 508.5.2 Amended.**

508.5.2. Inspection, Testing, and Maintenance. Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alteration and servicing shall comply with approved standards. When required by the fire code official, hydrants shall be painted in accordance with the most current edition of NFPA 291.

**15.08.180 Section 603.6.6 Added.**

603.6.6. Spark Arresters. An approved spark arrester shall be installed on all chimneys, incinerators, smokestacks or similar devices for conveying smoke or hot gases to the outer air.

**15.08.190 Section 901.1.1 Added.**

901.1.1. Responsibility. The owner of the protected premises shall be responsible for all fire protection systems within the protected premises, whether existing or installed under this code.

**15.08.200 Section 901.4 Amended.**

901.4. Installation. Fire protection systems shall be maintained in accordance with the original installation standards for that system. All systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to the fire protection systems shall be done in accordance with applicable standards.

**15.08.210 Section 901.4.5 Added.** Section 901.4.5 is added to read as follows:

901.4.5. Non-Operational Equipment. Any fire protection equipment that is no longer in service shall be removed.

**15.08.220 Section 903.2 Amended.** Section 903.2 is amended to read as follows:

903.2. Where Required. Approved automatic sprinkler systems shall be provided in all new buildings and structures constructed, moved into or relocated within the jurisdiction.

Exceptions:

(1) Structures not classified as Group R Occupancies and not more than 300 square feet in total floor area.

**15.08.230 Section 903.2.1 Amended- Area Requirements.** The following sections are amended by changing area requirements to five-hundred (500) square feet for fire sprinkler installation, as follows (the complete text of the section is not provided):

<u>903.2.1.1</u>	<u>Group A-1.</u>	Change 12,000 square feet to 500 square feet.
<u>903.2.1.2</u>	<u>Group A-2.</u>	Change 5,000 square feet to 500 square feet.
<u>903.2.1.3</u>	<u>Group A-3.</u>	Change 12,000 square feet to 500 square feet.
<u>903.2.1.4</u>	<u>Group A-4.</u>	Change 12,000 square feet to 500 square feet.
<u>903.2.1.5</u>	<u>Group A-5.</u>	Change 1,000 square feet to 500 square feet.
<u>903.2.2</u>	<u>Group E.</u>	Change 20,000 square feet to 500 square feet.
<u>903.2.3</u>	<u>Group F-1.</u>	Change 12,000 square feet to 500 square feet.
<u>903.2.6-1</u>	<u>Group M.</u>	Change 12,000 square feet to 500 square feet.
<u>903.2.6-3</u>	<u>Group M.</u>	Change 24,000 square feet to 500 square feet.

903.2.8 Group S-1. Change 12,000 square feet to 500 square feet.

903.2.8.1 Repair Garages. Change 10,000 square feet (2 story buildings) and 12,000 square feet (1-story buildings) to 500 square feet.

**15.08.240 Section 903.2.7 Amended.**

903.2.7. Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided in all buildings with a group R fire area, including, but not limited to, one- and two-family dwellings, town-homes, manufactured homes and mobile homes hereafter constructed, moved into or relocated within the jurisdiction, including all additions to buildings already equipped with automatic fire sprinkler systems.

**15.08.250 Section 903.3.1.1.2 Added.**

903.3.1.1.2. Elevators. Automatic fire sprinklers shall not be installed at the top of passenger elevator hoist-ways or in the associated passenger elevator mechanical rooms.

903.3.1.1.2.1. Where Automatic fire sprinklers are not installed at the top of passenger elevator hoist-ways, heat detectors for the shunt trip mechanism shall not be installed, nor shall smoke detectors for elevator recall be installed.

903.1.1.2.2. Where automatic fire sprinklers are not installed in associated elevator mechanical rooms, heat detectors for the shunt trip mechanism shall not be installed. A smoke detector shall be installed for elevator recall.

**15.08.260 Section 903.3.1.3 Added-Sprinklers.**

903.3.1.3. NFPA 13D Sprinkler Systems. Where allowed, automatic sprinkler system installed in one- and two- family dwellings shall be installed throughout in accordance with NFPA 13D.

903.3.1.3.1. All fire sprinkler system installed in one- and two-family dwellings shall be tested for leakage by undergoing a hydrostatic test made at 200 psi for a two-hour duration.

903.3.1.3.2. Each water system supplying both domestic and fire protection systems shall have a single indicating type control valve, arranged to shut off both the domestic and sprinkler systems. A separate shut-off valve for the domestic system only shall be permitted to be installed. The location of the control valve shall be approved by the fire code official.

903.3.1.3.3. Automatic sprinklers shall be installed in all bathrooms, regardless of square footage.

903.3.1.3.4. Automatic sprinklers shall be installed in all attached garages and structures.

903.3.1.3.5. Automatic sprinklers shall be installed in all accessible storage areas.

903.3.1.3.6. Local water flow alarms shall be provided on all sprinkler systems. Local water flow alarms shall be powered from the main kitchen refrigerator circuit. The local water flow alarm shall be clearly audible from within the master bedroom at an audibility level of not less than 70dBa. Where no kitchen exists in the building, the water flow alarm shall be powered from the bathroom lighting circuit.

**15.08.270 Section 903.4.1 Amended.**

903.4.1. Signals. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72, or, when approved by the fire code official, shall sound an audible signal at a constantly attended location. The fire alarm system installed to transmit such signals shall be considered a building fire alarm system.

**15.08.280 Section 903.4.2.1 Added.**

903.4.2.1. Where an automatic fire sprinkler system is installed in a building with more than one tenant or with over 100 sprinkler heads, audible and visible notification appliances shall be installed throughout the building as follows:

- a. Audible notification appliances shall be installed so as to be audible at 15dBa above average sound pressure level throughout the building.
- b. Visible notification appliances shall be installed in all public and common use areas, restrooms and corridors in accordance with the spacing requirements of NFPA 72.
- c. Visible notification appliances can be eliminated in normally unoccupied portions of buildings where permitted by the fire code official.

Exception:

The requirements of this section do not apply to Group R Occupancies.

**15.08.290 Section 903.4.3 Amended.**

903.4.3. Floor Control Valves. Approved indicating control valves and water flow switches shall be provided at the point of connection to the riser on each floor in all buildings over one (1) story in height, and shall be individually annunciated as approved by the fire code official.

**15.08.300 Section 903.6 Amended.**

903.6. Repairs, Alterations, and Additions. In all buildings, except where otherwise provided herein in this Section, where the total floor area exceeds five thousand square feet (5,000 sq.ft.), or which are forty feet (40') or more in height, or which are three (3) or more stories in height, they shall be made to comply with the provisions of this Section.

In all buildings where the total floor area exceeds five thousand square feet (5,000 sq.ft.), or which are forty feet (40') or more in height, or which are three (3) or more stories in height, if the repairs or alterations are made exceeding twenty-five percent (25%) of the current market value of the building and property as shown in the records of the County Assessor within any three hundred sixty (360) day period shall be made to comply with the provisions of this section.

Exception:

(1) Valuation may also be determined by the replacement costs of the existing structure based upon the most recent "Building Valuation Data" contained in the "Building Standards" magazine published by the International Conference of Building Officials. The intent of this exception is to allow the use of a less restrictive application (if applicable) to determine if repair, alterations or additions are twenty-five percent (25%) or more of the value of the building.

Definitions:

Repair. It is the reconstruction or renewal of any part of an existing building or structure for the purpose of its maintenance.

Alteration. It is any change, addition, or modification in construction or occupancy.

Exception:

Projects where the sole purpose is for seismic upgrade.

**15.08.310 Section 904.11 Add Text-Non-Conforming Restaurant Cooking Appliances and Fire Extinguishing Systems.**

904.11 Non-Conforming Restaurant Cooking Appliances and Fire Extinguishing Systems. All non-conforming restaurant cooking appliances, hood and duct systems, and fire extinguishing systems found to exist as of the effective date of this Ordinance shall be made to conform to the requirements of this Section within ninety (90) days of notification. It shall thereafter be unlawful for any person to maintain or suffer to be maintained any non-conforming restaurant cooking appliance, hood and duct system or fire extinguishing system on any property owned or controlled by said person within the City of Sand City.

**15.08.320 Section 907.1.5 Added.**

907.1.5. Multiple Fire Alarm Systems. Multiple fire alarm systems within a single protected premises are not permitted, unless specifically authorized by the fire code official.

**15.08.330 Section 907.2 Amended.**

907.2. Where required – new buildings and structures. An approved manual, automatic, or manual and automatic fire alarm system installed in accordance with the provisions of this code

and NFPA 72 shall be provided in new buildings and structures in accordance with Section 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.10, unless other requirements are provided by another section of this code. Where automatic sprinkler protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required. The automatic fire detectors shall be smoke detectors unless otherwise permitted by the fire code official. Where ambient conditions prohibit installation of automatic smoke detection, other automatic fire detection shall be allowed.

**15.08.340 Section 907.2.10.1.2 Amended.**

Exception:

Where a household fire warning system is installed in accordance with Section 907.2.10.5.

**15.08.350 Section 907.2.10.2 Amended.**

Exception:

Where a household fire warning system is installed in accordance with Section 907.2.10.5.

**15.08.360 Section 907.2.10.3 Amended.**

Exception:

Where a household fire warning system is installed in accordance with Section 907.2.10.5.

**15.08.370 Section 907.2.10.6 Addition.** Section 907.2.10.6 is added to read as follows:

907.2.10.6. Household Fire Warning Systems. An approved household fire warning system shall be permitted to be installed in lieu of the single or multiple-station smoke alarms required by Section 907.2.10 and the California Building Code. Plans and specifications for the household fire warning system shall be submitted for review and approval prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the International Building Code shall be required to be placarded as permanent building equipment.

**15.08.380 Section 907.9.5 Addition.**

907.9.5. Zone Transmittal. Where required by the fire code official, fire alarm signals shall be transmitted by zone to the supervising station and re-transmitted by zone to the public fire service communications center.

**15.08.390 Section 907.10.2 Changed.** Section 907.10.2 is amended by changing the word 'occupied' to 'occupiable', to read in part as follows:

“...in every occupiable space within a building...”

**15.08.400 Section 907.13 Amended.** Section 907.13 is amended to read as follows:

907.13. Access. Access shall be provided to each fire alarm system component for periodic inspection, maintenance and testing.

**15.08.410 Section 907.18 Amended.** Section 907.18 is amended to read as follows:

907.18. Completion Documents. The following documentation shall be provided at the time of acceptance testing for all fire alarm system installations:

1. A record of completion in accordance with NFPA 72.
2. A contractor’s statement verifying that the system has been installed in accordance with the approved plans and specifications, and has been 100% tested in accordance with NFPA 72.
3. A contractor’s affidavit of personnel qualifications, indicating that all personnel involved with the installation of the fire alarm system meet the qualification requirements of the fire code official.

**15.08.420 Section 2505.1 Amended.**

2505.1 Individual Piles. Tire storage shall be restricted to individual piles not exceeding 2,500 square feet of continuous area. Piles shall not exceed 25,000 cubic feet in volume or ten feet (10’) in height.

**15.08.430 Section 7902 Added.** Section 7902 is hereby changed from 7902 to 3404.2 and shall read as follows:

Section 3404.2 Amended. Storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited except as permitted by the Zoning Ordinance.

Exceptions:

1. For marine fueling operations, a maximum of 2,000 gallons of diesel fuel may be stored and dispensed from an above ground tank as approved by the Fire Chief.
2. Storage tanks of 250 gallon maximum capacity may be used only in conjunction with emergency generators as approved by the Fire Chief.

**15.08.440 Section D103.2 Amended.** Section D103.2 is amended to read as follows:

D103.2. Grade. Fire apparatus access roads shall not exceed fifteen percent (15%) in grade with a maximum side slope of five percent (5%).

Exception:

Grades steeper than fifteen percent (15%) as approved by the fire code official shall be paved with perpendicularly grooved concrete.

**15.08.450 Appendix M Added.** APPENDIX M: Standard Fire Conditions for Single Family Dwellings

SECTION M101. GENERAL.

M101.1. Scope. Applications for the construction or remodel of single family dwellings, including one- and two- family dwellings, town homes, modular and manufactured homes, and mobile homes outside of established mobile home parks, shall be subject to the fire conditions in this appendix when conditioned by the fire code official.

M101.2. Conflicting Sections. Where provisions in this Appendix conflict with other sections of this code or other appendices, the provisions of this appendix shall prevail unless otherwise directed by the fire code official.

SECTION M102. ROADS.

M102.1. General. These conditions will be used primarily when conditioning a subdivision or other project that requires roads. Roads are defined as access pathways for more than two parcels.

M102.2. Road Access. (Fire 001). Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine foot (9') traffic lanes with an unobstructed vertical clearance of not less than fifteen feet (15'). The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name.

M102.3. Roadway Engineering. (Fire 002). The grade for all roads shall not exceed fifteen percent (15%) with a maximum side slope of five percent (5%). Where road grades exceed eight percent (8%), a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than one-hundred feet (100'). No roadway turn shall have a horizontal inside radius of less than fifty feet (50'). A roadway turn radius of fifty to one-hundred feet (50'-100') is required to have an additional four feet (4') of roadway surface. A roadway turn radius of one-hundred to two-hundred feet (100'-200') is required to have an additional two feet (2') of roadway surface.

Roadway turnarounds shall be required on dead-end roads in excess of one-hundred and fifty feet (150') of surface length. The minimum turning radius for a turn around shall be forty feet (40') from the center line of the road. If a hammerhead/T is used, the top of the 'T' shall be a minimum of sixty feet (60') in length.

### M102.3. Dead-End Roads.

M102.3.1. Parcels Less Than One (1) Acre. (Fire 003). For parcels less than one (1) acre, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed eight-hundred feet (800'). All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of different sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at its terminus. The minimum turning radius for a turnaround shall be forty feet (40') from the center line of the road. If a hammerhead/T is used, the top of the 'T' shall be a minimum of sixty feet (60') in length.

M102.3.2 Parcels Greater Than One (1) Acre and Not Exceeding Five (5) Acres (Fire 004). For parcels greater than one (1) acre and not exceeding five (5) acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road shall not exceed 1,320 feet. All dead-end road lengths shall be measured from the edge or roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at its terminus. The minimum turning radius for a turnaround shall be forty feet (40') from the center line of the road. If a hammerhead/T is used, the top of the 'T' shall be a minimum of sixty feet (60') in length.

M102.3.3. Parcels Greater than Five (5) Acres and Not Exceeding Twenty (20) acres. (Fire 005). For parcels greater than five (5) acres and not exceeding twenty (20) acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 2,640 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than 1,320 foot intervals. The minimum turning radius for a turnaround shall be forty feet (40') from the center line of the road. If a hammerhead/T is used, the top of the 'T' shall be a minimum of sixty feet (60') in length.

M102.3.4. Parcels Greater Than Twenty (20) Acres. (Fire 006). For parcels greater than twenty (20) acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 5,280 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus

and at no greater than 1,320-foot intervals. The minimum turning radius for a turnaround shall be forty feet (40') from the center line of the road. If a hammerhead/T is used, the top of the 'T' shall be a minimum of 60 feet in length.

### SECTION M103. DRIVEWAYS, GATES, AND BRIDGES

M103.1 Driveways. (Fire 007) Driveways shall not be less than twelve feet (12') wide unobstructed, with an unobstructed vertical clearance of not less than fifteen feet (15'). The grade for all driveways shall not exceed fifteen percent (15%) with a maximum slope of five percent (5%). Where the grade exceeds eight percent (8%), a minimum structural roadway surface of 0.17-feet of asphaltic concrete on 0.34-feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22-tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns of 90 degrees and less, the minimum horizontal inside radius of curvature shall be twenty-five feet (25'). For driveways with turns greater than 90 degrees, a minimum horizontal inside radius curvature shall be twenty-eight feet (28'). For driveway turns, an additional surface of four feet (4') shall be added. All driveways exceeding 150-feet in length, but less than 800-feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800-feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of twelve feet (12') wide and thirty feet (30') long with a minimum of twenty-five foot (25') taper at both ends. Turnarounds shall be required on driveways in excess of 150-feet of surface length and shall long with a minimum twenty-five foot (25') taper at both ends. Turnarounds shall be required on driveways in excess of 150-feet of surface length and shall be located within fifty feet (50') of the primary building. The minimum turning radius for a turnaround shall be forty feet (40') from the center line of the driveway. If a hammerhead/T is used, the top of the 'T' shall be a minimum of sixty feet (60') in length.

M103.2. Gates. (Fire 008) All gates providing access from a road to a driveway shall be located at least thirty feet (30') from the roadway and shall open to allow a vehicle to stop without obstruction traffic on the road. Gate entrances shall be at least the width of the traffic lane, but in no case less than twelve feet (12') wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a forty foot (40') turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required.

M103.3. Bridges. (Fire 009) All new and reconstructed bridges shall be at least the width of the roadbed and berms, but in no case less than twelve feet (12') wide. Bridge width on all roads exceeding tertiary standards shall not be less than the width of the two lanes with berms. All bridges shall be designed for HS15-44 loading and have guardrails. Appropriate signs, including but not limited to, weight ratings or vertical clearance limitations, and one-way road or single-lane road conditions, shall be provided at both entrances to any bridge. One-lane bridges may be permitted if there is unobstructed visibility across the entire bridge, and turnouts are provided at both bridge ends. The fire authority may impose more stringent requirements for bridges.

## SECTION M104. SIGNS AND ADDRESSES

M104.1 Road Signs (Fire 010) All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers, and symbols for street and road signs shall be a minimum of four inch (4") letter height, ½-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least one-hundred feet (100'). Height, visibility, legibility, and orientation of street and road signs shall meet the provisions of the jurisdiction. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than one-hundred feet (100') before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the fire code official.

M104.2. Addresses for Buildings. (Fire 011) All buildings shall be issued an address in accordance with jurisdictional requirements. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of four inch (4") height, ½-inch stroke, contrasting with the background color of the sign, and shall be in Arabic. The sign and numbers shall be reflective and made of a non-combustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance.

## SECTION M105. WATER SUPPLY

M105.1 Water Systems. (Fire 012) The provisions of this condition shall apply when all new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in Table 2 of the Monterey County General Plan, NFPA Standard 1142, or

other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available.

M105.2. Reserved (Fire 013)

M105.3. Single Parcel Fire Protection Water Supply. (Fire 014) For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available.

M105.4. Fire Hydrants and Valves. (Fire 015) A fire hydrant or fire valve is required. The hydrant or fire valve shall be eighteen inches (18") above grade, eight feet (8') from flammable vegetation, no closer than four feet (4') nor further than twelve feet (12') from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall not be less than fifty feet (50') and not more than 1,000 feet by road from the building it is to serve. Minimum hydrant standard shall include a brass head and valve with at least one 2½-inch National Hose outlet supplied by a minimum four inch (4") main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of three inches (3"), located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within three feet (3') of the hydrant/valve, with the blue marker not less than three feet (3') or greater than five feet (5') above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the *State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways*, May 1988.

SECTION M107. VEGETATION AND DEBRIS DISPOSAL

M107.1 Disposition of vegetation and debris fuels. (Fire 017) Disposal, including chipping, burying, or removal to a landfill site approved by the local jurisdiction, of vegetation and debris caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to final clearance of the related permit.

SECTION M108. GREENBELTS

M108.1 Greenbelts. (Fire 018) Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the fire code official.

SECTION M109. DEFENSIBLE SPACE

M109.1 Standard Defensible Space Requirements. (Fire 019) Remove combustible vegetation

from within a minimum of one-hundred feet (100') or to the property line, whichever is greater, from structures. Vegetation shall be no taller than four inches (4") high. Limb trees six feet (6') up from the ground. Remove limbs within ten feet (10') of chimneys. Additional or alternate fire protection approved by the fire code official may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by the fire code official and other jurisdictional authorities.

M109.2 Reserved. (Fire 020)

#### SECTION M110. FIRE PROTECTION SYSTEMS

M110.1. Residential Fire Sprinkler Systems (Standard). (Fire 021) The building(s) and attached structure(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection.

M110.2 Reserved. (Fire 022)

M110.3 Reserved. (Fire Condition 023)

M110.4 Residential Fire Alarm Systems. (Fire 024) The residence shall be fully protected with an approved household fire warning system as defined by NFPA 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the California Building Code shall be required to be placarded as permanent building equipment.

M110.5 Residential Fire Alarm Systems in Lieu of Smoke Alarms. (Fire 025) Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single-station smoke alarms required by the International Building Code the alarm panel shall be required to be placarded as permanent building equipment.

### **15.08.460 Appendix R Added. APPENDIX R: Roofs**

#### **APPENDIX R – Roofs**

##### SECTION R101. GENERAL.

R101.1. Scope. Applications for the construction or remodel of any buildings shall be subject to the roofing conditions of this appendix when conditioned by the fire code official.

R101.2. Conflicting Sections. Where provisions in this appendix conflict with other sections of this code or other appendices, the provisions of this appendix shall prevail unless otherwise

directed by the fire code official.

#### SECTION R102. NEW BUILDINGS.

R102.1. General. (Fire 026) Roofing requirements for all new buildings shall be a minimum Class 'A' roof assembly as defined by the International Building Code.

#### Exception:

Greenhouses shall be exempt from the requirements of this section.

R102.2 Very High Hazard Severity Zones. (Fire 027). Roofing requirements for all new buildings in Very High Hazard Severity Zones shall be a minimum Class 'A' roof assembly as defined by the International Building Code.

#### SECTION R103. EXISTING BUILDINGS.

R103.1. General. (Fire 026) Roofing requirements for existing buildings when fifty percent (50%) or more of the roof area is re-roofed within one (1) year period after the issuance of a building permit shall be a minimum Class 'A' roof assembly as defined by the International Building Code. Where there is no permit issued, this section is applicable to buildings constructed after the effective date of this code and to buildings where fifty percent (50%) or more of the roof area is re-roofed within a one (1) year period after commencing construction.

R103.2. Very High Hazard Severity Zone. (Fire 027) Roofing requirements for existing buildings within a very high hazard severity zone when fifty percent (50%) or more of the roof area is re-roofed within a one (1) year period after the issuance of a building permit shall be a minimum Class 'A' roof assembly as defined by the International Building Code. Where there is no permit issued, this section is applicable to such buildings constructed after the effective date of this code and to buildings where fifty percent (50%) or more of the roof area is re-roofed within a one (1) year period after commencing construction.

#### SECTION R104. ADDITIONS TO EXISTING BUILDINGS

R104.1. General. The requirements of this Appendix shall apply to all additions to existing buildings, except that only the new portions of the roof shall be required to meet the requirements of this appendix.

## **Chapter 15.09**

### **Building Code**

#### **Sections:**

#### **15.09.010 Adoption.**

- 15.09.020 Application of Amendments**  
**15.09.030 Section 1505.1.1 Amended.**

**15.09.010 Adoption.** For the purposes of prescribing regulations governing conditions to the development of better building construction and greater safety to the public by uniformity in building laws, that certain code known as the 2007 California Building Code and Appendix Chapter J promulgated by the State of California, being particular of the 2007 Edition thereof and the whole thereof, save and except such portions as they are deleted, modified, or amended in the Ordinance codified in this Chapter, a copy of which is now on file in the office of the City Clerk, and the same are adopted and incorporated as fully as if set out at length in this chapter, and from the date on which the Ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City.

**15.09.020 Application of Amendments.** Whenever the amendments to the Building Code referred to in Section 15.09.010 which are set forth in the remaining sections of this Chapter 15.09 shall control.

**15.09.030 Section 15.05.1.1 Amended.** Real coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure, and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire retardant roof or Class A roof.

## **Chapter 15.12**

### **WATER CONSERVATION**

#### **Sections:**

- 15.12.010 Purpose.**  
**15.12.020 Building standards for new construction.**  
**15.12.030 Irrigation standards for new projects.**  
**15.12.040 Landscaping standards for new projects.**  
**15.12.050 Standards for parks.**  
**15.12.060 Exceptions.**

**15.12.010 Purpose.** It is the purpose and intent of this section to control unnecessary consumption of the available water supplies on the Monterey Peninsula by requiring the use of water-saving devices. (Ord. 84-2 §1(a), 1984)

**15.12.020 Building standards for new construction.** The following devices for water conservation purposes shall be required in the following types of construction except as

otherwise provided in this chapter:

A. In all newly constructed, substantially reconstructed or remodeled residential, commercial, industrial or public buildings, all toilets and urinals must use three and one-half gallons of water per flush or less. All shower heads installed in such buildings must limit use of water to three gallons or less per minute at pressure of fifty pounds or less per square inch. All kitchen sink, lavatory and other inside faucets shall be equipped with water-saving aerators or laminar flow devices together with flow control inserts, valves, devices or orifices that restrict flow to a maximum of approximately two gallons per minute. All hot water pipes shall be insulated. All roofs shall be equipped with roof gutters and downspouts that can be adapted to rain catchment devices.

B. In all newly constructed or substantially reconstructed commercial, industrial or public buildings, all lavatory faucets must be of the self-closing type as that term is commonly used in the industry or be controlled by foot pedal.

C. All newly constructed ornamental fountains, permanent swimming or wading pools, or other structures of similar purposes and making similar use of water shall employ recirculating systems. All new swimming pools shall be equipped with a cover suitable for covering the entire surface of the pool.

D. All newly installed water-cooled air-conditioning equipment shall be equipped with water-conserving systems and not be the evaporating types.

E. In all newly constructed or substantially reconstructed residential, commercial, industrial or public buildings, all water pipes shall have valves which reduce the water pressure to fifty or less pounds of pressure per square inch.

F. All newly constructed or substantially reconstructed car washes and laundries shall employ recirculating systems.

G. All drinking fountains shall be equipped with a self-closing valve.

H. All new commercial laundry facilities shall be equipped with water-conserving models of washers and other equipment requiring water use in their operating acceptable to the building inspector.

I. All new restaurants shall be equipped with water-conserving models of dishwashers acceptable to the building inspector. (Ord. 84-2 §1(c), 1984)

**15.12.030 Irrigation standards for new projects.** No coastal development permit or building permit shall be issued to any project subject to conditional approval nor shall final subdivision maps be approved until the city council has approved an irrigation plan for that project. The city council shall encourage irrigation systems that:

- A. Minimize water waste;
- B. Incorporate low output sprinkler heads and drip irrigation systems;
- C. Minimize runoff and evaporation;
- D. Preserve natural drainage channels. (Ord. 84-2 §1(d), 1984)

**15.12.040 Landscaping standards for new projects.** No coastal development permit or building permit shall be issued to any project subject to conditional approval nor shall final subdivision maps be approved until the city council has approved a landscape plan for that project. The city council shall encourage landscape designs that:

- A. Maximize the planting of drought tolerant plants;
- B. Minimize the planting of exotic and water intensive irrigation such as turf;
- C. Preserve and protect existing shrubs;
- D. Use mulch and topsoil to improve the water-holding capacity of the soil;
- E. Encourage water reuse for landscaping wherever possible and economically feasible. (Ord. 84-2 §1(e), 1984)

**15.12.050 Standards for parks.** All new parks shall be subject to council review and shall receive approval of landscape and irrigation plans from the city council prior to construction. The city council shall incorporate efficient irrigation systems and drought tolerant landscape features in the design of the facilities. Secondary or nonpotable water should be used whenever available. (Ord. 84-2 §2, 1984)

**15.12.060 Exceptions.** No provision of this chapter shall apply to fire hydrants, fire mains or sprinkler lines used solely for fire protection purposes. The city council may, at its discretion, waive full compliance with the requirements of this section if it is determined that the restrictions imposed in this chapter would cause unnecessary and undue hardship upon the applicant or the public. Financial hardship alone shall not constitute grounds for exception from the requirements of this chapter. The requirements of this chapter shall not be waived for any development within the coastal zone as defined in Chapter 18.04 of this code, unless the necessity of such action is shown and it is demonstrated that the development will not exceed its city imposed water allocation without such requirements. (Ord. 84-2 §1(b), 1984)

## Chapter 15.16

### DUMPING AND FILLING

#### Sections:

#### **15.16.010 License--Required.**

#### **15.16.020 License--Application-- Fee.**

#### **15.16.030 Application to be posted--objections filed- Hearing.**

#### **15.16.040 Violation--Penalty.**

**15.16.010 License--Required.** No person shall fill or dump any earth, sand, gravel, rock or construction materials or other similar material on any unimproved property within the city without first having obtained a city license and paid the requisite fee; provided, however, this provision shall not apply to deliveries of material to commercial enterprises which hold said materials for sale or which use said materials as ingredients in a manufactured or processed product. (Ord. 77-88 §1, 1977)

**15.16.020 License--Application--Fee.** Application for a license to dump or fill may be obtained at the City Hall upon paying the application fee. In order to establish uniformity of fees, the city council adopts and incorporates by reference the fee that the county imposes from time to time for similar filling and dumping uses. (Ord. 77-88 §2, 1977)

**15.16.030 Application to be posted--Objections filed-Hearing.** The application for a license to fill or dump shall be posted at the City Hall and at or about the property upon which the filling or dumping is to take place for three days prior to the commencement of work. Upon written objections filed by at least two city residents within the three day posting period, the license application shall be set for a public hearing at the next regularly scheduled council meeting; provided, that such a hearing can be scheduled at a time which would give the applicant and interested citizens at least three days notice. The city council shall be empowered to hold the public hearing and render a decision on the application with such conditions as it shall determine to be reasonable. (Ord. 77-88 §3, 1977)

**15.16.040 Violation--Penalty.** Violations of this chapter shall constitute a misdemeanor punishable by a fine of five hundred dollars. (Ord. 77-88 §4, 1977)

## Chapter 15.20

### PROPERTY MAINTENANCE REGULATIONS

#### Sections:

- 15.20.010 Purpose.**
- 15.20.020 Unlawful Conditions.**
- 15.20.030 Declaration of Nuisance.**
- 15.20.040 Initiation of Proceedings.**
- 15.20.050 General Provisions.**
- 15.20.060 Abatement by City.**
- 15.20.070 Procedure for Abatement by City.**
- 15.20.080 Summary Abatement.**

**15.20.010 Purpose.** The purpose of this chapter is:

- (a) To insure that all property within the city, including vacant property, is maintained at a level that protects the health, safety and welfare of the citizens of and the visitors to the community.
- (b) To declare that property that falls below minimum standards of repair, maintenance and appearance is a nuisance and subject to the abatement procedures provided herein.
- (c) To insure that commercial uses do not adversely effect residential uses within the city, recognizing that residential uses have historically existed and are encouraged within commercially zoned areas within the city.
- (d) To require commercial properties to create and maintain a good appearance, reasonably related to their function, in order to maintain a viable commercial community and encourage additional capital investment within the city in order to increase the city tax base and provide adequate revenues to meet the service needs of residents, commercial users and visitors to the city.
- (e) To correct existing visual blight and prevent its reoccurrence. (Ord. 98-03 §4, 1998; Ord. 91-03, 1991)

**15.20.020 Unlawful Conditions.** It shall be unlawful and an infraction for any person, firm or corporation owning, leasing, renting occupying or controlling any property within the city to maintain such property in any of the following conditions for a period of time longer than reasonably necessary to correct said conditions:

- (a) Any condition that creates an attractive nuisance to children.

(b) Any condition, including but not limited to packing boxes, building materials, and abandoned vehicles, weeds or plantings, that may be used for shelter by transients, creates a fire hazard or provides a habitat for rodents, insects or other pests.

(c) Cracked, chipped, peeling or faded paint, broken windows, leaking roofs or other conditions of the exterior of buildings that may cause the deterioration of the structure.

(d) The accumulation of weeds, rubbish, abandon or inoperative vehicles.

(e) Cracked, broken chipped or deteriorating pavement when it becomes dangerous for pedestrian use.

(f) The storage of any materials, vehicles or equipment not used in the normal course of the permitted use of the property, including any storage of said items in violation of the terms and conditions of any use permit granted for the property.

(g) The maintenance of any signs on the property not related to current use of the property.

(h) Any other deleterious condition of property found to be a nuisance after hearing by the City Council. (Ord. 98-03 §4, 1998; Ord. 91-03, 1991)

**15.20.030 Declaration of Nuisance.** Any condition set forth in Section 15.20.020 herein is hereby declared to be a nuisance and subject to the abatement procedures set forth in this chapter. The remedies set forth in this chapter are non-exclusive and shall not prohibit the city from pursuing any other remedies provided by law. (Ord. 98-03 §4, 1998; Ord. 91-03, 1991)

#### **15.20.040 Initiation of Proceedings.**

(a) Findings. At any time the city finds any of the conditions set forth in Section 15.20.020, except sub-section (h), exist on a parcel, the City Administrator or designated representative, shall prepare a statement setting forth at least the following:

(1) The condition or conditions in violation of this chapter;

(2) A general description of the requirements of correction of the conditions; and,

(3) The maximum time in which corrections must be made.

(b) Notice. The city shall give notice of the Findings by serving a copy thereof on all persons known by the City to have an interest in the subject property in the manner provided herein.

(c) Action by Property Owner. Upon receipt of the findings, the property owner or other responsible party, shall do one of the following:

- (1) Comply with the terms and conditions of the findings; or,
  - (2) Within ten (10) days of the date of the findings, meet with the City and mutually agree upon amended findings; or,
  - (3) Within ten (10) days of the date of the findings, appeal to the City Council.
- (d) Proceeding Under Section 15.20.020(h). In the event the City finds a condition which violates Section 15.20.020 (h), it shall prepare Preliminary Findings setting forth the same information as set forth in Section 15.20.030 (b) herein, set a date for public hearing before the City Council and give notice as set forth herein. The property owner or other interested party may agree to comply with the Preliminary Findings in writing and waive the right to a hearing before the City Council. If not waived, the City Council shall hold a public hearing and, at the conclusion thereof may, uphold the Preliminary Findings, terminate the proceedings and take no further action to abate the alleged nuisance, or modify the Preliminary Findings. After the conclusion of the public hearing, the City Council shall adopt a Resolution setting forth its determination. If the City Council terminates the proceedings, no further proceedings may be initiated by the City under this chapter for the same conditions for a period of one year from the date of the Council Resolution. (Ord. 98-03 §4, 1998; Ord. 91-03, 1991)

#### **15.20.050 General Provisions.**

- (a) Notice. Whenever Notice is required under this chapter, it shall be deemed complete when placed in the United States Mail, postage prepaid, addressed to the owner either at the address last shown on the last equalized assessment roll or addressed to the subject property. The effective date of any Notice shall be the date of the affidavit of mailing. Notice of a public hearing shall be at least ten (10) days prior to the date of hearing. No other notice shall be required, provided that the City shall use its best efforts to notify all persons having an interest in the property as well as other parties having an interest in the conditions of the subject property.
- (b) Property Owner Responsible. The property owner shall be responsible for compliance with this chapter.
- (c) Continuances. At the request of the owner or other responsible party, or for good cause, the City may extend any of the time limits set forth in this Chapter, or the time of any public hearing. A continuance shall not affect the City's jurisdiction to make a final determination.
- (d) Authority of City Administrator. The City Administrator shall be responsible for the administration of the chapter but may from time to time delegate said authority to other employees or contractual consultants of the City. (Ord. 98-03 §4, 1998; Ord. 91-03, 1991)

**15.20.060 Abatement by City.** Whenever a property owner fails or refuses to comply with an order of abatement properly issued and served under this chapter, the City may proceed to abate the nuisance and assess the costs thereof against the property. (Ord. 98-03 §4, 1998)

### **15.20.070 Procedure for Abatement by City.**

(a) Public Hearing. The City Administrator shall set a date for public hearing to consider abatement by the City. The public hearing shall be set at least ten (10) days after the affidavit of notice. Notice shall be given to the property owner as provided in Section 15.20.040(b).

(b) Contents of Notice. The notice shall contain a list of the matters required to be corrected, the time and date of the public hearing and a statement that at the conclusion of the public hearing the City Council may order the work to be done, the cost, including administrative fees may be assessed against the property, and failure to pay the assessment may result in a lien against the property.

(c) Council Action-Resolution. At the conclusion of the public hearing, the City Council shall adopt a Resolution either:

(1) Terminating the proceedings.

(2) Ordering abatement by the property owner. Said order may include conditions and a time limit and may order abatement by city forces if the property owner fails to comply.

(3) Ordering the nuisance abated by use of city forces or outside contractors.

The Council action shall be limited to those matters included in the Notice of the public hearing.

(d) Establishing Assessment for Work. Upon completion of the work ordered by the City Council, the City Administrator shall set a public hearing to confirm the costs and levy an assessment against the property. Said public hearing shall be at least ten(10) days after the date of the affidavit of mailing of the notice. The notice shall contain a description of the work done and the cost thereof. It shall also contain a statement that a detailed accounting is available in the office of the City Clerk and available for inspection by the property owner. At the conclusion of the public hearing, the City Council shall adopt a Resolution establishing the amount to be assessed against the property, plus and administrative fee of twenty percent (20%) of the total cost of the work or five hundred dollars (\$500), whichever is less. The Resolution shall also provide that if the assessment is not paid within the time prescribed by the City Council, it shall be filed with the County Assessor and become a lien against the property. The Council may prescribe any reasonable time for payment, including installment payments, providing said payments shall be due not less than thirty (30) days from the conclusion of the hearing.

(e) Lien for Non-payment. If the assessment is not paid within the time set forth in the Resolution, the City Clerk shall file a lien against the property in the manner prescribed by law. (Ord. 98-03 §4, 1998; Ord. 91-03, 1991)

**15.20.080 Summary Abatement.** In the event the condition of the property constitutes an immediate hazard to health and safety, the City Administrator may order the abatement of said

condition without hearing or notice. Upon completion of the work, the City Council shall proceed to establish the assessment as set forth in Section 15.20.070(d) herein. (Ord. 98-03 §4, 1998; Ord. 91-03, 1991)